

Complaint Management and Resolution System (NDIS)

Policy Name	Complaint Management and Resolution System (NDIS)
Version Number	001
Date of Approval	7 Jan 2022
Authorising Position	Andrea Cooper - Director
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1. Introduction

Persons with disability may face multiple barriers to making a complaint about their support or services. These include lack of experience asserting their rights as consumers, fear of retribution, negative experiences with complaints systems (including not being believed) and difficulty communicating what happened without support. Additionally, in the case of violence, neglect and abuse, people can face substantial barriers to making a complaint.

Feedback provided can be used by ASP to drive change and improvements in the service provision.

2. Policy

ASP's Complaint Management and Resolution System will:

- Support NDIS participants to understand their rights and what they should expect of providers,
- Supports NDIS participants to have the confidence to complain when they face issues,
- Enable other stakeholders (such as advocates and workers) to make complaints and ensure issues can be addressed when persons with disability are unable or unwilling to make a complaint,
- Support the resolution of complaints when possible and provide an escalation pathway where required,
- Enable the identification of systemic issues and drive improvements (including by providers reporting on complaints).
- Identify and report on any complaints or issues that are reportable (as per the Incident Management and Reportable Incident System Policy and Procedure document).

3. Procedure

3.1. All NDIS participants receiving services from ASP will be provided with information regarding the Complaint Management and Reportable incident system when they commence services (See Appendix 4: Sample Brochure).

Information will also be available on ASP's website and within the Service Agreement template etc.

3.2. Complaints may be received via telephone, in writing, electronic mail (e-mail) or in person by the client, client advocate or client's representative in person by a member of staff of ASP and/or anonymously.

- 3.3. When a complaint is received and/or an incident which needs to be reported is identified, any supports required to facilitate communication and participation by the participant (e.g. supports in languages other than English, braille, audio recording and/or AAC options) will be identified and all reasonable steps taken to have these available.
- 3.4. All reasonable steps will be taken to ensure that:
- A person who makes a complaint, or a person with a disability affected by an issue raised in a complaint, is not adversely affected as a result of the making of the complaint; and
 - Information provided in a complaint is kept confidential and only disclosed if required by law or if the disclosure is otherwise appropriate in the circumstance.
 - All staff at ASP will be trained to refer client complaints in a polite, prompt, consistent, positive and constructive manner.
- 3.5. The Complaints and Incidents Record document will be completed by the staff member who initially receives the complaint.
- 3.6. Complaints will be referred to ASP's Director Andrea Cooper within 24 hours of receipt.
- 3.7. ASP's Director Andrea Cooper will ensure appropriate support and assistance is provided to any person who wishes to make, or has made, a complaint. This may include facilitating communications in languages other than English, or the use of a communication support such as AAC or braille using available publicly funded options. The person receiving the complaint or reporting the incident may assist the client to complete the form, for example by writing the details on the complaint form as verbalised by the client/ their representative.
- 3.8. Documentation or a record of the person's agreement with the report should be gained e.g. by signing the document, or video-recording verbal agreement, or videoing the persons non-verbal responses.
- 3.9. Once a client has given an indication of an issue/concern, there will be an immediate attempt to determine the exact nature of the concern/problem and where possible correct or resolve the issue.
- 3.10. If a concern/problem cannot be resolved immediately, and/or the client or their representative is not satisfied with the outcome, ASP's Director Andrea Cooper will provide the client with the *How to make a Complaint Brochure* (refer to Appendix 4). This will provide the client with the process for making a complaint and options available to them.
- If they would like to proceed, the person making the complaint will be provided with a *Complaint Form* (refer to Appendix 1).
- 3.11. ASP's Director Andrea Cooper will:
- Provide the person with an acknowledgment of the complaint (refer Appendix 2 Acknowledge Receipt of Complaint) within 5 business days of receiving the complaint,

- Record the complaint on the Complaints Register (refer Appendix 7),
- Assess and investigate the complaint,
- Ensure that procedural fairness is afforded to all involved in the complaint,
- Complete the Complaints Action Form (refer Appendix 3)
- Endeavour to resolve the complaint in a fair, efficient, and timely manner.
- Take appropriate action in relation to the issues raised in the complaint,
- Report back to the client/their representative regarding the decision and the reason for the decision of the complaint ideally within 21 business days of receiving the complaint.
- Provide appropriate support and assistance for the client/ their representative, to contact the Commissioner if they are not satisfied with the outcome of the complaint.

3.12. ASP's Director Andrea Cooper must ensure the person making the complaint is:

- Appropriately involved in the resolution of the complaint; and
- Kept informed of the progress of the complaint, including any action taken, the reasons for any decisions made, and options for review of the decision in relation to the complaint.

3.13. Once a decision/outcome has been concluded (ideally within 21 working days), ASP's Director Andrea Cooper is to phone the client and advise them of the findings and the reason for any decision being made. If the client is satisfied with the outcome, ASP's Director Andrea Cooper must record the details on the Complaint Action Form, complete a client letter (see Appendix 5: *Outcome in Favour of Client*), take a photocopy and post the original to the client. A copy of the letter with the other supporting documents should be filed in ASP's Complaints folder and the Complaints Register should be updated as complete (include: date finalised).

3.14 If the complaint is not resolved to the client's satisfaction, ASP's Director Andrea Cooper will advise the client that they have the right to contact the Commissioner of the NDIS Quality and Safeguards Commission. They should provide the person making the complaint with the contact details of the NDIS Quality and Safeguards Commission.

ASP's Director Andrea Cooper will also complete a client letter (*Appendix 6 Outcome not in Favour of the Client*), take a photocopy/scan and then post the original to the client. They must attach a copy of the letter with the other supporting documents and store this in the client's file. The client's letter will need to detail the reasons why he/she is not satisfied with the complaint resolution proposal and should set out his/her expectations and desired outcomes for the dispute to be satisfactorily resolved.

Record the client's dissatisfaction with the complaint outcome on the Complaints Action Form and Complaints Register. File a copy of all the relevant documentation in the Complaints folder.

4. Documentation

4.1 ASP's Director Andrea Cooper must provide copies of this Complaints and Management System to:

- persons with disability receiving NDIS support or services and their families, carers and advocates;
- each person employed or otherwise engaged by ASP.

5. Monitoring, and Reporting Complaints

- 5.1 All records in regards to the Complaints and Management System must be kept for 7 years from the day the record is made.
- 5.2 It is important to record the complaints information on the Complaints Register to assist management in measuring effectiveness in a number of areas. The information can be used to:
 - identify and address recurring, or systemic issues,
 - identify training requirements, and
 - highlight product or internal control weaknesses, and
 - report information relating to complaints to the Commission, if requested.
- 5.3 ASP's Director Andrea Cooper will analyse complaints data regularly to identify any trends in the complaints received by ASP and then make changes to policies and procedures as required to reduce the possibility of repeat complaints.

6. Roles, Responsibilities, Compliance and Training of Staff

- 6.1 ASP's Director Andrea Cooper is responsible for ensuring that all persons engaged in ASP to provide services to NDIS clients have been trained and comply with this Complaints Management and Resolution System.

7. Complaint Management and Resolution System Review

- 5.1 ASP's Director Andrea Cooper will review this Complaint Management and Resolution System regularly to ensure its effectiveness.

8. Referring Complaints

- 6.1 Complaints will be referred or notified to any other bodies in accordance with any requirements under relevant Commonwealth, State or Territory laws. (Insert relevant laws and requirements for the States/s and Territory/ies in which this business provides supports and/or the names and contact details for relevant bodies)

For example:

- Child protection agencies
- Work Health and Safety agencies
- Consumer Protection Agencies, and
- Medical or professional accreditation or monitoring bodies.

Appendix 1.7 - Complaint Form

Date: _____

Client Name: _____

Address: _____

Person Making the Complaint:

Name: _____

Phone Number: _____

Details of Complaint (please attach copies of documents if applicable)

Has this matter been brought to our attention previously: No / Yes

If Yes: To whom _____ and when _____

We will advise you of the outcome of your complaint with 10 working days.

Client/Representative Signature _____

Client/Representative Name _____

Client/Representative Contact details _____

(Please return this complaint form back to the director)

Appendix 1.8 - Sample - Acknowledge Letter of Receipt of Complaint

Insert date

Addressee name

Address line one

Address line two

Address line three

Suburb STATE Postcode

RE: Subject Line

Dear

Re: Your complaint dated _____

Aspire Speech Pathology acknowledges receipt of your complaint regarding

The management of aSPIRE Speech Pathology is concerned that you are experiencing dissatisfaction, and want you to know that this matter will be fully investigated and you will be contacted again by _____.

At that time, you will be advised of the outcome of these enquiries or the expected date for completion of our enquiries. In the meantime, should you require further assistance or can provide the Practice with further information that may help to resolve your concerns, please contact XXXX on: _____.

Yours sincerely

Name

Position Title

Appendix 1.9 - Complaint Action Form

Date: _____

Client Name: _____

Other details as per Client Complaint Form or client letter (attached) dated _____

Outline action taken to attempt to resolve the complaint (attach copies of documents if applicable)

Recommended action required

Completed By _____ Practice Manager Signature _____

Date resolved _____

Resolved by _____

Client advised of outcome _____.

Appendix 1.10 - Sample Brochure

How to make a Complaint about your NDIS Service Provider

If you have a concern or problem with a support or service provided by us the first thing you should do is talk to the Andrea Cooper (Director):

Wherever possible our aim is to resolve your concerns or problem when you first contact us.

If you are not satisfied and would like to make a complaint, the practice manager will provide and can assist you to complete a Complaint Form. This is merely so that we can ensure we understand and have accurately collected all of the details of your complaint or your area of concern.

We will complete the following steps in regards to our complaints process:

- Provide you with an acknowledge of receipt of your complaint;
- Keep you informed of the progress of the complaint, including any action taken, the reason for any decisions made and options for review of decisions;
- Keep you involved in the resolution of the complaint.
- Advise you in writing of the decision/outcome and the reason for the decision.

If we are not able to resolve your complaint within 10 working days, we will keep you informed of our progress and how long we expect that it will take to resolve your complaint.

What to do if you are not satisfied with the outcome of your complaint

If you feel that your complaint has not been resolved to your satisfaction, we invite you to contact the Commissioner of the NDIS Quality and Safeguards Commission.

Address: NDIS Quality and Safeguards Commission
PO Box 210
Penrith NSW 2750
Phone: 1800 035 544

A person can make a complaint to the Commission about any issue connected with the support or services provided by an NDIS Provider. Complaints can be made orally, in writing, or by any other appropriate means and can be made anonymously. A complaint can be withdrawn at any time.

If a person makes a complaint, the Commissioner must decide what to do. The Commissioner may decide to;

- Take no action, or defer taking action in some cases (for example, if the complaint was not made in good faith or there is not enough information to continue); or
- Help the complainant and other affected people to work with the NDIS provider to resolve the complaint; or
- Undertake a resolution process.

Appendix 5 - Sample [Where outcome is in favour of the Customer]

Insert date

Name

Address line one

Address line two

Address line three

Suburb STATE Postcode

RE: Subject Line

Dear

Re: Your complaint dated _____

As advised in a previous letter to you dated _____ XXXX has been investigating your complaint relating to _____.

Andrea Cooper Speech Pathology has now completed these inquiries and advise that the results are:

We do hope that this resolves the matter to your satisfaction and thank you for bringing it to our attention. Your feedback allows us the opportunity to address your issue for you and also to ensure that, as far as possible, it does not happen again.

Yours sincerely,

Name

Position Title

Appendix 6 - Sample [Where outcome is NOT in favour of the Customer]

Insert Date

Addressee name

Address line one

Address line two

Address line three

Suburb STATE Postcode

RE: Subject Line

Dear

Re: Your complaint dated _____

As advised in our previous letter to you dated _____ we have been investigating your complaint relating to _____

We have now completed these inquiries and advise that the results are:

Should you wish to discuss this matter further with me or have additional information to provide, please call me on _____.

Alternatively, we advise that should you be dissatisfied with our response to your complaint, you may choose to contact the Commissioner of the NDIS Quality and Safeguards

Address: NDIS Quality and Safeguards Commission
PO Box 210
Penrith NSW 2750
Phone: 1800 035 544

Yours sincerely

Name

Position Title

Appendix 7 - Incident Register

Date complaint received	Complaint details	Name person making complaint	Date acknowledgement letter sent	Is complaint an incident (if yes, refer to incident)	Date the "How to make a complaint"	Support provided to person with disability	Action taken to resolve complaint	Date complaint resolved	Comments	Any changes to made as result of complaint