



## Policy A-09

### Feedback and Complaints

**All participants, clients, plan nominees and other interested community members have the right to provide feedback or raise a complaint regarding the service or actions of Just Support Services.**

**Any feedback provided, regardless of it being positive or negative, is welcome by Just Support Services as it strongly indicates ongoing engagement with the company and a mutual goal of resolution. Feedback is an important part of ongoing review and improvement leading to quality services based on the needs and aspirations of those we support.**

#### 1. Purpose

- a) This policy outlines the management process of client complaints for Just Support Services and as to how to reach the outcome of satisfaction and a continuing beneficial relationship.
- b) Also outlined is how information central to complaints is interrogated and used to improve all aspects of service and company activities.

#### 2. Responsibilities

- a) All workers, staff and management have the responsibility of ensuring that clients, participants or other significant people in their lives can freely and without risk of negative impact, express any issues or dissatisfaction with any aspect of Just Support Services.
- b) All workers and staff are responsible to ensure that a formal complaint is communicated to the appropriate manager via Vertex360 Incident Reporting, and that any informal complaint is handled to the satisfaction of the complainant and recorded as applicable
- c) Management is responsible to ensure that any formal complaint reported through Vertex360 Incident Reporting has the review process, documentation and outcomes completed and recorded in Vertex360 prior to finalizing.
- d) The Operations Manager is responsible for ensuring that any recommendations for improvement is implemented via the Quality Program and that the complainant is advised of the final outcome and any applicable change in practice or procedure.

#### 3. Definitions

- a) **Client:** Under this policy, client is a person with a disability or their carer, family member, significant other, person responsible or plan nominee receiving or impacted by the delivery of services provided by the company.
- b) **Complaint:** A statement in which dissatisfaction is expressed with regards to a particular situation. This may be in relation to services, actions or policy implemented directly or indirectly by workers, staff or management.
- c) **Operations Manager:** The most senior position in the company.
- d) **Informal Complaint:** An issue that can be solved readily by seeking agreement and shared understanding of how to resolve the problem now and avoid the same problem in the future. Informal complaints are most appropriate where the allegation is less serious, or the problem is

based on miscommunication or misunderstanding. A formal complaint can be pursued at any time.

- e) **Formal Complaint:** An issue of that requires substantiation with evidence and requires bringing the parties involved together to reach resolution. This usually involves:
  - The person complaining requesting a formal process
  - Informal attempts at resolution have failed
  - The allegation is serious
  - The allegation is denied and the person complaining wants them substantiated
  - The person complaining has been victimized
  - Parties involved may be disadvantaged by an informal outcome
- f) **Serious Complaint:** A complaint that reflects on the actions of a worker, staff or manager of the company, or one that places the health or safety of any person at risk as a result of company actions (including company representatives). Also, any infringement or alleged infringement of legal rights of any person.
- g) **Quality Program:** Just Support Services program that formalizes ongoing quality improvement opportunities for the company.

#### **4. Policy Statement and Procedures**

##### **Principles of the Complaints System**

- a) Accessible and easy to use
- b) Available in multiple formats including Easy Read
- c) Culturally responsive
- d) Able to accept anonymous complaints
- e) Free from discrimination or adverse consequences
- f) Responsive and timely
- g) Focused on resolution and service improvement

##### **The Support of Complaints and Feedback:**

- a) The Service Agreement and information stage involves all clients being provided with a factsheets “Client Rights and Responsibilities” and “Raising a Problem” which outline how to make a complaint and the expectations of service delivery.
- b) Easy Read versions regarding internal and external complaints mechanisms are also available for people with intellectual disability or literacy challenges.
- c) All complaints are managed in accordance with privacy and confidentiality requirements, and any need to discuss the complaint with another relevant person will be communicated to the client or their representative and any concerns considered and supported prior to the sharing of information.
- d) Complaints can be raised directly, through an advocate or any other representative the client elects. The support of an advocate or significant person in the client’s life is encouraged at all times through the complaint process.

- e) Complaints can be made anonymously. Anonymous complaints will be reviewed and investigated where sufficient information is provided to enable the matter to be assessed.
- f) Feedback can be provided via the website inquiry page, service exit process, survey responses, verbal feedback to any representative of Just Support Services or written correspondence to management or administration support of the company.

**Responding to an Informal Complaint:**

- a) Informal complaints may be raised with any company representative the client or their significant other feels comfortable speaking with. The representative may be in a position to amicably resolve the issue with a solution satisfactory to all and within Just Support Services policy and procedure.
- b) Details of the complaint, action taken and outcome must be recorded in the applicable participant notes in Vertex360, and the manager advised of the notes to ensure the matter is appropriate for informal resolution, and it has been handled to the satisfaction of all. The manager must also note their assessment of the situation and mark as closed where relevant. Where there are concerns regarding handling of the issue, the manager will contact the complainant for discussion and close or re-open as a formal complaint.
- c) All notes will be under the Note Type “Informal Complaint” to ensure they can be readily accessed and utilized for reporting, data collection and monitoring complaint statistics.
- d) Any complaint must also be assessed for external reporting requirements and actioned if deemed reportable. This immediately escalates it to formal.

**Responding to a Formal Complaint:**

- a) When a formal complaint is requested or identified (see definition), the complaint is entered directly into Vertex360 and any available supporting documents attached to the case.
- b) This is escalated directly to management, who will assess it as “Serious” or “Routine”.
- c) A routine complaint may be managed by the staff member the complainant or their representative feels most comfortable with and the outcome can generally be achieved within a two week time frame.
- d) A serious complaint is escalated to the Operations Manager and includes:
  - Allegations of abuse or neglect
  - Serious misconduct of a team member
  - Risk to the company, clients or community
  - Potential to result in legal proceedings
  - Requires external notification
  - Impacts company policy
- e) A serious complaint is formally investigated by a skilled team member and may require support independent of the service where the complaint arose, or if the complaint is against the Operations Manager.
- f) All information and steps are to be entered into Vertex360, and where appropriate, access limited to senior levels of the company only for viewing and/or reporting/documenting action.
- g) Any identified external reporting requirements will be implemented within the required timeframes and documented in Vertex360.
- h) Any complaint regarding abuse or neglect is managed in line with responding to B-03 and B-04 Dealing with Abuse or Assault of an Adult or Child.

- i) If the matter is reported as a criminal activity there will be no internal investigation as this may hinder potential police inquiries.
- j) In response to a serious complaint the Operations Manager will contact the complainant or their representative to outline the process, company understanding of the complaint for clarification and outcome being sought. Where possible, the complaint is to be investigated and concluded within three weeks of this conversation.
- k) The relevant manager is responsible for reporting outcomes of complaints and may include:
  - l) Apologizing with regards to a complaint that is upheld and taking to steps to ensure that risk of it occurring again is minimized or removed due to review and change in practice or policy
  - m) Clarifying the reasoning behind a required policy or practice that has determined the action that resulted in a complaint
  - n) Communication that the investigation is inconclusive with no substantiated evidence in the area of dispute and offering solution to prevent future potential occurrence, for example change in staffing or support activities.
  - o) In specific circumstances an apology may act as an admission of liability, or invalidate insurance. These circumstances will require legal advice.
  - p) In the case of poor service, Just Support Services will offer sincere and genuine apologies to a client or their carer where it is substantiated they have received sub-standard care or communication regarding services.
  - q) When a complaint cannot be resolved within three weeks, it is referred to the Operations Manager, and if serious may require the intervention of an independent person to support the process.
  - r) Any complaint that may result in legal proceedings, or there is concern about the legality of a company policy or process, it will be referred to company legal support for advice.

**External and Accessible Complaint Support:**

- a) A complaint may be taken external at any time by the client or their representative. Details of options are available on the factsheet "Raising a Problem".
- b) Just Support Services will notify the relevant external body as per NDIS Practice Standards and the NDIS Quality and Safeguards Commission guide and rules.
- c) Complaints may be made directly to the NDIS Quality and Safeguards Commission at any time if the complainant does not wish to raise the issue with Just Support Services or is not satisfied with the outcome.
- d) Just Support Services will provide reasonable support to participants who require assistance to make or manage a complaint, including interpreter services, advocacy support, Easy Read information or communication supports

**Complainant Protection:**

- a) Any person raising a complaint against Just Support Services or it's contracted workers will not be discriminated against, or receive adverse treatment in any way as a result of their communication.
- b) Where possible and viable, people raising matters will be supported in a way that protects their identity and offers protection against reprisal from any internal or external party to the company.

### **Data Collection of Complaints and Review:**

- a) Complaints are reported quarterly to the Operations Manager, the number and general nature, to allow tracking of complaints over time and service evaluation.
- b) In the case that a complaint, or series of, indicates a need for improvement to services or an aspect of company practice, this will be managed through the Quality Program.
- c) Complaint trends are analysed as part of the organisations continuous improvement framework

### **Complaint Resolution Options**

Complaints may be resolved though:

- Discussion and clarification
- Mediation between parties
- Review of policies or practices
- Staff training or disciplinary action
- Changes to service delivery
- Referral to external bodies where required

### **Forms and Records**

Form B-06 Making a Complaint

Form B-07 Record of Complaint Support

NDIS Reportable Incidents – 5 day notification (external)

NDIS Reportable Incidents – immediate notification (external)

### **Work Instructions and Safe Working Procedures**

Nil

### **Related Policies**

F-01 Quality Program

F-02 System Compliance and Company Audit

A-04 Advocacy and Rights

B-03 Managing Abuse of an Adult

B-04 Managing Abuse of a Child

C-01 Worker and Contractor Code of Conduct

C-03 Worker and Employee Grievances and Support

## **Related Documents**

Factsheet – Raising a Problem

Factsheet – Client Rights and Responsibilities

## **References**

NSW Disability Services Act (1993) and NSW Disability Standards

National Privacy Principles

NDIS (Complaints Management and Resolution) Rules (2018)

Privacy Act (Commonwealth) 1988

Privacy Amendment (Enhancing Privacy Protection) Act 2012

NDIS Practice Standards (2020)

NSW Community Services (Complaints Appeals and Monitoring) Act 1993

Equal Opportunities Commission

NDIS Quality and Safeguards Commission

NDIS Act 2013

NDIS Code of Conduct

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