

Korowai Tupu – Facilitated Complaints Process – Information sheet

Korowai Tupu o Ara Taiohi is dedicated to both a restorative culture organisationally, and a disputes resolution process based on restorative principles consistent with our commitment Te Tiriti o Waitangi and working in a way that upholds and uplifts the mana of all involved.

Our processes seek to ensure the holistic wellbeing of both parties (based on Mason Durie's Te Whare Tapa Wha). While restorative processes may typically be used as an alternative to formal adjudication processes they can also run parallel as a way of meeting the emotional, relational, cultural, spiritual and moral needs of the parties that cannot be met in a formal process.

Our commitment requires us to commit to restorative processes at all levels as follows:

Complaints: This is reserved for situations where a failure against our ethical standards is alleged and may require a quasi-judicial process working either as an alternative or in parallel with restorative processes.

Conflicts: Often professional associations receive formal complaints that relate to interpersonal conflict between 2 people. This can escalate what is in actual fact a conflict to a place where finding resolution becomes unlikely.

Culture: Ara Taiohi has made an organisational commitment to building strong, healthy and positive relationships in our sector. This commitment comes collectively from our members, staff and board.



What will happen when we receive a complaint?

1. All complaints will be received by the complaints officer (verbally or in writing) who will gather the information necessary to allow the complaint to proceed.
2. Engagement with all parties involved will be respectful and honest, at all times respecting the mana of the individuals involved. The complaints officer will listen without judgment, record all conversations and ensure all dealing reflect good ethical practice (using the principles in the Code of Ethics for Youth Work in Aotearoa as a standard).

What will happen next?

The first step of any complaints process will be a 'triaging' process where a complaints officer will assess the best way for a complaint to proceed.

In making this decision the following will be considered:

1. The complaints officer will consider whether the Korowai Tupu restorative process is the best option for the person laying the complaint by applying the following decision matrix:
 - What has the process that has been followed by the subject of the complaint's organisation to this point? Is this an employment issue instead of or as well as a professional issue?
 - If the matter is criminal in nature, should the process include the police, or be referred to the police?
 - Is there another group that should be involved (in addition to or as well as) either for support or adjudication?
 - Are there other processes that may support either of the parties (e.g., an experienced youth worker's support, strengthsfinder coaching, supervision etc.)?
2. The complaint's officer will also consider if additional advice is required (possibly relating to the parties' culture(s) or context of youth work.
3. The following diagram will be used to ascertain the appropriate way for the complaint to proceed.

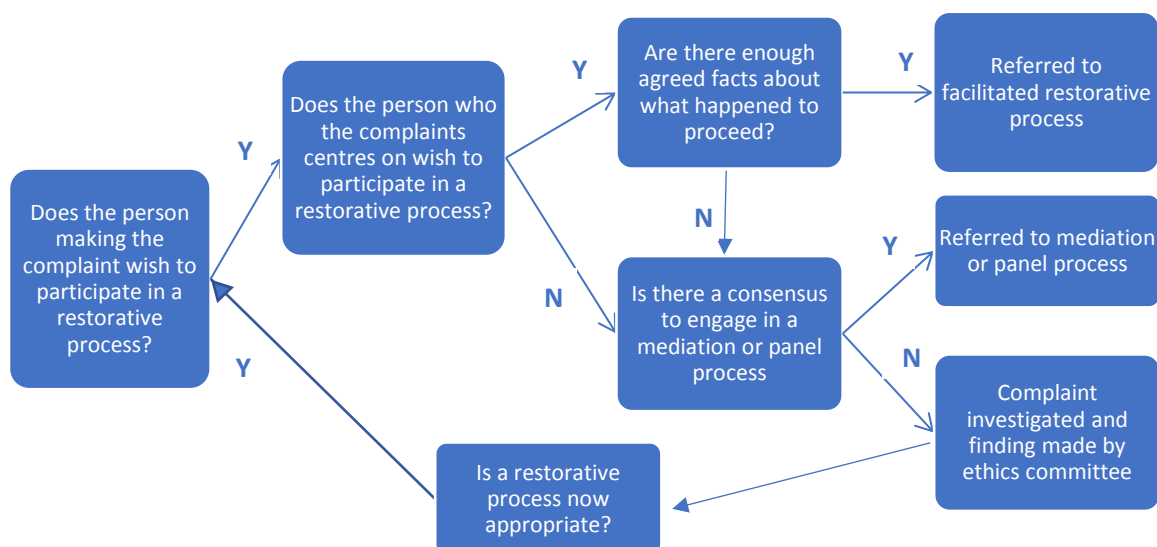


Figure 1: Determining best avenue for complaint to proceed

What is a facilitated restorative process?

Restorative processes address situations where one party has suffered harm or hurt and the other party accepts responsibility for causing that harm, whether intentionally or unintentionally, and wants to offer repair. With the aid of a Korowai Tupu facilitator the parties meet face to face to discuss the nature of the harm suffered, the needs it has created and what can be done to promote healing and prevent recurrence.

Meeting *kanohi ki te kanohi* (face to face) with the help of a facilitator allows for opportunity for explanation, storytelling, understanding, apology, validation, restitution, assurance about future prevention and learning from past mistakes to occur.

Note: a Korowai Tupu restorative facilitator will their own judgement as to whether or not the matter can proceed through a restorative process (and may identify a better equipped restorative organisation to handle the restorative journey or refer back to the complaints officer).

What is a panel process?

A *panel process* consists of a facilitated community panel made up of youth work practitioners. The focus will be on the harm that has been caused to the profession of youth work and the people involved. All parties will be heard, and a plan to address harm and positively move forward will be co-designed and committed to.

Note: Panel processes will be organised by the complaints officer and facilitated by a Korowai Tupu restorative facilitator.

What is Mediation?

Mediation is an effective way of resolving disputes without the need to go to an ethics committee for a determination. It involves an independent third party - a mediator - who helps both sides come to an agreement.

Note: Mediation may occur internally within Korowai Tupu, or in partnership with recognised mediation services.

What is an Ethics Committee?

Ethics Committees are made up of youth workers who are accredited members of Korowai Tupu o Ara Taiohi.

At all stages in the process:

1. The principles of natural justice (good faith, fair process and good reason) will be adhered to.
2. Both parties are entitled to support and representation (including cultural support).
3. There will always be consideration of what other processes or supports may be appropriate for the parties (this includes recognised restorative organisations, the police, other community support groups).
4. The principles of the Privacy Act 1993 will be adhered to.