

POLICY

Complaints Management

1. Policy Statement:

Breakaway Toowoomba Inc. is committed to effective complaints management by managing complaints in a transparent, accountable, timely and fair manner. Breakaway Toowoomba Inc. values all complaints and takes a proactive approach to complaints management and recognises complaints as an opportunity to improve services.

This policy should be read in conjunction with the *Complaints Management Procedure*.

2. Objectives:

The objectives of this policy are to:

- be fair, accountable, transparent and responsive in the management of complaints
- ensure complaints are handled promptly
- ensure complaints are effectively monitored
- identify and implement service improvement opportunities; and
- ensure all employees are trained and comply with the complaint's management process.

3. Definitions:

Complaint is a statement of dissatisfaction about supports, service provision or an employee that requires a response or resolution.

4. Principles:

Breakaway Toowoomba Inc. is committed to the following principles:

- providing information in the language, mode of communication and terms that the client is likely to understand about how to make a complaint with Breakaway Toowoomba Inc. and/or the NDIS Complaints Commissioner and how complaints will be managed
- ensuring that complainants have the choice to be supported by family, friend, significant other, an advocate and/or an interpreter
- all persons mentioned in the complaint can expect natural justice and procedural fairness
- a preparedness to reach mutually agreeable resolutions to complaints
- the complainant will not experience any reprisal or detriment for making a complaint
- complaints may be made anonymously, with complainants informed of the limitations of an anonymous complaint
- responding to complainants in a respectful, fair, objective and timely manner,

- respecting the confidentiality of personal information
- communicating with parties about the progress of the complaint, the outcome, any recommendations and review options including external mechanisms
- relevant complaints will be included on the Continuous Improvement Register for action; and
- abusive, aggressive or disrespectful behaviour towards employees during any interactions is unacceptable and may result in the complaint process being suspended.

5. Scope:

This policy is applicable to all employees including volunteers and contracted employees of Breakaway Toowoomba Inc. who must comply with this policy.

This policy applies where a person has expressed dissatisfaction about:

- a decision that Breakaway Toowoomba Inc. has made or not made
- the service that Breakaway Toowoomba Inc. has provided or not provided
- an act or practice of Breakaway Toowoomba Inc. that breaches the *Privacy Act 1988 (amended)* or the *Information Privacy Act (Qld) 2009*; and
- the behaviour of an employee.

Exclusions:

Complaints will be managed in accordance with the relevant legislation and the organisation's policies and procedures.

Therefore, this policy does not apply when:

- matters being addressed or that have been previously addressed by a court, tribunal, NDIS Complaints Commissioner or universal complaints systems e.g. Fair Trading bodies, Human Rights Commissioner etc.
- matters where employees have not conducted themselves in accordance with the Code of Conduct or Practice Standards have been referred to a relevant authority e.g. Queensland Police Service, NDIS Commission
- matters raised relate to administrative decisions made by Breakaway Toowoomba Inc.
- matters raised have already been subjected to an internal review process and an outcome has been determined; and
- allegations of suspected sexual abuse, harm or risk of harm to a child are made. These will be referred immediately to the police and/or to the Department of Child Safety.

6. Complaints Management Process:

The complaints management process is a three-stage process, which includes:

Stage 1 **Complaint Management** - the complaint will be investigated by the Human Resource Officer or a delegated officer.

Stage 2 **Internal Review** - if the complainant is dissatisfied with the outcome of Stage 1 then an Internal Review can be instigated. This will be conducted by the Chief Executive Officer or a Board Member.

Stage 3 **External Review** - If the complainant remains dissatisfied after progressing through Stages 1 and 2, they can pursue external options - e.g. NDIS Complaints Commissioner or universal complaints systems such as Fair-Trading bodies, Human Rights Commissioner etc.

7. Reporting:

All complaints are to be referred to Chief Executive Officer and recorded in the Complaints Register.

Complaint documentation including the complaint information, actions taken, and outcome must be kept for a period of 7 years.

8. Roles and Responsibilities:

Board Members are responsible for:

- advising the Chief Executive Officer of the course of action for serious complaints e.g. sexual abuse or sexual assault within 10 business days of the receipt of the complaint; and
- conducting internal reviews when the complaint has been managed by the Chief Executive Officer or if the complainant is not satisfied with the process.

Chief Executive Officer is responsible for:

- ensuring information about how to make a complaint is provided to clients and significant others
- ensuring effective processes and systems are in place to manage complaints
- ensuring all employees are trained and comply with the complaint's management process
- acknowledging receipt of a complaint within three business day to the complainant
- advising the Board of all serious complaints e.g. sexual abuse or sexual assault immediately or as soon as practical after receipt of the complaint
- providing complaints management advice and support to delegated employees investigating complaints
- ensuring records of the complaint, actions taken, the outcome and any recommendations are accurately documented and retained
- reviewing recommendations and providing management responses made by delegated employees investigating complaints
- ensuring recommendations are implemented within agreed timeframes
- managing and investigating medium to high complex and serious complaints
- conducting internal reviews where the complainant is not satisfied with the process
- monitoring and reviewing complaints and analysing and identifying trends or systemic issues requiring improvement; and
- referring the complaint to a Board Member for review where the complainant is not satisfied with the process or to an external agency for action where appropriate.

Operations Manager, Accommodation Manager and Respite Manager are responsible for:

- complying with the Complaint Management Policy and Complaint Management

Procedures

- referring any complaint received to the Chief Executive Officer as soon as practical or within one business day of receipt of the complaint
- ensuring all employees are trained and comply with the complaint's management process
- managing and investigating low to medium complex complaints and referring matters to the Chief Executive Officer where appropriate
- ensuring records of the complaint, actions taken, the outcome and any recommendations are accurately documented and retained
- analysing complaints received to identify trends and areas of improvement; and
- implementing recommendations from the complaint process within the agreed time-frames.

Client Liaison Officers are responsible for:

- complying with the Complaint Management Policy and Complaint Management Procedures
- referring any complaint received to the Chief Executive Officer as soon as practical or within one business day of receipt of the complaint
- ensuring all employees are trained and comply with the complaint's management process
- managing and investigating low to medium complex complaints and referring matters to the appropriate Line Manager when required
- ensuring records of the complaint, actions taken, the outcome and any recommendations are accurately documented and retained
- analysing complaints received to identify trends and areas of improvement; and
- implementing recommendations from the complaint process within the agreed time-frames.

Human Resource Officer is responsible for:

- providing advice to officers managing a complaint
- managing Stage 1 Complaints
- referring any complaint received to the relevant Line Manager if appropriate
- advising the Chief Executive Officer as soon as practical or within one business day of receipt of the complaint; and
- complying with the Complaints Management Policy and Complaints Management Procedure.

All other employees are responsible for:

- complying with the Complaints Management Policy and Complaints Management Procedure; and
- referring any complaint received to their Line Manager or Chief Executive Officer as soon as practical or within one business day of receipt of the complaint.

9. Authority:

National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018

National Disability Insurance Scheme Act 2013

National Disability Insurance Scheme Quality and Safeguards Practice Standards 2018

Disability Services Act (Qld) 2006
Privacy Act 1988 (amended)
Information Privacy Act 2009

10. Related Legislation, Procedures and Guidelines:

Complaints Management Procedure
National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018
National Disability Insurance Scheme Act 2013
National Disability Insurance Scheme Quality and Safeguards Practice Standards 2018
Disability Services Act (Qld) 2006
Privacy Act 1988 (amended)
Information Privacy Act 2009
 Privacy and Personal Information Management Policy
 Privacy and Personal Information Management Procedure

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