

## **1. Policy Statement**

Feedback and complaints provide valuable information and give us an opportunity to learn and improve. Feedback may be of a sensitive nature and the service user's right to privacy and confidentiality will be respected.

- 1.1.** All complaints will be resolved at the service level where possible and in the shortest time practicable.
- 1.2.** Service users can expect complaints to be dealt with fairly and promptly and for staff to take steps to ensure that service users feel comfortable to continue accessing the service after making a complaint.
- 1.3.** The complaints management process will be simple and easy to use and effectively communicated and promoted to all service users and stakeholders.

## **2. Legislation and Standards**

Privacy Act 1988

## **3. Reference Documents**

Australian Government Department of Health: Better Practice Guide to Complaint Handling

[https://www.agedcarequality.gov.au/sites/default/files/media/better\\_practice\\_guide\\_to\\_complaint\\_handling\\_in\\_aged\\_care\\_services\\_-\\_2019.pdf](https://www.agedcarequality.gov.au/sites/default/files/media/better_practice_guide_to_complaint_handling_in_aged_care_services_-_2019.pdf)

### **3.1. Policies**

- 3.1.1. Continuous Quality Improvement
- 3.1.2. Service User Engagement
- 3.1.3. Staff and Volunteer Probation and Induction

## **4. Delegations**

### **4.1. Board responsibilities**

- 4.1.1. Review and monitor reports on all complaints to ensure issues impacting service user satisfaction and service outcomes are being managed effectively
- 4.1.2. Ensure organisational reputation is not placed at risk
- 4.1.3. Respond to complaints relating to the CEO and/or Board members and to high level or escalated complaints from service users, staff or stakeholders, as required

### **4.2. CEO responsibilities**

- 4.2.1. Ensure complaints where relevant are reported to the Board
- 4.2.2. Receive feedback and complaints and ensure the appropriate person resolves the complaint in a timely manner and feedback is monitored and reviewed

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- 4.2.3. Ensure all staff are equipped to handle complaints in a professional manner and adhere to the complaint management process.

**4.3. Management team responsibilities**

- 4.3.1. Receive feedback and complaints and ensure the appropriate person resolves the complaint in a timely manner and feedback is monitored and reviewed.
- 4.3.2. Ensure all staff are equipped to handle complaints in a professional manner and adhere to the complaint management process.

**4.4. Staff volunteer, contractor and student responsibilities**

- 4.4.1. Ensure all service users have the opportunity to provide feedback and to treat all complaints seriously and as an opportunity for improvement.
- 4.4.2. Assist service users to resolve complaints to the best of their ability.

**5. Definitions**

**5.1. Complaint** - any written or verbal statement outlining a problem or concern involving the organisation including its staff, the service they provide, or the terms of engagement or contract with the organisation.

**5.2. Service User** - Agency, service provider or any member of the public not employed by Advocare, who requests or engages in a service provided by Advocare.

**5.3. Feedback** - information given by a service user, stakeholder or community member in relation to the organisation and may be in the form of a compliment, suggestion or complaint.

**5.4. Compliment** - an explicit expression of satisfaction or praise in relation to the organisation or a staff member working on behalf of the organisation.

**5.5. Suggestion** - a comment that indicates how the organisation could improve its service delivery. It may be part of a compliment or complaint but may also be offered as standalone information.

**5.6. Complaint resolution** - a complaint is resolved when both parties reach an agreement. The parties will be informed, in writing, of the complaint agreement.

**5.7. Vexatious grievances** - where complainants use the complaint/grievance resolution process without reasonable cause, the processes as outlined above will still be adhered to. If complaints are malicious or vexatious and therefore not made in good faith, the complainant may be referred to undertake counselling and/or other actions if appropriate.

**5.8. Corrective action** - addressing an ongoing systemic issue to eliminate the root cause of the problem to prevent recurrence.

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**5.9. Confidentiality** - only people directly involved in the complaint as part of the nature of the complaint or the resolution of it will have access to the information about the complaint.

## 6. Feedback and Complaint Procedures

### 6.1. Feedback and Complaint Procedures

#### 6.1.1. Communicating the Feedback and Complaint Policy

Information is available to service users and stakeholders about mechanisms to communicate feedback, comments and complaints. This information is available on the Advocare website and the complaints process is outlined to callers as part of the intake process.

Information includes:

- 6.1.1.1. How to make a complaint or provide feedback to Advocare.
- 6.1.1.2. Right to make a complaint without fear of retribution.
- 6.1.1.3. The complaints process, confidentiality, timelines and management of feedback.
- 6.1.1.4. The process to arrange for an interpreter or advocate when providing feedback.

### 6.2. Receiving Complaints and other Feedback

All employees and Board members are able to receive feedback or a complaint in writing or verbally from service users or stakeholders. If verbal feedback or complaint is received the staff or Board member completes a summary in writing e.g. email detailing the information.

### 6.3. Feedback

Depending on the nature of the feedback, one or more of the following actions may be appropriate:

- 6.3.1. Record the information (if communicated verbally) and pass the information on to the specific individual concerned and their line manager if appropriate.
- 6.3.2. Raise the information at regular staff and/or Board meeting, and
- 6.3.3. Record the information in the relevant staff, service user or project file. The **Program Manager** may also include the feedback in reports to the Board of Directors and funders.

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#### **6.4. Complaints**

Complaint information should be forwarded to the Program Manager who will review the information and coordinate a response. If the complaint concerns the Program Manager, it is forwarded to the CEO.

#### **6.5. Documenting Complaints**

Once the complaint is received by the Program Manager details are recorded in the Client Management System (CMS) under the activity title “Complaint”, including the date the complaint was made, name and contact details of complainant, nature of complaint, staff involved (if any), action taken and results.

A monthly report of complaints is compiled from the CMS as part of the monthly service report provided to the board.

#### **6.6. Responding to Feedback**

Depending on the type of feedback received, particularly if it is a comment or suggestion for improvement, it may be appropriate to contact the individual who gave the feedback to communicate any changes made as a result of their suggestion. This will contribute to a positive relationship between the organisation and its service users and stakeholders.

#### **6.7. Responding to a Complaint**

In responding to complaints, staff and Board members:

- 6.7.1. Acknowledge the complaint - acknowledge the concerns and experiences of someone making a complaint, particularly if the issue has caused distress or considerable inconvenience.
- 6.7.2. Attempt to resolve the complaint directly with the complainant - clarify the specific issue that the individual is complaining about and their desired outcomes. It may be necessary to contact the complainant to ask for more information.
- 6.7.3. Detail how the complaint will be investigated - provide clear timeframes and the contact details for an appropriate person that can be contacted by the complainant if necessary.
- 6.7.4. Consider the sensitive and/or confidential nature of a complaint and the privacy of the individual making the complaint - staff will carefully consider what information is recorded and to whom within the organisation the information is communicated to. When completing a Complaints Form, only record factual information that can be supported by evidence or note that the information is not yet substantiated.

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6.7.5. Consider whether the complaint needs to be managed in a particular way either because the person making a complaint has specific rights of review or because the complaint includes allegations that must be reported to an external body. For example, criminal allegations should be reported to the Police.

6.7.6. Reassure the complainant that making a complaint will have no negative consequences or repercussions on their service provision.

**6.8. Investigation**

**Advocare** aims to investigate and resolve all complaints within one month of receiving the complaint. If this timeframe cannot be met, the complainant will be informed of the reasons why and of the alternative timeframe for resolution.

**Advocare** aims to keep the complainant informed at all stages of the decision making process concerning their complaint and the reasons for those decisions.

6.8.1. A details of complaints and files containing details of all complaints, actions and resolutions are captured in the CMS under the activity title “Complaint”.

**6.9. Complaints Involving Staff Members**

Complaints involving staff members, should be forwarded to the relevant supervisor, manager or CEO or Board Chair if it concerns the CEO, who will coordinate a response to the complaint in conjunction with the staff member’s supervisor.

6.9.1. Staff are to be kept informed at all times about any service user complaint involving them.

6.9.2. Complaints by service users about staff will not be seen as negative comments about the staff, but as comments on the service provided by the organisation. Staff play a vital role in supporting service users to complain and will not be penalised for doing so. Staff will be positively recognised for advocating on behalf of a service user, including when the service user makes a complaint. Staff will not be penalised as a result of a service user complaint unless malpractice has occurred.

6.9.3. Responding to the complaint may involve:

6.9.3.1. Investigating the complaint and providing the staff member with an opportunity to respond to issues raised.

6.9.3.2. Attempting to mediate the dispute (if appropriate) and/or attempt to resolve the matter.

6.9.3.3. Taking further action necessary to resolve the issue (e.g. external mediation and dispute resolution services).

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6.9.3.4. Any disciplinary action against a staff member arising from a complaint will be taken in accordance with the Performance and Development Policy, and

6.9.3.5. Any action against a staff member for reportable conduct will be taken in accordance with the Protecting Children and Young People and Reportable Conduct Policies.

**6.10. Complaints involving the CEO**

Complaints involving the CEO should be referred to the Board Chair. The process for complaints involving the CEO is the same as for complaints involving other staff, except the chair facilitates the resolution.

**6.11. Complaints Involving Board Members**

Complaints concerning a Board member or a member of a Board subcommittee should be referred to the Board Chair. The Chair, or an approved delegate, will attempt to resolve the issue to the satisfaction of the complainant. Where the Chair is the subject of a complaint, the complaint should be referred to another member of the Board.

6.11.1. A response to the complaint may involve:

6.11.1.1. Investigating the complaint and providing the Board Director or member of a Board subcommittee with an opportunity to respond to issues raised.

6.11.1.2. Attempting to mediate the dispute (if appropriate) and/or attempt to resolve the matter to the satisfaction of the outside party.

6.11.1.3. Taking further action necessary to resolve the issue (e.g. external mediation and dispute resolution services).

6.11.1.4. Raising the complaint at a Board meeting to determine a suitable course of action to resolve the issue, if appropriate.

6.11.2. Action taken arising from a complaint about a Board member or a Board subcommittee member will be taken in accordance with the Constitution, the Board policy and procedures and the Board code of conduct.

**6.12. Complaints Resolution and Follow Up**

6.12.1. Where it is reasonably practicable Advocare will follow up with the complainant within six weeks to review their satisfaction with the actions taken.

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6.12.2. Feedback information (both positive and negative) is to be considered in operational planning as well as implementation and review activities in the areas of governance, risk management, client services, project management and workplace health and safety.

**6.13. External Review**

Where a service user is unhappy with Advocare’s handling of a complaint, the service user may have their complaint reviewed by the External Agency who oversee or fund the relevant program or service. Advocare will provide the service user with a current contact number or address to make this complaint. These include but are not limited to:-

- 6.13.1. NACAP: Older Person’s Advocacy Network
- 6.13.2. Elder Abuse Helpline: Department of Communities
- 6.13.3. Community Visitor Scheme: (CVS) Aged Care Grants Hub
- 6.13.4. HACC: Department of Health WA
- 6.13.5. Aged Care Navigators: Commonwealth Department of Health

**6.14. Confidentiality of Complaints and Disputes**

As far as possible, the fact that a service user has lodged a complaint and the details of that complaint are kept confidential amongst staff directly concerned with its resolution. The service user’s permission is obtained prior to any information being given to other parties that it may be desirable to involve in order to satisfactorily resolve the complaint or dispute.

**6.15. Monitoring and Reporting Information about Complaints**

Information regarding complaints is collated and provided to the Board of Directors at each regular Board meeting unless the **CEO** considers that it is to be communicated to the Board urgently.

- 6.15.1. The Board should include a standing agenda item on complaint handling at all Board meetings.
- 6.15.2. The **Program Manager** analyses complaints for trends and provides recommendations for action to be taken. Recommendations are discussed at Board and/or staff meetings.

**6.16. Provision of Staff Training**

Advocare will provide and ensure all staff, management and volunteers receive information about handling complaints as part of their induction and on an ongoing basis.

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