

Complaint Handling and Dispute Resolution

Policy No: EP003
Issue Date: May 2010
Updated: July 2016
Review Date: August 2018

Purpose

1. The purpose of this policy is to:
 - a. manage and resolve disputes and/or complaints relating to eviDent members;
 - b. set out general principles and procedures for resolving disputes and/ or complaints relating to eviDent members; and
 - c. ensure consistency and fairness when managing and resolving disputes and/or complaints.

Scope

2. This policy applies to all eviDent members.

Definitions

For the purposes of this policy, the following definitions are used:

3. **Chief Investigator:** eviDent members who provide 'the intellectual, administrative and ethical leadership'¹ to an eviDent research project or program.
4. **Associate Investigator:** eviDent members who are registered and practising dentists and have 'intellectual input into the research and whose participation warrants inclusion of their name on publications'².
5. **Research Collaborator:** eviDent members who are not eligible to be Chief or Associate Investigators, but who are closely involved with different aspects of eviDent projects.
6. **Dispute:** a disagreement or an argument involving eviDent members.
7. **Complaint:** written concerns/ dissatisfaction about the behaviour or actions of an eviDent member.
8. **Parties:** those involved in the dispute.

General Principles

9. **Trust:** the parties will agree to encourage and support the dispute resolution process by cultivating trust and encouraging cooperation and consultation.
10. **Respect:** the parties will agree to be mindful of differences, be inclusive and respectful.

¹ The University of Melbourne, Melbourne Research Office, Chief Investigator Responsibilities
<http://www.research.unimelb.edu.au/azservices/ci>

² NHMRC Project Grants Advice and Instructions to Applicants for funding commencing in 2010

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11. **Communication:** the parties will agree to engage in ongoing and open communication until the dispute is resolved.
12. **Efficiency:** the parties will agree to work together as quickly and efficiently as practicable in order to resolve the dispute.
13. **Confidentiality:** the parties will agree to treat all information relating to the conflict with the strictest of confidence.
14. **Procedural Fairness:** the parties will agree to ensure that the principles of procedural fairness are adhered to, including:
 - a. remaining unbiased at all times; and
 - b. providing an opportunity for all parties to put forth their points of view.

Dispute Resolution Measures/ Process

15. eviDent encourages its members to endeavour to resolve conflicts by themselves in the first instance or with the assistance of a Chief Investigator (if applicable/ appropriate).
16. If a dispute is unable to be resolved as per point 15 of this policy, then the complaint must be submitted to the eviDent Chief Executive Officer in writing (post or email).
17. The eviDent Chief Executive Officer will liaise with the eviDent Chair(s) and may:
 - a. request further information from the complainant
 - b. seek expert advice
 - c. attempt to resolve the dispute by negotiation
 - d. (by agreement) refer the dispute to mediation
 - e. refer the matter to the Chair of the ADAVB Disputes & Ethics Committee³
18. The complainant will receive an acknowledgement within 14 days of receipt of their complaint.
19. All disputes and/ or complaints will be managed according to the general principals as detailed in points 9 – 14.
20. The eviDent Chief Executive Officer will maintain a register of all complaints and disputes that will include (as a minimum) the following:
 - a. case number
 - b. date complaint/ dispute is received
 - c. eviDent member(s)
 - d. complainant
 - e. nature of complaint
 - f. outcome.

³ See ADAVB Rule 107

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Possible Outcomes

21. After consideration of the dispute, there are a range of possible outcomes, including:
- a. no further action
 - b. settlement by agreement
 - c. settlement by mediation
 - d. disciplinary action as per ADAVB Rule 108.

Complaints about ownership of or access to eviDent research data

22. Queries or complaints about ownership of or access to eviDent research data should be referred in the first instance to the eviDent Chief Executive Officer, C/o-ADAVB, PO Box 9015, South Yarra, Vic, 3141 or fax 03 8825 4644.

Advice

23. Advice concerning this policy can be obtained from the eviDent Chief Executive Officer, tel: 03 8825 4603

Review

24. This policy will be reviewed and updated within three (3) years of the issue date, or earlier if any changes indicate a need for a review.