Complaints Resolution Policy

Section 1 - Purpose

(1) This policy is intended to ensure that the Catholic Diocese of Maitland-Newcastle (the Diocese) handles complaints fairly, efficiently, and effectively by the implementation of a complaint management system that is intended to:

a. enable the Diocese to respond to people providing feedback or making complaints in a manner that is consistent with the Catholic Social Teachings:
    i. Dignity of the Human Person – everyone should be treated with respect and dignity. Each person is equal in dignity and has equal rights as a child of God.
    ii. Common Good (Community) – people realise their dignity and rights in their relationships with others, in community. The rights and duties of individuals and groups must be harmonised under the common good.
    iii. Solidarity – humans are one family, no matter the differences. We are social by nature and depend on one another. We seek to stand in unity with each other, particularly those who are powerless or disadvantaged, and recognise each persons' rights regardless of our differences.
    iv. Stewardship - the goods of the earth are gifts from God, and they are intended by God for the benefit of everyone. We are responsible for taking care of the world we live in and for sharing all the wonders and resources the earth gives us.
    v. Option for the Poor and Vulnerable - a healthy community can be achieved only if its members give special attention to those with special needs, to those who are poor and on the margins of society. Preference care should be shown to poor and vulnerable people, whose needs and rights are given special attention in God's eyes.
    vi. Subsidiarity Participation - all people have the right to participate in decisions that affect their lives. Subsidiarity requires that decisions are made by the people closest and most affected by the issues and concerns of the community. Only when higher authority is required for the common good should there be intervention.
b. enable the Diocese to respond in a timely and cost-effective manner to issues raised by people providing feedback or making complaints.
c. improve and maintain public confidence in the processes adopted by the Diocese in the receipt of, and response to, feedback and complaints.
d. provide a pathway to receive information from diocesan workers and people engaged with the life of the Diocese that may be used to continuously improve the services the Diocese provides, the systems each diocesan agency implements or complaint handling.

Section 2 - Scope

(2) This policy will apply to:

a. all diocesan workers who receive or manage the response to a complaint, and
b. the people engaged with the life of the Diocese who wish to provide feedback or make a complaint about a

service the Diocese provides.

(3) This policy will not apply to the management of the complaints in the following categories:

a. grievances between staff members – reference should be made to the diocesan Workplace Grievance Policy.
b. allegations that a diocesan worker has acted in breach of the code of conduct – reference should be made to the diocesan Counselling and Disciplinary Policy.
c. allegations that require a safeguarding response – reference should be made to the Diocesan Safeguarding Framework Policy.
d. complaints arising from the provision of service at a parish – these should be referred to the Bishop's Office.
e. disclosures made by a whistleblower – reference should be made to the Whistleblower Policy.
f. a request for review in accordance with accepted internal review procedures – in these circumstances a complainant may seek a second-tier review of the process applied by the agency in its decision making.
g. complaints that do not relate to a service provided by the Diocese - in these circumstances the person raising the concern or providing feedback will be supported to direct their information to the appropriate external agency.
h. complaints that are not deemed appropriate for response – a complaint may be deemed not appropriate for response if it is highly abusive, aggressive, or threatening towards one or more diocesan worker or presented as statements not seeking a response. In these circumstances the complainant will be advised (if possible) and the complaint closed.

Section 3 - Organisational commitment

(4) The Diocese is committed to the provision of fair, effective, and efficient complaint management that accords with the Catholic Social Teachings.

(5) The Diocese expects its operational leadership to promote a culture that values complaints and their effective resolution.

(6) The Diocese expects each agency to establish and maintain a fair, effective, and efficient complaint management process.

(7) The Diocese expects its workers to:

a. treat all people with respect, including people who make complaints.
b. assist people to provide feedback and make a complaint, if needed.
c. be aware of and comply with the Complaints Resolution Policy.
d. provide feedback to operational leadership on issues arising from complaints.
e. provide suggestions to operational leadership on ways to improve the complaints management process.
f. implement changes arising from individual complaints or from the analysis and evaluation of complaint data.

Section 4 - Guiding Principles of Complaints Management System

(8) Facilitate complaints:

a. People focus – the Diocese is committed to seeking and receiving feedback and complaints about its services,

systems, practices, procedures, and complaint handling. Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame.

b. People making complaints will be:
    i. provided with information about the complaint management process.
    ii. provided with multiple and accessible ways to make complaints.
    iii. listened to, treated with respect by staff and be actively involved in the complaint management process where possible and appropriate, and
    iv. provided with feedback that is relevant to them and the management of the complaint, including options for redress or review.
c. No detriment to people making complaints – the Diocese will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.
d. Anonymous complaints – the Diocese will accept anonymous complaints and will address the issues raised where there is enough information provided.
e. Accessibility – the Diocese will ensure that information about how and where complaints may be made is well publicised. The Diocese will ensure that its systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.
f. Option of a representative - if a person prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, the Diocese will communicate with them through their representative. Anyone may represent a person wishing to make a complaint with their consent for example, advocate, family member, legal or community representative.
g. No charge – complaints made will be managed by the Diocese for free.

(9) Respond to complaints:

a. Early resolution – where possible, complaints will be resolved at first contact with the relevant diocesan agency.
b. Responsiveness – the Diocese will promptly acknowledge receipt of complaints:
    i. The Diocese will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately.
    ii. The Diocese is committed to managing people's expectations, and will inform them as soon as possible, of the following:
        - the complaints resolution process,
        - the expected timeframes for actions,
        - the progress of the complaint and reasons for any delay,
        - their likely involvement in the process, and
        - the possible or likely outcomes of their complaint.
    iii. The Diocese will advise a person as soon as possible if the Diocese is unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).
    iv. The Diocese will advise a person as soon as possible if the Diocese is unable to meet expected time frames for responding to their complaint and where appropriate, the reasons for the delay.

(10) Objectivity and fairness – the Diocese will address each complaint with integrity and in an equitable, objective, and unbiased manner.

a. The person with management of the complaint will not be a diocesan worker whose service or conduct is being complained about.

b. Conflict of interests, whether actual or perceived, will be managed responsibly. In particular, administrative inquiries about how a complaint was managed will be conducted by a person other than the original decision maker.

(11) Responding flexibly – diocesan workers are empowered to resolve complaints promptly and with as little formality as possible.

a. Diocesan agencies will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.
b. Diocesan agencies will assess each complaint on its merits and involve the person making the complaint and/or their representative in the process for resolution as far as possible.
c. Agency staff and diocesan Resolution Officers will support members of the diocesan community to engage with the complaints management system.
d. Diocesan Resolution Officers will also support each agency to engage with the complaint management system.

(12) Confidentiality – the Diocese will protect the identity of people making complaints where this is practical and appropriate.

a. Personal information that identifies individuals will only be disclosed or used by the Diocese as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

Manage the parties to a complaint

(13) Complaints involving multiple agencies.

a. where a complaint involves multiple organisations, the Diocese will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.
b. Subject to privacy and confidentiality considerations, communication and information sharing between the parties will be organised to facilitate a timely response to the complaint.
c. Where a complaint involves multiple diocesan agencies, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.
d. Where the diocesan service the subject of complaint is contracted out the Diocese expects the contracted service providers to have an accessible and comprehensive complaint management system. In such circumstances, the Diocese will receive complaints about the services and staff of the diocesan agency and that of the contracted service providers.

(14) Empowerment of diocesan workers – all diocesan workers managing complaints are empowered to implement the diocesan complaint management system as relevant to their role and responsibilities.

(15) Diocesan workers are encouraged to provide feedback to operational management about the effectiveness and efficiency of all aspects of the diocesan complaint management system.

Manage unreasonable conduct by people making complaints

(16) The Diocese is committed to being accessible and responsive to all people who approach it with feedback or complaints. The successful resolution of complaints by the Diocese depends on the:

a. ability of diocesan workers to do their work and perform their functions in the most effective and efficient way possible,
b. health, safety, and security of diocesan workers, and

c. ability to allocate diocesan resources fairly across all complaints received.

(17) When people behave unreasonably in their dealings with the Diocese, their conduct can significantly affect the progress and efficiency of the services provided. As a result, the Diocese will take proactive and decisive action to manage any conduct that negatively and unreasonably affects workers and will support workers to do the same in accordance with this policy.

(18) An unreasonable complainant is defined by their behaviour which, because of its nature or frequency, raises substantial health, safety, resource, or equity issues for the people involved in the complaint process. A person's conduct may be considered unreasonable if it has unacceptable consequences for one or more of the parties to the interaction.

(19) The following categories of unreasonable conduct will be referenced by the Diocese in its interpretation of when a complainant's conduct may be considered unreasonable:

a. Unreasonable persistence – people who persist with their issues even though they have been finalised, refusing to accept a final decision, and sending excessive amounts of correspondence.
b. Unreasonable demands – people insisting on outcomes that are unattainable, moving the goal posts or demanding to have their matters dealt with in particular ways.
c. Unreasonable lack of cooperation – people providing disorganised, excessive, or irrelevant information, failing to provide relevant information that might not suit their position or argument, being unwilling to consider other valid viewpoints, or refusing to define their issues of concern when they are capable of doing so.
d. Unreasonable arguments – people seeing cause and effect arguments where there is none, holding conspiracy theories unsupported by evidence, or irrationally interpreting facts or laws and refusing to accept other interpretations.
e. Unreasonable behaviours – people exhibiting extreme anger, aggression, threats or other threatening or violent conduct.

(20) The assessment of whether a complainant's conduct is unreasonable will be made case-by-case by a senior member of the complaint management service.

(21) Referral of a complaint to another diocesan agency or external authority for management

a. Where, upon further inquiry into the complaint there may be reasonable grounds to suspect that criminal, corrupt, reportable conduct, or gross professional misconduct may have occurred the matter will be referred to the appropriate diocesan agency for example, People & Culture or the Office of Safeguarding and/or the appropriate external authority, for example the NSW Police.

Section 5 - Document Review

(22) This policy will be reviewed when there is a legislative change, organisational change, delegations change or at least every 3 years to ensure it continues to be current and effective.

Section 6 - Related Documents

(23) The following related documents support the implementation of this policy:

a. Complaints Brochure.
b. Dispute Resolution Brochure.

Status and Details

Status	Current
Effective Date	20th February 2024
Review Date	11th October 2025
Approval Authority	Chief Executive Officer
Approval Date	11th October 2022
Expiry Date	To Be Advised
Unit Head	Megan Grainger Chief Governance Officer
Enquiries Contact	Governance and Legal

Glossary Terms and Definitions

"Diocesan worker" - A person who carries out work in any capacity for an employer or 'Person Conducting a Business Undertaking'. This includes employees, clergy, religious, trainees, apprentices, student placements, volunteers and contractors. In the Diocese of Maitland-Newcastle, 'diocesan worker' includes those who carry out work in and for parishes within the Diocese, within and for diocesan agencies and the diocesan curia.

"Complaint" - An expression of dissatisfaction made to or about the Diocese, the services the Diocese offers, a diocesan worker or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required. A complaint is not a request for service, an expression of concern, opinion, or feedback where a response is not explicitly or implicitly expected. A matter that may not be considered a complaint as defined by the policy may be recorded and referred to the appropriate operational leadership for management.

"Complainant" - The person who makes the complaint. The complainant may be the person who suffered the alleged inappropriate conduct or poor service or a person acting on another person's behalf for example, the responsible person for a child (e.g. parent) or vulnerable person (e.g. appointed guardian).

"Conflict of interest" - Also known as a conflict of duty refers to situations where a conflict arises between a public or professional duty and a private interest or duty owed to another organisation or group (including volunteering). This conflict could influence the performance of official duties and responsibilities. Such conflict generally involves opposing principles or incompatible wishes or needs. Conflicts of interests can be: • Actual - involves direct conflict between your current duties and responsibilities and existing private interests; or • Potential - where a person has a private interest that could interfere with the performance of their official duties and responsibilities in the future; or • Reasonably perceived - where a reasonable person could perceive that your private interests are, or are likely to, improperly influence the performance of your duties, irrespective of whether this is the fact.

"Personal information" - Information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or reasonably identifiable, from the information or opinion. This includes sensitive information.

"Administrative Inquiry" - A structured process undertaken to investigate whether there is sufficient evidence to sustain a complaint. Administrative inquiries apply the civil standard (on balance of probabilities) and do not address questions of innocence or guilt; nor can administrative inquiries unilaterally achieve moral certitude in canonical jurisdictions. See Safeguarding Framework Policy 2022.

"Complaint management service" - The diocesan service provided by Governance that is dedicated to the resolution of complaints and includes: • Resolution Officers who have an impartial, facilitative, and supportive role

in the resolution of complaints at the Agency, and • Administrative Review Officers who may be allocated to finalise a complaint by the completion of an Administrative Inquiry.

"Complaint management system" - All policies, procedures and practices used by the Diocese in the management of complaints.

"Feedback" - Opinions, comments, compliments and expressions of interest or concern, made directly or indirectly, explicitly, or implicitly, to or about the Diocese, the services offered by the Diocese or complaint handling where a response is not explicitly or implicitly expected or legally required.

"Grievance" - A grievance is any issue or concern raised by a worker that involves interpersonal conflicts, disagreements about perceived unfairness, discrimination, or breaches of policies, procedures, and/or conduct standards. Examples include but are not limited to: • Interpersonal conflict and disagreements between workers. • Disagreements about how work is allocated or managed. • Disagreements regarding the application of organisational policies. • Issues of discrimination, unfairness, or administrative decisions perceived as unreasonable.

"Resolution Officer" - A member of the Complaint Management Service at diocesan Governance who has an impartial, facilitative and support role in the resolution of complaints at the agency.

"Agency" - Diocesan agencies may also be referred to as directorates. Diocesan agencies are intra-diocesan organisational structures that have been established and developed in the life of the church, to undertake good works and services on behalf of the Diocese and have the capacity to bind the Diocese to its actions. For the most part, but not exclusively, diocesan agencies are led by executive directors. Examples of Diocesan agencies include: • CatholicCare Social Services Hunter-Manning; • Catholic Community Fund (including Catholic Development Fund Maitland-Newcastle (CDFMN)); • Catholic Schools and the diocesan systemic schools; • Hunter Community Housing; • St Nicholas services including Early Education centres and Out of School Hours Care (OOSH) services; and • Shared Services, which is inclusive of multiple specialist tertiary providers to diocesan parishes and agencies, that forms part of the Diocesan Curia.

"Catholic Diocese of Maitland-Newcastle (the Diocese)" - The Catholic Diocese of Maitland-Newcastle (the Diocese) is inclusive of all parishes and agencies, communities, ministries and works that are under the authority of the Bishop of Maitland-Newcastle. The Bishop takes his authority from Canon Law (Canons 375-402). The geographical coverage of the Diocese includes all or part of the Newcastle, Lake Macquarie, Maitland, Cessnock, Port Stephens, Singleton, Muswellbrook, Upper Hunter, Dungog and Mid-Coast local government areas, with almost 160,000 Catholics, 38 parishes and serviced by multiple diocesan ministries and agencies. The Diocese is not wholly geographic in nature. There are elements of the Catholic Church operating within the physical boundaries of the Diocese that do not fall under the authority of the Bishop and are not a part of the Diocese. Equally, particular diocesan ministries occur within external institutions (e.g. Prison Chaplaincy, Hospital Chaplaincy).

"Worker" - A person who carries out work in any capacity for an employer or 'Person Conducting a Business Undertaking'. This includes: • employees; • teachers; • educators; • contractors; • apprentices; • clergy; • religious; • student placements; • trainees; and • volunteers/unpaid . In the Catholic Diocese of Maitland-Newcastle, 'worker' includes those who carry out work in diocesan parishes, within diocesan agencies and as a part of the diocesan curia.