

### ***Purpose***

To detail how Noah's Inclusion Services manages and resolves complaints or disputes raised by clients or others. Areas covered include information on raising complaints; process to raise and resolve complaints; expected timeframes; dealing with complex or difficult complainants; follow up; and documentation and review.

### ***Policy Statement***

Noah's Inclusion Services encourages clients and their representatives to raise complaints and views complaints as opportunities to enhance service provision and ensure client satisfaction.

Where a complaint is raised Noah's Inclusion Services will:

- Acknowledge the complaint.
- Provide answers if the facts are known.
- Treat the person complaining with respect.
- Action the complaint by informing the person complaining what to expect while the complaint is being looked into and keep them informed throughout the process.
- Carry out the complaint handling process in a fair and open way.
- Provide reasons for decisions that are made.
- Protect individual privacy and confidentiality.
- Provide a genuine and timely apology, if appropriate.

No client will be disadvantage or refused service as a result of raising a complaint.

## **Operational Procedures**

### **1. Providing information on raising complaints**

- 1.1. Information and guidance on raising complaints will be clearly explained and discussed with clients as part of the initial assessment meeting (Refer *Policy and Procedure Client Service Agreements; Client Rights & Responsibilities; Client Evaluation*).
  - 1.1.1. Clients will be provided with the contact information of external services that can assist in resolving complaints as needed.
  - 1.1.2. Any information or brochures provided will be in a format appropriate to individual needs (eg. in alternate languages).
- 1.2. Staff will regularly remind clients and their representatives of their right to raise a complaint and have issues resolved. This will occur informally as part of regular service and support and formally as part of any scheduled reviews.
- 1.3. Where a client or their representative raises an issue, or staff believe that an issue may exist, the staff member will discuss the options available for the person to raise their issue or complaint and provide any information or support needed.

### **2. How complaints can be raised**

- 2.1. Clients can raise complaints in any format - written or verbal, via correspondence, email, in person or over the phone.
- 2.2. The way in which a complaint is raised in no way influences the priority or seriousness with which the complaint is treated by Noah's Inclusion Services.
- 2.3. Complaints can be raised with any Noah's Inclusion Services staff member – it is the staff member's responsibility to ensure the matter is dealt with according to the requirements of this procedure.
- 2.4. Noah's Inclusion Services accepts anonymous complaints and will investigate as far as possible.
  - 2.4.1. The Team Leader will explain that if a person wishes to raise an anonymous complaint they are able to do so but that this may limit Noah's Inclusion Services opportunity to resolve the complaint fully (if insufficient information is provided and cannot be followed up) and feedback on the resolution will not be able to be provided.
    - The Team Leader will provide sufficient information and support to the client to make them feel comfortable in identifying themselves in any complaint they may make in the future.
  - 2.4.2. Anonymous complaints are treated with the same priority as other complaints.
  - 2.4.3. Where a client raises an issue but wishes to remain anonymous throughout the process the complainant will be encouraged to include as much information as possible to allow the matter to be investigated sufficiently that a resolution can occur.

### **3. Supporting individuals associated with a complaint**

- 3.1. Noah's Inclusion Services will provide support to a complainant to raise a complaint including engaging interpreters or assisting the client to engage an advocate (*Policy and Procedure Cultural Awareness; Advocacy*).
- 3.2. The Noah's Inclusion Services staff person responsible for managing the complaint will:
  - 3.2.1. Offer support to the complainant throughout the complaint process.
  - 3.2.2. Provide regular updates on the progress of the complaint.

- 3.2.3. Provide opportunities for the complainant to discuss other issues that may relate to the complaint.
- 3.3. Noah's Inclusion Services staff who are identified as the subject of a complaint will be:
  - 3.3.1. Provided with an opportunity to present their case before a decision is made.
  - 3.3.2. Offered regular support and supervision or debriefing meetings with their supervisor.
  - 3.3.3. Offered the opportunity to seek counselling support during and after the complaint process if appropriate.
- 3.4. Complainants' privacy and confidentiality will be respected throughout the complaint handling process and consent will be obtained prior to providing information to others.
  - 3.4.1. Staff will explain to complainants that it may affect the resolution of the complaint if they are unable to investigate fully or discuss matters with others (refer Policy and *Procedure Privacy & Confidentiality*).

#### **4. Initial Response**

- 4.1. Where a complaint is raised the first response is to try to resolve the complaint at the point it is raised. Noah's Inclusion Services will always attempt to resolve a complaint at the most local level to where the issue has arisen to promote a timely resolution.
- 4.2. Early resolution of a complaint may be possible simply by clarifying misunderstandings in expectations of service delivery or policy implementation, showing empathy for the complainant's situation or offering an apology where appropriate.
- 4.3. The staff person will listen to the complainants concerns and offer solutions to simple complaints such as:
  - 4.3.1. A client may be unhappy with the times or location suggested for an appointment – offer alternatives, discuss what suits the client and negotiate any restrictions to meet the person's needs and preferences.
  - 4.3.2. A client may not like the content of a particular book or game used in a program – discuss and find an alternative.
- 4.4. Where more complex issues are raised the staff person will document the complaint and forward to the client's Team Leader for follow up.
- 4.5. Complaints must be immediately referred to the appropriate supervisor where:
  - 4.5.1. There is a safety risk to any person;
  - 4.5.2. It involves an allegation of neglect or abuse;
  - 4.5.3. There is any allegation or suspicion of criminal behaviour; or
  - 4.5.4. It is a matter that may bring Noah's Inclusion Services into disrepute.
- 4.6. At first contact the staff person will support the complainant to document the details of the complaint (or document for them) and explain the steps involved in the complaint handling process.
- 4.7. The complaint will be forwarded to the relevant supervisor directly involved in the service delivery, process or policy about which the complaint is made.
  - 4.7.1. The complainant will be told who this person is and asked if they would like the person to contact them so they can discuss the complaint directly. This will be noted on the complaint form for the supervisor's attention.
  - 4.7.2. The staff person will document any actions to resolve the complaint that have already been attempted.

4.8. Where there is an actual or perceived conflict of interest Noah's Inclusion Services will take necessary actions to ensure the complaint handling process is fair and transparent (including removing the person who may have a conflict of interest from managing or directing the complaint process). Conflict of interest include:

- 4.8.1. Where a staff person handling a complaint is the subject of the complaint.
- 4.8.2. A staff person receiving a complaint may be a friend of the person who is the subject of the complaint.
- 4.8.3. A staff person may receive a complaint against a person who manages and/or directs them.

## **5. Resolving the complaint**

5.1. The relevant supervisor will allocate a person responsible to investigate and resolve the complaint.

5.2. The investigating person will:

- 5.2.1. Contact the complainant to gain consent to continue the complaint process if further investigation is required and discuss the complaint to gain a first hand understanding.
  - When speaking to the complainant, they should be asked what outcome they would like to see from the complaint process.
- 5.2.2. Document a plan of action agreed with by the complainant that covers the actions to be undertaken, those responsible and timeframes for actions to occur.
- 5.2.3. Investigate the issues and facts where required and attempt to resolve the matter with the complainant.
- 5.2.4. Where a solution is reached, contact the complainant with the outcomes reached and follow up to ensure the complainant is satisfied with the outcome.
- 5.2.5. Notify the relevant supervisor and provide details of the resolution and how it was reached.

5.3. The relevant supervisor will ensure that the outcomes are implemented as required.

## **6. Dispute as to resolution of complaint**

6.1. Where the matter cannot be resolved the person responsible for the complaint will advise the complainant that the matter will be referred to the next supervisor in the relevant area.

6.2. The supervisor will notify the CEO of the complaint, the actions taken, the resolution reached and the complainant's ongoing concern.

6.3. An internal review will be undertaken by a Noah's Inclusion Services staff person who was not involved in the original investigation

6.4. A second investigation will be undertaken in consultation with the complainant

6.5. Where a resolution can still not be reached the complainant will be supported to access an external complaint agency.

6.5.1. Contact details of external agencies will be provided as part of the initial client assessment process

6.5.2. In the case of clients accessing NDIS services complaints will be referred to the NDIS Quality and Safeguards Commission on Ph: 1800 035 544 TTY 133 677 or [www.ndiscommission.gov.au/participants/complaints](http://www.ndiscommission.gov.au/participants/complaints)

6.6. Where an external agency becomes involved Noah's Inclusion Services will cooperate fully to gain a final resolution to the complaint. The CEO will be notified.

## **7. Timeliness**

7.1. Complaints received by Noah's Inclusion Services will be responded to in a timely manner, taking into account the complexity of the complaint and the needs of the complainant

7.2. Within 1 week the complainant will be advised that the complaint has been received, who within Noah's Inclusion Services will be managing the complaint (including their contact details), an anticipated timeframe of when they will receive further contact in relation to the matter, and any actions that have been implemented to date (if any). Contact may be made in person, by phone, email or by letter.

7.3. Within 2 weeks the matter should be resolved. For complex matters or where there is difficulty in completing reviews or seeking information a longer time period may be necessary. If a matter is to take longer than 2 weeks the complainant will be contacted and given details of the delay and expected timeframes. The complainant will be contacted at regular intervals on progress (at least every 2 weeks).

7.4. Within 7 days of a matter being resolved the complainant will be notified of the outcome in writing. A delegated Noah's Inclusion Services staff person will make contact with the complainant after a further 7 days, ask for feedback on the process and whether they are satisfied with the outcome.

7.4.1. The complaint will be referred to the follow up procedure where there is a dispute regarding the outcome of the complaint.

## **8. Dealing with complainant behaviour**

8.1. All Noah's Inclusion Services staff are entitled to be treated with respect and courtesy when handling complaints and will respond to complaints in a respectful and courteous way.

8.2. Where a complainant is behaving in a threatening, rude or harassing manner staff may cease the conversation and refer the matter to their supervisor for follow up.

8.3. Some complainants may find it difficult to accept explanations or resolutions that are provided to them as part of the complaint handling process or may be unwilling to accept the outcome, may have unreasonable expectations of the nature or quality of service they are receiving or may repeatedly raise the same complaints.

8.3.1. In these instances the Team Leader will encourage the complainant to put their concerns in writing and refer them to appropriate resources to assist them where appropriate.

8.4. Staff will ensure that concerns about safety and wellbeing of any person are investigated regardless of the manner in which they are expressed.

8.5. Noah's Inclusion Services may decide to decline or cease dealing with a complaint (eg. if it is considered trivial, frivolous or vexatious or cannot be resolved after reasonable attempt). Noah's Inclusion Services can decline or cease dealing with a complaint after:

8.5.1. All relevant evidence and/or issues presented by the complainant are appropriately responded to;

8.5.2. An internal review of the complaint handling process has been undertaken; and

8.5.3. The complainant is referred to an external agency and Noah's Inclusion Services has offered support to the external agency as required.

8.6. Where Noah's Inclusion Services has declined or ceased dealing with a complaint Noah's Inclusion Services may decide to limit the complainant's access to staff and/or services. Where this is to occur the CEO will forward a letter to the complainant that clearly sets out:

- 8.6.1. The background of the complaint;
- 8.6.2. The resolutions attempted to date;
- 8.6.3. Outcomes of the internal review of the complaint handling; and
- 8.6.4. Restate Noah's Inclusion Services final position.

- Depending on the contentiousness of the complaint advice from external complaint handling agencies or legal services may be sought. For NDIS participants this will include NDIS Quality and Safeguards Commission – Ph: 1800 035 544 TTY 133 677 or [www.ndiscommission.gov.au/participants/complaints](http://www.ndiscommission.gov.au/participants/complaints)

## **9. Documentation and Review**

- 9.1. All complaints should be entered into the Noah's Inclusion Services Feedback Register.
- 9.2. Where possible complaints should be documented on the Noah's Inclusion Services Complaints form.
- 9.3. All complaints concerning NDIS participants are to be documented in participants file in the Echidna Client Management System.
- 9.4. The Feedback Register will be reviewed weekly at Management meetings to ensure matters are being dealt with appropriately and in a timely manner and to identify any trends.
- 9.5. The Feedback Register will be provided to Board members at monthly Board meetings for review and to identify and address trends.
- 9.6. The Feedback Register will be provided to Team Leaders at fortnightly Team Leader meetings for follow up and review.
- 9.7. The Feedback Register will be reviewed as part of Noah's Inclusion Services strategic planning process to identify service enhancement opportunities.
- 9.8. All complaints should be notified to the relevant supervisor to ensure that service delivery concerns are identified and monitored.
- 9.9. Where a minor complaint is raised and resolved and the complainant does not wish to progress the matter to a formal complaint the staff person dealing with the complaint will complete an Incident Report (Refer *Policy and Procedure Incident Reporting & Management*).
- 9.10. Noah's Inclusion Services will follow up with complainants to ensure they are satisfied with the outcome of the complaint handling process and refer any unresolved issues to the relevant Team Leader for follow up.

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<b>Relevant Legislation and Standards</b> (used to develop policy and procedure)	<p>NDIS Practice Standards 2018          National Disability Service Standards – Standard 1, 2, 3, 4, 5          NDIS Complaints Management and Resolution Rules 2018          Disability Services Act 1993          Anti-Discrimination Act 1977          Disability Discrimination Act 1992          Privacy Act 1988          Australian Privacy Principles 2014          Children and Young Persons (Care and Protection) Act 1998          Children and Young Persons (Care and Protection) Regulation (2000)</p>		
<b>Related Policies</b>	<p>Client Assessment &amp; Case Management          Client Rights &amp; Responsibilities          Client Individual Plans          Client Orientation          Client Service Agreement          Consent          Quality References &amp; Practices</p>		
<b>Related Policies, Procedures and Work guides</b>	<p><b>Procedures attached:</b></p> <ol style="list-style-type: none"> <li>1. Providing information on raising complaints</li> <li>2. How complaints can be raised</li> <li>3. Supporting individuals associated with a complaint</li> <li>4. Initial Response</li> <li>5. Resolving the complaint</li> <li>6. Dispute as to resolution of complaint</li> <li>7. Timeliness</li> <li>8. Dealing with difficult complainants</li> <li>9. Documentation and Review</li> </ol> <p><b>Forms</b></p> <p>Complaint Form</p> <p><b>Work guides</b></p> <p>Complaint Flowchart</p>		
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	1	1 May 2014	2 February 2017
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**Noah's**  
EVERY CHILD  
EVERY OPPORTUNITY.

**Policy Summary SP0120**  
**Complaints**

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