



FEEDBACK & COMPLAINT MANAGEMENT POLICY

Review Details

DOCUMENT NAME: Feedback & Complaints Management Policy
CODE NUMBER: POL051V4.2023
APPROVED by: Committee of Management
APPROVAL DATE: 31 January 2023
File Location: *This document is stored electronically: S/POLICIES and PROCEDURES*

DETAILS OF CHANGES

Date of Revision	Revision Description
28/01/2023	Review the whole policy updating legislation references

PLANNED REVIEW

Date of Next Review	Revision Description
28/01/2025	

Related Legislations and Standards:

- Aged Care Act 1997 (Cth)
- Aged Care Quality and Safety Standards
- Customer satisfaction - Guidelines for complaints handling in organizations (AS ISO 10002-2006).
- Disability Services Act (SA) 1993
- Equal Opportunity Act 1984 (SA)
- Health and Community Services Complaints Act (SA) 2004
- National Standards for Disability Services (NSDS)
- NDIS Practice Standards

Related Policies and Procedures

- Code of Conduct
- Conflict of Interest Policy
- Employee Complaints Management Policy
- Fraud & Corruption Prevention Policy
- Governance Policy
- Privacy Policy

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1. POLICY STATEMENT

A person using the services of ViWa and/or is engaged with us has the right to complain or provide feedback to ViWa.

ViWa is committed to best practice in complaints handling and welcomes feedback to improve the quality of the services we provide as well as the way we operate. The feedback and complaints of clients, staff and community members including carers, contracted carers, clients, parents, volunteers, legal guardians and advocates, are valued and encouraged.

Feedback that is recorded and handled effectively will provide valuable information in identifying areas for improvement, coordinating a consistent approach for resolution, reducing the potential for future complaints and allow for reporting and efficient allocation of resources.

Resolving complaints at the earliest opportunity in a way that respects and values the person's feedback, can be one of the most important factors in recovering the person's confidence about a service. It can also help prevent further escalation of the complaint. A responsive, efficient, effective and fair complaint management system can assist an organisation to achieve this.

ViWa is committed to following feedback and complaints procedures in a fair, respectful and timely manner, ensuring the individual or group providing feedback or making the complaint is fully informed of their rights and the outcome of their involvement. All complaints will be thoroughly investigated and referred to appropriate external bodies where necessary.

All complaints will be handled giving careful attention to confidentiality. Providing feedback or lodging a complaint will neither affect the right to receive a service, nor the quality of service provided.

2. SCOPE

This policy applies to all ViWa employees regardless of employment status (i.e. full-time, part-time, casual), volunteers, ViWa's clients and stakeholders. This policy does not apply to disputes outside of ViWa or for employment-related disputes.

3. DEFINITIONS

- “Complaint”** An expression of dissatisfaction made to an organization, related to its service, or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected
- “Compliment”** An expression of praise, encouragement or gratitude about a service that is funded, regulated or provided. It may be about an individual staff member, a team or a service.
- “Feedback”** Opinions, comments and expressions of interest in the service or the complaints-handling process.
- “Complainant”** Person, organization or its representative, making a complaint or providing feedback.

4. RIGHTS AND RESPONSIBILITIES

4.1 Rights of the person providing feedback

- Confidentiality;
- Be treated with courtesy and respect;
- Be given a clear explanation of the process;
- Be informed of the progress of their feedback;
- Have an understanding that their feedback will not affect other dealings they have with VIWA;
- Opportunity to seek external advice if the outcome is not to their satisfaction;
- Provide info about external agencies to support their claim.

4.2 Responsibility of the person providing feedback

- Treat ViWa staff with respect;
- Make timely contact with the ViWa when providing feedback;
- Provide their correct contact details so the ViWa can respond to their feedback, if they choose to;
- Clearly identify the observation, complaint or suggestion.

4.3 Responsibility of the Committee of Management

- Ensuring ViWa maintains an effective complaints management system;
- Promoting a culture that values complaints and their effective resolution;
- Promoting the rights of clients to provide feedback, including complaints;
- Supporting the use of feedback data to inform service improvements leading to better service overall,

4.4 Responsibility of the Compliance Manager

- Promote awareness of the feedback process and foster a “no blame” culture.
- Ensuring feedback is responded to in a fair and consistent manner, in accordance with this policy
- Implement systems to regularly monitor and review the feedback process to ensure that it is effectively and efficiently maintained and continually improved in accordance with this Policy
- Review reports on feedback data and trends.
- Where possible, investigate the validity of any complaint and provide opportunity for all parties to state their understanding of the situation/event.
- Be neutral and objective at all times.
- Where possible, ensure that action is taken to resolve a complaint, prevent it from happening in the future and record the event.
- Manage clients’ expectations in relation to what the feedback process can and cannot deliver.
- Where the client disengages or cannot be contacted for more than 30 days, take action to address the cause of the complaint.
- Where necessary, refer complaints to an external agent with accurate and relevant data (eg Ombudsman, Health and Community Services Complaints Commissioner, Aged Care Complaints Commissioner, NDIS Quality and Safeguards Commission).
- Ensuring all feedback is recorded on the ViWa Complaints, Incidents and Compliments Register.

4.5 Responsibility of all ViWa staff

- Ensuring they are familiar with this policy and the processes.
- Ensuring that all clients are given a copy of the client services charter in their own language and it is explained to them.
- Ensuring that feedback and complaints are acknowledged and responded to in a timely, fair and consistent manner, or referred to the appropriate party.

5 POLICY PRINCIPLES

An effective feedback, compliment and complaint handling system includes the principles of customer focus, visibility and accessibility, responsiveness, objective and fairness, commitment to consumer and quality improvement, privacy and open disclosure, gathering and using information, and making improvements.

The ViWa’s approach to feedbacks and complaints management supports:

- people understanding their rights and responsibilities;
- information on the compliment and complaint management process being easily accessible;
- increased satisfaction of clients in the management of their compliments and complaints;
- the recording of data to identify emerging and existing trends or systemic issues;
- staff to demonstrate an awareness of feedback, compliment and complaint management processes;
- staff to develop the range of skills and capabilities required to manage compliments, complaints and feedback;
- an organisational culture that is focused on effective, person-centred complaints resolution and utilising feedback for continuous improvement.

5.1 Customer focus

Clients, carers and community complaint systems and mechanisms are respectful of the unique culture, beliefs, values and personal characteristics of the individual. The service is responsive to those who may have difficulty in expressing a grievance or making a complaint.

5.2 Visibility and accessibility

The compliments and complaints management process will be visible and accessible to individuals and:

- explain how and where to make a compliment or complaint, including an anonymous complaint;
- ensure the service sites have information on how to lodge a compliment or complaint;
- consider specific needs of the individual or barriers they may experience;
- explain alternative complaint resolution pathways when the complaint is first lodged and when it is closed;
- explain how the organisation will manage a complaint and the expected timeframe for resolution;
- support individuals to identify and seek their preferred outcome.

5.3 Responsiveness

The feedback and complaints management process will be responsive and provide mechanisms and strategies to:

- promote service user rights, particularly those with special support needs, so they can actively participate in the compliments and complaints process;
- inform and train staff to use the compliments and complaint management system;
- support the individual to seek the most appropriate resolution;
- ensure there is clarity about the requested outcome;
- provide a respectful, valuing and informative acknowledgement;
- actively listen, empathising and acknowledging when the service was not the best it could have been;
- monitor timeframes for resolution;
- communicate with all relevant parties about the progress of the resolution of the complaint.

5.4 Objective and fairness

Clients, carer and community complaints are dealt with in an equitable, objective, unbiased and impartial manner as a means to ensure the complaint handling process provides an objective evaluation that is fair, objective and reasonable.

5.5 Commitment to consumer and quality improvement

ViWa leaders promote a consumer-focused approach to complaints as part of a continual quality improvement program.

5.6 Privacy and open disclosure

The service manages information in a fair manner, allowing relevant facts and decisions to be openly communicated while protecting confidentiality and personal privacy.

5.7 Feedback

Providing feedback to ViWa is voluntary.

Feedback can be provided at any time, in any way, by any stakeholder, through:

- A staff member;
- Email, mail or phone;
- ViWa's Feedback and Complaints Form;
- ViWa's website;
- Service delivery planning days (involving participants and other stakeholders);
- Staff and COM meetings (involving participants and other stakeholders);
- Staff collection of feedback after a person interacts with the service (e.g. initial assessment and planning; reviews; exit, etc.);
- Annual consumer / participant satisfaction surveys. All consumers / participants or their representatives will be asked to complete these surveys; and
- Annual staff and client's satisfaction surveys. All staff will be asked to complete these surveys and stakeholders will be selected on a random basis.

Where feedback is provided verbally, the receiving staff member will transcribe it onto ViWa *Feedback and Complaints Form*.

5.8 Gathering and using information

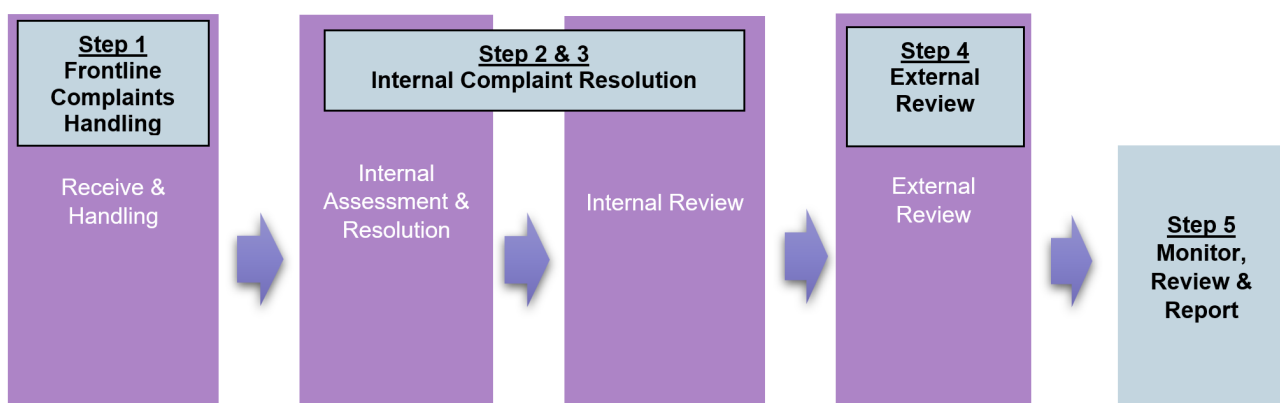
The service records all complaints to enable review of individual cases, to identify trends and risks, and report on how complaints have led to improvements

5.9 Making improvements

The service uses complaints to improve the service, and regularly evaluates the complaints management policy and practices.

6 COMPLAINT MANAGEMENT PROCESS

The compliment and complaint management process can be simplified into five steps:



Step 1, 2, 3 and 5 are followed when dealing with complaints and compliments covered by this Procedure.

Step 4 is followed as required or when requested.

6.1 Step 1 – Receiving & Handing

Staff receive complaint must listen openly to concerns being raised by the complainant. They must ask the complainant what outcome they are seeking, inform the complaint clearly of the complaint process, the time the process takes and set realistic expectations. Staff should be accountable – be empathic towards the affected person and action all commitments made. The staff should create a prioritisation framework to identify situations which pose an immediate threat or danger or require a specialised response.

6.2 Step 2 – Internal Assessment and Resolution

During this step the Compliance Manager assesses the complexity, severity, safety implications, urgency and if an investigation is required. The expected timeframe for resolving a complaint are determined by this assessment.

Classification	Description	Timeframe
Informal Complaint - Simple	Resolved at point of service; e.g; clear up a misunderstanding; error in a record, lack of information, minimal risk	Can be resolved at point of service within five (5) working days.
Formal complaint – Standard	In their acknowledgement, the Compliance Manager must set realistic expectations regarding complaint resolution and refer the matter to other organisations where they are identified as being more suitable to handle it. Acknowledgements must provide timeframes for resolution where possible. Involves a single, low risk issue that can be resolved with 20 working days.	Acknowledge receipt of complaints within 2 working days. However, where a person has requested to remain anonymous, contact may not be possible or expected. Resolved with 20 working days of receipt
Formal complaint - Complex	May involve a higher level of risk, and more than one issue or business area Require more time to investigate or coordinate responses.	Acknowledge receipt of complaints within 2 working days. Required more than 20 working days to finalise.
Internal review	A review of the proper process undertaken to resolve the complaint and that the correct decision resulted from the process.	Received within 20 working days of finalisation. Resolved within 20 working days.
Committee of Management Referral	A review of complaint which needs to be referred to the Committee of Management	Made at least 45 business day after the complaint to Committee of Management. Resolution determined by the Committee.
External Review	Independent review of finalised complaint	Determined by the Independent Reviewer

At the completion of the process undertaken the Manager prepares a response for the Committee of Management. The response is to include review options, and the timeframe involved in these processes. The Committee of Management makes a decision based upon the draft response/outcome letter prepared by the Manager.

6.3 Step 3 – Internal Review

Internal Assessment & Resolution

If the complainant is dissatisfied with ViWa's response they have the option to request a review. The complainant has 20 business days, from receipt of ViWa's advice, to lodge a request for an internal review by the Committee of Management.

Internal Review

An internal review is a systematic way of reviewing the original process and outcome. The aim of an internal review is to ensure that complaints process complied with ViWa's policy and procedural requirements. An internal review is not an investigation of a complaint. It is a review of the complaints process and outcome.

6.4 Step 4 – External Review

This step in the procedure involves authorities

- **Australian Human Rights Commission, or**
- **Aged Care Safe and Standard Commission, or**
- **Disability Safeguard and Standard Commission**

These above Commissioners may receive complaints directly from members of the public.

Complainants referred to the above Commissioner must be in writing, and include the complainant's name, address and details indicate the alleged contravention to which the complaint relates.

6.5 Step 5 – Monitor, Review and Report

This step in the procedure involves the Compliance Manager to make report on number of complaints received and resolved each quarter. These report will be assessed for trends and provided to the Committee of Management.

7 RESPONSIBILITIES

7.1 Committee of Management

- Allocate sufficient resources to ensure the complaints management process is effectively administered, including the assignment of specific roles and responsibilities to staff as appropriate
- Ensure that staff with roles in handling complaints are provided with appropriate information, training and include expectations/performance indicators in their Professional Development Plan
- Ensure that appropriate action, including preventative action where warranted, is taken to address sources of complaints, adverse issues and trends identified and foster continuous improvement.
- Implementing and maintaining the complaint management system, including
 - provision of adequately documented complaint management guidance for all staff
 - setting and meeting key performance indicators for the effective and efficient functioning of complaint management policy
 - other requirements including system reviews
 - implementing internal and external escalation procedures for unresolved complaints/disputes.
- Ensure that the complaint management policy and procedure is followed within the organisation.
- Ensure the timely and effective resolution of complaints in accordance with the complaints management policy
- Designate an internal reviewer or conduct an internal review of a complaint as considered appropriate

7.2 Manager

The Manager is an impartial personnel who is authorised to investigate a complaint and recommend solutions/responses.

- Ensure that when a complaint is received it is assessed to determine if it can be dealt with within an alternative complaints process.
- Undertakes the necessary actions to investigate the complaint.
- Act as a central referral and coordination point regarding requirements of the Customer Complaints management policy
- Log, action, refer, and report on customer complaints to ensure they are appropriately managed
- Identifies facts, gathers relevant information, considers relevant procedures/legislation that applies and prepares a report with findings and recommendations for the Committee of Management.
- Establishing a process of performance monitoring, evaluation and reporting.
- Monitor the progress of resolution and responses to complaints
- Monitor, analyse and review complaints data to identify trends, impacts and timeliness of responses.
- Refer allegations of misconduct, immediately to the authorised human resources delegate for assessment (if not already identified and referred)
- Ensure that the approved resolution actions are implemented
- Ensure that appropriate action, including preventative action where warranted, is taken to address sources of complaints, adverse issues and trends identified and foster continuous improvement.
- Ensure the timely and effective resolution of complaints in accordance with the complaints management policy
- Ensure that all staff who deal with complaints have received the necessary training prior to dealing with a complaint.

7.3 All Employees

- Assist the public with resolving issues before they become a complaint
- Need to have sufficient knowledge and understanding of ViWa's Complaint Management System to be able to assist complainants in lodging a complaint where a resolution is not attainable.

8. COMPLAINT RECORD KEEPING

Complaints are to be recorded in local record keeping system.

The Compliance Manager will keep accurate records documenting actions taken in response to a complaint. These records include:

- Unique identifier
- Complainant's name and contact details (if anonymous, please note this in the record)
- The decision / action (or lack of) compliant about
- The complaint category (e.g: action/ decision/ human rights matter)
- Outcomes sought
- Key action taken to manage the complaint
- The outcomes, reasons and advice provided to the complainant

- Correspondence sent and received
- Records of meetings, telephone conversation and interviews
- Findings form an investigation
- Recommendations and approvals

All complaint records must be able to show the decisions and actions that resulted in the outcome.

Note: Complaint records will be made available upon request to appropriate authorised to conduct internal and external reviews (subject to any restrictions imposed by the Information Privacy Act 20029 or confidentiality) including the Ombudsman.

9. UNREASONABLE COMPLAINANT CONDUCT

Unreasonable complainant conduct may include:

- Frequent and lengthy telephone calls, which occupy significant staff time and / or other resources
- Frequent letter, emails, or visits seeking solution to a wide range of issues beyond the scope of the original complaint or before the decision due date.
- Seeking information, advice and resolution from a variety of staff about the same issue
- Any contact which involves abusive or threatening language by the complainant.

In these circumstances, the Compliance Manager may need to consider the ViWa's duty of care to its staff and the appropriate use of resources and decide on a case-by-case basis if it would be appropriate to limit the complainant's contact with ViWa. That decision can take a number of forms, including:

- Restricting the times for and / or frequency of contact;
- Designating a single staff member with whom the complainant may have contact, such as a manager, and / or
- Nominating the acceptable form of contact, for example, written communication only.

A decision to limit a complainant's contact is to be communicated to the complainant in writing by the responsible member of the Committee of Management.

The above actions may also be appropriate when a person continues to contact ViWa office after feedback has been provided about the complainant and all avenues of review have been exhausted.

Complainant's conduct which involves violence and aggression should be managed in accordance with relevant Human Resources Policy and / or procedures.

10. DECIDING NOT TO INVESTIGATE A COMPLAINT

There are circumstances in which it is appropriate not to investigate a complaint under this procedure. They include:

- ViWa is not a correct place to address the concern (complainant must be referred to relevant organisation)
- There is a existing right of appeal or review available (to which the complainant must be referred)
- The matter has already been adequately addressed, by an external agency, court or tribunal; or
- The complaint is received with no contact information and is an expression of general dissatisfaction with a product or service, i.e: does not agree with certain management policy, as such a response may not be possible and or, an investigation generally unnecessary.
- The matter is an expression of dissatisfaction with a policy or procedure and there are contact details then an investigation may not be necessary but, a response will be required.

- a complaint previously received and is still under investigation
- a complaint which is deemed vexatious in nature or not of sufficient merit to warrant investigation
- a complaint prior to entry into the local record system that is able to be resolved at a counter or point of service by escalating to a manager and which can be resolved with two (2) working days to the satisfaction of the consumer.

11. REFUSING TO INVESTIGATE A COMPLAINT

ViWa can refuse to investigate a complaint because:

- The complainant does not have sufficient direct interest in the issue
- The resources required to handle the complaint are disproportionate to the likely outcome, and the matter can not be addressed through less resource-intensive means;
- It is impractical to investigate a matter due to the length of time that has passed since it occurred
- After assessment, the complaint is determined to be trivial, frivolous or vexatious or is not made in good faith.

Note: Refusing to deal with complaint is a serious decision that should not be made after considering all reasonable options for addressing the issue. Marginal cases, in terms of the substance of the complaint or the decision to investigate, must always be decided in favour of the customer, such that the complaint is not refused.

When the investigation of a complaint has been refused, the customer may pursue the issue through other means, such as by lodging the complaint with the Office of South Australia Ombudsman.

A complaint that may qualify for refusal on any of these grounds must be referred to the Committee of Management for resolution. If there are any doubt about the appropriateness of refusing a complaint, the issue must either:

- Not be refused; or
- Referral to a more senior manager for consideration and decision.

Note: Even if a complaint is refused to be investigated a response advising the complaint of the action must be sent prior to finalising the records in local system.

12. EXTERNAL COMPLAINTS BODIES

Outside Empowered Community Services, complaints can be made to the following bodies.

NDIS Quality and Safeguards Commission

Online at www.ndiscommission.gov.au

By phone on 1800 035 544

Aged Care Quality and Safety Commission

Online at <https://www.agedcarequality.gov.au/>

By phone on 1800 951 822

Australian Human Rights Commission

Online: <https://www.humanrights.gov.au>

Phone: 1300 656 419