

## Feedback and Complaints Policy

### Policy Statement

Early Start Australia (ESA) values complaints and feedback from clients, families, providers and regulators. Complaints are an important source of information and are used to continually improve the quality of services that we provide.

The ESA complaints system is designed to ensure all complaints and concerns are treated seriously and that feedback is addressed swiftly and comprehensively. Our system is designed to meet the National Standards for Disability Services, in particular Standard 4: Feedback and Complaints and the NDIS Quality and Safeguards Framework, Practice Standards, and NDIS Complaints Management and Resolution Rules 2018.

### Purpose

The purpose of this policy is to outline the standards and procedure that all staff are expected to follow in receiving and dealing with a complaint from any client, family, provider, regulator or the general public.

### Scope

This policy applies to all ESA employees and contracted staff (permanent, temporary and casual) employed in ESA’s divisions and business units and relates to the management of feedback and complaints.

Feedback, regardless of its type or nature, can be provided to ESA by clients, customers and other stakeholders. This policy does not apply to staff feedback or grievances as there are separate mechanisms for such feedback. Where a complaint meets the definition of a critical or notifiable incident under Federal, State or Territory Disability legislation, ESA will meet the mandated incident reporting requirements.

### Principles

ESA is committed to providing the resources and support to all staff to ensure client centred feedback and complaints process. Our system is designed to ensure that the principles of equity, procedural fairness and natural justice are embedded in the feedback and complaints process and clients and stakeholders are encouraged to exercise their right to raise any issues of dissatisfaction with the organisation.

ESA has aligned its feedback and complaints approach to the principles outlined below:

- **Visibility:** ESA’s Feedback and Complaints Policy will be available on the ESA website and internally on the ESA intranet
- **Accessibility:** ESA’s Feedback and Complaints Policy is readily accessible to all clients, customers and stakeholders
- **Responsiveness:** an acknowledgement of a complaint is provided to the complainant as soon as practicably possible. Complaints will be handled in an efficient and effective manner. Complainants will be treated respectfully and kept advised of the progress of their complaint throughout the resolution process
- **Objectivity:** each complaint is addressed in an objective and unbiased manner throughout the complaints handling process

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- **Charges:** there will be no charge to the complainant for making a complaint
- **Confidentiality:** personal information, as defined by the *Privacy Act 1988 (Cth)*, concerning the complainant is protected from loss or misuse and only disclosed in circumstances in which the complainant has provided consent for disclosure
- **Customer-focused approach:** all ESA employees, including the Group CEO and Executive Leadership Team, are committed to the efficient and equitable resolution of complaints. ESA seeks feedback from clients and customers regularly, through a range of mechanisms, and acknowledges a client's right to express dissatisfaction without fear of retribution or interference with the service they receive
- **Accountability:** all ESA employees are accountable for effective complaints management
- **Continual Improvement:** ESA's complaints handling process will be reviewed at least annually, with the aim of improving its efficient delivery of effective outcomes
- **Subsidiarity:** ESA commits to managing complaints as close as possible to the source of the complaint without unnecessarily escalating the matter

#### **Related Legislation or Accreditation Requirements**

- National Disability Standard 4: Feedback and complaints
- Accreditation/compliance – Health Services Queensland Quality Framework
- Accreditation/compliance – National Standards for Disability Services (2013)
- Accreditation/compliance – National Mental Health Standards 2010
- Compliance – Commonwealth NDIS Act (2013)
- National Disability Insurance Scheme Quality and Safeguarding Framework
- United Nations Convention on The Rights of Persons with Disabilities
- NDIS Complaints Management and Resolution Rules 2018
- NDIS Complaint Handling Guidelines

#### **Related Company Policies**

- Staff Code of Conduct
- Continuous Improvement Policy

#### **Supporting Documents and Systems**

This document is to be used in conjunction with the following forms:

- Complaints Form
- ESA Complaints Register
- New Employee and Contractor Induction material
- Respect in the Workplace / Equal Employment Opportunity and Workplace Behaviour Training

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## Process

Steps in the Complaints Process

### Step 1. Receiving a compliment or complaint

#### a. Gaining details of the compliment or complaint

For a Complaint this includes:

- Understanding the circumstances and perspective of the person making the Complaint
- Identifying the key issues and the resolution or outcome which is being sought
- Seeking to identify a resolution to the Complaint ie “what would you like to see happen?”

For a Compliment:

- If a phone call, thank the person for taking the time to give the feedback
- Document the compliment in the ESA Compliments Register for both verbal and written compliments. Compliments are used in our tendering process

\*All details must be recorded in the ESA Complaints Register

### Supporting the Complainant

Staff who receive a Complaint must:

- Be respectful and support the person making the Complaint.
- Accept anonymous complaints also.
- Being sensitive to, and accommodating, specific needs (eg Culture, Disability, Communication, Gender) of the person making the Complaint and if required ensuring they are supported by a person of their choice
- Explain the process and options for resolution
- Ensure authorities are in place for information about a Client to be disclosed.
- Maintain the confidentiality around the Complaint wherever possible and advise the Complainant if this is not possible (e.g. if a Complaint relates to a criminal matter). Staff should not contact police in matters that might appear to involve criminal behaviour. Such circumstances must be escalated to the Regional Managers for action, unless it involves an emergency situation in which the health of the Client is in danger.

### Documentation

Staff receiving the complaint must:

- Inform the Clinic Director (within 24 hours of receipt) when a Compliment or Complaint has been received by documenting using the ESA complaints form (available on shared point).
- Provide all documentation to the Clinic Director when recording the complaint.
- Inform any involved staff member’s line manager as soon as possible (within 24 hours).

### Step 2. Complaint Allocation

The Clinic Director will review and allocate to the most appropriate person for management.

### Step 3. Investigating a Complaint

#### Investigating a Complaint

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- Investigations are managed by the Clinic Director unless allocated to another person. The staff member who has been allocated the complaint is responsible for:
- Reviewing the complaint and responses to date – within 24 hours
- Acknowledging complaint has been received – within 48 hours
- Three point contact (within 48 hours) – complainant, person complaint is about, any third party) to:
- Confirm each parties account of events
- Verify the facts
- Negotiating to achieve an acceptable resolution and outcome for all parties
- Make recommendations as appropriate and support the complaint resolution. Update Complaints Register with findings summary and action recommendations – related process is Complaints Management.

#### **Identifying if a resolution has been reached**

- Record any agreed action that needs to be undertaken and completed in the ESA Complaints Register
- The Compliment or Complaint can be closed by the Clinical Services Manager

#### **Roles**

##### **Complainant**

- Have their Complaint acknowledged verbally within 48 hours of their Complaint being received by the person handling the Complaint (for Complaints not received verbally)
- Be advised of the contact details of the person handling the Investigation or Escalations in a timely manner
- Be consulted on the proposed resolution to their Complaint.
- Be informed when the complaint is considered resolved.

##### **Staff Involved**

- Be made aware of the complaint and have the opportunity to respond.
- Support is to be offered to the staff member in the form of a support person, Line Manager, EAP if required.
- Response to be documented into Supervision documentation and complaints register.
- Outcome, response and any further action to be discussed with the staff member, Line Manager.

##### **Management**

- Case Manager of the complaint will keep all managers inform of the outcome, response and any action points to the complaint.

##### **The Senior Management Team**

- Provide support to investigation team in managing a Complaint if required
- Review any processes, documents or complete audits if required as part of the complaints process and continuous improvement
- Identify local, regional or organisational trends or opportunities for improvement.

#### **Escalating the Complaint**

Complainants may escalate their complaint should they be dissatisfied with the response from ESA, or should they choose in any case to do so. Appropriate external complaints handling bodies include:

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WA	Health and Disability Services Complaints Office (HaDSCO) (08) 6551 7600 1800 813 583 Download and return this <a href="#">form</a> <a href="#">Online lodgement</a>
SA	NDIS Commission 1800 035 544 <a href="#">Online lodgement</a>
Tasmania	Speak to the Community Partnership Team (Disability and Community Services) or Director of Disability and Community Services, or Ombudsman, in accordance with this <a href="#">factsheet</a> . <a href="#">Ombudsman website</a>
Victoria	Victorian Disability Services Commissioner 1800 677 342 <a href="#">Online lodgement</a> Via email at <a href="mailto:complaints@odsc.vic.gov.au">complaints@odsc.vic.gov.au</a>
NSW	NDIS Commission 1800 035 544 <a href="#">Online lodgement</a>
Queensland	Ombudsman Queensland <a href="#">website</a> 1800 068 908
Northern Territory	Health and Community Services Complaints Commissioner 1800 004 474 <a href="#">Online lodgement</a>
ACT	Disability and Community Services Commissioner ACT (02) 6205 2222 Download and return this <a href="#">form</a> and email to <a href="mailto:human.rights@act.gov.au">human.rights@act.gov.au</a>

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