



# LIVERPOOL-FAIRFIELD COMMUNITY RADIO CO-OPERATIVE LIMITED

ABN 58 832 839 936

## Complaints Management Procedure

### Introduction

2GLF treats allegations of discrimination, harassment, bullying, and workplace violence very seriously. All members/employees at 2GLF have an obligation to set an example and ensure that discrimination, harassment, bullying and violence are prevented in the workplace.

All directors, members, presenters and volunteers must treat seriously and act immediately on any report or suspicion of discrimination, harassment, bullying or violence at the station or its connected activities, e.g. Outside broadcasts.

The Complaints Management Procedure has been developed to resolve complaints by individuals alleging discrimination, harassment, bullying or violence at work and to deal with complaints in a thorough, timely and confidential manner.

The Complaints Management Procedure is to be followed by:

- The person making the complaint (the complainant);
- The person about whom the complaint is made (the respondent); and
- Any other party involved in the complaint management process.

Complainants should not be victimised for voicing concerns or making a complaint about discrimination, harassment, bullying or violence at the station.

The Liverpool –Fairfield Community Radio Co-operative will take all reasonable precautions to ensure members/employees are not victimised and/or subjected to ridicule or embarrassment for voicing concerns or making a complaint.

Victimisation may result in The Co-operative taking disciplinary action against the person responsible for the victimisation.

If you believe you have been victimised you should notify the Regulations Director or the Chair of the Board as soon as possible.



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Maintaining confidentiality is a critical requirement in the Complaints Management Procedure. The Co-operative may take disciplinary action against any person found to have breached confidentiality in relation to a complaint. In serious cases, disciplinary action may include dismissal from the station

If, after an investigation, the Regulations Director or Chair finds that a complaint was not made in good faith or that a person has provided false information, The Co-operative may take disciplinary action against the complainant or the person who gave the false information. In serious cases, disciplinary action may include dismissal from the station.

## Complaint Procedure Options

The Complaints Management Procedure gives complainants four options for managing a complaint.

They are:

- Self-help (**Directly**)
- Informal Intervention (**Directly**)
- Making a Formal Complaint – **Complaints Committee (Internal)**

It is up to the complainant to decide which option is appropriate to the circumstances. An explanation of each of the options is set out below. If a complainant is unsure about which option to choose they should contact one of the Directors or the Regulations Director.

**More than one option is allowed depending on the preference of the complainant.**

### Self-help

If the complainant is able to deal with the problem by themselves the self-help procedure may be appropriate. If the complainant would like the Regulations Director or the Chair to be involved in the management of the complaint the self-help option is unlikely to be the appropriate complaint procedure option.

The self-help option allows the complainant to remain in control of the process. It keeps the problem at a local level and it may stop the offending behaviour - sometimes people are not aware that their behaviour may be offensive.



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If the self-help option succeeds, it can maintain a harmonious working relationship between the individuals involved. However, if the complainant feels uncomfortable or fearful of tackling the problem alone, then the situation may require the involvement of The Regulations Director or the Chair. Self-help methods include:

- Informing the respondent in a private and confidential manner that their behaviour is offensive and asking them to stop the behaviour; or
- Writing to the respondent on a private and confidential basis advising them that a complaint may be made if the offensive behaviour does not stop.

The self-help option is aimed at stopping the conduct. It will not ordinarily result in disciplinary action being taken against the respondent.

The complainant may seek confidential advice from the Regulations Director or the Chair about the self-help option. They can provide complainants with general information about matters such as the complainant's rights, complaints management options and how the complainant can express their concerns to the respondent if they adopt the self-help option.

Complainants should be aware that if the complainant gives specific information about their particular complaint, the Regulations Director or Chair may be required to initiate steps concerning that complaint to ensure that The Co-operative complies with its legal obligations and its responsibilities to its employees. Such steps may include informing the Board.

## Informal Intervention

Where the complainant believes that the self-help option is inappropriate, then someone may intervene on the complainant's behalf. This intervention can be by the Regulations Director or the Chair.

Informal intervention can occur in any one of the following three ways:

1. The complainant can speak to the respondent in the presence of another person for example a support person or colleague and ask for the offensive behaviour to stop.
2. The person intervening on behalf of the complainant can approach the respondent and explain the nature of the behaviour and any solutions the complainant has proposed. If the respondent acknowledges the complaint, then the individuals involved may agree upon a solution. A key feature of this intervention strategy



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is that the complainant and the respondent do not meet with each other. The person intervening on behalf of the complainant carries out the negotiation.

3. The Regulations Director or the Chair can conciliate the complaint. The conciliator's role is to talk through the problem with the individuals involved in an attempt to find a mutually agreeable solution; this is particularly important where the two individuals work together. This meeting should only occur once :

- A neutral venue is nominated for the meeting;
- There is an agreement between the individuals involved on the main facts; and
- The complainant feels confident enough to meet with the respondent.

The person intervening must keep a written record of -

- The nature of the complaint;
- The identity of both the complainant and the respondent;
- The action taken; and
- The result of that action.

If the respondent denies or disputes the allegations, then informal intervention should cease. The complainant must then decide whether or not to proceed with a formal complaint.

Informal intervention is aimed at stopping the conduct. Depending on the circumstances, it may result in disciplinary action, counselling and/or training to be undertaken.

## **Making a Formal Complaint**

If the complainant wishes to make a formal complaint the complainant must complete a [Formal Complaint Form](#) and forward it to the Regulations Director/The Secretary of the Board. The Complaints Committee made up of the Regulations Director, The Chair and one other nominated by the Board will then conduct an impartial investigation into the complaint. The investigation process will be conducted thoroughly, whilst recognising the need to resolve the matter as soon as possible.

After completing the investigation the committee will determine whether the allegations have been substantiated. The committee will then recommend steps to resolve the complaint.



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Steps taken to resolve the complaint will depend on the circumstances **but may require disciplinary action, counselling and/or training to be undertaken.**

***The outcome of the investigation and the recommendations will be conveyed to the complainant and the respondent in writing. The findings of the investigation will be placed in the complaints file.***

## **Addition to the Complaints Procedure (June 2018)**

### **Complaints against or between board members**

With the board responsible for overseeing the Complaints Procedure, a different approach may be required to resolve the matter, depending on the nature of the complaint.

Unless the director and the member or the director and another director can resolve the dispute between each other, external mediation may be required to ensure the transparency of the process.

### **Record Keeping**

The Co-operative is required to keep records of its correspondence, minutes from complaint committee meetings and board meetings regarding complaints made within the Co-operative.

While these matters are recorded as per the Co-operative's requirements, they are not for publication or distribution to anyone other than those involved in the complaint and the decision-making process (Committee and/or Board).

Board Members and Complaint Committee members are expected to keep this information confidential to those involved and within the decision-making process. The Co-operative may also be required to provide this information to other external regulators (e.g. ACMA, The Human Rights Commission).

### **Failure to Resolve**

Complaint resolution requires the active and positive contribution from all parties. While the matters may be challenging, the Co-operative expects members to fully participate.

If a member unduly delays or does not co-operate to take reasonable steps to resolve a dispute or complaint, it may provide grounds for disciplinary action in accordance with the Co-operative's policies.



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## External Mediation

Everyone is encouraged to resolve disputes internally. However, either party may request external mediation if they feel that will be more productive.

If the board is unable to resolve a complaint or dispute internally, it may refer all parties to an external mediation body (e.g. Community Justice Centre or similar.)

Voluntary participation is a requirement of this process. If a party does not wish to participate they must notify the Board immediately with an alternative way to resolve the complaint or dispute.

| Version             | Prepared by   | Effective date |
|---------------------|---------------|----------------|
| Version 2.0 Revised | Chris Sparrow | March 2022     |