

# Sunraysia Community Radio Association Inc

ABN: 19 305 406 312

## 106.7 HOT FM

90.7 FM Robinvale, Wentworth & Ouyen  
"PLAYING THE BEST SONGS OF YOUR LIFE"

### EXTERNAL COMPLAINTS POLICY

#### INTRODUCTION

In accordance with the Community Broadcasting Codes of practice CODE 1:

#### **Our responsibilities in broadcasting to meet our community interest**

#### **1.6 We will have policies and procedures in place to handle complaints from our members and volunteers.**

This policy is intended to ensure that **Sunraysia Community Radio Association Inc (SCRA)** handle complaints fairly, efficiently and effectively.

#### PURPOSE

The purpose of this policy is to outline the most appropriate way for **SCRA** to respond to complaints, and other comments from members of the public.

- 1) **SCRA** acknowledges the right of its audience to comment and make complaints in writing concerning:
  - a) compliance with the CBAA Codes of Practice or a condition of the licence;
  - b) program content; and
  - c) the general service provided to the community
- 2) We broadcast a minimum of one announcement at least one on-air announcement each week that contains information about the Community Radio Codes of Practice and where listeners can download copies of said information get a copy.
- 3) **SCRA** will make every reasonable effort to resolve all genuine complaints, except where a complaint is clearly frivolous, vexatious or not made in good faith.
- 4) **SCRA** will ensure that:
  - a) complaints will be assessed by person appointed by station management received by a responsible person in normal office hours;
  - b) complaints will be investigated and responded to in a considered and professional manner. conscientiously considered, investigated if necessary and responded to as soon as practicable; and
  - c) complaints will be responded to in writing within 60 days of receipt (as

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required in the BSA Section 14B), and will include a copy of the Community Broadcasting Code of Practice.

- d) complainants will be advised in writing that they have the right to refer their complaint to the ACMA provided they have first:
  - I. formally lodged their complaint with the licensee
  - II. received a substantive response from the licensee and are dissatisfied with this response
- 5) A record of complaints form will be filed and kept maintained in a permanent, for a period of at least two years by a responsible officer of the licensee.
- 6) The record of complaints will be made available to ACMA on request, in whatever format as advised by ACMA.

### **Reporting and Record Keeping:**

To ensure the station can make a full response to ACMA if requested, the station will include in their procedures the following steps:

To keep a record of material relating to complaints, including logging tapes or audio copies of broadcast material, and or with written documentation for one year, including:

- 1) the date and time the complaint was received;
- 2) the name and address of the complainant;
- 3) the substance/ matter of the complaint;
- 4) the substance and date of the licensee's response.
- 5) a copy of the Sunraysia Community Radio Association Complaints Form.

## **POLICY**

SCRA will establish mechanisms to promote fast and efficient resolution of issues raised from the community.

Members from the community should feel comfortable discussing issues with the Station Coordinator in accordance with the procedures outlined below. If the issue relates to the Station Coordinator, individuals can relate/discuss the matter to a member of the committee. Failing this SCRA will support the individual with the appropriate information to access the appropriate information from the Australian Communication Media Authority (ACMA) to lodge their complaint.

<https://www.acma.gov.au/compliance-and-enforcement-policy>

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All formal avenues for handling of grievances will be fully documented and that members of the Communities wishes will be taken into account in determining the appropriate steps and actions.

No members of the Community will be intentionally intimidated or unfairly treated in any respect to resolving an issue.

## **RESPONSIBILITIES**

It is the responsibility of **the Station coordinator** to ensure that:

- They identify, prevent and address potential problems before becoming formal complaints;
- They are aware of and committed to the principles of communicating and information sharing with all relevant parties;
- All decisions relating to the complaint are made with consideration given to the ramifications for the individuals, as well as the organisation in general;
- Any grievance is handled in accordance as mentioned above under Purpose 4 c.
- All employees and volunteers and members from the community are treated fairly and without fear of intimidation.

In the event that a complaint is received that is directed towards the Station Coordinator a Member from the Committee will assume the role of Responsibilities as outlined above.

It is the responsibility of the **Station Coordinator/ Committee** to ensure that:

- All employees and volunteers are aware of their obligations and responsibilities in relation to communication and information sharing;
- Ongoing support and guidance is provided to all member of SCRA in relation to communication issues;
- All employees and volunteers are aware of their obligations and responsibilities in relation to handling grievances;
- Any grievance that comes to the attention of **SCRA** is handled in the most appropriate manner and at the earliest opportunity.

## **PROCEDURES**

### **Employment Practices**

The Station Coordinator should be aware of all possible ramifications of their actions when dealing with external issues. They must ensure that all members of the Community are treated with fairness, equality and respect.

If there are any doubts or queries in relation to how to deal with a particular set of circumstances, the Station Coordinator should contact the Committee for advice at the earliest opportunity.

Where a complaint has been brought to a Committee member's attention the committee member should bring the complaint to the Station Coordinators attention as soon as

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practicable. If the complaint is directed towards the Station coordinator another member of the committee should be involved.

Complaints should follow the **Sunraysia Community Radio Association Complaints form**.

### **Complaint Resolution**

A member of the Community who considers that they have a dispute or grievance that they have not been able to resolve directly with any other involved party should raise the matter with the Station Coordinator or member of the Committee (*if the matter relates to the Station Coordinator*) as a first step towards resolution. The two parties should discuss the matter openly and work together to achieve a desired outcome.

The Station Coordinator or Committee member should follow the steps outlined below:

- Make sure that the complainant feels listened to and supported. You don't have to agree with what they say, but you must make sure that they know you will act on their concerns.
- If more than one person is present, establish the role of each person.
- Outline the process that is to be followed.
- Inform the parties that any information obtained in the conduct of the review is confidential.
- Listen to the complainant. Obtain a chronology of events (who, what, why, when, how etc).
- Run through the applicable policies and procedures (e.g. the organisation's anti-discrimination policy) with the complainant.
- Ask the complainant what kind of outcome they are hoping for (best case scenario) and then talk them through next steps: e.g. you will discuss the matter confidentially with the Station coordinator or Committee member to determine a way in which to deal with the issue and report back to them within a set timeframe.
- Provide the complainant with the organisation's confidentiality and non-victimisation agreement. Make sure that the complainant will not be adversely affected by having made a complaint. Explain to whom they should report matters to internally if they do feel that they are being adversely affected.
- Provide the complainant with plenty of time to ask questions.
- Offer the complainant assistance (such as counselling through an Employee Assistance Program) or a way to get home safely if they are visibly upset.
  
- Provide the complainant with a direct contact number that they can call if they have any concerns or queries.
- Take accurate and detailed notes of all conversations (including dates, people involved) and attach any supporting documentation.
- If deemed necessary, provide the employee/volunteer with a written summary of the meeting and clarification of the next steps to be taken.

The Station Coordinator/ Committee member must ensure that the manner in which the meeting is conducted will be conducive to maintaining positive working relationships, and will provide a fair, objective and independent analysis of the situation.

All parties are to maintain complete confidentiality at all times.

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## Investigating a Complaint

Procedural fairness and transparency can make or break a complaint investigation. Maintaining procedural fairness means that you can:

- protect the interests of the participants in the investigation;
- enhance the credibility of the investigation process;
- rely on the investigation (and your findings) when making decisions; and
- defend your employment decisions in a court or tribunal.

Following are some pointers to ensure that a workplace investigation is procedurally fair. The investigator should ensure that:

- the respondent is aware of all the allegations made against them in sufficient detail;
- the respondent is allowed a reasonable opportunity, including adequate time, to respond to each of the allegations;
- the investigation is carried out in a reasonable time frame;
- all participants are given the opportunity to have a support person in the interviews pertaining to the investigation;
- all participants are required to maintain confidentiality and sign a confidentiality agreement;
- the investigator has no personal interest or bias in the matter being investigated;
- all participants are given the opportunity to respond to any contradictory evidence;
- the investigator makes reasonable and diligent enquiries to ensure that there is sufficient evidence before making findings on the balance of probabilities.

## The Importance of Impartiality

It is critical to ensure that the person responsible for carrying out an investigation is impartial. The investigator must not have a vested interest in the outcome of the matter. Community members, employees and volunteers will often consider that the President or Station Coordinator is not sufficiently impartial because of their involvement and role in the workplace/ organisation. If such a concern is raised, it's important to consider:

- whether the use of an external investigator is necessary to ensure impartiality;
- whether any conflicts of interest need to be disclosed (e.g. if any individuals are friends outside the workplace); and
- whether the investigator has handled any previous disciplinary matters.

If there is the possibility that a person's employment/ Volunteer role will be terminated if the allegations are proven as part of an investigation, then you should seriously consider the use of an external investigator to ensure that your investigation and the process followed will stand up in any potential court proceeding.

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