



## Complaints Management and Resolution

### Policy and Procedure

#### How to use this document



South Burnett CTC Inc. wrote this document.

When you see the word 'we', it means South Burnett CTC Inc.



We have written this information in an easy to read way.

We use pictures to explain some ideas.



You can ask for help to read this document. A friend, family member or support person may be able to help you.

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We will ensure that:

- Quality services are delivered safely.
- People know how to make a complaint.
- Feedback is encouraged, both positive and negative.
- No person is affected negatively for making a complaint.
- All CTC staff understand the importance of complaint management.
- The complaints process is fair, just and based on people's rights.
- Our organization values and learns from complaints and always improves services.
- Complaints are acted on quickly and satisfactorily. If necessary, complaints are directed to a suitable organization.
- Staff know how to respond to complaints when first made.

- If the complaint is about organisational misconduct, whistleblower protections are in place.
- CTC reflects on the complaints process and outcomes.

CTC's Complaints Process meets all relevant Industry requirements and Acts including:

- Human Services Quality Framework
- Queensland's Human Rights Act 2019
- National Standards for Disability Services
- National Disability Insurance Scheme Act 2013
- National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018
- NDIS (Procedural Fairness Guidelines) 2018
- NDIS Code of Conduct
- NDIS Quality and Safeguards Commission - based on Commonwealth of Australia (Department of Social Services) data
- Australian Charities and Not-for-profits Commission (ACNC) Whistleblower Protection Factsheet

This document is available on the CTC Website and the staff Intranet.

All clients (and if necessary) their support network (family/carer/guardian/decision maker etc.) will be given information on how to make a complaint/the process in a form which meets their needs and abilities.

## **MANAGEMENT TEAM RESPONSIBILITIES**

Regularly review complaints made and actions taken. Identify and address any complaint system issues by asking:

- What information did complainants provide to identify and improve the service, policy, procedure or organization?
- What was the experience for the people who made a complaint or for any affected person? Were the issues resolved for them?
- How well did we communicate with all parties involved in the complaint?
- Did people using the service need more or better information about their rights and the complaints process? Do people feel comfortable to speak up in the future?

- What changes need to be made to handle complaints in the future?
- Do staff need more resources or training?
- Were our values and expectations for complaint handling reflected in the complaint process?

<b>SERVICE MANAGER RESPONSIBILITIES (DESIGNATED COMPLAINTS MANAGER)</b>
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- Manage complaints that can't be resolved satisfactorily at the first point of contact.
- Assess complaints and determine the appropriate and suitable process to follow.
- Determine what updates or progress reports the complainant would like and follow through with these.

- Make sure complaints are directed/referred to other bodies if required under mandatory reporting, by law or contractual requirements.
- Make sure the person making the complaint (and any affected person) receives support and assistance. This includes how to contact other agencies (e.g. The Department/NDIS Quality and Safeguards Commission, etc.)
- If a complaint is complex and requires significant investigation or risk assessment, communicate with the Human Resources Team to identify and control any risks to the safety, health and wellbeing of any parties.
- When informing the complainant of the outcome of a complaint investigation, consider the confidentiality rights of staff members. The legal obligations and confidentiality rights of the organisation should be taken into consideration. The complainant should be advised that the complaint has been fully investigated and closed. Comment on any changes made to operational policies and procedures if applicable. If the complainant is not satisfied with the outcome of the complaint, offer support to elevate their complaint to an appropriate external body.

## **TEAM LEADER RESPONSIBILITIES**

- At the commencement of service delivery/intake, provide each client with the Service's complaint brochure. Ensure they understand how to make a complaint.
- At staff inductions, discuss the complaints procedure. Ensure new staff members recognize when to elevate a complaint to the Service Manager. (If unable to resolve at first point of contact.)

## **HUMAN RESOURCES TEAM RESPONSIBILITIES**

- Make sure the most current complaints policy and procedure is available to staff on the CTC Intranet and to clients and the public via the CTC Website.
- Make sure each Service's poster on how to make a complaint is available to clients and staff on the relevant websites.
- Make sure CTC Complaints Posters and lockable Feedback Boxes are displayed in reception areas of all sites.



- Make sure only authorized staff have access to lockable Feedback Boxes.
- Monitor and manage feedback posted to CTC website Feedback tab and complaints received in the Feedback Boxes.
- Make sure all complaints are given a CTC Central Complaints Number and track complaints until they are satisfactorily resolved.
- Obtain statistics and other information about complaints for internal CTC use and official external use (e.g. auditors/the NDIS Quality and Safeguards Commission).
- Provide a list of ongoing or new complaints to the Management Team (weekly) and the Board of Governance (monthly) with names and other identifying information excluded.
- Help Service Managers with complex complaints that need significant investigation or risk assessment.

- Manage any complaint about the CEO by appointing an external person or body or Board Member to help resolve the complaint.
- Keep accurate records (for 7 years from the date the record was made) about complaints. This includes information about complaints, any action taken to remedy or resolve complaints and outcomes of action taken.
- Record complaint information relating to a staff member on their staff file.
- Make sure new staff and volunteer/student placements are provided with a copy of this policy and procedure.
- Monitor staff understanding and compliance with the CTC Complaints System. Schedule refresher training when required.

## **ALL STAFF RESPONSIBILITIES (INCLUDING VOLUNTEERS/STUDENT PLACEMENTS)**

- Understand and comply with the CTC Complaints System.
- Understand and comply with any reporting or obligations under Australian law.
- Respect the culture, privacy and confidentiality rights of the people making a complaint and anyone affected by the complaint.
- Calmly and respectfully acknowledge a person's complaint. Follow the steps for responding to a complaint.
- If the complaint involves another staff member, listen to the complainant and value their opinion. Support them to contact the Service Manager or the Human Resources Team.

## **PROCEDURE FOR RESPONDING TO A COMPLAINT AT FIRST POINT OF CONTACT**

People who make a complaint are generally looking for one or more of these outcomes:

- Acknowledgement
- Action
- Answers
- Apology

### **ACKNOWLEDGEMENT**

This step sets the tone for the complaints process. It is important the people feel their concerns are understood and they are recognized.



Acknowledgement can include:

- Really listening to the person. Don't interrupt.
- Empathising.
- Make the person feel comfortable talking to you.
- Acknowledge how the person has been affected.
- Ask the person what outcome they would like. Make commitments that are achievable.



## ANSWERS

People want to know:

- why something has or has not happened
- why a decision was made

When people understand what has happened, they can better understand how to resolve their concern.

Answers should be clear explanations and relevant to the complaint. Only answer if you know the facts.



## ACTIONS

For complaints resolved satisfactorily at the first point of contact:

- send a case note to the Service Manager and the Human Resources Team  
for recording on CTC Central Complaints Register.

If a complaint is not resolved at first point of contact, or is about another CTC worker:

- ensure the complainant feels that they have been listened to and their opinion valued
- support them to contact the Service Manager or the Human Resources Team.

## **PROCEDURE – WHERE A COMPLAINT IS IN RELATION TO A STAFF MEMBER**

If the complaint is about a staff member, they have the right to request external supervision and nominate a support person.

The support person is to provide moral and emotional support to the staff member. They are not to advocate or provide their own opinions during the complaint process.

If the complaint is between staff members, it will be processed under the Staff Grievance Policy and Procedure.

If a complaint about a staff member is of a serious nature (sexual harassment, threatening or illegal behaviours, actions that endanger the health and safety of another person), the staff member may be suspended with pay while the complaint is being investigated.

There are limits on the ability to regulate the out of hours conduct of staff. If a complaint is about a staff member's behavior outside of work hours, CTC's legal obligations and responsibilities to investigate may be limited unless the behaviours impact the reputation of CTC or there is evidence of illegal activity.

If allegations outlined in a complaint are substantiated:

- depending on the nature and seriousness (and the Industrial Relations requirements), the staff member may have to
  - Re-sign the Code/s of Conduct
  - Make a verbal or written apology to the person making the complaint
  - Undertake relevant training and/or external supervision
  - Take part in disciplinary process which may include a warning or termination of employment.

When the investigation has been completed:

- the Human Resources team will inform the staff member of the outcome verbally and in writing.
- documents relating to the complaint will be placed on the relevant staff file.

## **PROCEDURE - COMPLEX COMPLAINTS**

If a complaint is complex, needing significant investigation or risk assessment:

### **Identify the Risk**

Complete a Risk Assessment to identify any risk to the safety, health and wellbeing of any parties. Put any necessary controls in place. Monitor and review.

### **Investigate**

These people may be interviewed:

- The person who made the complaint
- Anyone affected if appropriate
- The representative of another agency making the complaint
- Any relevant staff
- Any witnesses to the complaint

If the allegations outlined in a complaint are proven, CTC may seek extra assistance in resolving the complaint by communicating with;

- A Peak Body (eg. Jobs Australia for Industrial Relations)
- The CTC Board of Governance
- The relevant funding body
- Other agencies if legally or contractually required to.