

GOV-PRO-003	FEEDBACK, COMPLIMENTS & COMPLAINTS PROCEDURE		
Approved by:	Kym Chomley, CEO	Version Number:	2020 - 0001
Date approved:	July 2020	Next review date:	July 2022
Applies to:	All 121 Care & Guardian Group (the Organisation) sites, business areas and its people, including employees, contractors and visitors.		



Procedure Purpose

The Organisation encourages open, honest communication by participants, stakeholders, employees and managers, which includes both positive and constructive Feedback, Compliments and Complaints. This procedure assists the Organisation in thorough and robust management of Feedback, Compliments and Complaints, ensures that the Organisation continues to improve its services, and deliver person-centred services to support participants who engage services.

These procedures will support the Organisation to implement Governance Policy: [GOV-POL-001](#) by-

- Providing guidelines
- Describing processes or steps.

These procedures support the Organisation to apply the National Standards for Disability Services, in particular, Core Module Division 2: Governance & Operational Management.



Review & Evaluation of these procedures

Changes & improvements to these procedures will occur by-

- Learnings through the Organisations compliments, feedback and complaints process
- Opportunities identified through-
 - Organisation's Risk Management process
 - Organisation's Continuous Improvement process
 - internal and external audit observations
- Seeking feedback from managers of individual business units, staff and clients
- Conducting regular reviews of these guidelines and procedures at least every two years (minor changes such as updated links or spelling corrections within two years will not require the feedback process)

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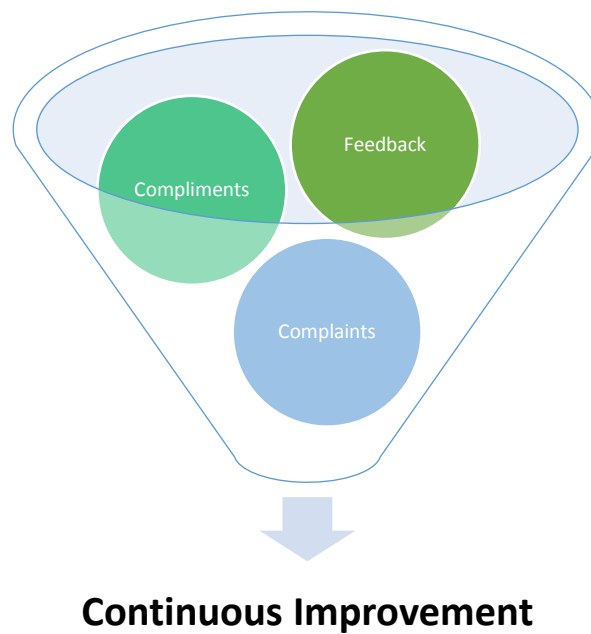
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Key Contacts

Questions on how to implement these procedures should be directed to-

- Individual's direct manager
- The CEO- email: contact@121care.org.au | phone: 07 5443 9777
- The Quality Manager- qualitymanager@121care.org.au | phone: 07 5443 9777



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Feedback

Feedback mechanisms are the starting point for the active engagement and contribution of participants, employees and stakeholders who are involved with the Organisation's services, leading to open and honest communication.

The Organisation is committed to listening to people using and delivering services. The organisation takes on feedback, both positive and negative, as a source of ideas for improving services and other activities. Specifically, it will:

- foster a service culture that encourages open and honest communication
- inform participants about the standard of service they can expect
- provide participants with a copy of the Participant handbook
- encourage feedback and making it easy for participants and employees to provide feedback
- offer anonymity to people providing feedback
- record and compile information arising from feedback and use it to improve services.

Information about service culture, standards and participant rights and responsibilities

The Organisation encourages open, honest communication by participants, stakeholders, employees and managers. Service culture, standards, participant rights and responsibilities are documented in:

- Participant Services Policy and Procedures
- People and Culture Policy and Procedures
- Governance Policy and Procedures

By providing copies of policies and procedures to participants, stakeholders, employees and any other person requesting further information, this provides the opportunities for improvement. The Organisation is able to provide policies and procedures in large print format or to work with interpreters as required to ensure this information is accessible.

Participant feedback - informing participants

Participants are informed of their rights and responsibilities as part of the process of setting up the initial service agreement.

All participants are provided access to all policies and procedures that further explain and support their rights and responsibilities.

Participants are advised how to take action if they feel that their rights have not been respected and provided a copy of this procedure.

Feedback can be provided by individuals on their initiative or in response to requests by the organisation.

Feedback initiated by the participant or stakeholder will be encouraged by the employees who provide service.

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Feedback will be sought from participants and stakeholders via an annual participant service survey, participation in internal audits and the participant advisory group

Employees are encouraged to provide feedback in employee meetings to their manager, employee survey, participation in internal audits and the employee advisory group

Using feedback for service improvement

The organisation keeps comprehensive, clear and useful records of all feedback from participants and stakeholders. Records of feedback are kept in the following formats:

- a feedback file on the X drive with records of all individual instances of feedback in date order
- a record on the participant file (when feedback is not anonymous) of the comment made and response given
- records in employee files of feedback and actual/ recommended responses
- minutes of employee and management meetings detailing discussion of feedback and actions taken
- a regular feedback report to senior employee/management, summarising individual instances of feedback for the period, and actual/recommended responses
- a file containing completed participant surveys from individual participants
- a survey report summarising findings and proposing actions in response.

Complaints and feedback are reviewed by the Quality Committee which is responsible for determining how they are to be actioned

Complaints

What is a Complaint?

- Complaints are advice an incident has occurred, something is not working the way it should, something is inappropriate, or someone is at risk.
- Complaints can involve participants, staff, volunteers, participant family members, members of the public.
- Participants have the right to make complaints, provide feedback and raise concerns.
- A person does not necessarily have to expressly state that they wish to make a complaint to have an issue or concern dealt with as a complaint.

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Principles of the Organisation's complaints system

- ❖ Complaints, feedback and concerns can be raised in different ways, and in different formats.
- ❖ The person has access to support as necessary and independent advocacy support (if needed) to make a complaint.
- ❖ Any formal and informal complaints are acknowledged and recorded and addressed promptly.
- ❖ Complaints are resolved quickly and fairly, and in a confidential manner.
- ❖ The complainant is treated with dignity and respect at all times. They are assured that there will be no retribution for making a complaint. Adopting a person-centred approach
- ❖ Objectivity – addressing each complaint in an equitable, objective and unbiased manner (procedural fairness)
- ❖ Accountability – establishing a clear accountability for the actions and decisions of the organisation about complaint handling
- ❖ Continual improvement – ensuring that continual improvement of the complaint handling process is a permanent objective of the organisation
- ❖ Information about how to make a complaint, provide feedback or raise concerns is easily available and easy to understand.

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“Complaints” definitions

Abuse

Abuse can occur at any time, in any setting, and anyone who is in contact with a person who is vulnerable may be abusive.

Abuse may be perpetrated by people who have influence over the lives of others, whether they are formal or informal carers or family members or others (family, professionals, peers and strangers).

Abuse can be- financial, physical, emotional, neglect, legal/ civil, sexual, systemic, psychological

Advocate

Advocates are there to support people to speak up about what they want, working alongside them to ensure they can access their rights and the services they need.

Allegation

Claim an illegal act has occurred

Complainant

A person who lodges or makes a complaint. In this instance, a complainant can be a person with disability or someone assisting the person with disability to make a complaint.

Continuous Improvement

The term ‘continuous improvement’ describes the ongoing effort of an organisation to improve services, systems, processes or products to maximise benefits for its clients. The process of continuous improvement relies on evidence-based information to support the organisation’s success in achieving its goals and outcomes. This also means adapting to changing needs of the community or people using services.

Feedback

Opinions, comments and information offered through informal processes by customers about services can be considered feedback. Feedback can be positive or negative.

We receive feedback from a variety of sources-
Staff feedback through check ins, reviews, appraisals, surveys

Participant feedback through check ins, surveys

Staff & participant advisory groups

External – client’s families and members of the public

Complaints and incident reviews

Grievance

A grievance is a real or imagined cause for complaint, especially unfair treatment.

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Investigation

The purpose of investigating a complaint is to explore the facts surrounding a complaint, to reach a fair and independent view on the issues raised by a complainant, and to identify an appropriate remedy.

Monitoring Progress

The process of monitoring and reviewing progress is a critical stage of the process of resolving a complaint. Monitoring progress occurs at all stages of the complaints handling process. Monitoring progress allows staff to identify issues or limitations and correct the response or course of actions in an intuitive way. In all cases, it is important to review progress near the end of the process to ensure the actions, as defined in the action plan, have been undertaken.

Reportable Incident

Certain incidents must be notified to the NDIS Commission as reportable incidents, including the death, serious injury, abuse or neglect of a person with disability and the unauthorised use of restrictive practices. These incidents must be reported to the NDIS Commission.

The following incidents (including allegations) arising in the context of NDIS supports or services must be reported to the NDIS Commission:

- the death of an NDIS participant
- serious injury of an NDIS participant
- abuse or neglect of an NDIS participant
- unlawful sexual or physical contact with, or assault of, an NDIS participant
- sexual misconduct committed against, or in the presence of, an NDIS participant, including grooming of the NDIS participant for sexual activity
- the unauthorised use of a restrictive practice in relation to an NDIS participant

Root Cause Analysis

Root cause analysis is an approach for identifying the underlying causes of a complaint or incident so that the most effective solutions can be identified and implemented. It's typically used when something goes badly but can also be used when something goes well. Within an organization, problem solving, incident investigation, and root cause analysis are all fundamentally connected by three basic questions:

What's the problem?

Why did it happen? *To establish why it happened- use the 5 whys technique*

What will be done to prevent it from happening again?

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Components of the Organisations' Complaints System

Enabling Complaints

- Arrangements for enabling people to make complaints are stakeholder focused, visible, accessible, and valued and supported by management

Responding to Complaints

- Complaints are responded to promptly and handled objectively, fairly and confidentially. Remedies are provided where complaints are upheld and there is a system for review.

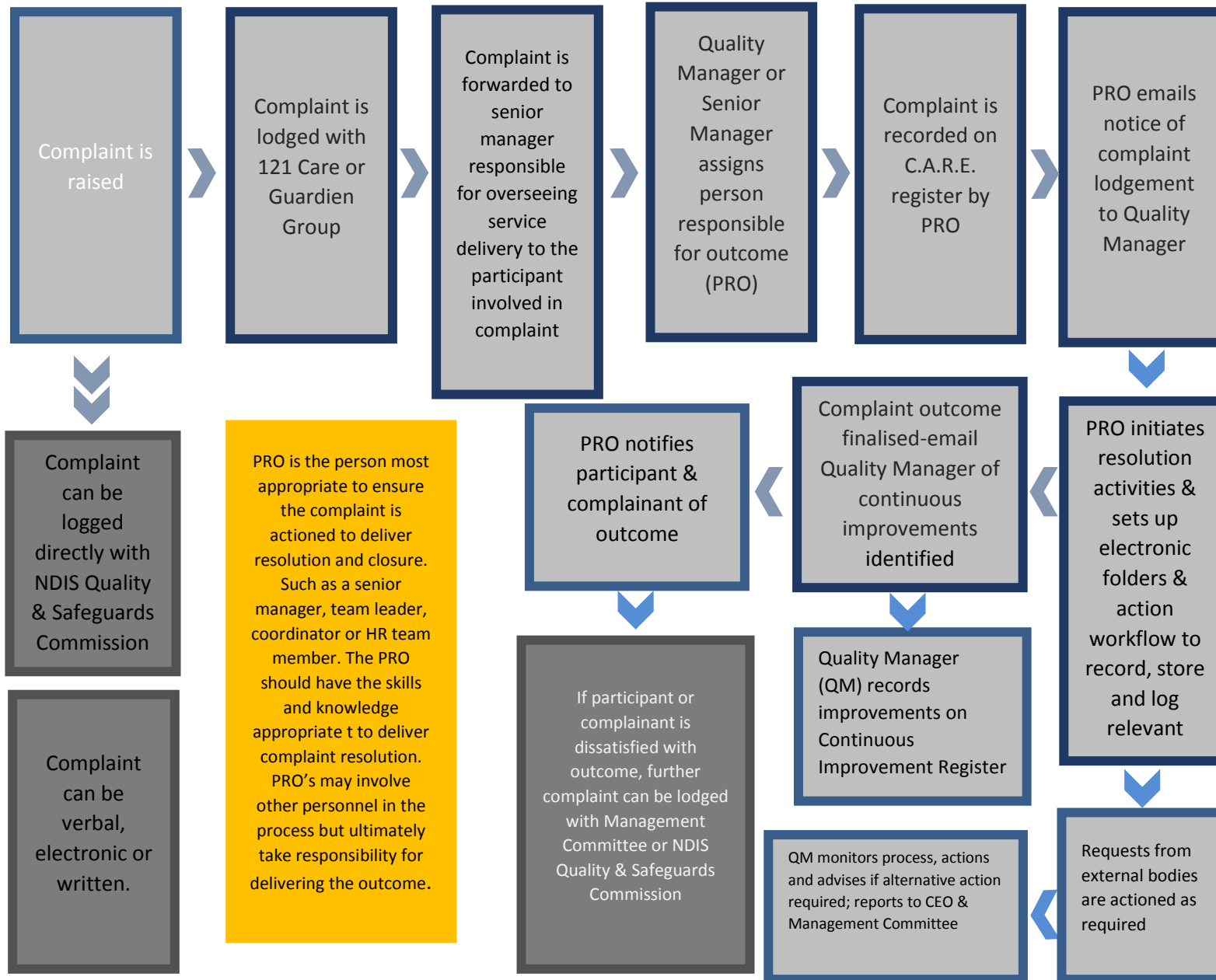
Accountability & Learning

- There are clear accountabilities for complaint handling and complaints are used to stimulate organisational improvements.

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Organisations' Complaint Process



Process For Complaint Handlers



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Confidentiality

When dealing with complaints, information provided will be kept confidential and only disclosed if required by law or if disclosure is appropriate in the circumstances.

Employees will not discuss details outside of the proper settings and will take care to ensure that any involved individual's right to privacy is upheld and respected.

Employees will refer to the Governance Policy where needed.

Procedural Fairness

Throughout the complaints management process, the Organisation will work to ensure procedural fairness is upheld for any persons directly affected by or involved in the complaint. Procedural fairness will be balanced against the need to ensure the safety of all those involved.

What is required will be determined by the circumstances and the needs of any individuals affected. Where the incident involves a criminal matter, the directions of the police or any other lawful authority will override the requirements of this section.

Protection provisions

The Organisation is committed to ensuring that complainants and any person(s) with disability affected by an issue raised in a complaint, are not adversely affected as a result of the complaint being made. The Organisation and its employees will never tolerate or engage in any form of retaliation, including harassment, discrimination, threats or victimisation against any party who has raised a complaint or a person with disability affected by the issues raised in a complaint.

Any confirmed or suspected adverse treatment should be reported immediately. Employees will refer to this procedure where necessary.

Mandatory reporting

Employees using the complaints management system will adhere to the duty to refer complaints to relevant authorities where necessary. This includes referring the matter to the police, NDIS Quality and Safeguards Commission, or other external regulatory bodies as appropriate.

Record keeping and training

Employees will ensure relevant record keeping requirements are upheld. Records of complaints received, actions taken in response to the complaint, evidence, notes and the outcome of these actions must be kept for a minimum of 7 years from the date the record is made.

The Organisation maintains an electronic complaints management system, the organisation and all relevant employees will ensure that complaints submitted are documented and kept in accordance with state and national requirements.

All employees will ensure they are up to date with any training relating to complaints reporting and complaints management relevant to their position.

Governance of Complaints

The Organisation has established a dedicated Quality Systems Committee whose scope involves actions, outcomes and continuous improvements relating to complaints. Additionally, the Management Committee receive monthly updates of complaints and their outcomes.

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Appealing a complaint outcome

Participants may appeal a decision by making a written complaint to the Management Committee. The Management Committee will appoint an appropriate, impartial person to investigate and resolve the matter.

Protecting Whistleblowers

The Organisation operates in accordance with requirements and the protection for whistleblowers provided in [Corporations Act 2001 \(Corporations Act\)](#)

Responsibilities

All staff, at all levels within the Organisation must understand their Organisation's complaints policies, procedures and practices, and their own responsibilities regarding the management and resolution of complaints.

Roles and responsibilities for staff working at different levels, is outlined as follows:

Frontline Support Staff

Commitment:

- Know about and be responsive to complaints.
- Have a positive attitude towards complaints.

Responsibilities:

- Complete "Complaints Handling" training module provided by the Organisation.
- Be aware of the complaint handling process and procedures. If you need more information, ask your line manager, team leader or coordinator.
- Acknowledge complaints raised by people with disability, their families and carers. If needed, help the complainant(s) gain access to information about:
 - The organisation's complaints processes – including how to make a formal complaint, and who in the organisation is responsible for complaints handling
 - Their rights to make a complaint.
 - Where they can access independent advocacy support.
- Report complaints to your direct manager and then document these using the relevant organisational processes.
- If an investigation occurs, provide information to assist this process, this could include:
 - Information about the complainant(s) and their needs.
 - Information about the complaint – particularly if you were involved in some way.

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Coordinators & Team Leaders

Commitment:

- Complete “Complaints Handling” training module provided by the Organisation.
- Understand and explain the complaints process to frontline workers and participants
- Include complaints in supervision and team meetings.
- Be responsive to complaints.

Responsibilities:

Be aware of the organisation’s complaint handling policies, process and procedures. If you need more information, ask your line manager.

- Acknowledge complaints raised by people with disability, their families and carers. If needed, help the complainant(s) gain access to information about:
 - The organisation’s complaints processes – e.g., how to make a formal complaint,
 - Their rights to make a complaint.
 - Where they can access independent advocacy support.
- Support the person to make a complaint.
- Provide training and support to frontline workers to understand complaints handling practice. (e.g., ensure complaints are a regular topic in staff supervision and appraisals).
- Check the details of the complaint.
- Report complaints to your direct manager and follow the relevant [processes](#).
- Make every effort to resolve the complaint promptly.
- If an investigation occurs, provide information to assist this process

Complaint Handling Staff

Commitment:

- Manage complaints effectively.
- Monitor and analyse complaints.

Responsibilities:

- Complete “Complaints Handling” training module provided by the Organisation.
- Have a deep understanding of your organization’s complaint handling policies, process and procedures.
- Behave professionally when dealing with the complainant. Ensure complaints are handled with procedural fairness.
- Report complaints to Quality Manager and/or externally as required.

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- Record complaint details on the C.A.R.E. register and maintain actions, evidence, notes in a file attached to the C.A.R.E. register entry
- Maintain interest in best practice in complaint handling.
- Communicate, collaborate and consult with the complainant(s), provide feedback to the complainant on the steps to be taken and the outcome.
- Provide feedback to the relevant staff on the steps to be taken and the outcome.
- Make recommendations to Quality Management on areas for service improvement, based on individual complaints and trends in complaints. (use root cause analysis)

Managers of Individual Business Units

Commitment:

- Manage complaints in an effective, professional way.

Responsibilities:

- Complete “Complaints Handling” training module provided by the Organisation.
- Ensure comprehensive complaints handling training to all staff working at all levels.
- Properly manage and support Coordinators, Team Leaders or other staff involved in handling complaints
- Keep informed about the Organisation’s services and the professional development needs of staff at all levels.
- Provide direct staff with training and support on complaints handling.
- Promote strong internal networks to enable complaint handling staff to work with, and support, other staff.
- Provide regular reports to the Quality Manager on issues arising from complaint handling work. This includes recommendations for service improvement – based on trends analysis, evaluation of complaints outcomes and root cause analysis.

Quality Manager

Commitment:

Maintain a complaints management and resolution system appropriate to the size of the organisation and the types of supports and services it provides

Responsibilities:

- In addition to the responsibilities for managers of business units:

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- Monitor and maintain the C.A.R.E. Register. (i.e., ensure complaints raised by individuals are documented in such a way that they can be easily referred to, not just within individual case notes or files).
- Monitor and analyse trends in complaints.
- Report regularly to the CEO and the Management Committee on complaints and their progress
- Include 'complaints' as a standing item on the Quality Managers report to the Management Committee
- Regularly monitor complaints progress and their outcomes for quality and adherence to legislation, policy and procedure

CEO & Management Committee Members

Commitment:

- Make complaint handling a priority.

Responsibilities:

- Complete "Complaints Handling" training module provided by the Organisation.
- Include complaint handling standards in the organisation's service charter, business plans and service standards.
- Review regular internal reports on the quality and timeliness of complaint handling.
- Use complaint handling information in program reviews and service improvement strategies.

Resources- when a complaint cannot be resolved NDIS Quality & Safeguards Commission

A complaint can be made to the NDIS Commission by:

- Phoning: 1800 035 544 (free call from landlines) or TTY 133 677. Interpreters can be arranged.
- National Relay Service and ask for 1800 035 544.
- Completing a [complaint contact form](#).

The NDIS Commission can take complaints from anyone about:

- NDIS services or supports that were not provided in a safe and respectful way
- NDIS services and supports that were not delivered to an appropriate standard
- how an NDIS provider has managed a complaint about services or supports provided to an NDIS participant

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National Disability Abuse and Neglect Hotline

The National Disability Abuse and Neglect Hotline (The Hotline), is a free, independent and confidential service for reporting abuse and neglect of people with disability.

Anyone can contact the Hotline, including family members, friends, service providers or a person with disability.

The Hotline works with callers to find appropriate ways of dealing with reports of abuse and neglect of people with disability.

To make a report, contact the Hotline on 1800 880 052 or send an email to: hotline@workfocus.com.

The Hotline is not a crisis service. In case of life threatening situations call 000 for attendance by Ambulance, Fire or Police services. If you think a crime has been committed or is being committed, contact your local police.

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Related Documentation

Legislation, legislation related & Contractual obligations

[Age Discrimination Act 2004 \(Cth\)](#)
[Anti-Discrimination Act 1991 \(Qld\)](#)
[Associations Incorporation Act 1981 \(Qld\)](#)
[Australian Charities and Not for Profits Commission Act 2012 \(Cth\)](#)
[Australian Human Rights Commission Act 1986 \(Cth\)](#)
[Carers \(Recognition\) Act 2008 \(Qld\)](#)
[Child Protection Act 1999 \(Qld\)](#)
[Copyright Act 1968 \(Cth\)](#)
[Coroners Act 2003 \(Qld\)](#)
[Corporations Act 2001 \(Cth\)](#)
[Criminal Code Act 1899 \(Qld\)](#)
[Disaster Management Act 2003 \(Qld\)](#)
[Disability Discrimination Act 1992 \(Cth\)](#)
[Disability Services Act 2006 \(Qld\)](#)
[Disability Services Regulation 2017 \(Qld\)](#)
[Domestic and Family Violence Protection Act 2012 \(Qld\)](#)
[Fair Work Act 2009 \(Cth\)](#)
[Fringe Benefits Tax Assessment Act 1986 \(Cth\)](#)
[Goods and Services Tax Act 1999 \(Cth\)](#)
[Guardianship and Administration Act 2000 \(Qld\)](#)
[Health \(Drugs and Poisons\) Regulation 1996 \(Qld\)](#)
[Income Tax Assessment Act 1997 \(Cth\)](#)
[Industrial Relations Act 2016 \(Qld\)](#)
[Information Privacy Act 2009 \(Qld\)](#)
[Mental Health Act 2016 \(Qld\)](#)
[My Health Records Act 2012 \(Cth\)](#)
[National Disability Insurance Scheme Act 2013 \(Cth\)](#)
[National Standards for Disability Services 2013](#)
[NDIS \(Code of Conduct\) Rules 2018 \(Cth\)](#)
[NDIS \(Complaints Management and Resolution\) Rules 2018 \(Cth\)](#)
[NDIS \(Incident Management and Reportable Incidents\) Rules 2018 \(Cth\)](#)
[NDIS \(Quality Indicators\) Guidelines 2018 \(Cth\)](#)
[NDIS \(Practice Standards—Worker Screening\) Rules 2018 \(Cth\)](#)
[Poisons Standard June 2019 \(Cth\)](#)
[Privacy Act 1988 \(Cth\)](#)
[Privacy Amendment \(Notifiable Data Breaches\) Act 2017 \(Cth\)](#)
[Public Records Act 2002 \(Qld\)](#)
[Qld Disability Services Act 2006 \(Qld\)](#)
[Racial Discrimination Act 1975 \(Cth\)](#)

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	Right to Information Act 2009 (Qld) Sex Discrimination Act 1984 (Cth) Superannuation Act 1976 (Cth) Therapeutic Goods Act 1989 (Cth) Whistleblower Protection Act 1994 Workers' Compensation and Rehabilitation Act 2003 (Qld) Work Health and Safety Act 2011
<i>Related Quality and Safeguard Commission Practice Standards</i>	<p><u>NDIS Quality & Safeguards Commission Practice Standards</u></p> <ul style="list-style-type: none"> • Rights & Responsibilities • Provider Governance & Operational Management • Provision of Supports • Support Provision Environment • High Intensity Daily Personal Activities • Implementing Behaviour Support Plans
<i>Internal Documents</i>	<p>Governance Policy, procedures and associated documentation.</p> <p>Participant Services Policy, procedures and associated documentation.</p> <p>People and Culture, procedures and associated documentation.</p> <p>Operational Policy, procedures and associated documentation.</p> <p>Financial Management Policy, procedures and associated documentation.</p> <p>Work Health and Safety Policy, procedures and associated documentation.</p>

Version History	Person responsible for action	Action date
First draft supplied by external consultant	Holly Butler- HEAA consultants	April 2020
Draft revision CEO	Kym Chomley	May 2020
Draft revision Quality Manager	Grace Lyons	June 2020

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