

2.4. Participant Complaints, Disputes and Feedback

Purpose:

Feedback provides valued information to Access inc. on what we do well and where we can do better. This helps shape our service by empowering people to speak up.

Access inc. places importance on the continual improvement of services and programs, and recognises that complaints and feedback are an important source of information that can be used to improve programs and practice wherever possible. Accordingly, the purpose of this policy is to outline the systems put in place by Access inc. to address and resolve any issues raised by stakeholders, and capture feedback for improvement processes.

Access inc. strives to do its best when designing programs and providing service for participants. However, Access inc. acknowledges that there will be instances where a participant, their family or support network might be dissatisfied with a service that they receive.

A commitment to a positive complaints and feedback culture from Access inc. will help to ensure that the resolution of complaints will be consistent with the rights-based principle 'nothing about us, without us', which is fundamental to the CRPD and the framework of the NDIS (Complaints Management and Resolution) Rules 2018.

Scope:

This policy provides guidance to participants, their families and/or support networks to provide feedback and/or make a complaint. All Access inc. workers must understand and comply with this policy.

Worker: Refers to any employees, volunteers, placement students and contractors of Access inc.

Definitions:

Complaint: An expression of dissatisfaction with a support, service or program, including how a previous complaint was handled, for which a response or resolution is explicitly or implicitly expected. A complaint can be a big or a small issue.

Complainant: A person who makes or raises a complaint. A Complainant may be a participant, their family member, friend or a support person.

Feedback: Information from participants, their family members or support persons about any action, policy, program, conduct or person within Access inc. or their experiences with the aforementioned.

Nothing about us, without us: The principle of self-determination and inclusion of people with disabilities in policy and decision-making processes that shape their lives and environment.

Policy Statement:

Access inc. welcomes, values and learns from complaints and feedback from various stakeholders such as participants, their families, carers and/or their support networks. Additionally, all Access inc. workers must understand and utilise the complaints and feedback systems that have been put in place by Access inc., and commit to resolving any issues concerning program delivery or practice.

Access inc. the person with disability at the centre of the complaints process. All complaints are handled within the principles of procedural fairness and natural justice.

Procedures:

Supporting participants with complaints management

Access inc. acknowledges that participants have a right to have a say about, and be involved in, decisions affecting their lives. The person raising the complaint,

Access inc. will ensure that:

- All participants, their families, carers and/or support networks are provided with information about Complaints and Feedback processes, when they first access a service, and through annual information packages.
- If a complaint is made, it will be responded to with genuine listening and empathy, acknowledging the complainants' concerns. Clarifying with the complainant on what actions or outcomes they are seeking and how they'd like to be kept informed.
- The complainant will be appropriately involved in the resolution of the complaint.
- The complainant will be kept informed of the timeline, any action or progress taken, the reasons for decisions made, and options to have decisions reviewed.
- Participants are safeguarded against unfavourable treatment or fear of adverse consequences if they are to make a complaint
- All complaints are dealt with confidentially, promptly and in an environment of understanding and trust.
- All employees are aware of, trained in and comply with the complaints process.

Access inc. workers are expected to:

- Maintain a positive attitude towards complaints and feedback and be committed to resolving complaints
- Provide support for people to access the complaints process
- Acknowledge that a participant does not necessarily need to expressly state that they wish to make a complaint in order to have a concern or issue managed
- Promote and support participants to speak up and provide feedback, and acknowledge when programs or practice have not met participant expectations or applicable standards
- Clearly communicate to participants, their families and support networks the appropriate mechanisms for making complaints or providing feedback

- Ensure that all participants understand their rights in relation to feedback and complaints
- Ensure that the participant making the complaint is appropriately involved in the resolution of the complaint, which includes keeping the participant informed of the progress of the complaint, of any action taken and the reasons for any decision made.

Complaints management system

Access inc. affirms that the complaints management system adheres to the principles of accessibility, privacy, impartiality, confidentiality, transparency and timeliness.

Complaints can be made:

- Verbally (in person or over the phone) to any Access inc. worker
- By sending an email to any Access inc. worker
- Through the utilisation of a complaints/feedback form.
- Anonymously
- To an alternative avenue, such as the NDIS Quality and Safeguards Commission

All Access inc. employees should have knowledge of and been trained in the Access inc. complaints management system and comply with all of the relevant complaints management procedures. The complaints management system and process is overseen by Access inc. Complaints Manager.

If feedback is given, or a complaint is made, Access inc. Program Managers are expected to:

- Act promptly and acknowledge feedback and complaints within 2 business days
- Maintain confidentiality of information throughout the entirety of the complaints process
- Consult with the complainant regarding their anticipated outcome and clarify what the complainant is seeking

- Advise the complainant of their right to an advocate, the stages of the resolution process and the mechanisms in place to protect their privacy
- Identify the type of complaint – program, process, practice, conduct
- Organise a meeting with the complainant (if required) in a safe environment
- Assess the complaint and determine a resolution pathway (with the CEO of Access inc. if necessary)
- Determine whether it is feasible to come up with an immediate solution, or whether further information is required
- Consult with the complainant and other relevant parties to gather further information about the underlying issue
- Evaluate all the information obtained and determine the most appropriate outcome or decision
- Focus on creating positive solutions for the complainant and ensure that best endeavours are made so that a satisfactory resolution of the complaint can be attained
- Formulate a written document outlining the decision, and the reasons for that decision, and then seek approval from the CEO of Access inc.
- Provide a clear outcome to the complainant, including the reasons for the decision, provide options for decision review, in easy to understand language (oral and written) within the following timelines of receiving the initial complaint - for management level resolution within 15 business days and for more complex complaints which require CEO level resolution within 28 business days.
- Determine if the complainant is satisfied with the decision.
- Conduct a follow-up consultation with the complainant to ensure ongoing satisfaction with the resolution of the complaint
- Refer any unresolved complaints to the CEO of Access inc. for further investigation and resolution

- Recognise where external dispute resolution parties are required in circumstances where outcomes are outside the control of Access inc.

The CEO of Access inc. is responsible for managing any broader approaches, such as:

- Promoting a participant-focused approach to feedback and complaints
- Providing advice and guidance to employees in relation to managing feedback and complaints
- Applying procedural fairness approaches to complaints and feedback management
- Approving any complaint resolution decisions made by Program Managers
- Endeavoring to resolve any unresolved complaints
- Initiating responses to any media enquiries
- Ensuring that mechanisms are in place for responding to complaints raised by key funders of services
- Liaise with external bodies, such as government departments or statutory authorities, if necessary, in relation to complaints.
- Reflect on how effectively the complaint was handled.
- Oversee the complaints management system, ensuring that there is review of issues raised in complaints, and identification and remediation of systematic issues and actions identified through the complaints process.

The NDIS Quality and Safeguards Commission (The NDIS Commission) role:

The NDIS Commission is responsible for handling complaints about NDIS providers, including Access inc. when the person:

- The person is unable to resolve issues with their provider
- Does not feel empowered to make a direct complaint

The NDIS Commission may be involved in the complaint process at any stage throughout the complaint process.

Access inc. will provide information packs and during complaints resolution processes support to access alternative avenues for complaints, such as the NDIS Commission details.

Access inc. will cooperate with the NDIS Commission requests and processes.

Access inc. will provide information about the role of the NDIS Commission in participant information packs.

Record keeping and documentation

All Access inc. workers are required to:

- Record the complaint in the participant's personal folder
- Upload any documents to the participant's personal folder, including the written outcome provided to the CEO for approval and any other documentation used in the resolution of the complaint
- Ensure that the record of the complaint contains all the requisite information, the identified issues, any actions taken to resolve the complaint, the outcome of the complaint and any follow-up consultations with the complainant about the complaint
- Keep all the documents uploaded in the participant personal folder for at least 7 years from the day the record was created.
- Utilise the Feedback register for complaint tracking and feedback capture to support organisational improvement initiatives.

Referenced Documents:

- NDIS Practice Standards and Quality Indicators
- NDIS Code of Conduct
- *National Disability Insurance Scheme Act 2013* (Cth)
- National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018
- *National Disability Insurance Scheme (Procedural Fairness) Guidelines 2018*
- United Nations Convention on the Rights of Persons with Disabilities
- *Disability Act 2006* (Vic)

- *Charter of Rights and Responsibilities Act 2006 (Vic)*
- *Privacy Act 1988 (Cth)*
- Participant Privacy and Dignity Policy
- Privacy, Confidentiality and Data Collection Policy
- Program Consultation and Continuous Improvement Policy
- Involvement with the Media Policy

Date of Endorsement: 30/08/2023

Next Review Date: 30/08/2028
