

COMPLAINTS MANAGEMENT POLICY

LEGISLATION:

- ◆ QLD Human Services Quality Framework
- ◆ Privacy Act 1988 (the Privacy Act)
- ◆ Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth) & Schedule 1 (Australian Privacy Principles)
- ◆ Disability Services Act 2006
- ◆ Disability Services Regulations

1. Purpose

Real Community Services recognises that an effective complaints management system will not only improve customer service but will also assist in the identification of systemic and re-occurring administrative problems. We welcome all forms of feedback, including complaints, on our services. We are committed to resolving complaints quickly, fairly, efficiently and courteously. This policy:

- explains the steps available for stakeholders to take when making complaints
- identifies the steps we will take in discussing, considering, addressing and resolving complaints
- indicates some of the solutions we offer to resolve complaints

2. Scope

This policy is intended for all clients, staff and stakeholders. Management has the responsibility to implement, monitor and manage the complaint process with full support from all staff.

3. Definitions

For the purposes of this policy, the following definitions apply:

Staff – refers to employees. This includes volunteers and people undertaking a work or study placement.

Client – refers to a person or organisation RCS liaises with or provides support to.

Complaint – A statement that a situation is unsatisfactory or unacceptable and there is a level of dissatisfaction. A complaint may result due to an event or series of events that lead to a difference of opinion, lack of understanding, perceived breach of trust, personal distress or injury.

Complainant – the person making the allegation or raising the complaint

4. Policy

- RCS is committed to providing a service that meets the needs and expectations of our clients and our staff.
- We aim to ensure that all complainants feel comfortable to raise any complaints and provide feedback that will enhance service delivery.
- All complaints and information gained via investigations are treated as confidential. RCS will wherever possible protect personal information of the complainant in accordance with its Privacy

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Policy. However, there may be some instances where the disclosure of personal information is necessary to adhere to the principles of natural justice and good governance.

- In recognition of the Australian Privacy Principles, a complainant has the option of using a pseudonym, which is in addition to the option of liaising with RCS anonymously.
- The above requirements are subject to exceptions, including where it is impracticable for RCS to liaise with an individual who has not identified themselves, or where the law or a court/tribunal order requires or authorises the organisation to liaise with individuals who have identified themselves.
- RCS ensures that all complainants:
 - Receive support when reporting a complaint;
 - Are encouraged to raise any problems or complaints they have without fear of punishment or retribution;
 - Are listened to, treated with respect and have their issues resolved within agreed time frames.

5. Procedures

5.1 Complaints:

For RCS purpose of grouping types of complaints, there are two broad categories of complaints:

- Service Delivery – i.e. relating to the way in which the service was delivered
- Staff Conduct – i.e. bullying, injury, harassment, unsatisfactory work performance

Raising a Complaint

Step 1: Individual Action

- In the event of interpersonal conflicts and performance based issues, where possible, complainants are encouraged to attempt to address the conflict with the person in the first instance
- Where this is not possible or the complainant does not wish for the above option, then the issue should be raised with the next line manager (progress to Step 2).

Step 2: Report

- The Complaints Form may be used to formally document any complaint received by clients, staff, and external stakeholders. This form shall be available in a hardcopy or electronic format. It can be completed by hand or electronically by the complainant or dictated by the complainant's representative.
- The completed form should be forwarded to the most relevant line manager/supervisor as soon as possible.
- The Complaints Form is used as a process for facilitating continuous improvement.

Step 3: Investigation

- Once a complaint is received, a person is allocated to investigate. At all times, there are to be at least 2 persons aware of the complaint to ensure a transparent process. This will usually be the Coordinator and the Service Manager or Managing Director
- The investigator should not have any perceived or actual conflict of interest.

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- For allegations of conduct that may be interpreted as a breach of a state or federal law, RCS will be required to advise the body governing the particular legislation. In each of these instances, the managing director will be responsible (or designate in their absence), to notify RCS Insurance Providers.
- All complaints will be acknowledged within 7 days with an estimated timeframe for investigation provided to the complainant
- Contact will be maintained with the complainant at least once each two weeks. This will be advised during the acknowledgement of the complaint
- Should the complainant speculate that media or any other public forum be involved, the Managing Director of RCS and the Department of Communities must be informed immediately.
- Information collected during the course of any investigation should be recorded in writing.
- The purpose of an investigation is to determine all the facts and identify the specific issues that need to be addressed.
- Any information in the course of investigation will be treated as private and confidential.
- When a complaint relates to a specific staff member, at the discretion of the investigator; they will be advised of the complaint and that an investigation is taking place and that their feedback and input may be required.
- In all cases of alleged staff misconduct, RCS shall follow the Performance Management Policy
- In all cases of alleged client misconduct, RCS shall engage relevant stakeholders to formulate the most appropriate response.

Step 4: Review and Closure

- The complainant will be advised in writing of the outcome of the investigation as appropriate
- Response to the complainant should also include the review and appeals process

Step 5: Review and Appeals Options

The following avenues of appeal are available;

- Internal Review: Should a complainant be dissatisfied with the outcome of a complaint, they may appeal to the next line manager for a review of the decision.
- External Review 1: Service Quality relating to Client Support and/or complaint relating to upholding provisions of the Human Services Quality Standards. Contact Department of Communities, Child Safety and Disability Services' complaints and review service on telephone: 07 32247179 or 1800 177 120; email to complain@communities.qld.gov.au GPO Box 806, Brisbane, Queensland, 4001.
- External Review 2: RCS Staff who are not satisfied with how RCS has responded to their complaint can contact the Fair Work Ombudsman on 13 13 94 or via www.fairwork.gov.au

The Queensland Ombudsman may investigate complaints about the decisions and actions of RCS that may involve maladministration. Maladministration includes a decision or action that is:

- Unlawful
- Unfair
- Unreasonable
- Improperly discriminatory



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- Based on mistake of fact or law
- Taken on irrelevant grounds; or
- Simply wrong

Please refer to the Queensland Ombudsman for further information

6. Evaluation

Review Date: 22 April 2015
Author: T. Green (Director)
Implemented: 30 April 2015
Review Cycle: 24 Months
Next Review Due: 23 April 2017