

2.5 Complaints and Feedback Management

Complaints and Feedback Policy and Procedure

1.0 Purpose

This policy ensures that complaints are handled fairly, efficiently and effectively. The resolution of complaints will be consistent with a rights-based principle fundamental to the United Nations Convention on the Rights of Persons with Disabilities.

The complaint and feedback management and resolution system intend to:

- provide a well-handled system that values the client's opinions and takes all feedback seriously, with the intent to improve the relationship between our organisation and our clients
- empower all employees and clients to feel free to voice their complaints or provide feedback
- allow us to respond to issues raised by individuals making complaints in a timely and cost-effective way
- boost client confidence in our administrative processes
- seek a resolution that meets all parties' expectations, where possible
- provide La Vita Care with information to help us deliver quality improvements in our services, supports, roles, and complaints handling process.

2.0 Scope

Our Complaints and Feedback Policy is La Vita Care's commitment to a positive complaints culture within our organisation, from the highest management levels to our frontline staff. The policy provides the foundation for all other quality complaints management and resolution framework components. The policy also guides our staff and clients (who may wish to make a complaint or provide feedback).

A designated Complaints Manager will handle all complaints and feedback from La Vita Care. All staff are bound by the National Disability Insurance Scheme (NDIS) Code of Conduct.

3.0 Policy

La Vita Care will create an environment where complaints, concerns, compliments and suggestions are welcomed and viewed as an opportunity for acknowledgement and improvement. This process ensures that individuals have the right to make complaints and are encouraged to exercise their right in a blame-free and resolution-focused culture, respecting an individual's right to privacy and confidentiality.

La Vita Care will appoint a staff member as the designated Complaints Manager. The Complaints Manager is responsible for coordinating and handling complaints and feedback and ensuring the complaint or feedback is properly managed.

It is acknowledged that La Vita Care views all comments and complaints as a vital contribution to our internal review of performance and processes, which assists in developing the continuous improvement of our services as we work towards achieving our care commitment.

A person does not necessarily have to expressly state that they wish to make a complaint to have the issue or concern dealt with as a complaint. Regardless of whether an issue is big or small, it will be treated seriously, and La Vita Care will ensure the person is advised on how valuable their opinion is to our organisation. We will use such information to improve our service delivery continuously.

Clients, families, advocates or other stakeholders may submit a Complaint and Feedback Form regarding La Vita Care's supports, services, staff, or contractors. The clients can be provided information in Easy Read format if required.

The Complaints Manager will ensure that the complainant can physically access all meetings to resolve the complaint by reviewing the environment to ensure that the meeting site is accessible for those with mobility issues.

La Vita Care ensures complaints and feedback are managed effectively through:

- implementing an open and transparent complaint handling system
- observing the principles of natural justice and compliance with relevant mandatory reporting under Australian law
- committing to the right of stakeholders to complain either directly or through a representative
- undertaking procedural fairness to reach a fair and correct decision
- taking reasonable steps to inform the complainant of the NDIS commission complaints process, including the use of various communication means, e.g. oral and written
- maintaining complete confidentiality and privacy
- abiding by the NDIS Code of Conduct
- training staff in our complaint process and the rights of all stakeholders to complain
- considering all complaints seriously and respectfully
- advising clients and staff members of their right to complain
- staff will be trained in complaint handling during assessments and orientation
- guidance regarding the complaint process is outlined in the welcome information provided to our clients
- provision of support for people who may need assistance to make a complaint
- protection of complainants against retribution or discrimination
- prompt investigation and resolution of complaints
- communicating and consulting with clients, family and advocates during the complaints process and providing feedback and resolutions
- interpretation and application of policies and processes
- providing opportunities for all parties to participate in the complaint resolution process
- ensuring that complainant is involved in the resolution of the complaint
- keeping complainant informed of the progress of the complaint:
 - actions taken
 - the reasons the decisions are made
 - options to have decisions reviewed
- ensuring that the decisionmaker or advocate is included and recognised in the process
- accepting La Vita Care and staff accountability for actions and decisions taken due to a complaint
- committing to resolving problems at the point of service or through referral to alternatives
- committing to use complaints as a means of improving planning, delivery and review of services through our continuous improvement processes
- referring complaints and feedback into our continuous improvement cycle
- annually auditing the Complaints and Feedback Policy and Procedure.

4.0 Definitions

Term	Definition
Complaint	Expressing dissatisfaction with an NDIS support or service, including previous complaint handling, for which a response or resolution is explicitly or implicitly expected.
Resolution	The official decision to solve or end a problem or contentious matter. A resolution includes finding a way to improve a difficult situation.

Role	Role requirements
Complaints Manager	The role of the Complaints Manager is to: • manage the complaint process • manage reviews and make recommendations for continuous improvement using the information gained from the issue of the complaint • stand independently from the management to allow clients and staff members to be able to make a complaint about the management of the organisation • provide feedback and advice, as required • review the complainant's needs to ensure that their mode of communication is managed (e.g. Easy Read, large print, translated documents, etc.) • collaborate with the complainant and their advocate • keep all parties informed during all stages of the complaint management process • seek a resolution that benefits all parties, if feasible • handle all appeals related to the outcome of the complaint • complete all necessary reports and documents, including providing information to complainants and management • record all information into the Complaint Register • review the Complaint Register at monthly management meetings.

5.0 Procedure

5.1 Complaint process

Complaints and suggestions can be made by:

- using the Complaints and Feedback Form via the ClickUp link or the paper based format
- contacting a member of staff, verbally or in writing, our staff must offer to document the complaint on behalf of the client if required and refer the matter to their supervisor
- contacting the Complaints Manager, verbally or in writing
- responding to questionnaires and surveys
- sending an email to our contact email
- attending meetings/care conferences
- contacting external complaint agencies, e.g. NDIS Quality and Safeguards Commission
- communicating orally, in writing, or any other relevant means.

Contacts for making a complaint are listed below:

Complaints Manager	Sharyn Arvidson
Email address	sarvidson@lavitacare.com.au
Phone Number	(03) 9889 0357
Postal Address	1100 – 1102 Toorak Rd Camberwell VIC 3124

Complaints may be made by:

- staff
- clients
- public
- advocates
- family members
- carers
- anonymous person/s.

Results are recorded in the Complaint Register on ClickUp, allowing input into our continuous improvement processes. The Continuous Improvement Register will record improvements established after finalising the complaint management process.

If a complaint is about:

- **Support or services:** The Complaints Manager will deal with the complaint.
- **Staff member/s:** The Complaints Manager will deal with the complaint
- **CEO/Manager:** An external person or body may be approached, e.g. NDIS Quality and Safeguards Commission.

All staff, clients, family and advocates are informed of our complaints process via:

- client welcome information
- initial access to supports
- staff orientation, induction and training
- Meetings, reviews and assessments
- client agreements

5.2 Complaint management process

The investigation must adhere to impartiality, privacy, confidentiality, transparency and timeliness. Complaints will not be discussed with anyone who does not have responsibility for resolving the issue. La Vita Care must consider any cultural and linguistic needs of a client and provide the relevant support mechanism, such as an interpreter or similar.

Complainants are provided with access to our Complaints and Feedback form. These may be accessed via staff or management. The Complaints Manager will review the individual's needs and assist them using the best means to suit them. The variance between individuals requires a personal approach but may include:

- offering an advocate
- providing text telephone (TTY) service to people with a hearing impairment
- ensuring the meeting site is wheelchair accessible
- offering independent assistance to read and write to formulate and lodge a complaint
- seek information from the complainant to determine any special requirements (e.g. access or communication).

The resolution outcomes from a complaint will recognise that people who make a complaint are generally seeking one, or more, of the following outcomes:

- Acknowledgement:
 - genuinely listening without interruption
 - empathising
 - ensuring the complainant feels comfortable (e.g. being aware that staff may be defensive and consider how this is perceived)
 - acknowledgement of the effect of the situation on the individual
 - resolving to a good outcome
 - notifying regularly and promptly on steps undertaken.
- Answers:
 - clear explanations relevant to the issue are provided ONLY once all the facts are known.
- Actions (Action Plan):
 - what will be done?
 - who will do it?
 - action plan completion date
 - how progress will be communicated to all parties involved
 - oversight of actions.
- Apology:
 - consider the form of the apology and the managerial level of response
 - consider timeliness, sincerity
 - be specific and direct
 - accept responsibility if appropriate and provide information on the cause and impacts
 - explain without excuses
 - provide a summary of key actions agreed on to move forward and resolve the issue.

5.2.1 Non-investigation complaint process

All complaints, where possible, will be managed directly and quickly at the point of service unless the complaint requires investigation (see the procedure outlined below). The non-investigation complaint process is as follows:

1. Issue reviewed by the Complaints Manager.
2. The complainant will be consulted and discussed to determine the actions required to resolve the issue. During this process, La Vita Care will assess whether the complainant requires support from an independent advocate to reduce stress and anxiety.
3. All available options will be discussed with the complainant and their support person (if one is in place).
4. Where possible, a collaborative decision is finalised (i.e. acknowledgement, answer, action or apology).
5. The complainant is informed of the decision and the reasons for the outcome.
6. The complainant can review the decision if they are unhappy with the resolution, implementing the complaint investigation process.
7. If a complainant seeks a review, a review of the decisions may be resolved quickly by the Complaints Manager completing the above points (2 to 5) again.

5.2.2 Complaint Investigation Process

Step 1. Acknowledge

1. Acknowledge all complaints quickly, within one working day, where possible.

Step 2. Review of the complaint

1. Before any consultative meeting, inform the complainant that their advocate or support person can be present throughout the process.
2. Offer to locate an independent advocate for the client, if required.
3. Involve the complainant and their advocate using a consultative process to ensure their voice, views and preferred outcomes are heard and discussed.
4. Determine the type of outcome that the complainant seeks (i.e. acknowledgement, answers, actions or apology). Information will be used to ensure that the complainant's feedback and requirements are at the core of the complaint investigation and management process.
5. Inform the complainant of:
 - their right to an advocate and interpreter
 - the stages of the complaint management and decision-making process
 - mechanisms implemented to protect the complainant's privacy
 - their right to complain to the NDIS Quality and Safeguards Commission at anytime
 - actual progress and outcomes of the investigation.
6. Determine the type of complaint (i.e. service, support or process).
7. Notify the complainant and their advocate at each investigation stage and seek feedback.
8. If a consultative meeting is required, it will be held in a safe environment determined by the complainant and at a time relevant to the client. The complainant is a recipient of disability services under the NDIS; the client's record will be checked for a preferred contact for complaints. The client will also be asked if they would like to nominate a staff member from La Vita Care who handles complaints.

Step 3. Assessing the complaint

1. When assessing a complaint, the Complaints Manager must prioritise the complaint and determine a resolution pathway (where required).
2. After the pathway is established, the complaint will be investigated.
3. Feedback from the complainant or their advocate must be used as part of this process (e.g. consultation meeting data).

Step 4. Investigation and decision making

1. When the complaint is lodged, the Complaints Manager should determine if it is practicable to find an immediate resolution (see 5.2.1 Non-investigation complaints process).
2. During the investigation and decision-making process, the Complaints Manager will:
 - keep the complainant informed about each stage of the investigation process
 - consult with the complainant to gather information about the underlying issue/s
 - analyse antecedents and underlying issues when determining a decision
 - review and approve all written reports and documents before them being sent out to all parties
 - respond to the complainant with a clear decision and any next actions (if any)
 - inform the complainant that they have the right to reject the outcome
 - inform the complainant of their right to make a complaint directly to the NDIS Commission by:
 - i) phoning 1800 035 544 (free call from landlines) or TTY 133 677 (interpreters can be arranged).
 - o using a [National Relay Service](#) and asking for 1800 035 544.
 - o completing an online [complaint contact form](#).

Step 5. Resolution and after the decision

1. After investigation and a satisfactory response has been documented, the Complaints Manager will:
 - inform the complainant and their advocate of the decision, including the reason for the decision, and they will provide options for how the complainant can review the decision
 - ensure that the complaint investigation is satisfactorily completed
 - determine if the complainant is satisfied with the outcome
 - follow-up and consult with the complainant/s about any concerns
 - close out the complaint.

5.3 Review and improvement

La Vita Care takes a systematic approach to incorporate a review of all issues raised by a complaint to identify and address any possible systemic issues and determine any continuous improvement actions identified during the complaints process.

The review and improvement process includes:

- ascertaining preventative actions and continuous improvement
- considering if any systemic issues require addressing
- recording the information regarding the complaint in the Complaint Register
- recording the details of the improvement stemming from a complaint in the Continuous Improvement Register (if required)
- training staff in any new systems or actions
- adjusting policies and procedures
- monitoring the complaint resolution according to the internal audit schedule
- providing feedback to the complainant personally to inform them of the outcomes and influences their issue raised within our organisation.

5.4 Documentation

All employees are provided training regarding the complaints process during orientation and given the Staff Handbook, which includes information on the complaints process (see 5.6 Staff Training).

The complaints process is available for clients, families, carers and advocates via the information provided in our Client Handbook and through the provision of Easy Read documents (as required).

Documentation of the complaint process is as follows:

- All complaints will be recorded in the Complaint Register, and information in the register will include the following:
 - complaint details
 - identified issues
 - actions are undertaken to resolve the complaint
 - the outcome of the complaint.
- All documents, including the Complaint and Feedback Forms, are uploaded into Click-Up.
- Copies of any information provided to the complainant are stored in their relevant file.
- All documents are confidential, and access is only permitted to employees relevant to the complaint. The Complaints Manager determines who is relevant.
- A copy of all complaint documents will be retained in the file for seven years from the record date. If the documents relate to a client under 18 years of age, the documents will be retained until the client turns 25.
- Statistical and other information will be collected to:
 - review issues raised

- identify and address systemic issues
- report information to Commissioner if NDIS Quality and Safeguards Commission requests.
- A policy review will occur if there are legislative changes or when determined by a regular or annual internal audit review.

5.5 Unresolved complaints

Unresolved complaints will be referred to the Complaints Manager for investigation and resolution. Should the complaint not be resolved to the complainant's satisfaction, the complaint will be escalated to a person nominated by the complainant (with the complainant's permission).

When complaints cannot be resolved internally, the complainant may be referred to the following:

NDIS Quality and Safeguards Commission

Phone: 1800 035 544 (free call from landlines) or TTY 133 677

National Relay Service and ask for 1800 035 544.

Interpreters can be arranged.

5.6 Staff orientation and training

The staff orientation process includes training all employees on the complaints and feedback, including the NDIS Commission requirements. Our in-house training includes:

- NDIS reporting requirements and contacts details
- providing information regarding La Vita Care's complaint and feedback process and procedures (e.g. forms and how to assist clients wishing to make a complaint)
- identifying our Complaints Manager
- encouraging employees to have a positive attitude towards complainants
- creating an understanding of how feedback and complaints inform and guide our continuous improvement cycle
- understanding timeframes for reporting and resolving complaints.

Additional training will occur when practices and policies are changed due to a complaint or if staff are still unsure how to handle a complaint upon commencing work at La Vita Care.

6.0 Related documents

- Complaint and Feedback Form – ClickUp link or paper based
- Continuous Improvement Policy and Procedure
- Complaint Register
- Continuous Improvement Plan Register
- Client Handbook
- Client Information in Easy English
- Staff Handbook
- Risk Management Policy and Procedure

7.0 References

- NDIS (Complaints Management and Resolution) Rules 2018
- NDIS Practice Standards and Quality Indicators 2021
- NDIS Act 2013 (Commonwealth)
- NDIS (Procedural Fairness) Guidelines 2018
- Privacy Act 1988 (Commonwealth)
- Disability Services Act 1986 (Commonwealth)
- Disability Discrimination Act 1992 (Commonwealth)
- Work Health and Safety Act 2011 (Commonwealth)