

Complaints and Feedback



Policy: Complaints and Feedback

Purpose

This policy outlines Achieve Australia's approach to managing and resolving complaints and feedback. Feedback includes complaints, compliments and feedback.

A complaint is an expression of dissatisfaction made to or about Achieve Australia related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

Feedback can be positive or negative and can be considered a complaint once assessed or it can be dealt with at a local level and not processed as a complaint. All feedback is welcomed regardless of its perceived severity.

This policy reflects our commitment to

- promote and implement an efficient, confidential and accessible system
- respond to and manage all feedback in a consistent, fair and timely manner
- improve the quality of the services we provide and how we respond to client support needs
- use feedback to inform planning, policy development and systems and processes
- act in ways in keeping with our purpose and passion
- respect choices and decisions of others
- understand and introduce improvements and changes arising from feedback
- actively involve people making complaints in the complaints process as far as practicable and in appropriate circumstances
- provide support, tools and resources to assist people with making a complaint to us or about us
- foster a culture that welcomes and embraces complaints and feedback that is communicated, understood and acted upon.

All Achieve Australia staff are responsible for supporting people who wish to make a complaint to access and use the complaints process. This includes communicating rights as well as other internal and external complaints and feedback resolution processes. All staff are required to participate in formal complaints handling training relevant to their role.

Scope

This policy applies to all complaints and feedback from people we support (clients) and their families and carers, employees (current and former), volunteers, organisations, members of the public and other Achieve Australia stakeholders.

Legislative Context

- National Disability Insurance Scheme (NDIS) Act 2013

- Privacy Act 1988
- Disability Discrimination Act 1992
- Disability Inclusion Act 2014
- Children’s Guardian Act 2019

Reference Documents

- United Nations Convention on the Rights of Persons with Disabilities
- NDIS Code of Conduct
- National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018
- National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018
- Achieve Australia Customer Charter of Rights and Responsibilities
- Achieve Australia Complaints and Feedback Procedure
- Achieve Australia Whistleblower Policy and Procedure
- Achieve Australia Code of Conduct

Policy Owner	Executive General Manager Customer, Practice and Quality
Approved By	Chief Executive Officer
Date Approved	22/06/2020

Objective	Policy Description
Commitment to upholding privacy	<p>Achieve Australia will maintain the privacy and confidentiality of any person who makes a complaint as well as all interested parties involved by</p> <ul style="list-style-type: none"> • taking reasonable steps to protect personal information from loss, unauthorised access or use and unauthorised disclosure during the complaints process • ensuring information is protected with controls on how and when certain information is used within the organisation and/or disclosed to external people or agencies • identifying and managing breaches of privacy as part of managing a complaint in keeping with our Privacy, Customer Privacy and Dignity and Information Management Policy information i.e. escalation to relevant General Manager and/or Executive.
Ensure responsiveness when managing all complaints	<p>Achieve Australia will respond to complaints in a timely manner and recognise good complaints handling by staff and managers.</p> <p>We are committed to ensuring that all complaints and feedback are acknowledged within 1 business day and that the resolution of complaints is addressed within 30 days, where possible.</p> <p>This may not be achievable where there is an external body/partner involved. However, relevant stakeholders are informed of progress on a regular basis i.e. at least every 5 days by the Complaint Owner.</p>
Commitment to objectivity and fairness	<p>Achieve Australia will address each complaint in an objective and impartial manner by active listening. We will involve external agencies to assist in supporting the resolution of complaints if required.</p> <p>Any serious allegation(s) raised as part of a complaint are referred to the NSW Police and/or Child Protection Helpline (DCJ) as required.</p> <p>Conflict of interest is also considered when assessing all complaints to ensure objectivity e.g. where a complaint involves the Achieve Australia Board of Directors, this will be referred to an independent external advisor(s).</p>
No detriment rule	<p>Achieve Australia will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint is made by them or on their behalf.</p>

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Values and signature behaviours	<p>Achieve Australia will continue to act in accordance with the values and signature behaviours of our organisation when addressing complaints including</p> <ul style="list-style-type: none"> • inclusiveness • values based • extraordinary • ethical behaviour • deliver on our promises • embrace change and grow • be consistent and lead by example • listen, create, deliver and repeat.
Ensure natural justice	<p>Achieve Australia is committed to managing complaints, consistent with the principles of natural justice. This means that any person who may be negatively affected by a decision, must be given a fair and reasonable hearing and a decision will not be made until all parties have been heard.</p>
Commitment to procedural fairness	<p>Achieve Australia is committed to managing complaints, in a manner consistent with the rules of procedural fairness. This means every effort is fair and just in order to</p> <ul style="list-style-type: none"> • ensure that all parties to a complaint know what to expect during the complaint handling process • conduct the complaint handling process transparently and with a lack of bias • provide all parties with equal opportunity to participate in the process following an assessment of their support needs (with consent) • ensure the complainants resolution expectations are considered and met where possible • provide evidence and reasoning to support decisions made.
Making a complaint	<p>A complaint can be made by any person using one or more of Achieve Australia services, their family members or carers, advocates, volunteers, community members or health and medical professionals as well as any external person. An employee (current and former) can also make a complaint in relation to a service we provide, or on behalf of a person receiving a service.</p> <p>Complaints can also be made as part of the Quality Champions Program and follow the same documented process as all other complaints.</p>

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<p>Commitment to children and young people</p>	<p>When working with children or young people (under 18 years), complaints about services should be discussed with the person as well as parents/guardians.</p> <p>Children, young people and parents/guardians should be given complaints procedures in formats they can understand.</p> <p>When receiving a complaint from a child or a young person with a disability, it is important that the best possible opportunity is made to understand their concerns.</p> <p>Communication systems and people who know them well should be used to ensure they are heard.</p> <p>Complaints that are related to abuse, neglect, risk of significant harm, and those that include a criminal element must be assessed to confirm whether a report to DCJ, OCG, NDIS Commission and Police is required.</p> <p>Note - Complaints involving reportable allegations, allegations of crime or Risk of Significant Harm will not be considered using the Complaints and Feedback Policy.</p> <p><u>Refer to the Client Incident Management and Reporting Policy and Procedure</u></p>
<p>The Office of the Children's Guardian (OCG) Legislation requirements</p>	<p>Achieve Australia is required to notify the OCG in writing, of any allegation that meets the reportable conduct definition which is</p> <ul style="list-style-type: none"> • A sexual offence • Sexual misconduct • Ill-treatment of a child • Neglect of a child • An assault against a child • An offence under S43B (failure to protect) or S316A (failure to report) of the Crimes Act 1900; and • Behaviour that causes significant emotional or psychological harm to a child. <p>Further information on these definitions can be found on the OCG Reportable Conduct Scheme Website, Fact sheets - reportable conduct - NSW Office of the Children's Guardian.</p> <p>A form is available for these notifications and is located at the link 7-Day Notification Form (nsw.gov.au).</p> <p>Some complaints involving staff conduct towards children may also be</p> <ul style="list-style-type: none"> • considered a reportable conduct allegation requiring notification to the OCG within 7 days

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	<ul style="list-style-type: none"> considered as a report to DCJ if they reach the Risk of Significant Harm threshold. (MRG TOOL should be used as an aid to determine if a report to is required MRG (nsw.gov.au)). Staff are required to print the MRG outcome and place on the client record.
Understanding roles and responsibilities	<p>All staff</p> <ul style="list-style-type: none"> should know and be trained in how to handle complaints relevant to their role comply with all complaints handling reporting requirements including lodging complaints and feedback via the Web Complaint Form and/or supporting any person to do the same as part of the immediate reporting process. <p>All managers</p> <ul style="list-style-type: none"> should encourage staff to lodge all complaints and feedback information via the Web Complaint Form as soon as received support staff to understand the difference between a complaint and feedback should know and be trained in how to handle complaints relevant to their role ensure that their teams are trained in complaints handling and monitor implementation of the process respond to requests from regulatory bodies regarding complaints e.g. NDIS Commission and cc the relevant Quality Team inbox as required promote a positive culture of welcoming and acting promptly on complaints and feedback and actively engaging clients and/or their families/carers in the resolution process identifying and managing breaches of privacy as part of managing a complaint in keeping with our Privacy, Information Management and Customer Privacy and Dignity policy information and in consultation with the relevant General Manager and/or Executive. <p>The Customer, Practice and Quality Team is responsible for</p> <ul style="list-style-type: none"> promoting a client focussed approach to feedback and complaints establishing a process of monitoring, evaluation and reporting to identify themes and systemic issues

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	<ul style="list-style-type: none"> • advising all staff of the client’s right to an independent advocate or support person as part of the management of a complaint • providing regular reporting to the Executive Team and relevant stakeholder advisory groups regarding compliance with organisational key performance indicators relating to complaints and feedback. <p>The Executive Team is responsible for</p> <ul style="list-style-type: none"> • promoting a client focussed approach to feedback and complaints • ensuring senior management responses are client centred, timely, and comply with relevant legislative requirements • communicating to the Board and relevant Committees on feedback and complaints (and their resolution) that require their attention • appointing or delegating a representative to coordinate the management of a serious complaint and clearly defining their responsibilities • periodically reviewing the complaints handling process to ensure that it is maintained effectively and efficiently, and continually improved • using the evidence based on feedback and complaints as part of strategic planning and organisation design. <p>The Chief Executive Officer (CEO) is responsible for</p> <ul style="list-style-type: none"> • promoting a client focussed approach to feedback and complaints • managing responses to media enquiries • ensuring that appropriate engagement exists with external complaints handling bodies such as the NDIS Quality and Safeguards Commission • ensuring that there are mechanisms in place to respond to complaint matters raised by key service funders • communicating and liaising with government departments or statutory bodies in relation to feedback, complaints. or allegations of abuse, harm or neglect including (but not limited to) <ul style="list-style-type: none"> ○ NDIS Commission ○ Office of the Children’s Guardian (where the complaint relates to the handling of reportable conduct Section 28 of the Children’s Guardian Act)

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	<ul style="list-style-type: none"> ○ Police ○ Your Call ○ NSW/Commonwealth Ombudsman ○ Australian Human Rights Commission ○ NSW Health Care Complaints Commission ○ Australian Competition and Consumer Commission <p>The Board of Directors is responsible for</p> <ul style="list-style-type: none"> ● monitoring and responding to quality and safeguarding matters associated with delivering supports to clients including complaints ● reviewing incidents and complaints as requested and in certain circumstances e.g. where a complaint involves the CEO.