

Document Control			
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Owner	My Choice Supports Executive		
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Record of issue		
Version	Date	Reason and comment
1	August 2019	Policy Development

Review by Consumer and Family Reference Group		
Version	Date	Reason and comment
1	August 2019	Review and minor comments

Policy Context	
Applicable standards, legislation or other requirements	<ul style="list-style-type: none"> • Carers' Recognition Act 2004 (WA) • Disability Services Act 1993 (WA) • Equal Opportunity Act 1984 (WA) • Occupation Health and Safety Act 1984 (WA) • National Disability Insurance Scheme Act 2013: Principles. • United Nations Convention on The Rights of Persons with Disabilities • National Standards for Disability Services • National Disability Insurance Scheme Quality and Safeguarding Framework
Related My Choice	<ul style="list-style-type: none"> • Continuous improvement policy

Supports documents	<ul style="list-style-type: none"> • Code of conduct • Safeguarding policy • Complaints policy
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Policy statement

My Choice Supports values complaints from people with disability, families, carers, service providers and regulators to ensure people are treated fairly when they use our services.

Complaints are an important source of information and are used to improve our services wherever possible.

This policy supports My Choice Supports to apply the National Standards for Disability Services, in particular Standard 4: Feedback and Complaints.

Scope

This policy applies to all staff, contractors, volunteers or business partners.

This policy is owned by the Board.

Definitions

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 - is the process of reporting complaints to the NDIS Commission, NDIA or an external body if the complainant is not satisfied with the outcome of their complaint.

Concern – a notification that a person is worried that something is not working, has gone wrong or is otherwise not as it should be.

Complaint – formal advice that an incident has occurred, something is not working the way it should, something is inappropriate or someone is at risk. A serious incident process is required for legal and contractual purposes when a complaint is about a serious incident.

Principles

- Everyone has the right to complain.
- People making complaints should be supported to access complaints processes.
- Complaints processes should be sensitive to any cultural requirements.
- Robust complaints processes and systems are an important part of quality service management and help safeguard people with disability.
- Complaints identify risks to people with disability but also visitors and staff and support My Choice Supports to meet its occupational health and safety obligations.
- Complaints identify opportunities for My Choice Supports to continuously improve its services.

My Choice Supports will:

- ensure that all Participants, 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 or not the complainant is a client of the organisation
- 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
- Participants, 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 seven days of the complaint being received
- keep parties to the complaint appropriately involved and informed of progress of the complaint
- ensure that Directors and staff 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 policy and procedures
- ensure that all complainants are aware of and understand how to escalate their complaint to NDIS Commission, NDIA or an external body
- ensure that a complainant is not penalised in any way or prevented from 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

Procedures Information for clients and stakeholders

My Choice Supports' complaints and appeals procedure will be documented for clients and stakeholders in the MCS Welcome Pack which is provided to all NDIS Participant in hard copy form at initial meeting and available on the MCS website where it can also displayed in accessible form and different languages.

All Participants 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 through the initial meeting with the presentation of the Feedback and Complaints form as well as discussion within the Service Agreement.

The My Choice Supports complaints and appeals procedure will contain information on the following:

- how to make a complaint or lodge an appeal, including an anonymous complaint
- 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
- how to make a complaint to an external body including contact details

Training procedures

Staff will be trained on the complaints management procedures during their induction, and as part of ongoing refresher training.

Managers will undergo training for complaints management and resolution to support Participants throughout the complaint process and appropriately respond to complaints in an empathetic manner. This will include open communication strategies such as acknowledging the grievance without being defensive and making apologies while accepting responsibility for what occurred.

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 Team Leader of that staff member
- the My Choice Supports Directors.

Complaints may be made by:

- Submitting a completed Feedback and Complaints form to hr@mychoicesupports.com.au.
- The Feedback and Complaints form is available in hard copy and available through the Feedback button on the MCS website.
- Written complaints may also be sent to My Choice Supports' postal address.
- The Directors will be responsible for receiving this correspondence and directing it to the appropriate person.
- Feedback and complaints via telephone may be made on (08) 6558 0889.

If the complaint is about:

- a staff member, the complaint will normally be dealt with by their supervisor.
- a supervisor, the complaint will normally be dealt with by the Director
- the Director, the complaint will normally be dealt with by the alternative Director, or an external consultant.

Lodging an appeal

Participants or their advocates may lodge an appeal if they disagree with a decision made by the organisation, or by a staff member, related to service delivery.

An appeal should be made in writing and submitted to the Director.

Procedure for complaints and appeals management

Any staff member may be a recipient of a complaint, and is responsible for:

1. Receiving the complaint:
 - listening to the complainant, acknowledging the concern raised, and explaining the next steps to the complainant
 - Depending on the type and severity of the complaint, either discussing with the complainant an agreed upon resolution (for smaller matters), or referring the complaint on to the Director for further investigation and action.

The person managing the complaint will be responsible for:

2. Processing the complaint or appeal:
 - registering the complaint or appeal in the register
 - informing the complainant that their complaint has been received and providing them with information about the process and time frame
3. Investigating the complaint or appeal:
 - examining the complaint within seven days of the complaint being received
 - investigating the complaint and deciding how to respond
 - informing the complainant by letter within seven days of the complaint being received of what is being done to investigate and resolve it, and the expected time frame for resolution As far as possible, complaints or appeals will be investigated and resolved

within seven 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.

4. Responding to and resolving the complaint:

- making a decision or referring to the appropriate people for a decision within the relevant time frame of the complaint being received - informing the complainant of the outcome and the reasons for any decisions made - 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
- if an apology is in order, ensuring that the appropriate person makes the apology and informs the complainant what the organisation intends to do to avoid further grievance

5. 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 the Director.

6. Referral to external procedure:

A formal external complaints procedure may follow Step 4 if the complainant is still not satisfied with the outcome. The complainant will be referred to the NDIS Quality and Safeguards Commission and provided information and support to make the complaint externally if necessary.

Complaints involving specific staff members

The Director has delegated responsibility for resolving complaints or disputes involving staff members.

Internal complaints, where a staff member makes a complaint concerning another staff member will be dealt with in accordance with the My Choice Supports' Personal Grievance policy.

External complaints by Participants or stakeholders made against a staff member will be managed by the Director who will:

- notify the staff member of the complaint and its nature
- investigate the complaint and provide the staff member 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

- take any other action necessary to resolve the issue.

Any disciplinary action against a staff member arising from a complaint will be taken in accordance with the procedures contained in My Choice Supports' Disciplinary Policy.

Complaints involving the Director will be managed by the alternative Director, or external consultant/investigator.

Cooperation in external investigations

If any person makes a complaint about My Choice Supports to an external body (including police, Ombudsman) the Director will be responsible for liaising with the body responsible for investigating the issue. My Choice Supports will fully cooperate in any investigation which may take place, this includes participating in early resolution, conciliation, and/or reporting to the body about resolution and corrective actions if required.

Record keeping

A register of complaints and appeals will be kept in the Complaints Register for a minimum of seven years after the complaint has been made.

The register will be maintained by the Director 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 on client file in Route

The complaints register and files will be confidential and access is restricted to the Directors.

A statistical summary of complaints and appeals will also be kept and maintained by the Director.

Directors will report and discuss complaints quarterly.

Results from this review will be 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 management meeting agendas

Continuous improvement of the complaints management system

The complaints management system will be reviewed and evaluated every at least every three years.

This will include:

- review of all complaint and feedback policies and procedures
- Participant 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

Contact for enquiries and proposed changes	
All queries and changes regarding this document should be directed to	
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