



# Lived Experience Advocate Service Complaints Policy

## Policy statement

Lived Experience Advocates (LEAs) are vitally important to understanding the experiences of managing the social and economic challenges associated with substance use and utilising treatment services.

Training for new Lived Experience Advocates (LEAs) includes information on the policies and processes that LEAs need to be aware of when carrying out their role. LEAs are encouraged to contact the Lived Experience Advocate Service Coordinator (LEASC) with any questions about these policies or processes and to stay updated on policy or process changes.

Further information on lived experience participation can be found in ATDC's Lived Experience Advocate Induction Pack.

The Lived Experience Advocate Service (LEAS) is committed to addressing complaints and disputes effectively. In doing so, the LEAS complaints and disputes process will follow the principles of natural justice and procedural fairness. When addressing complaints, LEAS will operate according to the Alcohol, Tobacco and other Drugs Council (ATDC) Lived Experience Framework and ATDC values.

The ATDC may at its discretion alter the manner in which the process outlined in this Policy is conducted to ensure it suits the particular case.

## Acronyms

| Acronym | Definition  |
|---------|---|
| ATDC    | Alcohol, Tobacco and other Drugs Council                          |
| EAP     | Employee Assistance Program                                       |
| LEA     | Lived Experience Advocate (volunteer)                             |
| LEAS    | Lived Experience Advocate Service (currently managed by the ATDC) |
| LEASC   | Lived Experience Advocate Service Coordinator                     |

## Is it a grievance or a complaint?

A grievance is any type of problem or concern related to a person's work, the work environment, or the ATDC. A personal grievance can be about any act, behaviour, omission, situation or decision impacting on an individual that the individual thinks is unfair or unjustified.

A complaint often starts with a grievance.

A complaint is a formal act of raising a concern with the ATDC, either directly or through the LEAS. A complaint requires the ATDC to formally acknowledge and respond (see Procedures).



At all times, the ATDC will work with staff and volunteers to resolve complaints internally before turning to external means of redress. This approach is taken in an effort to preserve working relationships and to avoid potentially costly and disruptive interruptions to the LEAS's operations and the daily lives of volunteers and staff.

| Grievance  | Complaint   |
|--|---|
| <ul style="list-style-type: none"><li>• Informal</li><li>• Generally used for less serious concerns</li><li>• Useful when a person wants help resolving an issue with another person or with the ATDC</li><li>• Usually managed by individuals involved in LEASC support</li></ul> | <ul style="list-style-type: none"><li>• Formal and written</li><li>• Tends to be used for more serious concerns</li><li>• Requires a written response from the ATDC</li><li>• Resolved through a carefully managed and documented process</li></ul> |
| <p><b>Examples</b></p> <p>I am unhappy with the way I was spoken to.</p> <p>I have not been reimbursed in the usual time.</p> <p>I feel like I should have been selected for a role.</p>   | <p><b>Examples</b></p> <p>I feel I was discriminated against.</p> <p>Someone breached the privacy policy.</p> <p>I was verbally threatened.</p> <p>The safety of myself or others was compromised.</p>  |

## Acknowledging a complaint

The ATDC will acknowledge receipt of a formal complaint promptly, ideally within five business days, excluding days when the ATDC is closed.

## Procedural fairness

The ATDC will follow the following principles to ensure procedural fairness in dealing with complaints.

1. We will address each complaint with integrity and in a fair and unbiased manner.
2. We will ensure that the person handling the complaint is not a staff member against whom a complaint has been made.
3. Each person involved in the complaint process will be informed of their right to access the ATDC Employee Assistance Program (EAP). LEAs also have access to this service.
4. Each person involved in the complaint will be directed to any relevant LEAS operational policies that may provide guidance on the issue in question.
5. We will support both the person making a complaint or raising a grievance and the person who has had a complaint or grievance made against them.



## Escalation

When someone has a grievance or complaint against another individual, they are encouraged firstly to try to resolve the matter informally with the other person. If this initial step is not successful, or it is not considered safe or appropriate to approach the other person, the complaint should be 'escalated' using the steps below.

1. Approach the LEASC for assistance in resolving the issue.
2. If the grievance is with the LEASC, the person should raise their concern with the Sector Development Manager.
3. If the grievance is with the Sector Development Manager, the person should raise their concern with the CEO.
4. If the grievance is with the CEO, the person should raise their concern with the Chairperson of the ATDC.
5. If the grievance is with the ATDC or LEAS in general, the person should inform the LEASC of their concern.

## Procedures

When a grievance or complaint is received, the ATDC will consider

- how serious or complicated the matter is
- whether it relates to work health or safety
- how the person raising the concern may be affected
- any time pressures associated with resolving the issue including the impact of delays
- whether another organisation needs to be involved

| Grievance   |
|---|
| <ol style="list-style-type: none"><li>1. In the first instance, if both the ATDC and the aggrieved person feel further action is required, an informal mediation meeting may be held with both parties to try and resolve the grievance.</li><li>2. Should an informal meeting not resolve the matter, the person experiencing the grievance will be asked to submit a complaint in writing and follow the complaint procedures below.</li><li>3. Note that LEAs are not obligated to follow the grievance process, which is designed to resolve issues or concerns before they become formal. It may be appropriate or preferable for an LEA to make a formal complaint.</li></ol> |
| Complaint   |
| <ol style="list-style-type: none"><li>1. The aggrieved person makes a formal complaint in writing. The other person concerned will be made aware of the details of the complaint. They will not be given a copy of the original written complaint unless the person raising the complaint has agreed to this.</li><li>2. The ATDC will formally acknowledge that it has received the complaint, ideally within five business days.</li></ol>  |



3. The person against whom a complaint has been raised will be given an opportunity to respond in writing. This may not be shared with the complainant.
4. Parties may choose to conduct an informal mediation meeting to resolve the dispute.
5. If the informal meeting does not resolve the matter, or parties choose not to hold an informal meeting, a meeting will then be scheduled for the purposes of formally mediating the dispute. Both parties are entitled to have a support person attend the meeting with them.
6. It is suggested that an agenda be prepared for this meeting and that the following processes be followed:
  - a. if more than one person is present, establish the role of each person
  - b. outline the process that is to be followed
  - c. inform the parties that any information obtained in the conduct of the review is confidential
  - d. take accurate and detailed notes of all conversations (including dates and people involved) and attach any supporting documents
  - e. if necessary, provide each person with a written summary of the meeting and clarification of the next steps to be taken
  - f. note that all parties are to maintain complete confidentiality at all times and abide by ATDC's Privacy Policy
7. The person chairing the meeting must ensure that the meeting is conducted in a way that will help to maintain positive working relationships, and provides a fair, unbiased and independent analysis of the situation.
8. Should this meeting be unsuccessful, the ATDC will employ the services of an external mediator to try to resolve the matter.
9. Throughout the process, both parties will be entitled to seek advice and/or representation, and are entitled to instigate proceedings through formal avenues where appropriate. However, wherever possible, the parties involved are encouraged to follow the grievance and complaint resolution process before doing this.

## False or misleading complaints and grievances

If an individual makes a complaint or grievance against another person and that complaint or grievance is known or found to be false, malicious, or vexatious, their action may be considered serious misconduct and may lead to disciplinary action, including temporary or permanent exclusion from the LEAS, or in the case of an ATDC employee, termination of employment.

## Related policies

The ATDC has established numerous policies to direct its staff and volunteers. For any activities related to LEAS complaints and grievances, please refer to this policy. However, it's crucial to understand that the LEAS policies do not supersede ATDC operational policies. In case of any discrepancies or ambiguities within the LEAS policy suite, the ATDC operational policies should be the primary reference for guidance. ATDC operational policies can be supplied upon request.



**Version**

|                      |             |
|----------------------|-------------|
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