
The Financial Counsellors' Association of NSW Inc. (FCAN) is committed to providing a Complaint / Dispute & Grievance Policy that is:

Impartial

Fair

Prompt and Consistent

Compassionate

Ethical

Confidential

Without Discrimination

THE BASIC TENANT OF FCAN IS THE SUPPORT OF ITS MEMBERS.

A COMPLAINT IS

Any expression of dissatisfaction.

The complaint / grievance should be

- Specific
- 1st hand, 3rd party not accepted, unless supported in writing by the aggrieved party.

Two basic types of complaints

- Member vs Member / Association (grievance)
- Non Member vs Member / Association (complaint)

FCAN may be able to assist in grievances between employers and a member. This would be in a mediation role or advice / referral.

HOW TO LODGE

Must be in writing to any member of the current Executive Committee (preferably the President or Vice President).

FCAN UNDERTAKING

FCAN through its complaints / grievance committee undertakes to:

1. Ensure that the complainant is kept advised.
2. Ensure that parties to a complaint / grievance have an opportunity to put his/ her case forward and that FCAN acts fairly and without bias.
3. Ensure that all parties affected are fully informed of all facts (where possible).
4. Will encourage members to inform clients of their right to complain.
5. Will allow for the participation of an advocate.
6. Ensure the complainant is advised regularly of the progress / outcome of the complaint and the complaint process.
7. FCAN expects that (where appropriate) once they have accepted to determine a complaint that the member does not act in their own capacity in dealing with the complaint.
8. FCAN reserves the right to discuss the matter concerning a member with the employing or funding body.
9. In the case of notifiable and criminal activity the complainant or complaint will be referred to the appropriate outside authority.
10. In the case of NESB, disability, poor literacy, the complainant should be referred to an appropriate agency for assistance.
11. The complainant is to be informed that their letter may be made available to the member.
12. It is desirable that any matter be investigated within thirty (30) days of receipt.

PROCESS

1. FCAN expects that complaints and grievances first be attempted to be resolved at agency level. Between original parties involved.
2. President or Vice President (if President involved in the dispute) will assemble a complaint / grievance committee of three members of the Executive Committee (non-Executive members may be co-opted if three non-involved Executive members are not available or specific skills are required). Any non-member would be with the agreement of a majority of the Executive Committee.
3. Complaints / grievance committee appoints a coordinator
4. Complaints / grievance committee will need to identify
 - a) What is the problem?
 - b) The issues involved.
 - c) The people involved.
 - d) The appropriate course of action or actions required to resolve/respond to the complaint.
 - e) Can it be resolved informally?

5. Formal Meeting with all parties (together or separate), to clarify each parties situation, to assess the problem, to give guidance where appropriate. It is suggested that each party have some appropriate person to support/ advocate for them
6. Role of the complaints / grievance committee is to attempt to:
 - a) Negotiate a resolution
 - b) Report and recommend a course of action to the Executive Committee
7. If satisfaction is not reached a party or parties, and / or advocate is entitled to address the Executive Committee.
8. If a complainant is still not satisfied refer to an independent arbitrator such as a Community Justice Centre or similar scheme.

DISCIPLINARY POWERS

FCAN's power to discipline a member is limited to:

- a) Letter of censure with remedial action.
- b) Full membership to provisional membership.
- c) Cancellation of membership.

Such action would require a majority decision by the Executive Committee.

FCAN's ability to respond to an agency is limited to:

- a) Letter of censure with remedial action.
- b) Advice to Funding Body or other appropriate stake holders.