

## PROCEDURE

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### Complaints Management

This procedure is to be read in conjunction with the Breakaway Toowoomba Inc's Complaints Management Policy and has been developed to provide guidance in the complaint management process to ensure all complaints are managed consistently and within agreed time-frames.

All complaints must be entered into the Complaints Register.

#### Receiving a Complaint

Complaints can be received from clients, significant others, volunteers, employees, friends, an advocate, a professional, the Community Visitor or a member of the community through several channels, including:

- telephone
- email
- in person
- letter

Any employee receiving a complaint must notify the Chief Executive Officer as soon as practical or within one business day after receiving the complaint.

Acknowledgement of the complaint must be made by the Chief Executive Officer or delegated officer within three business day after receiving the complaint.

In some situations, a person may be wanting to raise a matter that does not constitute a complaint requiring a formal response. It may be an issue, concern or a worry by the person and in these instances, it can be managed routinely, and a formal process does not need to be instigated. However, any complaint received in writing would usually be considered a formal complaint and responded to by completing the Complaints Management Process.

The following table will assist in assessing the information provided:

<b>Issue</b>	Is an important topic or problem for debate or discussion?
<b>Concern</b>	A matter of interest or importance to someone.
<b>Worry</b>	To feel or cause to feel anxious or troubled about actual or potential problems.
<b>Complaint</b>	Is a statement of dissatisfaction about supports, service provision or of an employee that requires a response or resolution?

## General Considerations

After a complaint has been received, the following should be considered to determine the most appropriate management approach:

- define whether the matter is an issue, concern, worry or complaint? If it is determined to be an issue/concern/worry this should be managed as part of the day-to-day management
- who is the subject of the complaint?
- what is the specific service provision issue being raised?
- define the complaint complexity e.g. a low, medium or high complexity matter?
- who should manage the complaint?
- what outcome/s is the complainant seeking?
- would the complainant like to have a significant other or advocate present for support?
- will an interpreter be required?
- where should discussions and meetings take place (e.g. appropriate environments where the complainant feels comfortable)?
- is there relevant supporting information? and
- does further information need to be requested?

## Defining the Complaint Complexity

Once the issue/concern/worry is defined as a Complaint, the level of complexity needs to be determined.

**Low complexity complaints** are matters that cannot be resolved with the complainant and could be managed by the Client Liaison Officer or the other delegated employee and should be concluded as soon as practical and within 15 business days.

Low complexity complaints require no investigation and can be easily addressed through the provision of information or through negotiating a desired outcome, through face-to-face or over the phone and a written response may not be required.

**Medium complexity complaints** may require some research into the matter. It might also require some negotiation/facilitated discussion with the complainants.

Medium complexity complaints typically include complaint issues that relate to a single incident or a decision or a participant. Minimal investigation or fact finding of the complaint issues may be required. Medium complexity complaints may contain a small number of issues. A written response is generally required.

These complaints may be managed by the Client Liaison Officer with oversight of their Line Manager or by the Human Resource Officer and should be completed within 30 business days.

**High complexity complaints** are where there are a large number of complaint issues; or where the complaint issues may refer to possible systemic concerns. These matters will typically involve complainants providing very detailed and lengthy background information.

A formal investigation may be required, involving the assessment of information and may involve interviews or discussions with employees and other relevant persons, including external bodies (e.g. Office of the Adult Guardian, Community Visitor etc.)

These complaints are managed by the Chief Executive Officer and/or Board Members and may take up to 60 business days to complete.

## Managing the Complaint

Complaints management can be a three-stage process, which includes:

<b>Stage 1</b>	<b>Complaint Management</b> - the complaint will be investigated by the Human Resource Officer or a delegated officer.
<b>Stage 2</b>	<b>Internal Review</b> - 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.
<b>Stage 3</b>	<b>External Review</b> - If the complainant remains dissatisfied, they can pursue external options e.g. NDIS Complaints Commissioner, universal complaints bodies.

Breakaway Toowoomba Inc. acknowledges the importance of fully understanding the issues raised by the complainant. Upon receiving a complaint, reasonable steps should be taken to understand the nature of the complaint by clarifying and seeking any necessary additional information from the complainant. The Complainant should be reminded at this time that they can also make a complaint with the NDIS Complaints Commissioner or any other universal complaints body if they wish.

Contextual information can also be obtained from organisational files and other relevant persons to facilitate assessment and an appropriate response.

Staff managing complaints should ensure that complainants are kept informed about the steps involved in the complaint's management process, anticipated time-frames and any other factors affecting the progress of a complaint.

It is understood that legitimate delays in the assessment, investigation or decision-making process can occur. Reasons for delays in the resolution of complaints should be promptly communicated to the complainant and documented.

The aim is to reach a mutually agreeable resolution to any complaint with the complainant.

Once the complaint has been completed, written confirmation of the outcome and resolution must be forwarded to the complainant.

### Documenting Management Actions:

It is important to document all communications with the complainant, outlining progress updates, discussions held, and actions taken. A written report including actions taken, the outcome and recommendation/s is to be completed when the complaint is finalised. A copy of all correspondence is to be kept on file for a period of 7 years.

The Complaints Register should also be updated, and the finalisation date entered.

**Investigation:**

An investigation is a process of systematically working through the information provided by the complainant to establish the facts or evidence about the matter raised. The complaint issues need to be tested and assessed against legislation, organisational policies, procedures, standards or service agreements which will assist in substantiating or not substantiating the complaint. The findings from this process will also provide guidance for any recommendations that should be made.

**Internal Review:**

An internal review is a systematic way of looking back on how a prior complaint management process or determination was conducted. The grounds need to be assessed against relevant legislation and/or organisational policies and procedures to determine if due process was followed and procedural fairness applied.

**External Review:**

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

**Withdrawal of a Complaint:**

A complainant can withdraw their complaint at any time. However, this must be done in writing to the Chief Executive Officer. The Chief Executive Officer will confirm in writing the withdrawal of the complaint with the complainant.

**How to Manage Other Complaint Types****Anonymous Complaints:**

These matters are assessed the same as any other complaints. When assessing anonymous complaints, consideration needs to be given to the quantity and quality of information received as this may place limitations on achieving a productive outcome.

**Employee Conduct:**

Allegations concerning the conduct of an employee will be managed in accordance with relevant human resource management policies. If dishonest conduct is suspected or incidents that would be considered an offence will be reported to the Queensland Police Service. If the matter is of a serious nature the Chief Executive Officer will advise the Board.

**Privacy Complaints:**

Complaints concerning a possible breach of privacy will be managed in accordance with the relevant Breakaway Toowoomba Inc's Privacy and Personal Information Policy and the Privacy and Personal Information Management Procedure.

**Non-compliance:**

If allegations concerning non-compliance with financial responsibilities is suspected, referral to the relevant authority will be made. If the matter is of a serious nature the Chief Executive Officer will advise the Board.

**Suspected Harm:**

Allegations of suspected sexual abuse, harm or risk of harm to a child will be referred immediately to the Queensland Police Service or to the Department of Child Safety. The Chief Executive Officer will advise the Board immediately of such an allegation. The Board will advise the Chief Executive Officer of further actions to be taken within 10 business days of receipt of the complaint.

**Sexual Assault:**

Allegations of sexual assault will be immediately referred to the Queensland Police Service. The Chief Executive Officer will advise the Board immediately of such an allegation. The Board will advise the Chief Executive Officer of further actions to be taken within 10 business days of receipt of the complaint.

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