



COMPLAINTS PROCEDURE

1) GENERAL:

In all matters of complaint, MS Auckland Region shall be under a duty to act fairly towards the complainant and all other parties with a view to speedy resolution of the complaint.

**2) COMPLAINTS BY MEMBERS OF MS AUCKLAND REGION AGAINST
EMPLOYEES:**

- (a) If any member has a complaint against any of the employees of MS Auckland Region, he/she should attempt to resolve the complaint by discussion with the employee. If the complaint cannot be resolved by such discussion, it will be forwarded to the General Manager.
- (b) If the General Manager cannot resolve the matter by direct discussion, the complainant has the right to take his/her complaint to MS Auckland Region's Committee. If the original complaint is made orally, it is a requirement that the complainant put his/her complaint in writing at this stage.
- (c) After receiving the written complaint, the committee shall inform the employee concerned of the particulars of the complaint and request a written response within seven (7) days of receipt of those particulars.
- (d) If the employee's answer raises new material, the Committee shall, if appropriate, forward the answer to the complainant and invite the complainant to respond further to the Committee in writing, within seven (7) days of receipt of the employee's answer.
- (e) In the event of discussion failing to result in a settlement of the matter, the Committee shall consider the complaint, the answer and the response and make a decision within fourteen (14) days of receipt of the response. The Committee may, if it considers appropriate, refer the matter to mediation for resolution.
- (f) The decision of the Committee shall be notified to the complainant and the employee concerned after it has been made.
- (g) The decision of the Committee shall be full and final.

3. COMPLAINTS BY MEMBERS OF MS AUCKLAND REGION AGAINST THE COMMITTEE

If any member or employee has a complaint against members of the Committee the procedure set forth in (2) above, shall apply wherever applicable, subject to:

- (a) The Committee shall set up a sub-committee for dealing with the complaint. The sub-committee shall consist of a person or persons who are not members of the Committee and not employees.
- (b) The sub-committee shall present its decision to the Committee.

3) COMPLAINTS BY MEMBERS OF THE PUBLIC AGAINST MS AUCKLAND REGION OR IT'S EMPLOYEES:

- (a) If any member of the public has a complaint against MS Auckland Region or its members, he/she should attempt to resolve the complaint by discussion with the employee [where appropriate] or the General Manager. If the complaint is directed to the General Manager, he will investigate the complaint and attempt to resolve it to the reasonable satisfaction of all parties. The General Manager will undertake his investigation and respond to the Complainant in writing within 14 days of receipt of the complaint.
- (b) If the General Manager cannot resolve the matter by direct discussion, then the Complainant has the right to take his/her complaint directly to MS Auckland Region's Committee. It is a requirement that the complainant (if the original complaint is made orally) put his/her complaint in writing at this stage.
- (c) The Committee shall forthwith, after receiving the written complaint inform the employee concerned or the General Manager of the particulars of the complaint and request a written response within seven (7) days of receipt of those particulars.
- (d) If the employee's or General Manager's answer raises new material, the Committee shall, if appropriate, forward the answer to the complainant and invite him/her to respond further to the Committee in writing, within seven (7) days of receipt of the employee's / General Manager's answer.
- (e) In the event of discussion failing to result in a settlement of the matter, the Committee shall consider the complaint, the answer and the response and make a decision within fourteen (14) days of receipt of the response. The Committee may, if it considers proper so to do, refer the matter to mediation for resolution.
- (f) After the Committee has taken a decision, the complainant, the employee concerned and/or the General Manager shall be notified.

4. The decision of the Committee shall be full and final