

## 2.5 Complaints and Feedback Management

### Complaints and Feedback Policy and Procedure

#### 1.0 Purpose

This policy is intended to ensure that complaints are handled fairly, efficiently and effectively. The resolution of complaints will be consistent with a rights-based principle fundamental to the United Nations Convention on the Rights of Persons with Disabilities.

The complaint and feedback management and resolution system intend to:

- Provide a well-handled system that values the participant's opinions and takes all feedback seriously, with the intent to improve the relationship between our organisation and our participants
- Empower all employees and participants to feel free to voice their complaints or provide feedback
- Allow us to respond to issues raised by individuals making complaints in a timely and cost-effective way
- Boost participant confidence in our administrative processes
- Seek a resolution that meets all parties' expectations, where possible
- Provide CareAbility with information that will help us deliver quality improvements in our services, supports, roles, and complaints handling process

#### 2.0 Scope

This policy provides guidance to our Staff and participants and/or the participant's representative who wish to make a complaint on the fundamental principles and concepts of our complaint management system.

#### 3.0 Policy

CareAbility will create an environment where complaints and concerns, compliments and suggestions are welcomed and viewed as an opportunity for acknowledgement and improvement. This process ensures 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.

The Director will assume the role of the Complaints Manager. The Complaints Manager is responsible for coordinating and handling complaints and feedback and ensuring the complaint or feedback is properly managed.

It is acknowledged that CareAbility views all comments and complaints as a vital contribution to our internal review of performance and processes, which assists in developing the continuous improvement of our services as we work towards achieving our care commitment.

A person does not necessarily have to expressly state that they wish to make a complaint to have the issue or concern dealt with as a complaint. Regardless of whether an issue is big or small, it will be treated seriously, and CareAbility will ensure the person is advised on how valuable their opinion is to our organisation. We will use such information to improve our service delivery continuously.

Participants, families, advocates or other stakeholders may submit their feedback via email, phone or the quarterly Participants online survey (which can be submitted anonymously) regarding CareAbility's supports, services, staff, or contractors. The participants can be provided information in Easy Read format if required.

The Complaints Manager will ensure that the complainant can physically access all meetings to resolve the complaint by reviewing the environment to ensure that the meeting site is accessible for those with mobility issues.

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 and NDIS (Procedural Fairness) Guidelines 2018, including:

- Informing a person if their rights or interests may be adversely or detrimentally affected in a direct and specific way
- Giving notice of each prejudicial matter that may be considered against them
- Giving a reasonable opportunity to be heard on those matters before adverse action is taken
- Putting forward information and submissions in support of an outcome that is favourable to their interests
- Ensuring that the decision to take adverse action should be soundly based on the facts and issues that were raised during that process, and this should be apparent in the record of the decision
- Ensuring that the decisionmaker should be unbiased and maintain an unbiased appearance

CareAbility ensures complaints and feedback are 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
- Discussing feedback and complaints during staff meetings
- Considering all complaints seriously and respectfully
- Advising participants and staff members of their right to complain
- Staff will be trained in complaint handling during assessments and orientation
- Guidance regarding the complaint process is outlined in the welcome information provided to our participants
- 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
- Ensuring that complainant is involved in the resolution of the complaint
- Keeping complainant informed of the progress of the complaint:
  - actions taken
  - the reasons the decisions are made
  - options to have decisions reviewed
- Ensuring that the decisionmaker or advocate is included and recognised in the process
- Accepting CareAbility and staff accountability for actions and decisions taken due to a complaint
- Committing to resolving 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 cycle
- Annually auditing the Complaints and Feedback Policy and Procedure

## 4.0 Definition

| Terminology | Definition  |
|-------------|---|
| Complaint   | Expressing dissatisfaction with an NDIS support or service, including previous complaint handling, for which a response or resolution is explicitly or implicitly expected. |
| Resolution  | The official decision to solve or end a problem or contentious matter. A resolution includes finding a way to improve a difficult situation.                                |

## 5.0 Procedure

### 5.1 Complaint process

Complaints and suggestions can be made by:

- 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 Director or their delegate
- Contacting the Director, or their delegate, verbally or in writing
- Responding to questionnaires and surveys
- Sending an email to our contact email
- Attending meetings/care conferences
- Contacting external complaint agencies, e.g. NDIS Quality and Safeguards Commission
- Communicating orally, in writing, or any other relevant means
- Using the feedback form on the CareAbility website

Complaints may be made by:

- Staff
- Participants and/or the participant's representative
- Members of the general public
- Advocates
- Family members
- Carers
- Anonymous person/s

Results are recorded in a Feedback 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 Director or their delegate
- Staff member/s; the complaint will be dealt with by the Director or their delegate
- Director; an external person or body may be approached, e.g. NDIS Quality and Safeguards Commission.

Staffs, participants, family and advocates, visiting health professionals and visitors are informed of our complaints process via:

- Participant Handbook (with Easy Read Supplement)
- Initial access to supports
- Staff orientation, induction and training
- Staff Handbook
- Meetings
- Participant agreements

## 5.2 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. CareAbility 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, within one (1) working day, where possible.

### *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 CareAbility's persons assigned to handle complaints

### *Step 3. Assessing the complaint*

1. When assessing a complaint, Director or their delegate, 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 Director or their delegate should determine if it is practicable to find an immediate resolution
2. The Director or their delegate 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 Director or their delegate 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 Director or their delegate 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 Feedback 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

## **5.3 Review and improvement**

CareAbility takes a systematic approach to incorporate a review of all issues raised by a complaint to identify and address any possible systemic issues and determine any continuous improvement actions identified during the complaints process.

The review and improvement process includes:

- Ascertaining preventative actions and continuous improvement
- Considering if any systemic issues require addressing
- Recording the information regarding the complaint in the Feedback Register
- Recording the details of the improvement stemming from a complaint in the Continuous Improvement Register (if required)

- Training staff in any new systems or actions
- Adjusting policies and procedures
- Monitoring the complaint resolution according to the internal audit schedule
- Providing feedback to the complainant personally to inform them of the outcomes and influences their issue raised within our organisation

## 5.4 Documentation

- All complaints will be recorded in a Feedback Register
- Information in the register will include:
  - Complaint details
  - Identified issues
  - Actions undertaken to resolve the complaint
  - Outcome of the complaint.
- All documents, relating to the complaint, 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

## 5.5 Unresolved complaints

Unresolved complaints will be referred to the Director or their delegate 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.

Email: [contactcentre@ndiscommission.gov.au](mailto:contactcentre@ndiscommission.gov.au)

To complete an NDIS Complaint Contact Form online go to [business.gov.au](https://business.gov.au)

## 5.6 Staff orientation and training

The staff orientation process includes training all employees in the complaints and feedback process, including the NDIS Commission requirements. Our in-house training includes:

- NDIS reporting requirements and contacts details
- Providing information regarding CareAbility's complaint and feedback process and procedures (e.g. forms to complete and how to assist participants wishing to make a complaint)
- Identifying our Complaints Manager

- Encouraging employees to have a positive attitude towards complainants and a commitment to resolving all complaints
- Creating an understanding of how feedback and complaints inform and guide our continuous improvement cycle
- Understanding timeframes for reporting and resolving complaints.

Additional training will occur when practices and policies are changed due to a complaint or if staff are still not sure how to handle a complaint upon commencing work at CareAbility.

## 6.0 Related documents

- Feedback Register
- Continuous Improvement Policy and Procedure
- Continuous Improvement Register
- Risk Management Policy and Procedure
- Service Agreement
- Staff Handbook
- Participant Handbook

## 7.0 References

- NDIS (Complaints Management and Resolution) Rules 2018
- NDIS Practice Standards and Quality Indicators 2021
- NDIS Act 2013 (Commonwealth)
- NDIS (Procedural Fairness) Guidelines 2018
- Privacy Act 1988 (Commonwealth)
- Disability Services Act 1986 (Commonwealth)
- Disability Discrimination Act 1992 (Commonwealth)
- Work Health and Safety Act 2011 (Commonwealth)