

PEOPLE AND CULTURE POLICY AND PROCEDURE



PC04 Management of Problems and Complaints

This is about what someone should do if they are not happy with something at Bedford.

1. PURPOSE

Bedford is committed to having a complaints mechanism that supports the rights of individuals to raise any problems or concerns in a non-threatening (blame-free) and confidential manner; so that a resolution can be reached in a timely manner.

2. SCOPE

This policy applies to all of Bedford's service delivery and National Disability Insurance Scheme (NDIS) operations, with the following exclusions:

- Customer product complaints - refer to Bedford Quality Assurance Procedure (QA02.06)
- Torts i.e. any wrongdoing for which an action for damages may be brought - addressed via legal system
- Any issue raised by a neighbor of a Bedford property who chooses to refer the matter to the Residential Tenancies Tribunal
- Staff grievances - refer to HR Policy Grievances

3. DEFINITIONS

Advocate (support person) – a person that provides support and ensures that a person rights are upheld

Employee – a person with disability receiving supported employment

Member – a person with disability engaged in Bedford's Day Options service

Resident – a person with disability who resides at Balyana

Staff – for the purposes of this Policy staff are defined as any persons engaged by Bedford to provide funded services or support the provision of such services, whether they be paid or unpaid workers, including volunteers, relief staff or labour hire workers and RTO/university student placements.

Service Delivery - supported employment, Day Options and Residential Services

Contact Officer – staff members who have received training in discrimination and harassment and can provide assistance to complainants to understand the complaints resolution process.

4. POLICY

Bedford will ensure that it has a complaints mechanism that models best practice including the right of access to such a mechanism, use of support and assistance (e.g. advocates/support person, unions) as required, and the prompt, confidential and sensitive handling of complaints with no fear or retribution for the complainant or their support person.

To achieve this Bedford will ensure that:

- individuals are made aware of their right to raise a concern and the mechanism for dealing with complaints during induction
- complaints are responded to promptly and appropriately
- complaints are recorded in an Issues Register
- there are clear procedures of the steps to take to resolve an issue of concern
- contact officers are appointed and trained
- feedback on the outcome of the complaint is provided to the complainant.

5. PROCEDURE

5.1. Principles of Complaint Resolution

All new personnel will take part in an induction program as per the Induction Policy including an introduction to various policies and procedures.

Bedford will make every effort to resolve an issue quickly in a professional manner, using principles of natural justice i.e. fairness, transparency, freedom from bias and the right to be heard.

All complaints will be taken seriously and no action will be taken against anyone making a valid and truthful complaint. Similarly, all Contact Officers or advocates/support persons will be free from any repercussions from management.

Any discussions pertaining to the issue will occur in private and remain confidential. Complainants need to be aware that an issue may need to be referred to Bedford's senior Executive team for assistance with the resolution of the matter.

When a complaint is made against a staff member, the complainant must be immediately referred to the Chief Customer Experience Officer (CXO) who will raise the matter with the CEO and Executive.

If a complaint is against a member of Executive the CXO may also refer the complainant to an external advocacy agency for support and guidance.

Any individual raising a complaint must:

- attempt to resolve the issue at the workplace level
- while the complaint is being addressed, continue to work in accordance with their contract of employment, unless it is a reasonable concern about an imminent risk to their health and safety
- follow any reasonable direction(s) to perform other work, either at the same workplace or at another Bedford workplace. In this circumstance, Bedford will take into consideration health and safety and whether the work is appropriate for that person to perform.

5.2. Induction

Human Resources will ensure that information regarding this policy and procedure will occur during induction; to assist service users understand the steps to resolve a problem, posters will be clearly displayed.

5.3. Role and Responsibilities of the Contact Officer

The Contact Officer can assist the complainant to:

- identify the issue
- identify who is involved in the complaint
- determine whether an advocate/support person is required
- explore all the options available for resolving the complaint

- to follow through on their preferred options

The Contact Officer will then record the issue on the Issues Register on Skytrust and complete a detailed file note on CIMS, including documenting the options that the complainant was given, what they chose to do and the outcome.

Human Resources will ensure that;

- each site has at least one Contact Officer
- each site has easy access to both male and female Contact Officers
- Contact Officers are trained and receive training updates
- photographs of Contact Officers are clearly displayed in the work area.

5.4. Issues register

All formal complaints received in line with this policy must be recorded on the Issues Register in Skytrust by either the Contact Officer, NDIS Customer Care Team/NDIS Partner, the Manager or the CXO (depending on who the complaint is made to).

The Issues Register in Skytrust includes: -

- names of the parties (if known)
- location in which the complaint relates
- date of the complaint
- nature of the complaint
- referral source e.g. service user, Complaints Resolution & Referral Service (CRRS), Government Department
- date of the referral
- any changes to the delivery of services or procedures, or other actions resulting from the complaint
- closure date

Issues that are of confidential nature can be separately file noted in CIMS and referenced in the Register.

Records relating to Issues must be maintained for at least 5 years or as otherwise required by law.

5.5 Complaints referred by external agencies

All Formal complaints regarding services made by external agencies and/or advocacy agencies, Government Departments etc. are held in confidential storage and recorded on the "Issues Register" by the CXO or Human Resources for staff and supported employment issues.

Residential and Day Options service issues are held in confidential storage and are to be recorded on the "Issues Register" by the General Manager Residential Services & Day Options.

5.6 Advocates/Support Persons

The Contact Officer must ask the complainant if they would like the assistance of an advocate/support person, and arrange same.

Where the complainant does not have an advocate, and requires one, the Contact Officer will provide information on advocacy available (see Attachment 1) and, where necessary, assist the complainant to contact the advocate of their choice.

Where the complainant requests the Contact Officer to act as the advocate, the Contact Officer may decline to act as advocate/support person (and advise of other advocacy sources), or pass the role of Contact Officer to an appropriate Contact Officer.

Any person is at liberty to use external advocacy or complaints mechanisms to assist in resolving complaints, at any stage in the process. If an external complaints mechanism is utilised; the CXO must be advised of same by the Contact Officer.

It should be noted that there may be instances (e.g., dismissal, other potential legal action), when external advocacy is the preferred option, to avoid implications regarding Bedford's involvement in the process. Should a Contact Officer be unsure what steps to take in this circumstance they should contact the CXO for guidance.

5.7 Complaint resolution

Whilst a complainant may take up a complaint at any stage in the process, people are encouraged to raise their complaint at the first appropriate step in the process. If this is unsuccessful, they should move on to the next step and so on throughout the process until a resolution is reached. All efforts will be made to resolve the complaint quickly at the first point of contact, to avoid or reduce distress to the complainant (and respondent where applicable).

Informal method

Approach a Contact Officer who can provide information about the range of choices available; if judged possible by the complainant, try and sort out the problem or concern with the person involved informally.

Formal method

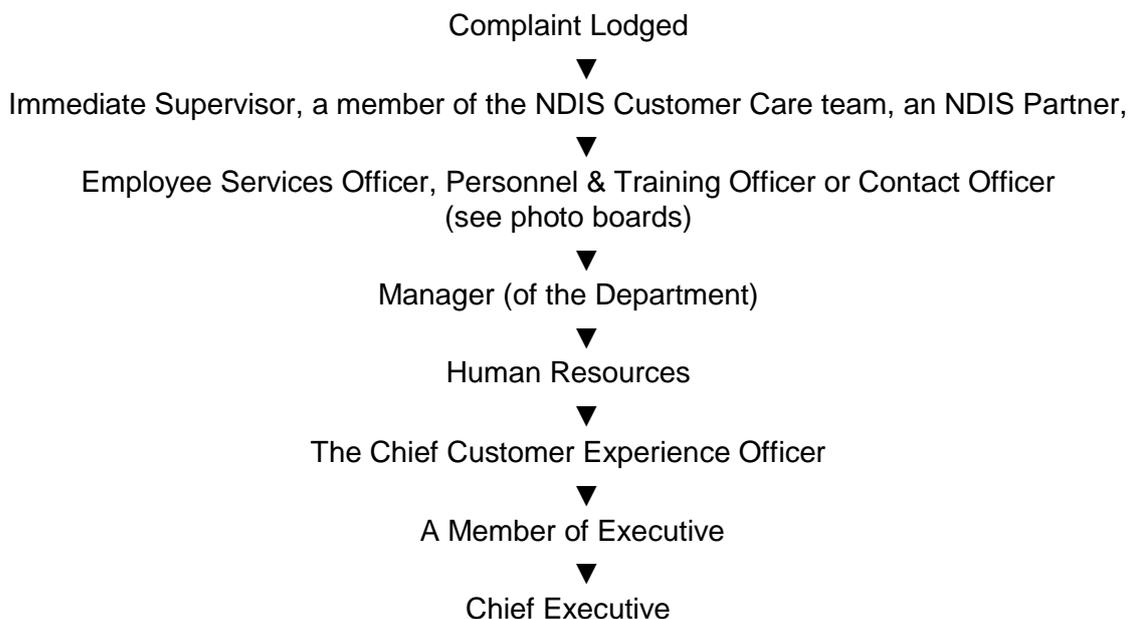
If the "informal" method does not work, if the problem or concern cannot be sorted out informally, or if the complainant does not wish to attempt an informal attempt at resolution, a formal complaint can be lodged with the CXO via using the plain English complaint form (PC04.01).

The CXO or delegate will investigate the complaint and will include interviewing the alleged offender in relation to the substance of the complaint and further investigate the matter including taking evidence or witness statements.

On completing their examination of the matter the outcome of the investigation the complainant and alleged offender will be advised of the outcome. If the allegation is substantiated appropriate disciplinary action will be taken.

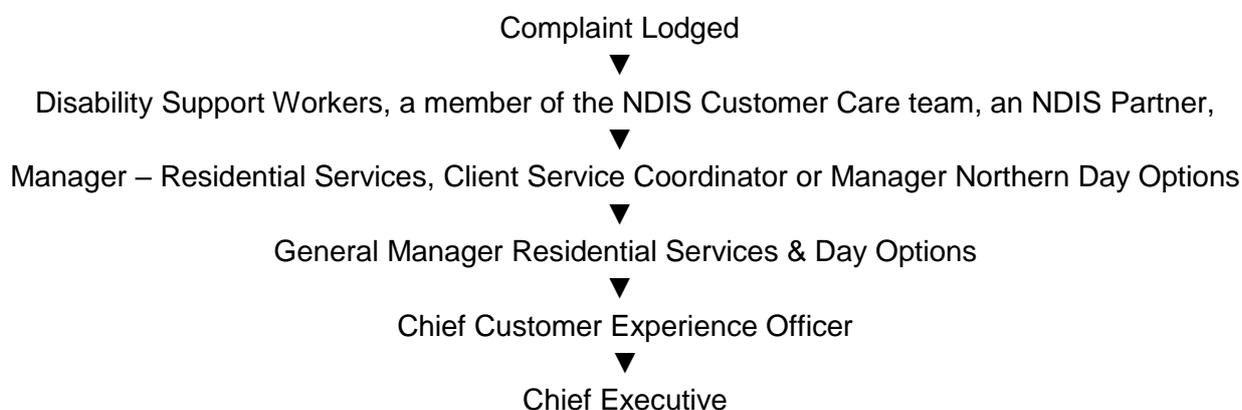
Possible outcomes include counselling, training, an apology and /or formal disciplinary action including termination.

Complaints may be raised internally with any of the following for supported employment



Or externally, by using external support agencies (see Attachment 1)

Complaints may be raised internally with any of the following for residents, supported community clients of Residential Services and members of Day Options



Or externally, by using external support agencies (see Attachment 1)

5.8 Reviews and appeals

If at any stage in the complaints process, the complainant, their advocate, or the respondent believes the above-mentioned procedures have not been followed, or the complainant has been victimised, then the matter may be taken up directly with the Chief Customer Experience Officer, Chief Executive or an external agency.

6 RESPONSIBILITIES

The responsibilities of various staff are detailed as necessary throughout this policy and procedure, but in summary are:

6.1 Contact Officers

- Assist the complainant to identify the issue and explore options for resolving the complaint
- Ensure the complainant is aware of their right to an advocate
- Support the complainant through their preferred option for resolving the complaint
- Pass formal complaints raised by external agencies and complaints raised about staff, immediately on to the CXO for addressing
- Keep records/file note documentation on CIMS
- Notation of the issue into the “Issues Register” held in Skytrust
- Provide feedback of the outcome.

6.2 Human Resources

- Ensure that inductions cover problem and complaint handling
- Ensure that “step posters” are displayed in service areas
- Ensure that each site has access to both male and female contact officers
- Ensure that Contact Officers are trained and receive training updates
- Ensure that photos of Contact Officers are displayed appropriately
- Confidential storage of file notes
- Pass formal complaints raised by external agencies and complaints raised about staff immediately on to the CXO for addressing.

6.3 The NDIS Customer Care Team/NDIS Partners;

- Ensure that all customers are aware of (and receive a copy of) the Complaints Policy and associated processes (including rights to advocacy)
- Assist complainants to resolve issues raised
- Refer complaints to the appropriate person to address
- Assist complainants to make formal complaints in line with this policy
- Keep records/file note documentation on CIMS
- Notation of the issue into the “Issues Register” held in Skytrust
- Provide feedback of the outcome.
- Maintain records and metrics of complaints received as per the requirements of the CXO

6.4 General Manager Residential Services & Day Options

- Resolution of issues raised or referral to the CXO
- Documentation of issues and actions taken
- Confidential storage of file notes
- As relevant, notation of the complaint in the “Issues Register” held in Skytrust

6.5 The Chief Customer Experience Officer

- Resolution of issues raised or referral to the Chief Executive
- Documentation of issues and actions taken
- Development and monitoring of metrics to measure and address performance and complaints management.
- Development and monitoring of systems to address non- conformances and opportunities for improvement

6. ASSOCIATED DOCUMENTS

Bedford Policies/Procedures on: - Quality Assurance Procedure (QA02.06), Induction, Privacy, Dignity & Confidentiality, Code of Conduct (under development), Workplace Harassment & Bullying, Incident Reporting & Investigation Reporting Procedure (WHS 02-P04)

Dealing with Problems & Complaints “Step” Posters, Day Options Member Handbook, Day Options & Balyana Rules (& Updates) Residents Induction Handbook, Balyana Residential Agreement, Balyana Information Handbook for Families and Carers, Balyana Respite Information Booklet

Grievance and Complaints/Issues Registers held in Skytrust.

7. REFERENCES

National Standards for Disability Services (Feedback & Complaints)

Australian Service Excellence Standards

National Disability Services Scheme - NDIS Quality and Safeguarding Framework, December 2016

8. ATTACHMENT

External complaints mechanisms and advocacy services – contact details

ATTACHMENT 1

EXTERNAL COMPLAINTS MECHANISMS AND ADVOCACY SERVICES

**COMPLAINTS RESOLUTION &
REFERRAL SERVICE DISABILITY
SERVICE ABUSE & DISABILITY &
NEGLECT HOTLINE**

Free call: 1800 880 052
TIS: 13 14 50
National Relay Service: 1800 555 677

**National Disability Insurance Agency
(NDIA)**

Tel: 1800 800 110

POLICE

Tel: 131 444

**DISABILITY RIGHTS ADVOCACY
SERVICE INC (in SA)**

Tel: 8351 9500

**MULTICULTURAL DISABILITY
ADVOCACY NSW**

Tel: 9891 6400

**EQUAL OPPORTUNITY COMMISSION
SA**

TTY: 8207 1911
Tel: 8207 1977
Free call: 1800 188 163 (Outside Metro)

**DISABILITY ADVOCACY &
COMPLAINTS SERVICE OF SA**

Tel: 8297 3500

RETURN TO WORK SA

Tel: 13 18 55

WORKCOVER (in NSW)

Tel: 13 10 50

DEPARTMENT OF SOCIAL SERVICES

Tel: 1300 653 227 (Statewide Number)

SAFework SA

Tel: 1300 365 255

LEGAL AID (in SA)

Tel: 1300 366 424

LEGAL AID (in NSW)

Tel: 1300 888 529

**OFFICE OF EMPLOYEE OMBUDSMAN
(in NSW)**

Tel: 9286 1000

FAIR WORK OMBUDSMAN (in SA)

Tel: 13 13 94

ANTI-DISCRIMINATION BOARD NSW

Tel: 9268 5544
Free call: 1800 670 812 (Outside Metro)

**AUSTRALIAN HUMAN RIGHTS
COMMISSION**

Tel: 1300 656 419

**HEALTH & COMMUNITY SERVICES
COMPLAINTS COMMISSIONER (in SA)**

Tel: 8226 8666

As well, friends, family or colleagues and representatives of relevant unions (see Yellow Pages), may be able to provide advocacy assistance.

If you are deaf or hearing impaired the National Relay Service can help (Tel: 1800 555 677) or if you speak a different language to English, you can call Interpreting & Translating Centre (Tel: 8226 1990).