

# Complaints Policy

<b>Policy number:</b>	5.2
<b>Authorised by:</b>	Management Committee
<b>Date last reviewed:</b>	15/03/2018
<b>Date Adopted:</b>	25/02/2016
<b>Reviewed by:</b>	Kym Chomley, Joanne Priestley
<b>Date of next review:</b>	15/03/2020

<b>Policy context:</b> This policy relates to:	
Queensland Standards for Community Services	<p><b>Standard 5</b> (Feedback, Complaints and Appeals)</p> <p><b>Indicator 1:</b> <i>The organisation has fair, accessible and accountable feedback, complaints and appeals processes.</i></p> <p><b>Indicator 2:</b> <i>The organisation effectively communicates feedback, complaints and appeals processes to people using services and other.</i></p> <p><b>Indicator 3:</b> People using services and other relevant stakeholders are informed of and enabled to access any external avenues or appropriate supports for feedback, complaints or appeals.</p> <p><b>Indicator 4:</b> <i>The organisation demonstrates that feedback, complaints and appeals processes lead to improvements within the service and that outcomes are communicated to relevant stakeholders.</i></p>
Other standards	
Legislation or other requirements	<p><i>The Privacy Act 1988 (Cth)</i>  <a href="http://www.privacy.gov.au/act/index.html">http://www.privacy.gov.au/act/index.html</a></p> <p><i>The Information Privacy Act 2009 (Qld)</i>  <a href="http://www.rti.qld.gov.au">http://www.rti.qld.gov.au</a></p>

## 1. Purpose

---

Dealing well with complaints and appeals helps us to maintain and improve our service quality and ensure clients have their issues resolved. Complaints and appeals processes give clients a way of expressing any dissatisfaction with our service and of having their concern dealt with quickly and effectively. It also provides us with the opportunity to improve our service delivery. The procedures guide us in responding appropriately and fairly to complaints and to appeals.

## 2. Scope

---

This policy will apply to the clients, staff, workers, volunteers and managers of 121 Care.

## 3. Policy statement: Our commitment

---

121 Care is committed to facilitating our clients' right to make a complaint about our service, to appeal a decision we have made that directly concerns them, and to ensuring that their complaint or appeal is fairly assessed and responded to promptly.

Specifically, we will:

- inform clients about how to make a complaint, using either internal or external mechanisms
- ensure complaints are recorded in writing
- treat complaints as confidential and limit the sharing of information to those who need to know in order to resolve the matter
- ensuring support and advocacy is available to clients who make a complaint
- ensuring that our complaints handling is procedurally fair and that clients will not be disadvantaged by making a complaint
- deal with complaints in a timely and culturally appropriate way
- advise the client of the outcome of their complaint
- take the outcomes of complaints into account in planning service improvements
- advise clients about their options for appealing a decision about the service they receive, taking into account all of the procedural issues required for complaints
- ensure that we comply with legislative requirements.

## 4. Procedures

---

The following procedure sets out how 121 Care will handle complaints and appeals.

### 4.1 Information about our complaints and appeals procedure

We want 121 Care clients and staff to feel able to voice their dissatisfaction with any aspect of our service or workplace, and to be confident that the organisation will manage their complaints well and respond quickly and appropriately. All clients are informed of their rights and responsibilities and our Complaints by Clients Policy at the earliest possible stage of their

involvement with our service. The 121 Care Feedback Policy sets out the ways in which our organisation uses complaints as an opportunity to develop and improve our services.

Clients are provided with information about their right to make a complaint or to appeal a decision, and the procedures that will be followed if they do. We provide this information in the form of written policies and verbal explanations and we are able to work with translators, advocates or family members as required to ensure it is understood.

#### 4.2 How clients can make a complaint or appeal a decision

The following chart sets out the 121 Care Complaints process.

1	Clients and Home Care Employees will be able to express complaints without fear of retribution and have these matters addressed in a manner, which is not threatening.
2	Any person with a complaint will not be subject to any reprisal as a result of their registration of a complaint. This includes subtle or implied reprisal.
3	Clients and Home Care Employees will have the right to take a complaint to any level within the organisation. However, where possible complaints will be addressed and resolved at the point of conflict by the persons concerned, or as close as possible to the level within the organisation where the conflict has occurred.
5	Clients and Home Care Employees making a complaint have the right to have a representative of their choice to assist them. A representative may be, for example, a relation, friend or advocate.
6	Representatives will allow Clients and Home Care Employees to express their concerns in their own manner.
<b>Complaint, Concerns and Feedback Steps</b>	
7	The person with a complaint should first discuss the problem with the person(s) directly involved with the aim of clearing up any misunderstandings or confusion and consequently solve the problem quickly.
8	If the matter is not resolved or if the person feels uncomfortable about raising the problem with those directly involved, he/she may take the complaint to the next higher level of management. (The current organisation chart will be explained to the Client and Home Care Employee and copy of the chart given to the Client and Home Care Employee).
9	If after following the above process a Client or Home Care Employee is not satisfied with the result, they may wish to take the complaint to an agency that provides advocacy services or funding body. Managers will assist the complainant with information about and access to these services and be given a brochure regarding the procedure to access those services: <ul style="list-style-type: none"> <li>• <b>Disability Services Queensland Complaints and Review</b> (Dept. of Communities, Disability Services and Seniors) E: <a href="mailto:feedback@communities.qld.gov.au">feedback@communities.qld.gov.au</a> T: 1800 080 464</li> </ul>

	<ul style="list-style-type: none"> <li>• <b>Department of Communities:</b> <a href="https://www.communities.qld.gov.au/">https://www.communities.qld.gov.au/</a></li> <li>• <b>National Disability Insurance Scheme:</b> <a href="mailto:feedback@ndis.gov.au">feedback@ndis.gov.au</a></li> <li>• <b>Anti-Discrimination Commission (adcq)</b> <a href="http://www.complaints.qld.gov.au">www.complaints.qld.gov.au</a> T: 1300 130 670</li> <li>• <b>Fair Work: Ombudsman</b> <a href="http://www.fairwork.gov.au">www.fairwork.gov.au</a> T: 131394</li> <li>• <b>Office of Disability Services Commissioner – VIC</b> <a href="http://www.dhs.vic.gov.au/for-individuals/your-rights/offices-protecting-rights/disability-services-commissioner">http://www.dhs.vic.gov.au/for-individuals/your-rights/offices-protecting-rights/disability-services-commissioner</a></li> </ul>
<b>Processing Complaints, Concerns and Feedback</b>	
11	When discussing a complaint the complainant and staff member assisting will complete a complaints form or put the complaint in writing. <b>The complaint policy, procedure, flowchart and form will be posted or emailed to the complainant within 24 hours.</b>
12	The staff member receiving the complaint will forward the complaint form to the Manager or if the complaint involves the Manager to the President of the Committee of Management.
13	The staff member will immediately advise the Manager if the complaint or problem involves an alleged criminal action or could result in adverse public relations.
14	The Manager (or the President of the Committee of Management) will: <ul style="list-style-type: none"> <li>• Ensure the complaint is recorded on a complaint form.</li> <li>• Register the complaint in the complaint register and allocate a unique number to the complaint.</li> <li>• Endorse the complaint form with the unique number.</li> <li>• Initiate an appropriate investigation.</li> <li>• Outline the nature of complaint, the results of the investigation and the final outcome on the complaint form.</li> </ul>
15	The Manager or designate must commence an investigation and attempt to take steps to <b>resolve the problem within 10 working days.</b>
16	If the complaint is about another person, then that person must be told about the nature of the complaint, and the name of the complainant. This person then has the right to respond and to have support from a representative of their choice.
<b>Access and Copies</b>	
17	The Manager or designate will ensure that access to the complaint register is controlled to ensure confidentiality.
18	The Manager will place the original copy of the complaint form in the complaint register and provide a copy of the complaint form to each party involved with the complaint.

<b>Review of Complaints, Concerns and Feedback</b>	
19	The Manager will review complaints on a regular basis and ensure that appropriate corrective and/or remedial action is considered, agreed and implemented.
20	The Manager will ensure that decisions reached as a result of the complaint review process are documented and records of implementation and follow up are maintained.

Clients may appeal a decision by making a written complaint to the Management Committee. The Management Committee will appoint an appropriate, impartial person to investigate and resolve the matter.

#### 4.2 External procedures

Matters raised by a client in a complaint may give rise to external forms of resolution. 121 Care will always advise clients if external processes such as criminal, civil, anti-discrimination or other proceedings are available to resolve the matter. If the client chooses to resolve matters using one of these external processes, 121 Care will comply with the processes and legal obligations arising as part of dealing with matters using these processes.

#### 4.3 Using complaints and appeals for service improvement

Information about complaints and appeals will be kept in a complaints file on the electronic filing system by the General Manager. The General Manager will compile and assess information about the types of complaints and appeals 121 Care has received and the outcomes. We use this information to identify issues and to improve our services by amending our policies and procedures. We also discuss lessons learned with our staff each week.

Each month the General Manager will discuss any lessons arising from complaints and appeals.

### 5. Other related policies and procedures

<b>Documents related to this policy</b>	
Related policies	<ul style="list-style-type: none"> <li>• Complaints by Clients Policy</li> <li>• Confidentiality Policy</li> <li>• Client Service Charter Policy</li> <li>• Code of Conduct Policy</li> <li>• Dispute Resolution for Employees and Volunteers</li> <li>• Privacy Policy</li> </ul>
Forms or other organisational documents	<ul style="list-style-type: none"> <li>• Complaints Flowchart Clients</li> <li>• Client Feedback Form</li> <li>• Client Survey</li> <li>• Client Service Plans</li> <li>• Feedback Planner Procedure</li> </ul>
Policy review frequency: Bi-	Responsibility for review: General manager

annually

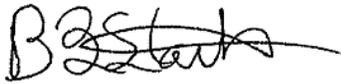
Approved by management committee

**Review process:** The review will include input from the General manager and the management committee through a consultative document update process and/or meeting

**Documentation and communication:** Changes to the policy will be:

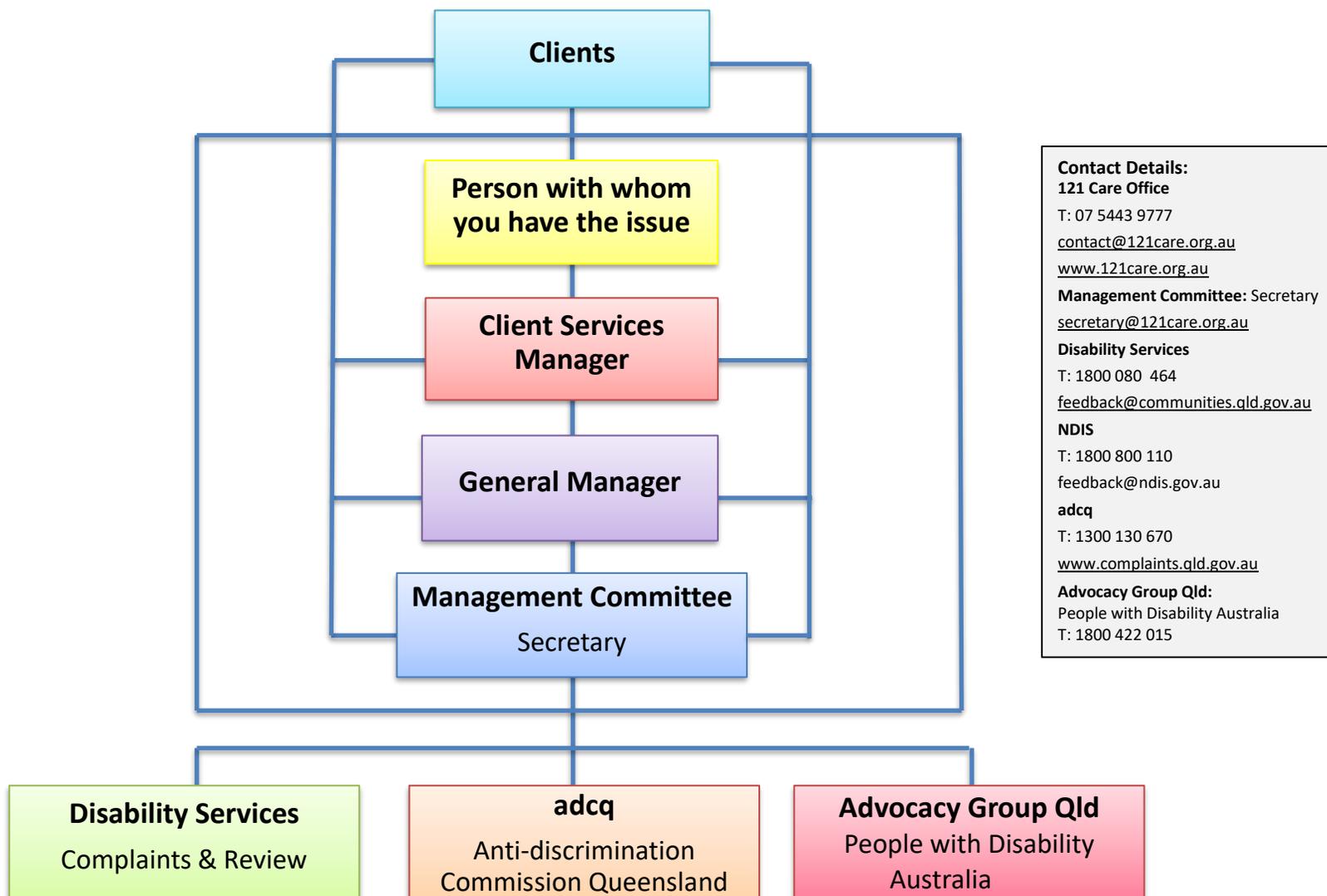
- Advised to staff at a regular staff meeting

This policy is approved by the 121 Management Committee:



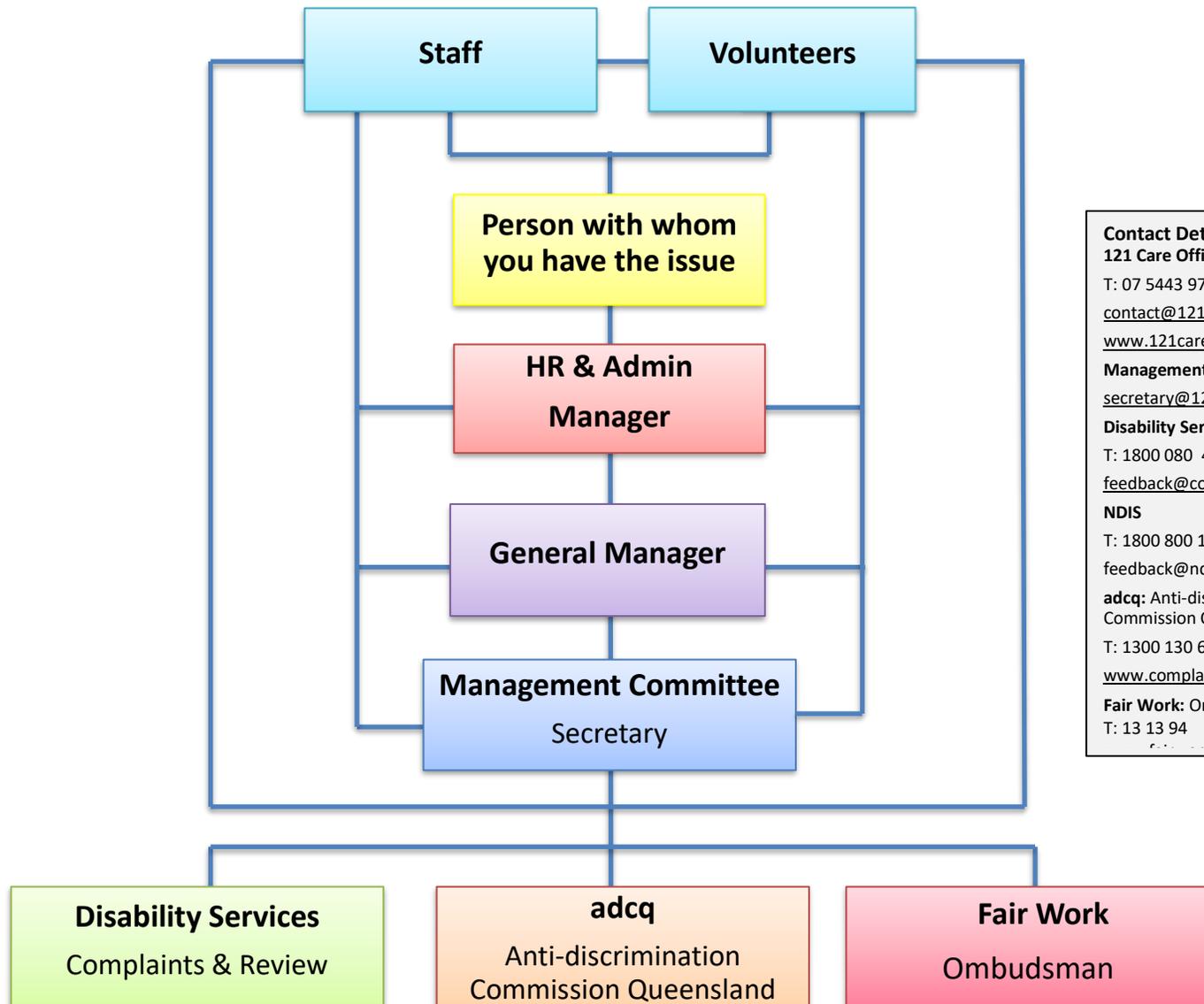
**Bruce Stark**  
President  
27/06/2018

# Appendice 1



**Contact Details:**  
**121 Care Office**  
 T: 07 5443 9777  
[contact@121care.org.au](mailto:contact@121care.org.au)  
[www.121care.org.au](http://www.121care.org.au)  
**Management Committee:** Secretary  
[secretary@121care.org.au](mailto:secretary@121care.org.au)  
**Disability Services**  
 T: 1800 080 464  
[feedback@communities.qld.gov.au](mailto:feedback@communities.qld.gov.au)  
**NDIS**  
 T: 1800 800 110  
[feedback@ndis.gov.au](mailto:feedback@ndis.gov.au)  
**adcq**  
 T: 1300 130 670  
[www.complaints.qld.gov.au](http://www.complaints.qld.gov.au)  
**Advocacy Group Qld:**  
 People with Disability Australia  
 T: 1800 422 015

# Complaints Flowchart Staff/Volunteers & Interns



**Contact Details:**  
**121 Care Office**  
 T: 07 5443 9777  
[contact@121care.org.au](mailto:contact@121care.org.au)  
[www.121care.org.au](http://www.121care.org.au)  
**Management Committee:** Secretary  
[secretary@121care.org.au](mailto:secretary@121care.org.au)  
**Disability Services**  
 T: 1800 080 464  
[feedback@communities.qld.gov.au](mailto:feedback@communities.qld.gov.au)  
**NDIS**  
 T: 1800 800 110  
[feedback@ndis.gov.au](mailto:feedback@ndis.gov.au)  
**adcq:** Anti-discrimination Commission Queensland  
 T: 1300 130 670  
[www.complaints.qld.gov.au](http://www.complaints.qld.gov.au)  
**Fair Work:** Ombudsman  
 T: 13 13 94