

## 2.3 FEEDBACK, COMPLIMENTS AND COMPLAINTS POLICY AND PROCEDURE

### Purpose and Scope

The purpose of this policy and procedure is to set out how any person can provide feedback and make complaints about any aspect of Partner In Your Care operations and the process that Partner In Your Care will take to address or respond to feedback and complaints.

This policy and procedure applies to all stakeholders of the organisation, including participants, families and carers, advocates, staff, volunteers, contractors, other service providers, government agencies and members of the community. All staff, volunteers, contractors and others working on behalf of Partner In Your Care must be trained in and comply with the requirements of this Policy and Procedure.

Issues raised by Partner In Your Care staff would generally be dealt with under Partner In Your Care's *Disputes and Grievances Policy and Procedure*, however from time to time staff may raise issues or provide feedback that is best dealt with under this policy.

Partner In Your Care also has obligations in relation to incident management systems and reportable incidents that may apply to a complaint. See Partner In Your Care's Incident Management policies and procedures and [Effective Complaint Handling Guidelines for NDIS Providers](#)

This policy and procedure meets relevant legislation, regulations and standards as set out in Schedule 1, Legislative References. Failure to comply with the complaint's management requirements of the NDIS legislation and rules may lead to the NDIS Quality & Safeguards Commissioner taking compliance and enforcement action against Partner In Your Care.

Documents relevant to this policy and procedure:

- *Feedback, Compliments and Complaints Form*
- *Complaints Register*
- *Continuous Improvement Register*
- *Privacy and Confidentiality Policy and Procedure*
- *Records and Information Management Policy and Procedure*

### Definitions

**Compliment** - an expression of praise, encouragement or gratitude about an individual staff member, a team or a service.<sup>1</sup>

**Complainant** - a person who makes a complaint, or has a complaint made on their behalf.

**Complaint** - an expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected.<sup>2</sup>

**Procedural Fairness** – a principal that requires a fair and proper procedure be used when making a decision.

### Policy

Compliments, complaints and other feedback provide Partner In Your Care with valuable information about participant satisfaction and an opportunity to improve upon all aspects of its service. Feedback is taken seriously by Partner In Your Care and is seen as an opportunity

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<sup>1</sup> FACS Community Complaints Policy for Ageing and Disability Direct Services

<sup>2</sup> AS/NZS 10002:2014 Guidelines for Complaint Management in Organisations

for improvement.

Partner In Your Care's complaints management and resolution system is appropriate to the business' size and the classes of NDIS supports it provides and ensures people can easily make a complaint and have them dealt with fairly and quickly.

Partner In Your Care makes information available to participants and other stakeholders about how to make a complaint to it and to the NDIS Quality & Safeguards Commissioner and keeps adequate records about complaints received.

## **Procedures**

### **General**

Partner In Your Care's Management Team must promote best practice, continuous improvement and an open, respectful culture that encourages and supports staff, participants and other stakeholders to make complaints without fear of retribution. This will be assessed in yearly Performance Reviews of Management Team staff.

Upon commencement, all staff must undergo an Induction that includes information on Partner In Your Care's feedback and complaints processes. Staff member's knowledge of this policy and procedure and Partner In Your Care's feedback and complaints system will be assessed in annual Performance Reviews. Additional on-the-job and formal training will be provided where required.

Agendas for team meetings will include a standing item on Continuous Improvement, including review of staff and participant feedback and complaints.

Partner In Your Care will use its *Participant Charter*, *Participant Handbook*, website and a *Feedback, Compliments and Complaints Form* to provide participants, families, carers and all other stakeholders with information about this policy and procedure, in an easy to understand format. Information provided will include how to make a complaint to Partner In Your Care and to the NDIS Quality & Safeguards Commissioner, how complaints will be addressed and external advocacy and support services that can assist people in the complaints process.

Staff will provide participants and their supporters with information about Partner In Your Care's feedback and complaints processes when they first access the service. Throughout service delivery, staff will remind participant of their right to make a complaint without fear of affecting their service. Any person wishing to lodge feedback or a complaint will also be provided with this information.

To ensure participants understand their right to make a complaint and how to make a complaint, staff will provide information in ways that suit participants' individual communication needs. This includes using the language, mode of communication and terms that the participant is most likely to understand. Methods include providing written information in Plain English, explaining information either face-to-face or over the phone and using interpreters and advocates.

Complaints and feedback can be lodged by a third party on behalf of another person, if their consent has been provided.

The Management Team will track and analyse feedback and complaint data to identify any ongoing issues using Partner In Your Care's *Complaints Register* and report feedback and complaints at its regular meetings.

## Privacy and Information Management

All personal information Partner In Your Care collects to manage feedback or complaints will be handled in accordance with privacy legislation and Partner In Your Care's *Privacy and Confidentiality Policy and Procedure*.

Staff must keep information about complaints confidential. They may only disclose necessary detail if they are required to do so by law, or if not disclosing is likely to place the safety, health or wellbeing of any person at risk. Staff must take all reasonable steps to notify the complainant before deciding not to keep information confidential that the complainant has requested be kept confidential.

Partner In Your Care's *Complaints Register* must be used to record information about feedback and complaints; any action taken to resolve complaints and the outcome of any action taken. All information regarding feedback and complaints will be kept securely in accordance with Partner In Your Care's *Records and Information Management Policy and Procedure*. All records regarding complaints will be retained for at least 7 years from the date they were created.

## Feedback

Feedback can be provided to any staff member, at any time, in any way, by any stakeholder, including through:

- a staff member;
- email, mail or phone;
- Partner In Your Care's *Feedback, Compliments and Complaints Form*;
- staff planning days and Management Team meetings (involving participant and other stakeholder representatives);
- staff collection of participant feedback after each major interaction with the service (e.g. initial assessment and planning; reviews; exit);
- annual participant satisfaction surveys. All participants will be asked to complete these surveys; and
- annual staff and stakeholder 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 a Partner In Your Care *Feedback, Compliments and Complaints Form*.

Providing feedback to Partner In Your Care is voluntary.

## Complaints

Partner In Your Care's complaints management process can be simplified into five steps:

### 1. Complaint Lodgement

To lodge a complaint, people are encouraged to speak directly to a staff member first, in an attempt to resolve the matter without recourse to Partner In Your Care's complaints procedures.

Staff must:

- listen openly to the concerns being raised by the complainant;
- ask the complainant what outcome they are seeking;
- inform the complainant of the complaint process and how to make a complaint to Partner In Your Care or the NDIS Quality & Safeguards Commissioner and the time the process takes;
- be empathic towards the person and action all commitments made; and
- action situations that pose an immediate threat or danger or require a specialised response.

All complaints must be referred to the relevant Coordinator/Manager for resolution. They will discuss minor complaints directly with the party involved as a first step towards resolution.

If the complaint cannot be resolved promptly or within 24 hours, the Coordinator/Manager will advise the person of their right to lodge a formal complaint if they have not already done so, with the assistance of a support person or advocate if they wish. A *Feedback, Compliments and Complaints Form* will be made available to the individual to lodge their complaint; however it is not mandatory that they use the form.

Formal complaints can be lodged:

- directly with a staff member, either verbally or by providing a completed *Feedback, Compliments and Complaints Form*;
- by email to: [feedback@piyc.com.au](mailto:feedback@piyc.com.au); or
- by phone on 1300 436 114;
- in writing to: 5G/5-7 Meridian Place, Bella Vista, NSW 2153; or
- by placing a written complaint in a Suggestion Box in Partner In Your Care's group home/office.

The *Feedback, Compliments and Complaints Form* and/or Suggestion Box can be used to make anonymous complaints.

At any time, people can make a complaint about NDIS service providers or the support they provide to the NDIS Quality & Safeguards Commission.

Complaints to the NDIS Quality & Safeguards Commission can be lodged:

- online at [www.ndiscommission.gov.au](http://www.ndiscommission.gov.au); and
- by phone on: 1800 035 544
- Or in person by visiting one of their offices

Advocates can help lodge complaints:

The National Disability Advocacy Program can help work with participants with an advocate.

They can be contacted:

- By email: [Disabilityadvocacy@dds.gov.au](mailto:Disabilityadvocacy@dds.gov.au)
- Or write to: Disability, Employment and Carer Groups

Department of Social Services  
GPO Box 9820  
Canberra ACT 2601

- Or search “disability advocate” online

NDIS participants purchasing products and services also have rights and protections under the Australian Consumer Law (ACL), including provisions on customer guarantees and unfair contract terms. Fair Trading NSW provides information and advice and, in some cases, dispute resolution services for customer disputes under the ACL.

Complaints to NSW Fair Trading can be lodged:

- online at [www.fairtrading.nsw.gov.au/help-centre/online-tools/make-a-complaint](http://www.fairtrading.nsw.gov.au/help-centre/online-tools/make-a-complaint); and
- by phone on: 13 32 20

Participants in Supported Independent Living services or other accommodation arrangements can be supported by Official Community Visitors (OCVs). OCVs are coordinated by the New South Wales Ombudsman and are responsible directly to the Minister for Disability Services and the Minister for Community Services. OCVs visit government and non-government accommodation services for children, young people and people with a disability throughout NSW. Their role is to promote residents’ rights, identify issues raised by residents, provide residents with information, help resolve concerns and inform the Ministers and the Ombudsman about the quality of services being delivered. OCV visits can be requested by emailing [ocv@ombo.nsw.gov.au](mailto:ocv@ombo.nsw.gov.au). Further information about OCVs can be provided by the OCV Team Leader on 02 9286 1000.

Staff must assist people making a complaint, or people with disability affected by a complaint, to contact the NDIS Quality & Safeguards Commission, where this is required.

People making a complaint or impacted by a complaint must be encouraged to use an advocate of their choice to act on their behalf if they wish. The advocate may be a family member or friend, or sourced (with the assistance of a staff member if required) through the National Disability Advocacy Program.

If a complaint alleges actual or possible criminal activity or abuse or neglect, it must be referred to the General Manager – Life Skills & Accommodation immediately. The General Manager – Life Skills & Accommodation must report the complaint as per Partner In Your Care’s Incident Management policies and procedures and work with the relevant authorities to investigate the allegation.

Staff must take all reasonable steps to ensure complainants or people with disability affected by complaints are not adversely affected or fear retribution because a complaint has been made by them or on their behalf.

Complaints made to Partner In Your Care and the NDIS Quality & Safeguards Commission can be withdrawn at any time.

Complaints about the NDIA should be directed to the Agency itself or the Commonwealth Ombudsman.

Complaints to the NDIA can be lodged:

- by phone on 1800 800 110; and
- by email to [feedback@ndis.gov.au](mailto:feedback@ndis.gov.au).

Complaints to the Commonwealth Ombudsman about the NDIA can be lodged:

- by phone on 1300 362 072

- online at [www.ombudsman.gov.au](http://www.ombudsman.gov.au).

Staff must support people making a complaint about the NDIA to contact the Agency or Commonwealth Ombudsman, where this is required.

## **2. Record**

The Coordinator/Manager must record all information relevant to complaints, in its original and simplest form, in Partner In Your Care's *Complaints Register*. The *Complaints Register* must be stored in a secure file, accessible only to the Management Team.

## **3. Acknowledge**

The Coordinator/Manager must acknowledge receipt of complaints within 2 working days. However, where a person has requested to remain anonymous, contact may not be possible or expected.

In their acknowledgement, the Coordinator/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.

## **4. Resolve**

Investigation of complaints will not be conducted by a person about whom a complaint has been made, or a person who has a conflict of interest in the matter. If required, the Management Team will determine the appropriate person to undertake the investigation.

In resolving a complaint, the Coordinator/Manager must involve the complainant and keep them informed of the progress of the complaint. They must discuss any disparities identified with the complainant and may request additional information when required. A timeframe within which further information is to be provided should be clearly communicated with the complainant. The Coordinator/Manager should consider granting extensions where necessary and always communicate any additional time requirements to the complainant with an explanation of the need.

Complaint investigation must focus on the identified complaint matters only and be undertaken in a way that provides procedural fairness to all parties involved.

All decisions or actions regarding complaint investigation must be recorded by the Coordinator/Manager in Partner In Your Care's *Complaints Register*.

## **5. Communicate Resolution**

Partner In Your Care will respond to all complaints as soon as possible and within 28 days from acknowledgement.

If a complaint cannot be responded to in full within 28 days of acknowledgement, an update will be issued to the complainant. The update will provide the date by which a full response can be expected. The update should be provided verbally in the first instance then confirmed

in writing.

The Coordinator/Manager should discuss the outcome of a complaint investigation verbally with the complainant, where possible. This must be followed by written advice that provides the complainant an opportunity to make further contact with the Coordinator/Manager if required. The written advice must also include information on what further action may be available to the complainant at the conclusion of the complaint investigation. This may include escalating the matter further with an external agency or seeking a further review within the organisation. Written advice should also seek feedback from the complainant regarding their experience of the complaints process.

Support must be provided to assist complainants' understanding of correspondence regarding complaints where required (e.g. interpreters, referral to advocates, etc.). Options for actions responding to a complaint may include, but are not limited to:

- explaining processes;
- rectifying an issue;
- providing an apology;
- ongoing monitoring of issues; and
- training or education of staff.

Once resolved, complaint outcomes must be relayed to the appropriate area within Partner In Your Care in order to improve service delivery.

Partner In Your Care's *Complaints Register* will be used by Partner In Your Care's Coordinator/Manager to record every complaint, track investigation progress and outcomes and how the outcomes have been communicated to stakeholders. All complaints outcomes will be reviewed as part of the Management Team's review of the *Complaints Register*.

## **Complaints Escalation and Dispute Resolution**

Where a complaint about Partner In Your Care is made to the NDIS Quality & Safeguards Commission, all staff must:

- comply with any orders or requests made by the NDIS Quality & Safeguards Commission in relation to the complaint;
- assist in any resolution process or inquiry undertaken by the NDIS Quality & Safeguards Commission in relation to the complaint; and
- ensure the complainant or a person with disability affected by the complaint are not adversely affected or fear retribution because a complaint has been made by them or on their behalf.

## **Monitoring and Review**

This policy and procedure will be reviewed at least annually by the Management Team. Reviews will incorporate participant and other stakeholder feedback.

Annual satisfaction surveys will include questions regarding:

- satisfaction with Partner In Your Care's feedback and complaints processes;
- whether stakeholders have received adequate information about making complaints and their awareness of complaints mechanisms;
- the extent to which participants and their supporters feel they have been included in the review of feedback and their satisfaction with this process;
- whether stakeholders have received adequate information about how the organisation will use feedback, complaints and appeals information; and
- any barriers to lodging complaints and feedback.

Partner In Your Care *Continuous Improvement Register* will be used to record how the outcomes of feedback have been communicated to stakeholders. Positive feedback will be recorded in the Plan as a way of recording things the organisation does well. If positive feedback relates to a participant or staff member, that person will be formally recognised by the Management Team.

Endorsement Date:	Reviewed Date:	Reviewed Date:	Reviewed Date:	Reviewed Date:
12/11/2018	10/09/2019	01/06/2021	21/11/2022	
Reviewed by / Rob Nelson	Reviewed by / Rob Nelson	Reviewed by/ Bianca Yee	Reviewed by/ Bianca Yee	
Signature: 	Signature: 	Signature: 	Signature: 	
<i>This policy and procedure will be reviewed at least annually and changes endorsed by the Management Team.</i>				