



## Johnstone River Community Gardens Inc. Complaints and Dispute Handling Policy & Procedure

### Short Version

1. When a problem first occurs, Garden-Members are encouraged to **go and speak informally to the person they are having the issue with**. Do this in a calm, non-threatening manner, and sooner rather than later so the situation doesn't get worse.



2. If this doesn't work, or you are uncomfortable talking to the person you have an issue with, tell a member of the Executive Committee (the President, Secretary, or Treasurer).  
**Make it clear that you would like to make a complaint and expect something to happen.**

You can tell the Committee face-to-face.

You can email the Committee on:  
[jrcgardens.inc@gmail.com](mailto:jrcgardens.inc@gmail.com)

Or you can post a letter to the Committee addressed at:  
The Committee  
Johnstone River Community Gardens Inc.  
PO Box 421  
Innisfail QLD 4860



3. If the issue is still not fixed, or you are not happy with the way the Executive Committee handled the complaint, the Executive will take the matter to a higher body, and request unbiased assistance which could mean mediation from an impartial third-party



# Johnstone River Community Gardens Inc.

## Complaints and Dispute Handling Policy & Procedure

### Long Version

#### Policy Statement

All Garden-Members have the right to raise a concern or complaint about any aspect of the Gardens' operations, including the conduct of other Garden-Members. The Gardens encourage constructive criticism and complaints, and view them as part of an important feedback and accountability process, which can result in a better organisation for all involved.

#### Roles and Responsibilities – General

When interacting with other Garden-Members, including resolving complaints and disputes, all Garden-Members **are required** to abide by the following:

- Avoid any behaviour that could be perceived as aggressive, abusive, and/or threatening – this includes considerations for tone and volume of voice, body language, facial expressions, use of language, and other socio-cultural aspects, such as gender and physical differences.

Additionally, all Garden-Members **should consider** the following:

- Potential concerns, complaints, and disputes should be raised and managed promptly and proactively, so as to avoid a situation or misunderstanding escalating or deteriorating unnecessarily;
- Be calm, courteous, honest and sincere;
- Keep and respect everyone's privacy and confidentiality;
- Recognise everyone has rights and responsibilities that must be balanced;
- Avoid judgement, blame, and accusations;
- Acknowledge that individuals have differing perspectives and reactions to a shared situation, depending on their own life-experiences and other biases;
- Value differences and respect each other's right to a different point of view;
- Acknowledge that the common goal is to achieve an outcome acceptable to everyone involved;
- Avoid engaging in any behaviour that could bring the reputation of the Gardens into ill-repute.

#### Roles and Responsibilities – The Committee

The Committee has the following responsibilities in relation to this policy and procedure:

- To give the complainant a copy of this document to help them lodge their complaint;
- Support both or any parties during the complaints and dispute resolution process;
- Inform other Committee members of potential, perceived, or real concerns, complaints, and/or disputes;
- Make sure this policy is available to all on the Gardens' website and when Garden-Members initially commence and then renew their membership;

- Treat anonymous complaints the same way as non-anonymous complaints;
- Take complaints seriously and address them as promptly and efficiently as possible, and within a timeframe that is agreeable to all parties involved;
- Keep and respect everyone's privacy and confidentiality in accordance with legislative requirements;
- Keep records of formal complaints, discussions and actions.

## Procedure

### Complaint Procedure Level One

When a problem or issue initially occurs, Garden-Members are first encouraged to **go and speak informally to the person with whom you have an issue**. Many complaints can be resolved by communicating openly, honestly and in a non-threatening manner and environment, while also providing information, an explanation, an apology, and/or recognition of the effect the situation has had on the person.

When receiving a verbal or written complaint, a member of the Committee should:

1. (If the complaint is written) respond within 2 working days of initially receiving the complaint;
2. Remain calm, respectful, helpful, and positive;
3. Clarify the issues raised to make sure you understand what the complainant is telling you;
4. Empathise and acknowledge the complainant's feelings;
5. Clarify whether the complainant would like to make a formal complaint, or whether the complainant is merely expressing an opinion and does not wish to proceed with the complaints process;
6. Ask what the complainant wants to happen as a result of the complaint;
7. Resolve the complaint if possible;
8. Tell the complainant that you will pass their complaint on to the appropriate person;
9. Thank the complainant for their feedback; and
10. Lodge the complaint in the 'Complaints and Grievances Register' within 2 working days.

*Retracting a Complaint:* Should a Garden-Member not wish to proceed with the formal complaints process, a member of the Committee may deem the issue serious enough to warrant addressing the topic and source of the complaint; this will be done at the discretion of the Committee, and only so long as they are able to maintain the privacy and confidentiality of the complainant.

*Conflict of Interest:* Due to the size and nature of the Gardens' membership, the Gardens recognises that conflicts of interest, whether perceived or real, may occur when managing complaints, including a complaint against a member or the entire of the Executive Committee. As such, if a complaint is against one member of the Executive Committee or involves a conflict of interest with that Committee Member, then Garden-Members are encouraged to approach another Committee member instead. Throughout any point during the complaints process, Garden-Members are also encouraged to bring or redirect communication to a support-person of their choosing.

### Complaint Procedure Level Two

If the issue cannot be resolved, or a complainant feels uncomfortable or unsafe taking the complaint to the person concerned, please send your complaint to the Committee in writing via email or post. When receiving a written complaint, the Committee should first follow the steps and principles in 'Level One' (if appropriate).

Otherwise, an appropriate person will conduct an investigation:

- Reviewing any relevant documents (e.g. injury, incident, or behaviour reports);
- Reading and referencing any relevant policies, procedures, legislation, or appropriate peak-bodies; and
- Meeting with relevant parties to confirm events.

A suitable person should be present as an independent witness during meetings, however this may not always be possible.

Based-on the information gathered, the investigating person and/or the Committee will make a decision on the complaint and write to the complainant within a reasonable timeframe. The letter/email will include a record of the complaint and investigation, details of the actions or strategies or resolutions taken in response to the complaint, and the following attachments:

- Relevant incident or behaviour reports; and
- Minutes/notes of meetings with parties involved.

### **Complaint Procedure Level Three**

If the issue is still not resolved, the Executive Committee will, with the complainant's permission, take the matter to a higher body, such as the 'Dispute Resolution Centre – Cairns', and request unbiased assistance which could mean mediation from an impartial third-party or legal proceedings. This step should be viewed as the last resort, ***once all the previous stages have been undertaken.***

### **Potential Outcomes**

Outcomes of the complaints and resolution process will take into consideration the severity and frequency of the incidence, as well as previous complaints and disputes in which both parties were involved. Examples of potential outcomes may include:

- Providing information or an explanation to the aggrieved party
- Providing the aggrieved party with an apology (either verbal or written)
- Recognition of the effect the situation has had on the person
- Assurances that the incident will not happen again, including negotiating a voluntary, mutual agreement between the parties
- Participation in a voluntary, but formal mediation process, to be organised by the Gardens
- Requesting that one or both of the involved parties takes a temporary break from the Gardens
- Rescinding the Garden Membership on one or both of the parties involved.
  - The Gardens' Executive may decide to revoke membership on a 'first offense' if it is deemed serious and/or harmful enough to an individual or the reputation of the Gardens.

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