

Feedback and Complaints Policy

STATEMENT

Able Australia is committed to being open and responsive to any complaints or suggestions for improvement made by its service recipients (people we support), other members of the community or stakeholders. Able 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 and all other relevant laws and standards. Able encourages stakeholders to talk about issues if they have concerns relating to the supports that Able provides.

This policy should be read in conjunction with Able's Risk Management Framework, Continuous Quality Improvement and Incident Management Policies.

This policy outlines Able's approach to receiving customer feedback in managing and responding to complaints and includes actions required in order to:

- a) respond to and manage all feedback and complaints in a consistent, fair, transparent and timely manner.
- b) improve the services that Able provides and the way in which they are provided.
- c) learn from and use feedback and complaints to inform planning, policy development and resource allocation.
- d) ensure that suggestions for improvement are actively encouraged, received, considered and if appropriate, delegated with their implementation monitored and recorded.
- e) ensure that all organisational stakeholders are aware of the content of this policy and its associated related procedures.
- f) ensure natural justice and respond to complaints without bias.

SCOPE

This policy applies to all feedback and complaints from clients, families, carers, advocates, statutory bodies, government agencies, stakeholders, staff or members of the public. Feedback and complaints can be provided about the Able Board, Able staff including National Management Team, volunteers or contractors and Able systems and processes.

Work-related grievance are subject to Human Resources policies and procedures.

DEFINITIONS AND ABBREVIATIONS

Acknowledgement – of receipt of the complaint or feedback; acceptance of the person's right to make a complaint; validating that they have been impacted by their experience with the organisation in some way.¹

Answers – information about why something was done or not done.

Actions – what will be done, by whom and by when; how progress will be communicated to the person with a focus upon the future.

¹ Adapted from Office of the Disability Services Commissioner; Good practice guide and self-audit tool: 2013

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Complainant – person who makes or raises a complaint.

Complaint – A verbal or written expression of dissatisfaction or concern where a response or resolution is explicitly or implicitly or legally expected.

Complaints Officer – Person whose role it is to oversee the management of feedback from receipt to closure.

Compliment – expression of praise, encouragement or gratitude about services provided or managed by Able Australia or about a particular person or team.

Suggestion – expression of an idea for consideration for an alternative approach or improvement to a particular issue.

Feedback – information from clients, carers or members of the public about any action, policy or person within Able and their experience of it which includes complaints, compliments and suggestions.

Organisational Learning – a process of inquiry to understand and if necessary, solve an inconsistency between an expected outcome and an actual outcome.

POLICY DETAILS

Able values all feedback and promotes people's right to raise any concern or need for improvement. Able is committed to ensuring that people feel sufficiently confident and safe to express any concerns. Able is committed to ensuring that all feedback and complaints are acknowledged within two (2) business days and aim to resolve complaints within 21-working days.

If the person wanting to make a complaint feels comfortable, they should be encouraged to raise their concern or complaint with Able staff first, as this is often the best way to have their issue resolved quickly.

Able staff are required to take a person centred approach toward receiving complaints. This may include providing support to a person to enable them to understand their rights, or provide support to best express themselves in a form that they prefer. For example:

- people with a vision-impairment receiving their complaint statement by audio format;
- supporting a person to access an interpreter to discuss the complaint/feedback in a language other than English
- supporting the complainant to choose a preferred venue or bring along a support person

ALL Able employees are required to:

- a) ensure that people understand their right to provide feedback and complaints about Able and that they are encouraged to do so;
- b) safeguard people against retribution or unfavourable treatment if they make a complaint;
- c) adhere to the Complaints Principles in *Appendix A*;
- d) ensure that the person feels comfortable to provide their feedback or complaint in any form and support the person to contact an independent support person or advocate if they choose to do so;
- e) make Able's feedback and complaints processes accessible including providing appropriate support people to make the complaint if they choose to do so;

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- f) promote a culture where complaints are seen as opportunities for improvement;
- g) maintain confidentiality of information about the complaint and the person who made it;
- h) meet Able's reporting requirements, including referring the complaint to any other bodies in accordance with any requirements under relevant Commonwealth, State or Territory laws;
- i) respect the independence, control and choices of the person making a complaint; and,
- j) ensure that the person is aware of what they can do if they are not comfortable making a complaint to Able staff. This may include supporting the person to contact the NDIS Commission or Aged Care Quality and Safety Commission, an advocate or any another person that they feel comfortable talking to.

People wishing to make a complaint may seek support from family, a friend or an independent advocate in making a complaint. Disability Advocates can be found at: disabilityadvocacyfinder.dss.gov.au

If the person is wanting to raise a complaint about services provided by Able or is unhappy with Able's response to their complaint, they should be informed of their rights to contact the relevant authority that the complaint relates to, such as:

The NDIS Commission:

- 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 which is available at: ndiscommission.gov.au

OR the Aged Care Quality and Safety Commission:

- Phone: 1800 951 822
- Email: info@agedcarequality.gov.au
- Mail: GPO Box 9819, YOUR CAPITAL CITY

OR the relevant funding agency, such as: Department of Health; OR State Police Service; OR Office of the Public Guardian.

PROCEDURE

Complaint or Feedback Received

- Able Australia invites individuals to submit complaints / feedback suggestions at any time regarding any aspect of the organisation's operations.
- A complaint can be received in any form, including: anonymous website form; email; in writing; verbally.

Step 1 – Acknowledge the Complaint or Feedback and Resolve (Guidance is provided in Appendix B)

- If receiving the complaint in person, acknowledge the person's right to express dissatisfaction and ask the person if they would like some assistance to record their concerns. This may also include apologizing for any distress caused, even if it was not intended.

Step 2 – Provide an Able Complaint Form

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- If the person feels comfortable, they should be encouraged to raise their concern or complaint with Able, as this is often the best way to have your issue resolved quickly.
- The complainant should be informed of their right to raise the complaint with the NDIS Quality and Safeguards Commission / Aged Care & Safety Commission and should be supported to do so.
- Provide the person with an Able Complaint Form or direct the person to the Able website *online complaints form* if appropriate, this also includes contact information for the NDIS Quality and Safeguards Commission/ Aged Care & Safety Commission.
- The complainant should be informed of their right to have a support person or advocate present to assist or represent them during the process.

Step 3 – Log the Complaint

- Assess the complaint / feedback. If assessed as an incident, refer to Incident Management Procedure and log as an incident in Tickit.
- 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, if not lodged online, and upload any attachments.

Step 4 - Escalate the Complaint

- The Complaint Officer is the main point to which complaints and feedback should be directed, however, complaints and feedback may be received by any staff member of Able Australia.
- 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 whether 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.

Step 5 – Formally Acknowledge the Complaint

- All complaints will be acknowledged within two (2) business days by the Complaints Officer.

Step 6 – Offer to Meet with the Person and Agree on Actions to Resolve the Complaint (by the identified Manager)

Step 7 – Log Complaint Actions and Resolutions on Tickit within 21 days

- 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 (complaints & feedback) noting all details and resolution outcome achieved.

Step 8 – Update the Person about the Actions Taken to Resolve their Complaint (Identified Manager)

- This can be in person, via email, letter or phone and should be done throughout the resolution process.
- The actions taken and response must be clearly documented on Tickit.
- Provide an apology to the person who made a complaint. Refer to *Appendix B* for guidance relating to 'good' apologies.

Step 9 – Ask the Person if they are Satisfied with Actions Taken (Identified Manager)

- If the person is satisfied that their complaint has been resolved, this should be logged into Ticket

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

Step 1 – Inform the Person of their Rights to Complain (Identified Manager)

- Provide an apology to the person who made a complaint. Refer to *Appendix B* for guidance relating to 'good' apologies.

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- The complainant should be informed of their right to have a support person or advocate present to assist or represent them during the process.
- The complainant should be informed of their right to raise the complaint with the NDIS Quality and Safeguards Commission / Aged Care & Safety Commission and should be supported to do so.

Step 2 – Review Complaint Resolution Actions and Areas of Disagreement

- Document the actions that remain unsatisfactory to the complainant and refer these to the appropriate Line Manager.
- Inform the Complaints Officer

Step 3 – Resolve if Possible (Identified Manager)

- If a satisfactory course of action CANNOT be agreed upon between all parties within 5 business days, the staff member must refer back to their 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.
- Once the action has been taken, the most senior manager responsible for the action will document on Tickit the agreed outcome resolution and continuous improvement.

Step 4 – Escalate the Complaint

- If the issue remains unresolved, the complaint / feedback will be referred to the National Management Team for consideration and resolution.
- If the issue remains unresolved, the complaint / feedback will be referred to the 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 National Management Team or CEO then they are responsible to close the complaint in the system.

Step 5 – Close the Complaint

- All actions taken to resolve a complaint must be recorded in Tickit.
- Once final actions have been taken, an update must be electronically sent to the Complaints Officer for final review which includes:
 - confirmation that the complaint has been closed;
 - details of the complaint;
 - actions taken to resolve the complaint; and,
 - any issues or actions that remain outstanding.
- If the Complaints Officer agrees this is a satisfactory resolution then the complaint will be recorded and resolutions taken.
- Complaints Officer will send a closure letter to the complainant acknowledging the complaint and resolution.
- Provide an apology to the person who made a complaint. Refer to *Appendix B* for guidance relating to 'good' apologies.
- 90% of all complaints are to be resolved within 21 days of receipt. More complex complaints may take longer to address.

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

- After the complaint is resolved the Complaints Officer will complete a review of the process and outcome and feedback any identified improvement opportunities.

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- The Complaints Officer may contact the person who made the complaint after it has been finalized to seek feedback on their experience of the process. 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 Able’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 for themes and patterns and identify areas for improvement. This report will be provided to the National Management Team meetings for consideration. This report will include:
 - Number of complaints received;
 - Information about Complaints received;
 - Actions taken to resolve complaints;
 - Outcome of actions taken.
- The NMT in conjunction with the Complaints Officer will:
 - Review issues raised in complaints;
 - Identify and address systemic issues raised through the complaints management and resolution process;
- The Complaints Officer will keep a register of Complaints and Resolutions (in Tickit) and make this available to a regulatory body whose function includes the ability to request information relating to complaints (such as NDIS Quality and Safeguards Commissioner).

REFERENCE DOCUMENTS

This document is informed, but not limited to, the following legislation and standards:

Relevant Standards

- Aged Care Quality and Safety Commission – Standard 6 Feedback and Complaints
- NDIS Practice Standards – Core Module - Feedback and Complaints Management

Commonwealth

- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS (Complaints Management and Resolution) Rules 2018
- Disability Discrimination Act 1992
- Human Rights and Equal Opportunity Commission Act 1986
- UN Convention on the Rights of Persons with Disabilities 2006
- 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

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- Privacy and Data Protection Act 2014
- Carers Recognition Act 2012

Tasmania

- Disability Services Act 2011
- Disability Act 2009
- Information Privacy Act 2014
- Public Advocate Act 2005
- Human Rights Act 2004
- Ombudsman Act 1989

ACT

- Disability Act 2009
- 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

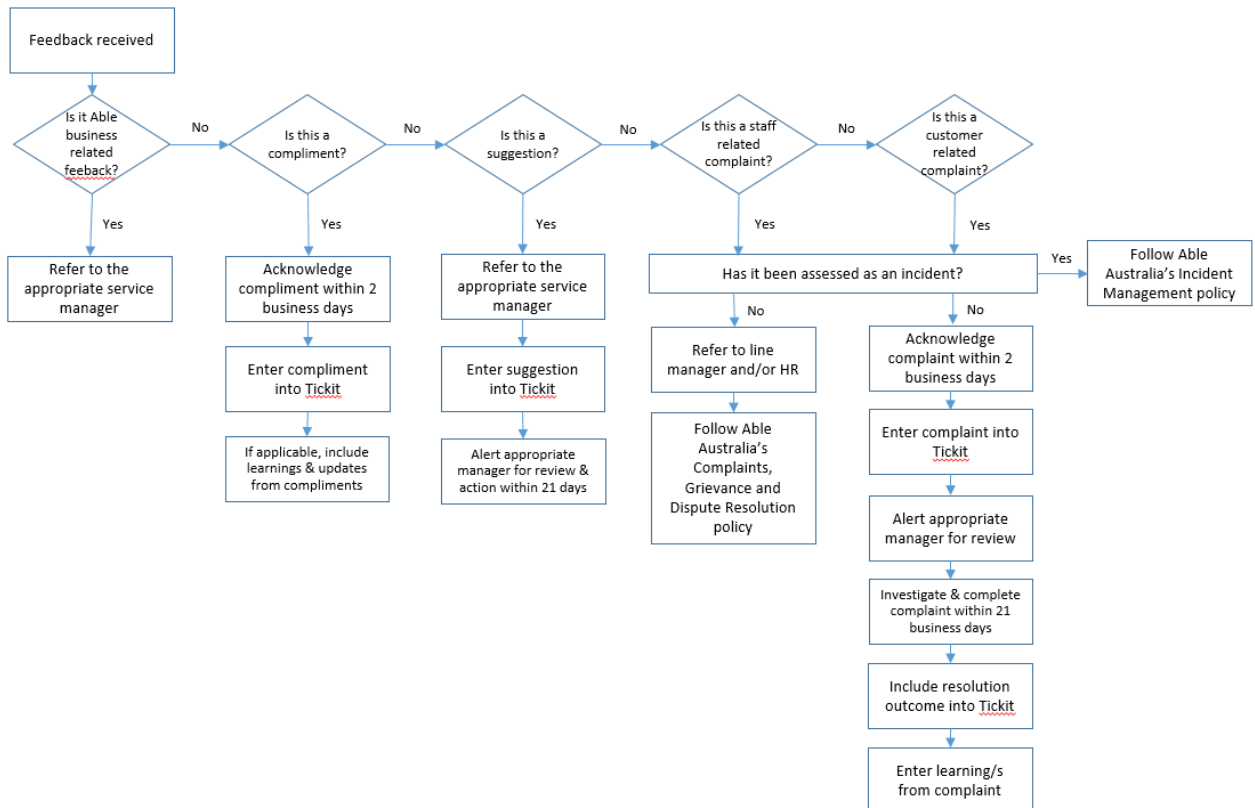
Queensland

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

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 Advisor for review.

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Appendix A

Able Australia – Complaints Principles

Able’s Complaints Principles for Handling and Responding to Complaints are consistent with the NDIS Quality and Safeguards Commission – Complaints Management and Resolution Guidance (Version 1 – May 2018).

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Principle	Description
Centred on people with disability	Management of a complaint is respectful of, and responsive to, a person with disability's preferences, needs and values.
Outcome focussed	Management of a complaint should reveal the factors that contributed to the complaint being made, and seek to prevent matters giving rise to complaints from reoccurring, where appropriate.
Clear, Simple and Consistent	The process for receiving and responding to complaints is easy to understand, accessible and consistently applied.
Accountable	NDIS providers are responsible for appropriately managing complaints. Everyone involved in the management of a complaint understands their role and responsibilities, and will be accountable for decisions or actions taken in regard to a complaint.
Continual improvement	The complaints process facilitates the ongoing identification of issues and implementation of changes to improve the quality and safety of NDIS supports and services.
Proportionate	The nature of any actions following a complaint will be proportionate to the issues raised and any risk of harm to people with disability.

Appendix B

Able Australia – Responding to and Resolving a Complaint

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:

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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. 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

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- 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

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.

Document Control: *Documents are controlled for version, traceability and security within SharePoint.*