

## Complaints and Feedback Policy

### STATEMENT

Able Australia (“the Organisation”) is committed to being open and responsive to any complaints or suggestions for improvement made by its service recipients (people we support / participants) or other members of the community and stakeholders. The Organisation will seek an outcome to a complaint which is satisfactory to all parties and will endeavour to incorporate suggestions for improvement into service development and business improvement programs.

Our approach to complaints starts with people’s rights under the United Nations Convention on the Rights of Persons with Disabilities, the Victorian Charter of Human Rights and Responsibilities, the Disability Act 2006 and other relevant laws and standards.

All clients have the right to report complaints and feedback, they can either report directly through Able Australia’s existing channels or they can report directly through their funding stream, e.g. Disability services commission, Transport Accident Commission (Vic)

Client services		
VIC	TAC	<a href="https://www.tac.vic.gov.au/clients/working-together/complaints-and-compliments">https://www.tac.vic.gov.au/clients/working-together/complaints-and-compliments</a>
	DHHS	<a href="https://providers.dhhs.vic.gov.au/cims">https://providers.dhhs.vic.gov.au/cims</a>
TAS	DHHS	<a href="https://www.dhhs.tas.gov.au/disability/publications/fact_sheets/general_services/compliments_and_complaints">https://www.dhhs.tas.gov.au/disability/publications/fact_sheets/general_services/compliments_and_complaints</a>
ACT	Community Services ACT	<a href="https://www.communityservices.act.gov.au/quality-complaints-andregulation/complaints_and_advocacy">https://www.communityservices.act.gov.au/quality-complaints-andregulation/complaints_and_advocacy</a>
QLD	Aged Care Commonwealth	<a href="https://www.agedcarequality.gov.au/making-complaint">https://www.agedcarequality.gov.au/making-complaint</a>
	Department of Communities Disability and Seniors	All info can be found at <a href="https://www.communities.qld.gov.au/about-us/customer-servicecompliments-complaints">https://www.communities.qld.gov.au/about-us/customer-servicecompliments-complaints</a> Via Email <a href="mailto:feedback@communities.qld.gov.au">feedback@communities.qld.gov.au</a> Online form: <a href="http://www.complaints.services.qld.gov.au">www.complaints.services.qld.gov.au</a>

During the handling of a complaint, we will aim to keep in regular contact with the person and/or the person’s family or main carer using our service and the person who made the complaint. At Able Australia we value the feedback we receive and include those giving us feedback as active participants in the resolution of the issues raised. We acknowledge that the supports provided may not always meet people’s expectations and/or that mistakes do happen. For this reason, we value people letting us know when this occurs so we can improve the supports we offer.

### SCOPE

This policy applies to all feedback and complaints from customers, families, carers, advocates, statutory bodies, government agencies, stakeholders, staff or members of the public to or about the Able Australia “workers”. “Workers” include employees, board members, contractors, volunteers, consultants, agency staff, visitors and students.

<b>Complaints and Feedback Policy</b>
---------------------------------------

This policy excludes any work-related grievance which is subject to Able Australia’s Complaints, Grievance and Dispute Resolution policy.

If this complaint is assessed to be an incident, Able Australia’s Incident Management policy and procedure will be followed.

**DEFINITIONS AND ABBREVIATIONS**

**Complaint** - An expression of dissatisfaction made to or about the Organisation, 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.

**Incident** - An event or circumstance that occurred during service delivery, which resulted in harm or has the potential to harm a client. This includes both major impact incidents and non-major incidents.

Major impact incident:

- The unanticipated death of a client
- Severe physical, emotional or psychological injury or suffering which is likely to cause ongoing trauma.
- A pattern of incidents related to one client, which taken together, meet the level of harm to a client defined above. This may be the case even if each individual incident is assessed as a nonmajor impact incident.
- In addition, certain incidents as listed in by the Department of Health and Human Services in the *Client incident management guide*, November 2017, for example, allegations of physical or sexual abuse.

Non-major impact incident:

- Incidents that cause physical, emotional or psychological injury or suffering, without resulting in major impact as defined above.
- Impacts to the client which do not require significant changes to care requirements, other than short-term interventions. For example, first aid, observation, talking interventions or short-term medical treatment.
- Incidents that involve a client but result in minimal harm.
- Incidents that do not otherwise meet the criteria for ‘major impact’ above.

**Feedback** – Any issue which is brought to the attention of the Organisation in order to improve the operations of the Organisation.

**Compliment** – A compliment is an expression of praise, encouragement or gratitude about a service that is funded, regulated or provided by the Organisation. It may be about an individual staff member, a team or a service.

**Organisational Stakeholder / Participant / People we support** - An adult, or parent/guardian of a person who is currently receiving services or has received services from the Organisation.

**Member of the community** - Any person who is not a person receiving services and who is representing themselves, a community organisation or company. Member of the community includes volunteers and donors.

Doc Number GLP 4	Name: Complaints and Feedback Policy	Released: 1.18 / 5.18 / 9.18 / 1.19	Version: 4.0
Authorising Area: Governance and Leadership		Document Owner: CEO	
UNCONTROLLED WHEN PRINTED – Original documents located on internet site			

## Complaints and Feedback Policy

### PURPOSE

The purpose of this policy is:

1. To establish the principles which are to govern Able Australia's response to complaints and feedback/suggestions for improvement.
2. To ensure the existence of procedures through which people we support and members of the community can communicate feedback or complaints regarding any aspect of the Organisation's services, functioning or operations.
3. To enable the Organisation to address all complaints through ensuring that they are recorded, considered, resolved and monitored.
4. To ensure that suggestions for improvement are actively encouraged, received, considered and if appropriate, delegated with their implementation monitored and recorded.
5. To ensure that all organisational stakeholders are aware of the content of this policy and its associated related procedures.

### Key principles for managing complaints

At Able Australia we aim to have an effective complaints system. Our approach covers the following values and principles:

1. Rights – People have a fundamental right to speak up about the supports they receive.
2. Respect – People are treated with respect and dignity throughout the process. This includes respecting their privacy and maintaining the confidentiality of their information.
3. Fairness – People are treated fairly and their concerns are dealt with in an unbiased and objective manner.
4. Accessible – Information should be provided in ways that enable people who use the service to know how to make a complaint.
5. Person centred – The complaints system is flexible to respond to individual needs and to consider what is important to and important for people receiving supports.
6. Responsive – There is a clear process for ensuring that complaints are handled in a timely way and people are kept informed of the progress of their complaint.
7. Natural Justice – People involved in a complaint need to be given a fair opportunity to respond to issues raised and to present their views.
8. Accountable – Your process for resolving complaints is clearly outlined so people know what to expect.
9. Excellence – The complaints management system is part of a quality culture that sees the complaint as an opportunity for improvement.

### POLICY DETAILS

1. Able Australia shall implement and maintain a formal complaints process to ensure that all complaints are responded to in a timely and impartial fashion.
2. Able Australia shall assess if a complaint falls within Able Australia's definition of an incident.
3. If the complaint is assessed to be an incident, Able Australia's Incident Management policy is to be followed. This policy outlines how all incidents are to be managed including those involving children (under the Reportable conduct scheme) and breaches of client privacy (*Privacy Amendment (Notifiable Data Breaches) Act 2017*).

## Complaints and Feedback Policy

4. Able Australia shall ensure that all suggestions for improvement and complaints are recorded, considered and retained for process improvement purposes.
5. Able Australia shall ensure that all parties are informed of his or her right to have a support person or advocate present to assist or represent them during the formal complaints process. Formal complaints can be written or verbal. If verbal, the assisting staff member will document the complaint. Access to interpreters will be available if required. You can request assistance to locate an external advocate to support you.
6. Able Australia shall address all complaints in a confidential manner. Only the people directly involved in making, investigating or resolving a complaint will have access to information about it.
7. Complaints can be made anonymously if the complainant so chooses.
8. Able Australia shall ensure that the complaint investigation process is impartial. No assumptions will be made nor any action taken until all relevant information has been collected and considered.
9. Able Australia shall ensure that any complaint is free of repercussions for the complainant. The Organisation will take all necessary steps to ensure that no victimisation occurs against anyone who makes a complaint.
10. The Complaints Officer will be responsible for managing the complaints process and will ensure that complaints are forwarded to the relevant Manager for consideration and resolution. The Organisation shall ensure that organisational stakeholders as well as other members of the community are able to directly contact the Complaints Officer if it be their wish.
11. All information relating to a complaint will be logged within Tickit with the relevant documentation. Tickit is the complaints register system.
12. Able Australia shall ensure that all staff is aware of this policy and its related procedures.
13. Able Australia shall ensure that all organisational stakeholders are informed of the existence of this policy and its related procedures at the commencement of association with the organisation and / or receiving services. A copy of this policy and the relevant procedure must be made available to stakeholders / people we support in their preferred format / language as required.
14. Able Australia recognises the right of individuals to approach an external agency such as the Disability Services Commissioner for advice or assistance at any point in the process. You may request the appropriate external agency's contact information that is relevant to your applicable state or territory.

### PROCEDURE 1. Recording and Responding to Complaints and Feedback

- Able Australia invites individuals to submit complaints / feedback suggestions at any time regarding any aspect of the organisation's operations.
- All complaints will be acknowledged within the next business day it is received.
- It is anticipated that most complaints and feedback raised will be resolved informally between the individual and organisational staff person(s) involved. Even though the matter is satisfactorily resolved it is Able Australia's process that this **must** be logged into Tickit (complaint & feedback system) noting all details and resolution outcome achieved.

**If a satisfactory resolution fails to be reached, then the following process applies:**

- The Complaints Officer is the main point to which complaints and feedback should be directed, however, complaints may be received by any staff member of Able Australia.
- As soon as possible after the receipt of the complaint or feedback, the staff member who has been informed of this should complete a Complaint / Feedback log onto Tickit.

Page 4

Doc Number GLP 4	Name: Complaints and Feedback Policy	Released: 1.18 / 5.18 / 9.18 / 1.19	Version: 4.0
Authorising Area: Governance and Leadership		Document Owner: CEO	
UNCONTROLLED WHEN PRINTED – Original documents located on internet site			

## Complaints and Feedback Policy

- If a member of staff other than the Complaints Officer receives the complaint or feedback, via an alternative communication method i.e. complaint form / letter then this must be forwarded electronically to the Complaints Officer and / or can be immediately logged into Tickit and attached as a support document.
- When complaints and feedback suggestions are logged onto Tickit the Complaints Officer will determine which department the complaint / feedback should be referred to, ensuring there is no conflict of interest and wither the complaint is also an incident which needs to be logged and investigated. The matter will then be passed onto the identified Manager for action.
- The relevant Manager will nominate an appropriate person to address the complaint / feedback suggestion. Action to resolve the matter will commence within 2 business days of the complaint / feedback being made (this includes contacting the complainant or their representative). A satisfactory course of action will be decided upon between the staff member and the complainant within 5 business days of the complaint / feedback being made.
- The complainant should be informed of his or her right to have a support person or advocate present to assist or represent them during the process.
- Once the action has been taken, the staff member responsible for the action will document on Tickit the agreed outcome resolution and continuous improvement.
- This will then be electronically sent to the Complaints Officer for final review. If the Complaints Officer agrees this is a satisfactory resolution then the complaint will be finalized and closed on Tickit.
- Complaints Officer will send a closure letter to the complainant acknowledging the complaint and resolution.
- If a satisfactory course of action CANNOT be agreed upon between all parties within 5 business days, the staff member must refer back to the Manager. The Manager will convene a discussion between all relevant parties and will recommend an alternative course of action. This may include escalating the issue to the Manager's direct line Manager.
- If the issue remains unresolved, the complaint / feedback will be referred to the National Management Team and CEO (Chief Executive Officer) for consideration and resolution.
- If the complainant is not satisfied with the resolution proposed by the National Management Team and CEO, the individual may wish to approach an external agency relevant to the applicable state / territory. The team will make available contact details of these agencies as required.
- If the complaint is received or escalated to the CEO then the CEO is responsible to close the complaint in the system.
- 90% of all complaints are to be resolved within 21 days of receipt. More complex complaints may take longer to address.

### 2. Monitoring Complaints and Feedback for Process Continuous Improvement After the complaint:

- After the complaint is resolved the Complaints Officer will complete a reflective systems check on the process and outcome of the complaint and feedback conclusions to staff and key stakeholders for suggestions of improvement opportunities. The Complaints Officer

Page 5

Doc Number GLP 4	Name: Complaints and Feedback Policy	Released: 1.18 / 5.18 / 9.18 / 1.19	Version: 4.0
Authorising Area: Governance and Leadership		Document Owner: CEO	
UNCONTROLLED WHEN PRINTED – Original documents located on internet site			

## Complaints and Feedback Policy

will contact the person who made the complaint after it has been finalized to seek feedback on their experience of the process. Questions to be asked during this review include (but may not be limited to):

- What was the experience for the person who made the complaint? Was it resolved for them? ○ What was the complaint about? What service, policy or procedure did it call into question?
- What information did the complaint provide that will allow you to identify and improve those services, policies and procedures and your organisation as a whole?
- How effectively did you communicate with the person who made the complaint, affected staff and other stakeholders?
- Does anything need to change in your complaints handling system or approach to dealing with complaints?
- Do staff require further training?
- Do people using your services, their families, carers and friends require more or improved information about their rights and the complaints process?
- Did staff's handling of the complaint reflect your stated values and expectations in relation to valuing and handling complaints? Or, are they still perceived as something negative that is feared and dealt with as quickly as possible.
- The Complaints Officer will analyse all Complaints and Feedback quarterly. A report indicating the nature of the complaints / feedback received and suggestions for systemic change to minimise future complaints / feedback will be discussed in the National Management Review Team meetings for consideration.
- The Complaints Officer to provide the Victorian Disability Services Commission their yearly Annual Complaints Reporting (ACR) via the ACR tool.

### 3. Able Australia's complaint resolution process incorporates the following core elements:

#### How do I respond to a complaint?

The **Four A's** of successful complaint resolution: **Acknowledgement, Answer, Action, and Apology**. Keep in mind that people who make a complaint are generally seeking one (or several) of these four outcomes:

#### Acknowledgement

In many respects this first step is the most important of the Four A's as it often sets the tone for the rest of the process. Having stepped out of their comfort zone to make a complaint, people want to feel that you've understood their concern and how the situation has affected them.

There is no perfect way to give a positive and respectful acknowledgement in all situations but some basic steps that can help include the five step 'LEARN' process:

**Listen** – Genuinely listen to the concerns of the person without interruption. Look for the positive intention behind the person's issue and behaviour.

**Empathise** – Use your body language and/or voice to create an environment where the person can feel comfortable talking with you. Be conscious of whether you are feeling defensive and how this can be perceived.

**Acknowledge** – Acknowledge how the situation has affected the person who made the complaint. Where relevant, acknowledge where the service response could have been better.

**Rectify** – Ask the person who made the complaint what would rectify the complaint for them.

Page 6

Doc Number GLP 4	Name: Complaints and Feedback Policy	Released: 1.18 / 5.18 / 9.18 / 1.19	Version: 4.0
Authorising Area: Governance and Leadership		Document Owner: CEO	
UNCONTROLLED WHEN PRINTED – Original documents located on internet site			

<b>Complaints and Feedback Policy</b>
---------------------------------------

What would a good outcome look like for them?

**Notify** – Notify the person promptly and regularly of the steps you will take, in response to their complaint but don't commit to things you can't do.

“A good acknowledgement delivered with respect, the right body language and tone will indicate to the person that you are not about to oppose them and that you see their feelings as legitimate. Acknowledgement is about validating emotions.” G. Furlong The Conflict Resolution Toolbox

**Answer**

People typically want to know why something has or has not happened or why a decision was made. This is important to their ability to understand and process what has happened and to move on to resolving their concern.

Answers should include a clear explanation of the event / decision relevant to the concern raised.

**Action**

People want you to fix or at least take steps to address their concerns.

Sometimes you may not be able to fix the concern raised but may be able to initiate actions that will assist in preventing it occurring again. This can be just as important to the person as it validates their concern.

It's a good idea to agree to an action plan with the person who raised the complaint. The plan should include things like:

- What will be done?
- Who will do it and when?
- How will we communicate our progress?
- How will we check that things are on track?

It's a good idea to then follow up with the person who made the complaint to make sure they are satisfied with what action you have taken. This can also be a good opportunity to seek feedback on their experience of the process you used to respond to their complaint.

Actions often cannot fix the past, but they can show that the concern raised was taken seriously and offer reassurance that the issue is less likely to happen again.

**Apology**

An apology can either be part or the whole of the outcome people seek when they make a complaint. Care should be taken about who might give the apology and what form it should take. Apologies don't have to be particularly fancy or over the top but they do need to be genuine. Whilst a genuine apology can be an important step in resolving a complaint, a poorly given apology can actually make the situation worse.

Some of the key elements of a 'good' apology are:

- Timeliness
- Sincerity
- Being specific and to the point
- Accepting responsibility for what occurred and the impacts caused □ Explaining the circumstances and causes (without making excuses)
- Summarising key actions agreed to as a result of the complaint



**Complaints and Feedback Policy**

A genuine and timely apology is a powerful healing force and a way to separate the past from the future, to put things to rest and get on with any new arrangements agreed to.

**REFERENCE DOCUMENTS**

- Complaints and Feedback Form(s) – includes formats that are accessible
- Complaints and Feedback Brochure(s) – includes formats that are accessible
- List advocacy contacts per state / territory
- List external agencies per state / territory
- Tickit operational manuals

**RELEVANT LEGISLATION, STANDARDS, AGREEMENTS AND GUIDELINES**

This document is informed by (but may not be limited to) the following legislation and standards:

Commonwealth

- National Disability Insurance Scheme Act 2013
- Disability Discrimination Act 1992
- Human Rights and Equal Opportunity Commission Act 1986
- Un Convention on the Rights of Persons with Disabilities 2006
- Un Convention on the Rights of the Child 1990
- Privacy Act 1988
- Privacy Amendment - Enhancing Privacy Protection Act 2012
- Privacy Amendment (Notifiable Data Breaches) Act 2017
- Discrimination Act 1984
- Disability Services Act 1986
- Carer Recognition Act 2012
- Freedom of Information Act 1982

Victoria

- Disability Act 2006
- Charter of Human Rights and Responsibilities Act 2006
- Privacy and Data Protection Act 2014
- Commission for Children and Young People Act 2012
- Children, Youth and Families Act 2005
- Carers Recognition Act 2012

Tasmania

- Disability Services Act 2011
- Children, Young Persons and Their Families Act 1997
- Guardianship and Administration Act 1995
- Disability Act 2009
- Information Privacy Act 2014
- Public Advocate Act 2005
- Human Rights Act 2004
- Ombudsman Act 1989

ACT

- Disability Act 2009

Doc Number GLP 4	Name: Complaints and Feedback Policy	Released: 1.18 / 5.18 / 9.18 / 1.19	Version: 4.0
Authorising Area: Governance and Leadership		Document Owner: CEO	
UNCONTROLLED WHEN PRINTED – Original documents located on internet site			



<b>Complaints and Feedback Policy</b>
---------------------------------------

- Information Privacy Act 2014
- Public Advocate Act 2005
- Human Rights Act 2004 □      Ombudsman Act 1989
- Official Visitor Act 2012

South Australia

- Disability Services Act 1993
- Ombudsman Act 1972
- Whistleblowers Protection Act 1993
- Carers Recognition Act 2005
- Children's Services Act 1985

Queensland

- Disability Service Act 2006
- Coroners Act 2003
- Coroners Regulation 2003
- Aged Care Act 1997
- Information Privacy Act 2009

The following Standards apply to this Policy

- National Standards for Disability Services (Tasmania / South Australia/ACT)
- Human Services Standards (Victoria)
- Child Safe Standards (Victoria)
- Human Services Quality Standards (Queensland)
- Community Care Common Standards (Queensland)
- NDIS Quality and Safeguard Standards

**CONTINUOUS IMPROVEMENT**

Improvements to this policy can be made by completing an Improvement Opportunity Form, attaching any suggested amendments and forwarding to the Quality and Compliance Manager for review.



***Complaints and Feedback Policy***



**Able Australia Complaints**

Authorising Area: Governance and Leadership	Document Owner: CEO
UNCONTROLLED WHEN PRINTED – Original documents located on internet site	

**Management Process Flowchart**

