

Complaints Management Procedure

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*unless otherwise indicated, this policy/procedure/work instruction will still apply beyond the review date

Purpose

Rights Information and Advocacy Centre (RIAC) is committed to ensuring that any person or organisation using our services or affected by its operations has the right to lodge a complaint or to appeal a decision of the organisation and to have their concerns addressed in ways that ensure access and equity, fairness, accountability and transparency, without fear of retribution.

The organisation will provide a complaints and appeals management procedure that:

- is simple and easy to use;
- is effectively communicated and promoted to all clients and stakeholders;
- ensures complaints or appeals are fairly assessed and responded to promptly;
- is procedurally fair and follows principles of natural justice; and
- complies with legislative requirements.

Scope

This procedure applies to all eligible RIAC employees, volunteers and clients.

Responsibilities

All Staff have a responsibility to operate in accordance with the organisational Policies and Procedures.

Procedure

PRINCIPLES

RIAC will:

- consider all complaints it receives;
- treat all complainants with respect, recognising that the issue of complaint is important to the complainant;
- maintain confidentiality of parties involved, keeping any information private to those directly involved in the complaint and its resolution;
- ensure support is available to clients who make a complaint and require support;
- resolve complaints, where possible, to the satisfaction of the complainant;
- deal with all complaints in a timely manner;
- keep parties to the complaint informed of progress of the complaint;
- ensure that Board members, staff and volunteers are given information about the complaints procedure as part of their induction and are aware of procedures for managing client feedback and complaints;
- ensure all service users, stakeholders and members are aware of the complaints procedures;
- ensure that a complainant is not penalised in any way or prevented from use of services during the progress of an issue; and
- ensure that feedback data (both positive and negative) is considered in organisational reviews and in planning service improvements.

PROCEDURES

Information for clients and stakeholders

RIAC complaints and appeals procedure will be documented for clients and stakeholders on our website and a copy of the complaints brochure will be provided to all clients when they commence on the program.

All clients 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 RIAC Complaints Brochure will contain information on the following:

- how to make a complaint or lodge an appeal;
- the 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; and
- how to make a complaint to an external body including contact details.

The information will also be discussed with clients to ensure they understand and a copy of the translated version can be accessed, if required.

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 Manager of that staff member;
- the CEO;
- the Board Chairperson if the complaint is about the CEO; or
- external bodies as noted on the brochure.

If the complaint is about:

1. a staff member, the complaint will normally be dealt with by their Manager
2. a Manager, the complaint will normally be dealt with by the CEO
3. the CEO the complaint will normally be dealt with by the Board Chair.

Written complaints may be sent to PO Box 1763, Shepparton VIC 3630. The CEO will be responsible for receiving this correspondence and directing it to the appropriate person.

Lodging an appeal

Clients or their advocates may lodge an appeal if they disagree with a decision made by the organisation, or by a staff member. An appeal should be made in writing and submitted to the CEO or Board Chair if it relates to the CEO.

Procedure for complaints and appeals management

The person managing the complaint will be responsible for:

1. Processing the complaint or appeal:
 - registering the complaint or appeal in the complaints register; and
 - informing the complainant that their complaint has been received and providing them with information about the process and time frame.
2. Investigating the complaint or appeal:
 - examining the complaint within 2 working days of the complaint being received;
 - investigating the complaint and deciding how to respond; and
 - informing the complainant by letter/email within 5 working days of the complaint being received of what is being done to investigate and resolve, and the expected time frame for resolution.

As far as possible, complaints or appeals will be investigated and resolved within 10 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.

3. Resolving the complaint:

- making a decision or referring to the appropriate people for a decision within 10 working days of the complaint being received;
 - informing the complainant of the outcome;
 - upheld (and if so what will be done to resolve it)
 - resolved (and how this has been achieved); or
 - if no further action can be taken, the reasons for this.
- Informing the complainant of any options for further action if required.

4. Reviewing the complaint:

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 contacting the CEO within 5 working days.

5. External agency:

Information on external complaints organisations is included in the brochure which is provided to clients.

Record keeping

A register of complaints and appeals will be kept in the complaints register. The register will be maintained by the CEO 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; and
- Complainant response and any further action

Copies of all correspondence will be kept in this folder.

The complaints register and files will be confidential and access is restricted to the CEO and Senior Management staff.

A statistical summary of complaints and appeals will also be kept in the secure Management area on the shared management drive and maintained by the Quality Manager. The Quality Manager and the CEO will be responsible for preparing a report on the number and variety of complaints for the Board of Management.

Results from this report will be reviewed by the CEO and the Board of Management and used to:

- inform service planning by including a review of complaints and appeals in all service planning, monitoring and evaluation activities; and
- inform decision making by including a report on complaints and appeals as a standard item on staff and management meeting agendas.

Complaints involving specific staff members or volunteers.

Each Program Manager has delegated responsibility for resolving complaints or disputes involving staff members or volunteers.

Internal complaints, where a staff member or volunteer makes a complaint concerning another staff member or volunteer, will be dealt with by their Manager.

External complaints by clients or stakeholders made against a staff member or volunteer will be managed by the Manager of that area who will:

- notify the staff member or volunteer of the complaint and its nature;
- 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; and
- 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 Organisation's disciplinary procedures.

Complaints involving the Management Team will be managed by the CEO.

Complaints involving Board of Management Committee members

Complaints made against a Board Member will be referred to the Board Chair. The Chair, 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; and
- attempt to mediate the dispute (if appropriate) and/or attempt to resolve the matter to the satisfaction of the outside party.

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

If the matter remains unresolved, the Chair or Deputy Chair will raise the matter at the next Board meeting.

Documentation

Complaints brochure

Complaints register

Survey Monkey (Electronic)

Related documents

Privacy and Confidentiality Policy

Resources

Privacy Act 1988 (Commonwealth)

Privacy and Data Protection Act 2014 (Vic)

Freedom of Information Act 1982 (Commonwealth)

Aged Care Safety and Quality Commission Act 2018 (Commonwealth)

Aged Care Quality and Safety Commission Rules 2018 www.agedcarequality.gov.au

NDIS Quality and Safeguards Commission <https://www.ndiscommission.gov.au/about/start-dates/vic>

External Complaints Agencies

Disability Services Commissioner

Telephone: 1800 677 342

Email: complaints@odsc.vic.gov.au

Website: odsc.vic.gov.au

Mental Health Complaints Commissioner

Telephone: 1800 246 054 (free call from landlines) or 03 9032 3328

Email: info@mhcc.vic.gov.au

Website: mhcc.vic.gov

Contacts regarding the use of Restrictive Practices

Telephone: Senior Practitioner Disability 03 9096 8427

Email: RIquestions@dhhs.vic.gov.au

NDIS Guide to Suitability

Website: providertoolkit.ndis.gov.au/key-resources

Ombudsman Victoria

Telephone: 1800 806 314

Website: ombudsman.vic.gov.au

Consumer Affairs Victoria

Telephone: 1300 55 81 81

Website: consumer.vic.gov.au

Commonwealth Ombudsman

Telephone: 1300 362 072

Email: ombudsman@ombudsman.gov.au

Website: ombudsman.gov.au