

## 6.1.12

## Complaints Management Policy

**St Carthage's Community Care** is committed to ensuring that any person or organisation using St Carthage's Community Care services or affected by its operations has the right to lodge a complaint or to appeal a decision of the organisation. All concerns that are raised will be addressed in ways that ensure access and equity, fairness, accountability, and transparency.

Everyone who receives services or support from St Carthage's has access to fair and effective procedures for their feedback and complaints to be heard and for appropriate action to be taken, as a result.

People are encouraged to provide feedback and make complaints to enable St Carthage's to improve the quality-of-service provision.

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

- allows any person to make a complaint or provide feedback.
- facilitates complaints by cultivating a supportive environment in which they can be made.
- is simple, accessible, and easy to use.
- is effectively communicated and promoted to all clients and stakeholders.
- is proportionate to the size of the organisation and the services it provides.
- ensures complaints or appeals are fairly assessed and responded to promptly.
- is procedurally fair and follows principles of natural justice.
- complies with legislative requirements.

### Record of policy development

Version	Date approved	Date for review
2023/1	Nov 2023	Nov 2026

### Responsibilities and delegations

This policy applies to	Governing body, Staff, Volunteers
Policy approval	CEO

### Policy context – this policy relates to:

Standards	Aged Care Standards NDIS Code of Conduct NDIS Practice Standards
Legislation	<i>Aged Care Act 1997 (Cth)</i> <i>Quality of Care Principles 2014</i> <i>National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018</i> <i>National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018</i>

Organisation policies	Code of Conduct Work Health & Safety Policy Inappropriate Workplace Behaviour Policy
Forms, record keeping, other documents	Complaints Process Form Complaints Register Client Complaint Form NDIS Participant Handbook

## Definitions

**Complaint:** is an expression of dissatisfaction made to or about an organisation regarding its staff, services or products that warrants response or resolution.

**Complainant:** is an employee, client, advocate, entity, or member of the public who expresses their dissatisfaction about an organisation to either the organisation itself or an external body.

**Escalation:** If a person chooses to complain to an external agency, they are free to do so, and St Carthage's will support them as required. Agencies that people may lodge a complaint with are:

- The Aged Care Quality and Safety Commission 1800 951 822
- The NDIS Quality and Safeguards Commission 1800 035 544

## Principles

St Carthage's Community Care will:

- ensure that all clients, and their families, carers and advocates are encouraged and supported to raise any concerns they have about the service or organisation.
- consider all complaints it receives regardless of whether the complainant is a client of the organisation or a member of the community.
- 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. Information will only be disclosed if required by law, or if otherwise necessary.
  - ensure support and advocacy is available to clients who make a complaint and require support.
  - resolve complaints, where possible, to the satisfaction of the complainant
  - clients, families, and advocates have access to the organisation's complaints management policy.
  - deal with all complaints in a timely manner and aim to provide a formal response to the complainant within 25 days of the complaint being received.
  - keep parties to the complaint appropriately involved and informed of the progress of the complaint.
  - ensure that Community Services Board members, staff, and volunteers are given information about the complaint's 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 policy and procedures.
- ensure that all complainants are aware of and understand how to escalate their complaint to  
The Aged Care Quality and Safety Commission 1800 951 822  
The NDIS Quality and Safeguards Commission 1800 035 544
- ensure that a complainant is not penalised in any way or prevented from the use of services during the progress of an issue.
- ensure that feedback data (both positive and negative) is considered in organisational reviews and in planning service improvements.
- review and evaluate the accessibility and effectiveness of the complaints management system and continually improve its processes.

### Initial Reaction to a Complaint

When initially reacting to a complaint, staff are encouraged to put themselves in the person's shoes and to remember to respond to the person rather than react to the complaint.

Staff should ensure that they empower the person making the complaint to speak up, paying attention to what they are saying, and then learn from their feedback.

### Respecting the relationship

In recognition of the relationship staff have with the person who has made the complaint, it is important to understand that how staff respond to the complaint is just as important as whether or not the complaint is resolved.

Even if a staff member cannot fully resolve the complaint, it is critical that the person who made the complaint feels that they've been listened to; that their opinion was valued, and that the staff member did everything they could to address their concerns.

### Responding to a Complaint

St Carthage's Community Care follows the Four As of successful complaint resolution, as outlined in the guidelines provided by the Aged Care Quality and Safety Commission and National Disability Services (NDS.)

The Four As are: **Acknowledgement, Answer, Action, and Apology.**

### Acknowledgement

This first step is, in many respects, the most important of the Four A's as it often sets the tone for the rest of the process. Having stepped out of their comfort zone to make a complaint, people want to feel that the organisation has understood their concern and how the situation has affected them.

Some basic steps that can help staff to give a positive and respectful acknowledgment are set out in the five-step '**LEARN**' process:

1. **Listen** – Genuinely listen to the concerns of the person without interruption. Look for the positive intention behind the person's issue and behaviour.
2. **Empathise** – Use your body language and/or voice to create an environment where the person can feel comfortable talking with you. Be conscious of whether you are feeling defensive and how this can be perceived.

3. **Acknowledge** – Acknowledge how the situation has affected the person who made the complaint. Where relevant, acknowledge where the service response could have been better.
4. **Rectify** – Ask the person who made the complaint what would rectify the complaint for them. What would a good outcome look like for them?
5. **Notify** – Notify the person promptly and regularly of the steps you will take, in response to their complaint but don't commit to things you can't do.

### **Answer**

People typically want to know why something has or has not happened or why a decision was made. This is important to their ability to understand and process what has happened and to move on to resolving their concern.

Answers should include a clear explanation of the event/decision relevant to the concern raised.

### **Action**

People want the organisation to fix or at least take steps to address their concerns.

Sometimes staff may not be able to fix the concern raised but may be able to initiate actions that will assist in preventing it from occurring again. This can be just as important to the person as it validates their concern.

It's a good idea to agree to an action plan with the person who raised the complaint. The plan should include things like:

- What will be done?
- Who will do it and when?
- How will we communicate our progress?
- How will we check that things are on track?

Staff should also follow up with the person who made the complaint to make sure they are satisfied with what action they have taken. This can also be a good opportunity to seek feedback on their experience of the process you used to respond to their complaint.

Actions often cannot fix the past, but they can show that the concern raised was taken seriously and offer reassurance that the issue is less likely to happen again.

### **Apology**

An apology, if warranted, can either be part or the whole of the outcome people seek when they make a complaint.

Care should be taken about who might give the apology and what form it should take. Apologies need to be genuine. Whilst a genuine apology can be an important step in resolving a complaint, a poorly given apology can make the situation worse.

Some of the key elements of a 'good' apology are:

- Timeliness
- Sincerity

- Being specific and to the point
- Accepting responsibility for what occurred, and the impacts caused.
- Explaining the circumstances and causes (without making excuses)
- Summarising key actions agreed to because of the complaint.

A genuine and timely apology can be healing to a relationship with a client and a way to separate the past from the future and put things to rest and get on with any new arrangements agreed to.

### Process for Managing Complaints

All clients are made aware of St Carthage's Complaints Handling process at the commencement of their relationship the organisation.

The Complaints Handling Process is referenced in St Carthage's Service Agreements and other documents such as our Aged Care and NDIS Participant Handbooks.

The St Carthage's complaints form is assessable, and a copy of this form is also included in the client's home folder with a pre-paid envelope. The client can call and request a copy of the form or provide the details of the complaint/feedback over the phone and the person taking the complaint will fill the form out on their behalf.

Clients can make an anonymous complaint or provide anonymous feedback using a hard copy of the complaints/feedback form which can be posted or dropped in our secure mailbox in our office reception area.

Step	Timeline
A complaint is received via letter, email, face-to-face, telephone, or via our "Complaints/feedback" form.	Day 1
The complaint or feedback is recorded in the Complaints and Feedback Register and the relevant Manager is notified of the complaint or feedback	
The Relevant Manager or another member of the Senior Management Team contacts the client to acknowledge receipt and to explain the process that will be followed the timeline, and their right to an advocate and advocacy agency support	Within 5 working days of receipt of complaint
The person handling the complaint reviews it and decides the action to be taken and who takes it. The person making the complaint will be fully involved in the process	
The General Manager is updated on progress, if appropriate	
Action is carried out. Those affected by the complaint are fully informed of all facts and given the opportunity to provide further information	Within 15 working days
The person making the complaint is advised of the actions taken to address the issues raised and the outcome of the complaint	Within 20 working days

Step	Timeline
If the person is not satisfied with the outcome, they are advised of the complaints appeal process.	
If the person wishes to appeal, the complaint is reviewed by the General Manager (and CEO if appropriate)	
The client is advised of the General Manager's and/or the CEO's decision and of their option to go to an advocacy agency such as OPAN (Older Australians Advocacy Network) and or the Aged Care Quality and Safety Commission and National Disability Services (NDS.)	
When the complaint is finalised, the person handling the complaint ensures that all documentation is filled out and any barrier to continuing accessing the service and obtaining feedback on the complaint's procedure is removed or mitigated. The complaint is then closed.	Within 25 working days

### Advocacy

People are advised that they may wish to use an advocate at any point in the feedback or complaints process or if they feel their feedback or complaint was not satisfactorily resolved.

People who are receiving aged care services and support may wish to contact:

- Older Persons Advocacy Network on 1800 700 600
- Seniors Rights Service 1800 424 079

Participants of NDIS may wish to contact:

- Ability Advocacy 1800 657 961
- Life Without Barriers 1800 935 483

### People with Particular Needs

Where clients may have special needs, such as people from culturally and linguistically diverse (CALD) backgrounds or Aboriginal and Torres Strait Islander people, the Support Planner or Manager ensures that any cultural aspects are considered when reviewing a complaint and ensures that any barrier to openly and honestly discussing the complaint is removed or mitigated. The presence of a family member or friend or the support of an interpreter may be required.

The Manager also ensures that any actions, interventions, or referrals are appropriate to people from special needs groups. This may require the involvement of organisations with expertise in special needs groups either in providing advice or assisting in actions.

### Confidentiality of Complaints

As far as possible, the fact that a client has lodged a complaint and the details of that complaint are kept confidential amongst staff directly concerned with its resolution. The client's permission is obtained prior to any information being given to other parties that it may be desirable to involve to satisfactorily resolve the complaint.

### Further guidance for Complaint Handling for NDIS Providers

An excerpt from the NDIS Quality & Safeguards Commission "Effective Complaint Handling guidelines for NDIS providers"

Supporting people with disability at the centre of complaints management:

- The guiding principles that people with disability have a right to have a say about and be involved in decisions affecting their lives must inform the approach to complaints management and resolution.
- The person making the complaint, and any person with disability affected by issues raised in a complaint, should be included throughout the process to the extent possible.
- All NDIS providers should reinforce their commitment to people being supported to speak up and provide feedback and acknowledge when supports or services have not met the expectations or applicable standards.
- A person with disability may be affected by an issue raised in a complaint but may not necessarily be the person making the complaint directly to the NDIS provider. To ensure that the needs of people with disability are addressed in relation to complaints or issues that affect them, registered NDIS providers must ensure that both the person involved in the complaint and any affected person with a disability are appropriately involved in the resolution of the complaint and kept informed of the progress of the complaint.
- If a person with disability affected by an issue raised in a complaint has a decision maker, advocate or substituted or informal decision maker, these people may need to be included and recognised in the complaints management and resolution process, depending on their role in the life of the person with disability.
- NDIS providers must ensure that the involvement of the person making the complaint, and any person with disability affected by issues raised in a complaint, are communicated throughout the complaint management and resolution process in an appropriate way that meets their needs.

### **Record keeping**

A register of complaints and appeals will be kept in Register for Complaints located on SharePoint > N drive > All Staff for a minimum of seven years after the complaint has been made. The register will be maintained by the relevant Manager 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 in SharePoint > N Drive > All Staff > Complaints.

The complaints register and files will be confidential, and access is restricted to Senior Management.

A statistical summary of complaints and appeals will also be kept in a spreadsheet and maintained by the Aged Care Manager and Operations Manager. Both Managers will be responsible for including details of the Complaints in their Board reports each month for the Community Services Board.

Results from this report will be reviewed by Community Services 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 staff and management meeting agendas.

**Continuous improvement of the complaints management system**

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

- review of all complaint and feedback policies and procedures
- client 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.