

21. Complaints and Feedback Policy and Procedure

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Purpose

This policy is intended to ensure that complaints are handled fairly, efficiently and effectively.

Our complaint management system is intended to:

- Allow us to respond to issues raised by individuals making complaints in a timely and cost-effective way
- Boost participant confidence in our administrative process
- Provide information to be used by us to deliver quality improvements in our services, supports, roles and complaints handling process.

Scope

This policy provides guidance to our Staff and participants who wish to make a complaint.

Policy

Australian Quality Care will create an environment where complaints and concerns, compliments and suggestions are welcomed and viewed as an opportunity for acknowledgement and improvement. This process is to ensure that individuals have the right to make complaints and are encouraged to exercise their right in a blame-free and resolution-focused culture, respecting an individual's right to privacy and confidentiality.

It is acknowledged that all comments and complaints are vital to review internal performance and processes and to develop continuous improvement of services as we seek to achieve our care commitment.

Participants, families, advocates or other stakeholders may submit Complaints and Feedback Form regarding Australian Quality Care's supports, services, Staff, or contractors. The participants can be provided information in Easy Read format if required.

It is our policy to follow the principles of procedural fairness and natural justice and comply with the requirements under the National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018.

Australian Quality Care maintains that complaints and feedback can be managed effectively through:

- Implementing an open and transparent complaint handling system
- Observing the principles of natural justice and compliance with relevant mandatory reporting under Australian law
- Committing to the right of stakeholders to complain either directly or through
 - A representative
 - Undertaking procedural fairness to reach a fair and correct decision
- Taking reasonable steps to inform the complainant of the NDIS commission complaints process, including the use of various communication means, e.g. Oral and written
- Maintaining complete confidentiality and privacy
- Abiding by the NDIS Code of Conduct
- Training Staff in our complaint process and the rights of all stakeholders to complain
- Considering all complaints seriously and respectfully
- Advising participants and Staff of their rights to complain; informing them on how to make a complaint during assessment and orientation processes
- Provision of support for people who may need assistance to make a complaint
- Protection of complainants against retribution or discrimination
- Prompt investigation and resolution of complaints
- Communicating and consulting with participants, family and advocates during the complaints process and providing feedback and resolutions
- Interpretation and application of policies and processes
- Providing opportunities for all parties to participate in the complaint resolution process
- Accepting Australian Quality Care and Staff accountability for actions and decisions taken due to a complaint
- Committing to resolve problems at the point of service or through referral to alternatives
- Committing to use complaints as a means of improving planning, delivery and review of services through our continuous improvement processes
- Referring complaints and feedback into our 'continuous improvement policy and procedure'
- Auditing annually the 'Complaints and Feedback Policy and Procedure'.

Definition

Terminology	Definition
Complaint	An expression of censure, discontent and dissatisfaction or a circumstance regarded as a cause for such expression.

Procedure

Complaint process

Complaints and suggestions can be made by:

- Using the Complaints and Feedback Form
- Contacting a member of staff, verbally or in writing. The staff member must offer to document the complaint on behalf of the participant if required and refer the matter to the management
- Contacting the Board, verbally or in writing
- Responding to questionnaires and surveys
- Attending meetings/care conferences
- Contacting external complaint agencies, e.g. NDIS Quality and Safeguards Commission
- Communicating orally, in writing, or any other relevant means.

Complaints may be made by:

- Staff
- Participants
- Members of the general public
- Advocates
- Family members
- Carers
- Anonymous person/s.

Results are recorded in a Complaint Register which allows for input into our continuous improvement processes. The Continuous Improvement Register will be used to record improvements that are established after the finalisation of the complaint management process.

If a complaint is about:

- Support or services; the complaint will be dealt with by the General Manager
- Staff member/s; the complaint will be dealt with by the General Manager
- Board or Director; an external person or body may be approached, e.g. NDIS Quality and Safeguards Commission.

Complaint management process

The process and investigation must adhere to the principles of impartiality, privacy, confidentiality, transparency and timeliness. Complaints will not be discussed with anyone who does not have responsibility for resolving the issue. Australian Quality Care must take into consideration any cultural and linguistic needs of a participant and provide the relevant support mechanism such as an interpreter or similar.

Step 1. Acknowledge

1. Acknowledge all complaints quickly and directly.

Step 2. Review of the complaint

- 1) Consult with the participant regarding their desired outcome.
- 2) Inform the complainant of support regarding:
 - a) Their right to an advocate and interpreter
 - b) Stages of decision-making
 - c) Mechanisms to protect privacy
 - d) Their right to complain to the NDIS quality and safeguards commission
 - e) Progress and outcomes.
- 3) Determine the type of complaint, i.e. service, support or process.
- 4) Notify the complainant of each stage of their complaint.
- 5) If a meeting is required, it will be held in a safe environment that has been determined by the complainant and at a time relevant to the participant.
 - a) Where the complainant is a recipient of disability services under the NDIS, check the participant record for a preferred contact for complaints; ask the participant if they would like to nominate a contact from one of the Australian Quality Care's persons assigned to handle complaints.

Step 3. Assessing the complaint

1. When assessing a complaint, the General Manager, must prioritise the complaint and determine a resolution pathway (where required).
2. After the pathway is established, the complaint will be investigated.

Step 4. Investigation and decision process

1. At the time of lodging the complaint the General Manager should determine if it is practicable to find an immediate resolution.
2. The General Manager must keep the complainant informed about the complaint.
3. Consult with the complainant to gather information about the underlying issue.
4. Analyse antecedents and underlying issues when determining a decision.
5. Written responses must be approved by the General Manager before being sent out.
6. Respond to the complainant with a clear decision.

Step 5. After the decision

1. After investigation and a satisfactory response has been documented, the General Manager will:
 - a. Inform the complainant/s of the decision, including the reason for the decision, and provide options for reviewing the decision
 - b. Ensure that the complaint investigation is satisfactorily completed
 - c. Determine if the complainant is satisfied with the outcome
 - d. Follow up and consult with complainant/s about any concerns
 - e. Ascertain preventative actions and continuous improvement
 - f. Consider if there are any systemic issues that need addressing
 - g. Record the information about the complaint in the complaint register
 - h. Record the details of the improvement stemming from a complaint in the continuous improvement register, if required.
2. The complaint resolution will be monitored according to the audit schedule and feedback will be provided to the complainant personally.

Documentation

- All complaints will be recorded in a Complaint Register.
- Information in the register will include:
 - Complaint details
 - Identified issues
 - Actions undertaken to resolve the complaint
 - Outcome of the complaint.
- All documents, including Complaint and Feedback forms, are to be uploaded into the computer system.
- Copies of any information provided to the complainant are stored in the file.
- A copy of all complaint documents is retained in the file for seven (7) years from the day of record.

- Statistical and other information will be collected to:
 - Review issues raised
 - Identify and address systematic issues
 - Report information to the Commissioner, if requested by the NDIS Quality and Safeguards Commissioner.
- A policy review will occur if there are legislative changes or when determined by a regular or annual review.

Unresolved complaints

Unresolved complaints will be referred to the Board for investigation and resolution. Should the complaint not be resolved to the complainant's satisfaction, the complaint will be escalated to a person nominated by the complainant (with the complainant's permission).

When complaints cannot be resolved internally, the complainant may be referred to:

NDIS Quality and Safeguards Commission

Phone: **1800 035 544** (free call from landlines) or **TTY 133 677**

National Relay Service and ask for **1800 035 544**

Interpreters can be arranged.

To complete an NDIS Complaint Contact Form online go to forms.business.gov.au.

Related Documents

- Complaint and Feedback Form
- Complaints Process Checklist
- Complaint Register
- Continuous Improvement Policy and Procedure
- Continuous Improvement Register
- NDIS Complaint Contact Form
- Risk Management Policy and Procedure
- Service agreement

References

- [NDIS \(Complaints Management and Resolution\) Rules 2018](#)
- [NDIS Practice Standards and Quality Indicators 2020 - Version 3](#)
- [Privacy Act \(1988\)](#)
- [Work Health and Safety Act 2011 \(QLD\)](#)