

Risk Incidents and Complaints Management



Complaint and Feedback Policy and Procedure Checklist

Instructions:



This checklist contains recommended elements of an effective complaint and feedback policy and procedure that meets the NDIS Commission requirements. Use the checklists to identify where your policy and procedure could be improved or as a guide to the development of a policy and procedure document.

This policy and procedure template is general in nature and is provided as a guide only. It can be modified to suit your circumstances and needs.

✓ Tick when your policy and procedures include these elements.



Complaint and Feedback Policy and Procedure Checklist

Definitions

Complaint: A complaint is anything which a participant thinks is unsatisfactory or unfair or which makes them unhappy with your service. NDIS Commission definition is “A complaint is an expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is expected or legally required.”

Feedback: Feedback is any reaction to supports you deliver or your conduct in providing these, both positive and negative. It is encouraged from participants, families, staff and other providers and can be received via multiple mechanisms.

Procedural fairness: The key principles of procedural fairness include: All people involved in the incident will be informed about what has happened or alleged to have happened. They will have the opportunity to explain their view of the incident. Corrective action will be based on relevant facts and circumstances. The investigator and decision maker will be impartial and even-handed.

Complaint and Feedback Policy Checklist

Welcome all Feedback and Complaints

You treat issues or concerns that participant raise about your supports as a complaint even if the participant doesn't say they wish to make a formal complaint.

You acknowledge mistakes can and do happen. You approach feedback about mistakes and other issues seriously to show that feedback is important.

Your policy includes a statement about why the complaints mechanism is in place, what it aims to achieve and why staff should take it seriously.

You receive and address anonymous complaints.

You provide clear principles for staff to follow with respect to participants' rights and needs e.g., fairness, dignity and equity.

There is an obvious participant focus within the service which encourages and acts on participant feedback; for example, staff encouraging participants to give their views on how the supports are being delivered.



You apply procedural fairness to anyone during the complaint handling process.

All staff involved in complaints handling know to treat all information as confidential. This means the name or identity of the person complaining, and any other private information will only be given to people who need to know it to deal with the issue.

Documents used in the process of resolving any complaint are distributed on a need-to-know basis only. The outcome of the investigation is also given to people who need to know.

Staff are given information about allegations made against them and a chance to defend themselves before a decision is made.

Complainants and other people who provide information as part of a complaint are protected from any repercussions, reprisals or victimisation which may occur as a result of making a complaint.

Commitment to welcoming and resolving complaints

Your policy states a clear commitment to fair and efficient resolution of complaints.

Your policy declares that participants have the right to complain and to have the complaint handled well.

You provide information to participants on how to make a complaint before supports commence (e.g., via a Service Agreement and a participant welcome pack). This is also reinforced during delivery of supports.

The process is easy to follow and written in plain language or a format appropriate for the needs of the participant.

You encourage advocates to assist in the process when participants want this support.

You help participants formulate and lodge complaints.

You ensure staff deal with complaints in a timely manner.

The message that participants will not be victimised for making a complaint and that services will continue if there is an investigation is in all complaint/feedback information for participants.

Lessons to be learnt and improvements to be made

There is a commitment to use complaints to improve service quality.

There is a systematic way of recording and monitoring complaints received e.g., via a register reviewed regularly.

The service reviews the operation of the complaints management system regularly to ensure it is delivering effective outcomes and to look for improvements in the process.



Procedures

You have clear written procedures for the promotion, recording, registering, investigating and referral of complaints.



Complaint and Feedback Procedure Checklist

Letting participants know they can complain

On first contact with the service, participants are provided with information about their rights, including their right to complain, how to do it and who to talk to, in a way that suits their communication needs.

You thoroughly advertise the right to complain both at physical premises and online, including in easy language.

Your promotion includes a commitment to protection of participants against repercussions, reprisals, retribution or retaliation.

You also include the contact details of the NDIS Commission if participants wish to choose to go directly to the Commission with their complaint.

Taking responsibility for the complaint handling system

All staff are trained to take complaints. Complaint handling training is included in your orientation program and reinforced on a regular basis.

Any staff member can take a complaint.

Participants are encouraged to make the complaint to someone they trust.

A senior manager/owner is named as the final person responsible for complaints in your service.

Allocating specific complaints handling responsibilities

You determine who will liaise with the NDIS Commission about any complaints you may receive about your organisation.

You identify who will conduct investigations and ensure they have adequate training.

Your job roles and position descriptions reflect these responsibilities.

Welcome all feedback and complaints

Participants can complain about anything they feel is unreasonable or unfair.

You accept written, verbal and anonymous complaints.

You have a simple form to record complaints, which participants and staff can understand.

You provide other opportunities for participants to provide feedback, such as via participant surveys, at regular catch ups or at the review of the participants support plan.



Help participants with their complaints

You help participants to identify and clarify the issues underlying their concern.

You help participants to clarify what they want as a result of their complaint.

You give information to the participant about where they can get independent support and advice. This could include a family member, friend, trusted decision maker or advocacy service.

A commitment to resolving issues as quickly and fairly as possible

If the allegation is a reportable incident you follow your process for informing the NDIS Commission.

You inform the complainant that the service is committed to early resolution of a complaint.

They are given regular reports about how the complaint is progressing.

You consult and inform the complainant and any person with a disability affected by issues raised in a complaint during the progress of the complaint. This includes any action taken, reasons for the decisions made and the option to have the decision reviewed.

You set, and stick to, a time limit for a complaint strategy (e.g., seven days) and final resolution (e.g., within 28 days) to be reported back to the complainant.

Staff training

You set out the role of all staff in relation to complaint handling.

Staff are trained on receiving, recording, managing and resolving complaints. This includes practice guidance on providing assurance to participants that any feedback is welcome, on what constitutes a complaint and tips on being open to feedback.

You include staff responsibilities regarding complaints in their position description and performance review.

You advise staff that they can make a complaint on behalf of a person with disability to their employer (yourself) or to the NDIS Commission.



Types of complaints and how to address them

Informal complaints

Often triggered by miscommunication or misunderstanding and are less serious. The response can be informal, via quick problem solving rather than requiring investigation or substantiation. The person raising the complaint may not identify the issue as a complaint, but just “want it sorted out”.

Straightforward complaints

Staff have the ability and authority to discuss and resolve the matter directly with the participant, as quickly as possible.

Staff briefly record their decisions and actions. If the complaint is not resolved, staff provide information about the next level of action or external options.

Formal level

The complaint is reported to a designated complaints person.

You ask the complainant about how the issue has affected them and what actions they would like taken.

You consult the participant about their preferred course of action and whether they wish to involve an advocate.

You explain fully to the participant what is involved at this level; the people, policies, timeframes, records, agreements (written/oral) and how complaints can be conciliated.

When a staff member is the subject of a complaint they are informed as soon as possible, and they are asked for their response to the allegations. (Consider replacing that staff member until the complaint is resolved).

You ensure that you communicate with the person making the complaint and any person affected by the issues raised in the complaint in ways that suits their needs.

You set time limits for a response to be given to the complainant. You keep the complainant informed of developments.

You set up a confidential complaint record. The record includes the date the complaint was received, description of the complaint, record of conversation and action taken/ investigation, the solutions and the date of resolution.

You keep records of meetings and agreements, to be signed by the people involved in the process.

You ensure everyone who needs to know about the complaint is informed and clear about the outcome.

You review the complaint to see what if any, lessons can be learnt, or changes made to your systems to avoid future complaints of this kind.



Serious complaints

You have clear instructions for staff to clarify when a complaint (e.g., criminal allegations, assault, serious misconduct, fraud, corrupt behaviour, breach of the Code of Conduct) must be directed to the police, or any other required body such as in relation to mandatory reporting or other legal obligations such as Work Health and Safety.

Complaint about the CEO

You provide an option for complaints about the CEO to go directly to the Board of your service.

External options

When complaints can't be resolved to the participant's satisfaction internally, you offer external options to the complainant. These include:

- An independent external review
- The NDIS Commission
- External mediation.

Recording complaints

You keep records of information about each complaint, including any action taken to resolve the complaint and outcomes of any action taken. These are kept for seven years.

You keep records of the types of complaints and the issues raised, for continuous improvement of your service provision.

You record this information in a complaint book and/or register. You monitor complaints, patterns and trends to identify ways the service can improve and to ensure participant safety and satisfaction is maintained.

You (a designated person) regularly review all recorded complaints (safeguarding confidentiality) for discussion with a view to ongoing service improvement and complaint prevention.

Complaint Procedure regularly reviewed

You monitor the complaints system to assess any increase or decrease in complaints or no complaints at all. If you receive no complaints, the participants may be finding it difficult to get information about how to complain or may be frightened to do so. They may not know you welcome complaints or further staff training is required.

After each complaint is finalised, you seek feedback on the complainant's experience of the process to check if your approach to dealing with complaints could improve.

Identified opportunities for improvement are implemented.