

## CHAPTER 2

# ADF CADETS COMPLAINT RESOLUTION

### INTRODUCTION

4.2.1. The ADF Cadets - Australian Navy Cadets (ANC); Australian Army Cadets (AAC) and the Australian Air Force Cadets (AAFC) aim to deliver safe and positive youth experiences. The prompt and effective management of complaints through a responsive, transparent and fair complaints process is an important component of delivering a safe program within which all feel respected, valued and safe.

4.2.2. Complaints can be a valuable feed-back mechanism to help improve the ADF Cadets. An effective and trusted complaints process can also prevent a minor problem or dispute escalating to a serious issue. As such the ADF Cadets must have an effective system for handling complaints, and create a culture where complaints are taken seriously and resolved in a timely manner.

4.2.3. ADF Cadets Adults and Youth are not members of the ADF and are therefore not required to comply with the [Complaints and Resolution Manual \(CARM\)](#). Recognising their volunteer status, ADF Cadets need to establish clear guidance for the management of complaints that does not simply mirror the [CARM](#). The principles outlined within the Commonwealth Ombudsman - [Better Practice Guide to Complaint Handling](#), have therefore been referenced as suitable guidance in the development of this policy.

### POLICY INTENT

4.2.4. The intent of this policy is to provide guidance to the Director General Australian Navy Cadets and Reserves (DGANCR), the Commander Australian Army Cadets (COMD AAC), and the Director General Cadets - Air Force (DGCADETS-AF) to support the development and implementation of an effective complaints management process for cadets and adults.

### POLICY PRACTICES AND MEASURES

4.2.5. If there is a belief that a young person is in immediate danger, police are to be called immediately on 000.

4.2.6. A complaint is an expression of dissatisfaction made with the expectation that the cause of the dissatisfaction will be rectified as quickly as possible. The ADF Cadets recognise that everyone has the right to make a complaint about any element of their respective Service programs. However, this right should also be balanced with personal responsibilities. Complainants have responsibilities to attempt to resolve interpersonal issues at the lowest level, before raising complaints and participating in the resolution process.

4.2.7. When responding to an unacceptable behaviour complaint, ADF Cadets must ensure that the complaint is managed in accordance with [Part 1 Section 3 Chapter 3](#).

#### COMPLAINT HANDLING PRINCIPLES

4.2.8. The complaint handling principles to be considered when developing an effective complaints management process are as follows:

- a. **Fairness.** The ADF Cadets address each complaint with integrity and in an equitable, objective and unbiased manner:
  - (1) All complaints are taken seriously. Complaints are handled respectfully, sympathetically, confidentially (where applicable) and promptly. ADF Cadets acknowledges and respects the rights of participants, to lodge complaints directly with external bodies.
  - (2) ADF Cadets are to ensure information about a complaint is only provided to those who need to know about it, in order for the complaint to be actioned properly. All parties to a complaint have a right to expect their privacy will be respected.
  - (3) All parties to a complaint are to be accorded protection against unfair repercussions or victimisation and are to be provided with appropriate support.
  - (4) **Vexatious and malicious complaints.** Complainants should be made aware that vexatious and malicious complaints constitute unacceptable behaviour, and are a breach of the Defence Youth Safe Code of Conduct (Adult) or Defence Youth Safe Code of Conduct (Youth). A complaint is considered to be vexatious if it is an abuse of the complaint process, if there are no reasonable grounds for the complaint, or the purpose of the complaint is to harass, annoy, delay or cause detriment.
  - (5) A complaint that is found to be unsubstantiated does not necessarily constitute a vexatious complaint. It may have been made in good faith but based on incorrect information or a misunderstanding, and/or the evidence to substantiate the complaint may simply not have been verified.
- b. **Accessibility.** The ADF Cadets ensure information about the complaints process is easily understood and widely promulgated through:
  - (1) every ADF Cadets participant understanding the complaints process in order to be able to participate in it if required, including those who have to resolve complaints

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- (2) parents and guardians being provided with information about complaint handling and resolution
  - (3) parties to a complaint being aware of their rights and their responsibilities
  - (4) a complainant being aware they have the responsibility to attempt, where appropriate, to resolve disputes or interpersonal issues by direct discussion with the other party or parties; and demonstrate willingness to participate in the resolution process, in good faith and with the intention of resolution - not retribution
  - (5) complainants, particularly youth, being aware they are to be offered appropriate support and assistance. This includes an explanation of the process that will be followed to resolve the complaint.
- c. **Responsiveness.** The ADF Cadets assess and prioritise complaints in accordance with the seriousness of the issue raised noting the following:
- (1) ADF Cadets programs must ensure timely and effective remedial action is taken with due consideration to all parties.
  - (2) Resolution of complaints does not necessarily mean that the decision satisfies either the complainant or the respondent.
- d. **Efficiency.** All complaints should be resolved in a timely manner and at the lowest appropriate level noting the following:
- (1) Complaints are to be resolved at the lowest possible level to achieve an appropriate resolution in the shortest possible timeframe.
  - (2) ADF Cadets Adults who receive a complaint that is within their authority and can be resolved appropriately by them (or at their level) should do so as a matter of course. Unnecessary referral of complaints to a higher authority often delays resolution, potentially leading to further dissatisfaction.
- e. **Integration** – The ADF Cadets analyse complaint data to inform organisational learning noting the following:
- (1) All complaints are to be managed through to a resolution.
  - (2) Management of complaints should include the identification of ways to improve or mitigate against similar issues occurring in the future. Lessons learnt must be communicated.

- (3) Feedback on making a complaint, is encouraged in order to inform learning and improvement of the complaints process.

4.2.9. **Record Keeping.** Where the nature of the complaint requires it to be referred to another agency for investigation, this is to be clearly recorded and managed in accordance with the requirements of the ADF Cadets Records Management Policy (refer Section 4 Chapter 3)

## PRIVACY

4.2.10. It is likely that personal information will be collected, stored, used and disclosed for the purposes of resolving a complaint. This information is to be managed in accordance with [Part 1 Section 1 Chapter 2](#) and the [Defence Privacy Policy](#).

**Accountable Officer:** Chief of Joint Capabilities (CJC)

**Policy Owner:** Head Joint Support Services Division (HJSSD)