

Complaints Management and Response Procedure

Procedure Area:	Participant Services	Document Owner:	CEO
Doc ID:	PS_PR_006	Date Created:	September 2019
Date of Last Review:	August 2021	Version:	1.3
	Date of Next Review:	September 2023	

Purpose

The purpose of this procedure is to describe how Distinctive Options manages and responds to complaints.

Scope

This procedure applies to all people and organisations that use a service provided by Distinctive Options or are affected by Distinctive Options' operations. It impacts the Board of Directors, Senior Management Team, coordinators, direct support staff and administration staff.

Definitions

Complaint	An expression of dissatisfaction made to or about an organisation regarding its staff, services or products that warrants response or resolution.
Complainant	An employee, participant, advocate, entity or member of the public who expresses their dissatisfaction about an organisation to either the organisation itself or an external body.
Escalation	The process of reporting complaints to the NDIS Quality and Safeguards Commission if the complainant is not satisfied with the outcome of their complaint.

Procedure

Distinctive Options' complaints and appeals procedure will be documented for participants and stakeholders in its [Complaints Information Sheet](#) which is made available at each location and is referenced in its Participant Handbook, Participant Service Agreement and Plain English Policies.

Distinctive Options recognises that participants and supporters may choose to complain directly to the NDIS Quality and Safeguards Commission at any time. Support to do this can be provided on request. More information is provided online at www.ndiscommission.gov.au/about/complaints.

All participants will be informed of their rights and responsibilities with regards to complaints and appeals at the earliest possible stage of their involvement with the organisation.

The [Complaints Information Sheet](#) contains information on the following:

- how to make a complaint or lodge an appeal, including an anonymous complaint
- contact person for lodging a complaint or appeal
- how the organisation will deal with the complaint or appeal, the steps involved and the timelines
- the rights of the complainant to an advocate, support person or interpreter
- how the person will be informed about the outcome of their complaint or appeal
- how to make a complaint to an external body including contact details

Making a Complaint

A person wishing to make a complaint may do so in writing or verbally to:

- the staff member they were dealing with at the time
- the relevant Coordinator of that service area or staff member
- the Executive Manager Support Services
- the Chief Executive Officer
- the Board of Directors
- the NDIS Quality and Safeguards Commission

Complaints may be made by:

- Submitting a completed [Complaint Submission Form](#) at any service location (available in hard copy and on request from any employee of Distinctive Options)
- Posting a written complaint to PO Box 41, Sunbury 3429 or via email through the Distinctive Options website or via email to any employee of Distinctive Options
- Feedback and complaints via telephone may be made on 9740 7100

Anonymous complaints may be made by via the Distinctive Options website. |

Commented [SQ1]: Is this accurate?

If the complaint is about:

- a staff member, the complaint will normally be dealt with by the relevant Coordinator and the Human Resources Business Partner if required
- a Coordinator, the complaint will normally be dealt with by the Executive Manager Support Services and the Human Resources Business Partner if required
- a senior Manager, the complaint will normally be dealt with by the Chief Executive Officer
- the Chief Executive Officer, the complaint will normally be dealt with by the Board Chairperson

Complaints Management

Any staff member may be a recipient of a complaint, and is responsible for:

Receiving a Complaint

The person receiving a complaint is expected to listen to the complainant, acknowledge the concern raised and explain the next steps to the complainant. Depending on the type and severity of the complaint, the person receiving a complaint may either agree upon a resolution (for smaller matters) or refer the complaint on to the relevant Coordinator and/or Human Resources Business Partner for further investigation and action.

Managing a Complaint

Processing the complaint or appeal involves:

- Registering the complaint or appeal in the [Complaints Register](#)
- Starting a [Complaint Process Tracker](#) Form
- Informing the complainant that their complaint has been received and providing them with information about the process and time frame

Investigating the complaint or appeal involves:

- Examining the complaint within 14 days of the complaint being received
- Investigating the complaint and deciding how to respond
- Informing the complainant by [letter](#) within 14 days of the complaint being received of what is being done to investigate and resolve it, and the expected time frame for resolution

As far as possible, complaints or appeals will be investigated and resolved within 14 days of being received. If this time frame cannot be met, the complainant will be informed of the reasons why and of the alternative time frame for resolution.

Responding to and resolving the complaint involves:

- Making a decision or referring to the appropriate people for a decision within 14 days of the complaint being received
- Informing the complainant of the outcome and the reasons for any decisions made
 - upheld (and if so what will be done to resolve it)
 - resolved (and how this has been achieved)
 - if no further action can be taken, the reasons for this
 - steps for appealing the outcome
- If an apology is in order, ensuring that the appropriate person makes the apology and informs the complainant what the organisation intends to do to avoid further grievance
- Updating the Complaints Register and Complaint Process Tracker

The complaint will be escalated throughout the organisation as required. The general escalation structure is as follows:

1. With the person involved
2. With the Coordinator
3. With the Human Resources Business Partner
4. With the Executive Manager Support Services or Business Development Manager
5. With the CEO
6. With the Board of Directors

The complaint will be reviewed by the Executive Manager Support Services. If the complainant is satisfied, the complaint will be marked as 'closed' on the [Complaints Register](#) and noted on the [Complaint Process Tracker](#) form. At this point, no further action is required.

If the complainant is not satisfied with the investigation and proposed resolution of their complaint or appeal, they can seek a further review of the matter by the Executive Manager Support Services within 30 days of such an appeal being received. This appeal should be made in writing outlining the reasons for the appeal.

An external complaints procedure may follow if the complainant is still not satisfied with the outcome. The complainant will be referred to the NDIS Quality & Safeguards Commission and provided information and support to make the complaint externally if necessary.

Complaint Flow Chart

<p>Step 1 Receive Complaint</p>	<p>Complaint made by participant, supporter, advocate, stakeholder etc. Staff member listens to complaint, acknowledges concerns and explains next steps For small matters, the complaint is resolved immediately For other matters, the complaint is referred to the relevant Coordinator</p>
<p>Step 2 Process Complaint</p>	<p>The Coordinator registers the complaint in the Complaints Register and starts a Complaints Process Tracker form The Coordinator contacts the complainant to inform them that the complaint has been received and provides them with information about the process and timeframe The Coordinator informs the Human Resources Business Partner of the complaint and seeks advice/consultation.</p>
<p>Step 3 Investigate Complaint</p>	<p>The Coordinator examines and investigates the complaint within 14 days The Coordinator completes and sends a Complaint Acknowledgement Form within 14 days of the complaint being received, including expected timeframe for resolution If unable to be addressed within 14 days, the complainant will be informed of the reasons why and the alternative timeframe for resolution</p>
<p>Step 4 Resolve Complaint</p>	<p>A decision is made or the complaint is referred to the Executive Manager Support Services if unresolved by the Coordinator and/or Human Resources Business Partner The Executive Manager Support Services may escalate the Complaint to the CEO and ultimately to the Board as part of the review process or if they are unable to resolve the complaint to the satisfaction of the complainant The complainant is informed of the outcome and reasons for decisions made, as well as options for further action if required The Complaints Register and a Complaints Process Tracker are completed and filed as required</p>
<p>Step 5 Review Complaint</p>	<p>Executive Manager Support Services will review the complaint If satisfied, close the complaint If unsatisfied, the complainant can seek a further review/appeal by the Executive Manager Support Services The review/appeal will be completed within 30 days of being received</p>
<p>Step 6 Refer Complaint</p>	<p>If unsatisfied at any point, the complainant will be referred to the NDIS Quality and Safeguards Commission and provided with support to make the complaint externally, if necessary</p>

Complaints Involving Specific Staff Members or Volunteers

The relevant Coordinator has delegated responsibility for resolving complaints or disputes involving staff members or volunteers, will consult with the Human Resources Business Partner and will make the Executive Manager Support Services aware of any such instances.

Internal complaints, where a staff member or volunteer makes a complaint concerning another staff member or volunteer, will be dealt with in accordance with the staff grievance sections of the [Human Resources Procedure](#).

External complaints by participants or stakeholders made against a staff member or volunteer will be managed by the relevant Coordinator who will:

- notify the staff member or volunteer of the complaint and its nature
- notify the Human Resources Business Partner of the complaint and its nature
- notify the Executive Manager Support Services of any such complaints
- investigate the complaint and provide the staff member or volunteer with an opportunity to respond to any issues raised
- attempt to mediate the dispute (if appropriate) and/or attempt to resolve the matter to the satisfaction of the outside party
- take any other action necessary to resolve the issue

Any disciplinary action against a staff member or volunteer arising from a complaint will be taken in accordance with the procedures contained in the [Human Resources Procedure](#).

Complaints Involving Organisation Members or Members

Complaints made against a member or Board member will be referred to the Board Chairperson. The Board Chairperson, or their delegate, will:

- notify the person about whom a complaint is being made of the complaint and its nature
- investigate the complaint and provide the member with an opportunity to respond to any issues raised
- attempt to mediate the dispute (if appropriate) and/or attempt to resolve the matter to the satisfaction of the outside party

Where the Board Chairperson is the subject of a complaint, the complaint should be referred to the Deputy Chairperson.

If the matter remains unresolved, the Board Chairperson or Deputy Board Chairperson will raise the matter at the next Board Meeting. Depending on the seriousness of the complaint, the Board may:

- Deal with the matter at its meeting, or
- Refer the matter to the Governance and Risk Committee for review.

Cooperation in External Investigations

If any person makes a complaint about Distinctive Options to an external body (including police, Ombudsman, etc.), the CEO or delegate will be responsible for liaising with the body responsible for investigating the issue.

Distinctive Options will fully cooperate in any investigation which may take place. This includes participating in early resolution, conciliation, and/or reporting to the body about resolution and corrective actions if required.

Training Procedures

Staff will be trained on the complaints management procedures during their induction, and as part of ongoing refresher training. Managers, Coordinators and relevant staff will undergo training for complaints management and resolution to support participants throughout the complaint process and appropriately respond to complaints in an empathetic manner. This will include open communication strategies such as acknowledging the grievance without being defensive and making apologies while accepting responsibility for what occurred.

Record Keeping

A register of complaints and appeals will be kept in the [Complaints Register](#) located on H: Drive for a minimum of seven years after the record was made. The register will be maintained by the relevant Coordinators or the Executive Manager Support Services where the complaint has been so escalated and will record the following for each complaint or appeal:

- Details of the complainant and the nature of the complaint
- Date lodged
- Action taken
- Date of resolution and reason for decision
- Indication of complainant being notified of outcome
- Complainant response and any further action

Copies of all correspondence will be kept on [H: Drive](#) where it can only be accessed by senior management and those with authorisation.

A statistical summary of complaints and appeals will be prepared annually by the Executive Manager Support Services. Results from this summary will be reviewed by Coordinators, senior management and the Board and used to:

- Inform service planning by including a review of complaints and appeals in all service planning, monitoring and evaluation activities
- Inform decision making by including a report on complaints and appeals as a standard item on Board and management meeting agenda

Continuous Improvement

The complaints management system will be reviewed and evaluated at least annually. This will include:

- review of all complaint and feedback policies and procedures
- participant and staff feedback about the accessibility and effectiveness of the complaints management system
- implementation of a continuous improvement plan based on the review and feedback received

Relevant Documents

The following documents are related to this procedure:

[Complaints Information Sheet](#)

[Complaints Submission Form](#)

[Complaint Acknowledgement Form](#)

[Complaints Process Tracker Form](#)

[Complaints Register](#)