

# Client Feedback Policy & Procedure

<b>Applies To:</b>	<b>Version No:</b>
Specific Responsibility:	Date approved: October 2022
Operations	Next review date: October 2024

<b>Policy Context:</b> This policy relates to	
Standards or other external requirements	
Legislation or other requirements	Legal Profession Uniform Law Application Act 2014 – Sch 1 Legal Profession Uniform Law_ Australian Solicitor Conduct Rules 2015
Contractual obligations	
Scope	Staff and volunteers, including students. Henceforth referred to as ‘staff and volunteers’

## Policy

SMLS welcomes feedback during client complaints about our services and in attempt to ensure the service is accessible and meets client needs.

1. SMLS is committed to the provision of accessible, appropriate and effective legal services, so that the client’s needs are met and confidence is maintained in the service. SMLS is committed to full compliance with external obligations and professional standards as required by legislation.
2. Every staff and volunteer at SMLS should always conduct themselves in a courteous and professional manner.
3. SMLS recognises that there will be occasions when service users are not satisfied with the service provided or the inability to provide a service. Pursuant to the Client Charter, every client has the right to “complain if unhappy with the service and have this heard and dealt with fairly”. Clients have the right to expect that the complaint will be dealt with promptly, confidentially and seriously.
4. A complaint may be made in writing in English or in the first language as per the Client Charter and emailed to either [info@smls.com.au](mailto:info@smls.com.au) or [info\\_narrewarren@smls.com.au](mailto:info_narrewarren@smls.com.au)
5. Any staff or volunteer has the right to be notified as soon as practicable of a complaint against them. They also have the right to expect that the complaint will be dealt with promptly, confidentially and seriously.

## Procedure

- If a client makes a verbal complaint, including over the telephone, the person receiving it makes a written record (file note) of the complaint.
- The client should be informed that SMLS has a formal complaints procedure, which should be briefly explained. The client should be asked if he/she/they wants to follow the formal procedure. If so, the person receiving the call should advise the client to put the complaint in writing and email it to either [info@smls.com.au](mailto:info@smls.com.au) or [info\\_narrewarren@smls.com.au](mailto:info_narrewarren@smls.com.au)
- If the client does not wish to follow the formal complaint procedure, the complaint should be forwarded at first instance to a Director if it relates to legal advice provided or, the Executive Director if the complaint relates to conduct of an individual.
- The Executive Director and/or supervisor must communicate the nature of the complaint to the person being complained about.
- No formal response is required, however the Director, in consultation with the Executive Director, may require the subject of the complaint to undertake Performance Management to ensure that the grievance is resolved.
- If the client wishes to follow the formal complaint procedure, the following will occur:
  - The written complaint will be forwarded within a reasonable time to the relevant Director.
  - The written complaint will be forwarded within a reasonable time to the subject.
  - The Executive Director will investigate the complaint.
  - The relevant Director will organise a meeting with the supervisor and subject within a reasonable time of receiving the complaint.
  - At the meeting, the complaint will be discussed, and the subject will be given the opportunity to justify their actions, and to present their version of events.
  - At the conclusion of the meeting, the Legal Practice Manager and/or Executive Director may take the following action:
    - i. If the complaint has no substance, advise the complainant and subject of this, advise the complainant of their right to take the matter further with the Legal Service Board and Commissioner by providing contact details, and take no further action; and
    - ii. If the complaint is justified, issue and apology to the complainant (or request the subject to do so):
      - a. If the subject is a staff member, the Performance Management process will be put into practice between the subject and their Line Manager to address any performance issues.
      - b. If the subject is a student, request remedial action to be taken by the subject's supervisor
      - c. If the subject is a volunteer, request the volunteer to undergo counselling and/or issue a formal warning. In certain circumstances, the volunteer may be asked to leave SMLS. This will be discussed with the relevant Director.
    - iii. In any case, the complainant must be notified that the complaint is justified and be informed of the action taken.
    - iv. None of the above in any way removes the rights of the complainant to pursue redress through external complaint mechanisms such as the Legal Services Board and Commissioner.
    - v. The Executive Director will keep the Chairperson informed of any formal complaints against staff at SMLS.

- vi. None of the above removes SMLS's obligations in appropriate cases to notify the appropriate agencies of the existence of complaints such as the Legal Services Board and Commissioner, or Professional Indemnity Insurance bodies.