

1.0 POLICY PURPOSE AND SCOPE

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 and the National Principles for Child Safe Organisations (Principle 6 Processes to respond to complaints and concerns are child-focused).

The complaint and feedback management and resolution system intend to:

- Provide a well-handled system that values children and young people, families, staff and volunteer opinions and takes all feedback seriously, aiming to improve the relationship between our organisation and our participants.
- Empower children, young people, families, staff and volunteers to feel free to voice their complaints or provide feedback
- Allow us to respond to individuals' complaints promptly and cost-effectively.
- Boost participant confidence in our administrative processes
- Seek a resolution that meets all parties' expectations, where possible
- Provide *aspiring futures SA* with information that will help us deliver quality improvements in our services, supports, roles and complaints-handling process

Our Complaints and Feedback Policy is *aspiring futures SA'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 components. The policy also guides children and young people, families, staff and volunteers (who may wish to make a complaint or provide feedback).

The Director or their delegate will handle all complaints and feedback received by *aspiring futures SA*. All staff are bound by the National Disability Insurance Scheme (NDIS) Code of Conduct and our Child Safe Code of Conduct.

2.0 DEFINITIONS

aspiring futures SA – the trading name of Embry Care Services Pty Ltd ABN: 79 646 526 310

Compliment – an expression of praise, encouragement or gratitude about an individual staff member, a team or a service

Complainant – a person who makes a complaint or has a complaint made on their behalf (including a child and young person)

Complaint – an expression of dissatisfaction made to or about an organisation related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected

Care Diary – in-house Customer Relationship Management System (CRM) and Compliance Management Information System

Procedural Fairness – a principle that requires a fair and proper procedure to be followed in the decision-making process or steps to be taken by a decision maker

3.0 POLICY

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

The Director or their delegate is responsible for coordinating and handling complaints and feedback and ensuring the complaint or feedback is properly managed.

It is acknowledged that *aspiring futures SA* 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. *aspiring futures SA* 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.

Children, young people, families, advocates or other stakeholders may submit a Complaint and Feedback Form regarding *aspiring future SA's* supports, services, staff or contractors. Our Children and Young People Handbook provides information on complaint-making and management for children and young people.

The Director or their delegate 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.

It is our policy to follow the principles of procedural fairness and natural justice and comply with the requirements under the National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018, NDIS (Procedural Fairness) Guidelines 2018 and National Principles for Child Safe Organisations, including:

- Informing a person if their rights or interests may be adversely or detrimentally affected in a direct and specific way
- Giving notice of each prejudicial matter that may be considered against them
- Giving a reasonable opportunity to be heard on those matters before adverse action is taken
- Putting forward information and submissions in support of an outcome that is favourable to their interests
- Ensuring that the decision to take adverse action should be soundly based on the facts and issues that were raised during that process, and this should be apparent in the record of the decision
- Ensuring that the decisionmaker should be unbiased and maintain an unbiased appearance

- Ensuring that privacy, reporting and employment law obligations are met

aspiring futures SA 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 stakeholders' right to complain 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 using various communication means, e.g. oral and written.
- Maintaining complete confidentiality and privacy
- Abiding by the NDIS code of conduct and National Principles for Child Safe Organisations
- Training staff in our complaint process and the rights of all stakeholders to complain.
- Considering all complaints seriously and respectfully
- Advising participants 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 participants
- 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 children, young people, families 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 the complainant is involved in the resolution of the complaint.
- Keeping the 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 *aspiring futures SA* 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 using complaints as a means of improving planning, delivery and review of services through our continuous improvement processes
- referring complaints and feedback to our continuous improvement cycle
- Reviewing the Complaints and Feedback Policy and Procedure

4.0 PROCEDURE

4.1 Complaint Process

Complaints and suggestions can be made by:

- Communicating orally, in writing, or any other relevant means
- Contacting a member of staff, verbally or in writing, our staff must offer to document the complaint on behalf of the participant if required and refer the matter to the Director
- Using the Complaints and Feedback Form or the Anonymous Complaints and Feedback Form

- 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 and [Kidsafe](#)

Complaints may be made by:

- Staff
- Children
- Young people
- Participants
- Public
- Advocates
- Family members
- Carers
- Anonymous person/s

Results are recorded in the Complaint, Compliment and Feedback Register, 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:

- **Supports or Services:** The complaint will be dealt with by the Director or their delegate
- **Staff member/s:** The complaint will be dealt with by the Director or their delegate
- **Director:** An external person or body may be approached, e.g. NDIS Quality and Safeguards Commission

All staff, participants, children and young people, family, volunteers, advocates, visiting health professionals, and visitors are informed of our complaints process via:

- Participant Orientation Pack including Child and Young People Handbook
- Initial access to supports
- Staff orientation, induction and training
- Meetings, reviews and assessments
- Participant agreements (Service Agreement)
- Contractor agreements

4.2 Complaint Management Process

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

Children, young people, families, advocates, staff and volunteers have access to our Complaints and Feedback Form or can inform us orally if they need help completing this document. The Director or their delegate reviews the individual's needs and assists them using the best means to suit them to initialise the complaint. The variance between individuals requires a personal approach but may include the following:

- 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. early childhood/allied health professional or communication)

The complaint resolution outcomes will recognise that people who make a complaint are 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)
 - Acknowledgment of the effect of the situation on the individual
 - Resolving to a good outcome
 - Notifying regularly and promptly of steps undertaken
- Answers:
 - Clear explanations relevant to the issue, which 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 timelines, 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

4.2.1 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 Director or their delegate
2. The complainant will be consulted and discussed to determine the actions required to resolve the issue. During this process, *aspiring futures SA* will offer complainant support from an independent advocate to reduce stress and anxiety
3. All available options will be discussed with the complainant and their advocate
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 not happy 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 Director or their delegate completing the above points (2 to 5) again

4.2.2 Complaint investigation process Step 1: Acknowledge

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

Step 2: Review the complaint

1. Before any consultative meeting, inform the complainant that their advocate, family or support person can be present throughout the process
2. Offer to locate an independent advocate for the child or young person, 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 the following:
 - i. Their right to an advocate and interpreter
 - ii. The stages of the complaint management and decision-making process
 - iii. Mechanisms implemented to protect the complainant's privacy
 - iv. Their right to complain to the NDIS Quality and Safeguards Commission at anytime
 - v. 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 stage of the investigation and seek their 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 participant. The complainant receives disability services under the NDIS, and the participant's record will be checked for a preferred contact for complaints. The participant will also be asked if they would like to nominate a staff member from *aspiring futures SA* who is assigned to handle complaints

Step 3: Assessing the complaint

1. When assessing a complaint, the Director or their delegate 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 Director or their delegate should determine if it is practicable to find an immediate resolution (see 4.2.1 Non-investigation complaints process)
2. During the investigation and decision-making process, the Director or their delegate will:
 - Keep the complainant informed about each stage of the investigation process
 - Consult and respond to the complainant in a manner that they understand
 - 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)
 - II. Using a National Relay Service and asking for 1800 035 544
 - III. Completing an online Complaint Contact Form

Step 5: After the decision

1. After investigation and a satisfactory response have been documented, the Director or their delegate will:
 - Inform the complainant and their advocates 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

4.3 Review and Improvement

Aspiring futures SA 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 the following:

- Ascertaining preventative actions and continuous improvement
- Reviewing outcome as it relates to the child and young person's safety and National Principles for Child Safe Organisation and our Child Safe Code of Conduct
- Considering if any systemic issues require addressing
- Recording the information regarding the complaint in Care Diary – Incident and Feedback
- 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
- Reinforcing National Principles for Child Safe Organisations and our Child Safe Code of Conduct
- 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

4.4 Documentation

All employees are provided training regarding the complaints process during orientation and given

the Employee Handbook, which includes information on the complaints process provided. The complaints process is available for participants, children and young people, families, carers and advocates via the information provided in our Participant Orientation Pack (including Child and Young People Handbook) and through the provision of Easy Read documents (as required).

Documentation on the complaint process is as follows:

- All complaints will be recorded in Care Diary – Incident and Feedback, and information 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 Care Diary
- 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 Director or their delegate 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 participant under 18 years of age, the documents will be retained until the participant turns 25 years of age
- Statistical and other information will be collected to:
 - Review issues raised
 - Identify and address systemic issues
 - Report information to the Commissioner, if requested by the NDIS Quality and Safeguards Commission
- A policy review will occur if there are legislative changes or when determined by a regular or annual internal audit review

4.5 Unresolved Complaints

Unresolved complaints will be referred to the Director or their delegate 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

An NDIS Complaint Contact Form can be completed online at business.gov.au.

4.6 Staff Orientation and Training

The staff orientation process includes training all employees in the complaints and feedback process, including the NDIS Commission requirements and National Principles for Child Safe Organisations. Our in-house training includes:

- NDIS reporting requirements and contact details.

- How to work with children and young people to assist them in the complaint-handling process
- Providing information regarding *aspiring futures SA*'s complaint and feedback process and procedures (e.g. forms to complete and how to assist participants wishing to make a complaint, entry into Care Diary)
- Encouraging employees to have a positive attitude towards complainants and a commitment to resolving all complaints
- 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 trying to figure out how to handle a complaint upon commencing work at *aspiring futures SA*.

5.0 POLICY REVIEW AND FEEDBACK

This policy and procedure will be reviewed at least every two (2) years by the Director (or their delegate) or in response to legislative triggers. Reviews will incorporate staff, participant and other stakeholder feedback where relevant.

6.0 RELATED DOCUMENTS

Complaint and Feedback Form
 Anonymous Complaint and Feedback Form
 Complaints Process Checklist
 Incident and Feedback/Complaints (Care Diary)
 Continuous Improvement Policy and Procedure
 Continuous Improvement Register (Care Diary)
 Continuous Improvement Plan
 Participant Orientation Pack
 Employee Handbook
 Staff Training Record (LMS)
 Position Qualifications and Training Matrix
 Training Attendance Register – In-house
 Risk Management Policy and Procedure
 Service Agreement

7.0 REFERENCES

National Principles for Child Safe Organisations
 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)

Version Control				
Version No.	Summary of Changes	Date Approved	Approved By	Review Date
V0.1	Draft	Dec 2021		

V1.0	Initial Release	Feb 2021	Director	Feb 2024
V2.0	Changes based on ProviderPlus release V2.12	Aug 2022	Director	Aug 2024
V2.1	Review to link with SA Child Safe Environment requirements	Feb 2023	Director	Feb 2025