



# Complaints Resolution Policy

## Section 1 - Purpose and Objectives

(1) The purpose of the Complaints Resolution Policy is to set out in general terms CFA's approach to managing and resolving concerns, disclosures and complaints that it receives.

## Section 2 - Scope

(2) This policy applies in relation to concerns raised and complaints made by a member of the public/community, CFA members, Labour hire contractors, in relation to CFA members or Labour hire contractors.

(3) However, this policy does not apply to:

- a. disputes or grievances about employment entitlements under the National Employment Standards or Enterprise Agreements;
- b. reasonable management action and/or management decisions taken in a reasonable manner;
- c. complaints by members of the public about matters other than the behaviour of a CFA member or labour hire contractor; and/or
- d. matters that are operational matters or any matters where CFA determines that there is a more appropriate process or procedure that should be applied, taking into account the subject matter of the issue or concern raised.

(4) This policy is not an exhaustive statement of the CFA's process for handling concerns, complaints or other related matters. Please note that:

- a. it does not displace any other instruments that may apply in circumstances considered by this policy, including the [Country Fire Authority Act 1958](#) (CFA Act), the [Country Fire Authority Regulations 2014](#) (CFA Regulations), other legislative instruments or Enterprise Agreements;
- b. if you have any concerns about the safety or welfare of a child who is involved with the CFA in any way, you should complete the online [Child Safety Incident Report Form](#) or complete a [CFA Child Safety Incident Paper Report Form](#) and submit it to the CFA's Child Safety Officer via email ([childsafetyofficer@cfa.vic.gov.au](mailto:childsafetyofficer@cfa.vic.gov.au)) as soon as practicable.

## Section 3 - Policy

(5) CFA is committed to all CFA members and labour hire contractors working safely and cooperatively for the benefit of the Victorian community and in keeping with the CFA values which include teamwork, integrity, respect, safety and being adaptable.

(6) Those CFA values and guiding principles are also reflected in the [Behavioural Standards Policy](#) which sets out the standards of behaviour that CFA requires of all of CFA members and labour hire contractors, including that CFA will not tolerate bullying or harassment, sexual harassment, prohibited discrimination, or victimisation.

(7) CFA acknowledges that circumstances can arise where a CFA member or labour hire contractors or member of the public/community, may wish to raise a concern, or make a more formal complaint about the conduct of CFA members or labour hire contractors. CFA is committed to facilitating the proper resolution of such complaints in an appropriate, transparent, efficient, fair and effective manner.

## **Principles for Complaint Resolution**

(8) CFA will, so far as reasonably practicable, handle all concerns and complaints in accordance with the following principles:

- a. Complaints will be handled confidentially to the extent reasonably possible. All parties to a complaint are to maintain appropriate confidentiality.
- b. It is preferable for concerns and complaints to be resolved informally between those concerned, where appropriate. CFA acknowledges that informal resolution may not always be appropriate or effective, and that sometimes it may be necessary for a more formal complaint resolution process to be undertaken.
- c. CFA will assess all complaints received, including a risk assessment to ensure health, safety, environment and wellbeing (HSEW) factors are appropriately considered and determine the most appropriate approach for addressing or progressing each complaint, including whether to progress informally, to progress as a formal complaint and/or to refer to another process or body.
- d. CFA will seek to deal with concerns and complaints in a timely manner.
- e. Complaints will be handled in accordance with principles of procedural fairness and in a manner that is fair to the complainant and to the person(s) against whom the complaint is made. Procedural fairness includes the absence of bias, and a reasonable opportunity to respond.
- f. Where the concern or complaint is about a matter that occurred more than 12 months prior, CFA will consider whether it is appropriate to progress the concern or complaint.
- g. CFA will seek to provide appropriate support to those persons affected by a complaint, including the complainant, the respondent(s) and any other persons involved. This will include, where possible and appropriate, the provision of regular progress updates and explanations throughout the complaint process.
- h. Complaints that CFA assesses to be false, frivolous or vexatious will be dismissed and may result in potential action against the complainant.
  - i. A frivolous complaint is one which is petty or minor, that does not have any serious purpose or value, or that is otherwise not worthy of serious attention.
  - j. A vexatious complaint is one that is not based on an honestly held opinion or that is made for an ulterior purpose, including a complaint that is raised without merit to cause inconvenience, upset, annoyance, frustration or worry to the person(s) against whom it is made, or to CFA
- k. Complaints which are ill-founded or for which there is insufficient detail or evidence to proceed or for which there is no reasonable expectation of a satisfactory resolution, will be closed. The complainant will be notified in writing of the stated reasons why no further action will be taken
- l. It is possible for complaints to be made anonymously, it is preferable however for complaints to be raised by identified complainants as greater steps and action can be taken and procedural fairness provided to any people complained about. If a complaint is made anonymously:
  - i. CFA may be restricted in its ability to effectively handle the complaint and a formal investigation may not be available;
  - ii. CFA will, to the extent reasonable and possible, take appropriate action to address the matters raised by the complaint in the circumstances. This may include identifying any particular issues and trends and communicating CFA's expectations, even if an investigation is not undertaken or is limited because of the complaint being anonymous.
- m. Complaints or parts of complaints that raise a matter or matters that have previously been dealt with by CFA as part of an earlier or prior complaint will generally not be progressed as a complaint and will not be the subject

of a second or further investigation unless there is subsequent significant and material new information.

- n. A complaint or concern about a previous complaints process will not be a new complaint, but rather considered as a request for review by CFA of the previous outcome, and CFA will determine whether any review will be conducted.
- o. Nothing in this policy precludes the CFA from taking direct action in respect of matters that it is or becomes aware of (including to ensure a safe environment). CFA may investigate and/or take direct action irrespective of whether a complaint has been made.

## **What to do if you have a concern or complaint?**

### **Self-help and obtaining information/guidance and preliminary assistance**

(9) CFA members and labour hire contractor are encouraged to seek guidance about [resolution options](#) and to discuss concerns they have about the conduct of other CFA members or labour hire contractor, with:

- a. the other person(s) where they feel comfortable doing so;
- b. their supervisor/manager for support to resolve if appropriate;
- c. if the concern is about their supervisor/manager and they don't feel comfortable, raising it directly with their supervisor/manager, their next in charge;
- d. their People and Culture Business Partner;
- e. the CFA Resolution Support Team can provide advice and guidance to CFA members and labour hire contractor without the obligation to raise a formal complaint;
- f. Volunteer Fire Brigade Victoria (VFBV) are able to provide guidance to CFA volunteer members.

### **Making a complaint**

(10) The Complaints Resolution Procedure outlines the process for making a complaint.

### **Supports**

(11) CFA acknowledges that being involved in a complaint may be difficult and stressful.

(12) Throughout the informal and formal resolution processes, complainants and respondents, and any other person involved in the complaint, are entitled to the assistance of a support person as chosen by them. A support person may provide emotional support, assistance and help with clarifying matters and may take notes. A support person's role is not to speak for the person they are supporting or to be an advocate.

(13) CFA also provides support to all CFA members and labour hire contractors and their immediate family, which is available 24 hours per day, 7 days per week. If you or a member of your family require Wellbeing Support, please contact 1800 959 232 for access to the Member Assistance Program, Organisational Wellbeing team, Peers or Chaplaincy Program. These services are confidential and free of charge.

(14) VFBV is able to offer support and guidance to CFA volunteers.

### **Further Information**

(15) If CFA members or labour hire contractors require further information about raising a grievance or complaint, you will find the relevant details and contact information [here](#).

(16) You can also access the [Complaint Resolution Flow Chart](#) for further information on the process.

## Section 4 - Definitions

(17) Commonly defined terms are located in the CFA [centralised glossary](#). Document-specific definitions are listed below.

"Enterprise Agreement" means an enterprise agreement made under the [Fair Work Act 2009](#) and includes the [Country Fire Authority Professional, Technical and Administrative Agreement 2021](#) (PTA Agreement) and the [Country Fire Authority District Mechanical Officers and Tower Overseers Agreement 2022](#) (DMO/TO Agreement), and any replacement agreements;

"IBAC" means the Independent Broad-based Anti-Corruption Commission;

"supervisor/manager" means the person to whom a CFA member or labour hire contractor reports; and

"respondent" means a person or persons against whom a complaint is made.

## Section 5 - Related Documents

(18) [Behavioural Standards Policy](#)

(19) [Complaints Resolution Procedure](#)

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	5th July 2024
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<b>Accountable Officer</b>	Torbjorn Servin General Manager People and Culture
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## Glossary Terms and Definitions

**"CFA member"** - Refers to all CFA volunteers, volunteer auxiliary workers, officers, employees and secondees.

**"CFA volunteer"** - An officer, member, or volunteer auxiliary worker who receives no remuneration for their services in relation to a brigade but does not include an officer or member of an industry brigade.

**"Labour hire contractor"** - Personnel provided by a staffing agency for a fee. These personnel are employees of the agency and not CFA.