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1. Introduction

Irabina Autism Services (hereafter referred to as Irabina) has a commitment to quality service delivery supported by Continuous Improvement Strategy across all service areas of the organisation for the purpose of maintaining the highest quality services to those who rely on the organisation for assistance in various forms delivered by Irabina employees.

Irabina has a commitment to listen to and learn from anyone being able to speak up about quality of Irabina's services. Feedback in the form of complaints, suggestions or compliments is a major component of the Irabina Continuous Improvement Strategy. Complaints, suggestions and compliments provide the organisation and its employees with unique information about the quality of service delivered by Irabina from the perspective of service users.

All Irabina management and staff have a responsibility to ensure they are delivering safe and quality support and services to the clients and their families and must comply with the NDIS Code of Conduct.

2. Purpose

It is a guiding principle of the National Disability Insurance Scheme Act 2013 (NDIS Act) and the National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018, that people with disability have the same right as other members of Australian society to pursue any grievance. The purpose of this policy is also to ensure that consumer feedback, including compliments, suggestions and complaints contribute to the continual improvement of the Irabina services, and that feedback is appropriately heard.

All Irabina staff are responsible for respectfully acknowledging feedback and reporting information via relevant tools and processes.

3. Scope

This Policy covers the management of feedback (comments, compliments and suggestions for improvement) and complaints received from all Irabina stakeholders such as families/ consumers, groups of consumers, advocates of consumers and other third parties where these parties have an association to an act or event that involves a person who receives goods or services delivered by Irabina, from receipt through to reporting and continuous improvement.

The Policy applies to all Irabina staff and all services delivered by Irabina.

This Policy does not cover the management of staff grievances which will be managed by the Staff Grievance and Complaints Policy.

4. Policy Statement

Irabina acknowledges the right of parents/ families and other stakeholders to express their opinion (suggestion, complaint or compliment) about our staff or services Irabina provides. They also have a right to be informed about the procedures that Irabina follows to manage complaints and feedback effectively, and how Irabina will learn from these processes.

Suggestions, compliments and complaints must be handled respectfully, effectively and promptly and recorded for coordination, analysis and reporting.

Complaints should be dealt with as soon as possible at point of services. If this is not possible due to further investigation required, then complaints received will be acknowledged with 5 business days of receiving the complaint and a resolution of the complaint within 28 days. During the investigation process the complainant will be kept informed of progress of the complaint that respects and values that feedback, and provides an opportunity to recover the person's positive feelings and confidence about our service. To facilitate this, Irabina will provide a responsive, objective and fair feedback process and will maintain an effective Complaints Management System, consistent with best practices.

All management and staff are trained on how to handle the complaints process. At Irabina, we are committed to complaint handling. We will:

- implement and maintain a complaint management system
- make sure people can easily make a complaint
- deal with all complaints fairly and quickly

- have information available on how to:
- submit a complaint
- submit a complaint to the NDIS Commissioner
- keep records on all complaints received.

Anyone can make a complaint including:

- a participant
- a participant's family or guardian a participant's financial manager an advocate
- an employee
- a community visitor a professional
- a member of the public.

Complaints can be made:

- in person
- by email in writing by phone
- on the web.

Complaints can be made anonymously. Complaints can be made to us or directly to the Commissioner. Complaints help us:

- identify problems improve services
- provide better outcomes to participants.
- Complaints can be made about any part of the quality or delivery of our services such as if there is dissatisfaction: with the way services are provided
- with decisions we have made
- about the conduct of our employees
- about personal information not kept private.

Complaint monitoring is applied through The Complaints and Feedback Form and the centralised register in place, the Incidents and Complaints Register. The Complaints and Feedback Form and the Incident and Complaints Register should include up-to-date progress of each complaint and whether it is currently open or closed (resolved).

If there is any doubt about the end resolution of a complaint, feedback is sought from the person who made the complaint. Regular reports from the complaint register should be provided to key management personnel for review.

Accurate information of complaints received including decisions made, actions taken and eventual outcomes must be recorded and kept for 7 years from the date of the complaint which allows us to:

- enable reviews of any complaints received
- assist in identifying any systemic issues raised
- allow a response to the Commissioner, if required
- be stored securely and accessible only by the people handling complaints.

Complaints to the Commissioner may be referred to other agencies or bodies if needed including:

- non-compliance with the NDIS code of conduct
- inappropriate or unauthorised use of restrictive practice
- employee screening issues e.g. if an employee of the provider was found to have a criminal history (for more information, refer to the worker screening policy)
- incidents relevant to other bodies (police, consumer affairs agencies or other regulatory bodies).

Our complaints system is documented and information on how to make a complaint is available to participants, their families, guardians or advocates in a way that is culturally appropriate.

We work to ensure participants:

- are aware of their right to make a complaint feel empowered to make a complaint
- are aware that their families/carers or advocates can be involved in the process of making a complaint

- are supported to make a complaint
- are involved in the resolution process after making a complaint
- know they won't be adversely affected as a result of making a complaint.

5. Principles

The management of feedback and complaints at Irabina is underpinned by the following principles:

Accountability	Accountabilities for managing feedback and handling complaints are clearly established and responses to them are monitored and reported to senior management and the Irabina Board.
Complainant protection	Complainant(s) will not be adversely affected as a result of making a complaint or providing feedback.
Continuous quality improvement	Feedback (including compliments) and complaints are a source of improvement for Irabina. Information recorded will be used to inform planning, service and practice change, and continuous quality improvement.
Natural justice	The standards of natural justice will apply to the management of all complaints at Irabina. Natural justice means that a person whose rights or legitimate expectations may be affected by a decision has the right to know the detail of any allegations against them and relevant information relating to the making of the decision, and be provided with a reasonable opportunity to respond and/or make submissions about such matters.
Outcome	All complaints will be addressed with the intent of achieving a transparent and fair outcome.
Privacy and confidentiality	Details of complaints will be limited to appropriate persons depending on the nature of the complaint, line manager, and privacy considerations.
Procedural fairness	Complaints will be managed in accordance with the standards of procedural fairness. The complainant and/or the respondent can request a review of their complaint by an independent person from within Irabina, if they believe that it has not been managed fairly.
Responsiveness	Feedback and complaints will be responded to a point of complaint where able and acknowledged within 5 business days and resolution of the complaint within 28days. Complainant will be kept informed throughout the process.
Visibility and access	The process for making a complaint and investigating it (or providing feedback) is communicated clearly, is easy to access and understood by stakeholders.

6. Key Responsibilities

All Executive Team members and Managers are responsible for:

- promoting a culture of effective complaint management in their area of responsibility,
- managing complaints in accordance with the NDIS Complaints management and resolution rules 2018.
- conformance with specific requirements of funding bodies and contracts in regard to complaints management.

Role	Responsibility
Chief Executive Officer	<ul style="list-style-type: none"> • Ensures there is an effective Complaints Management System in place and reviews the adequacy of the system in managing complaints on a regular basis. • Ensures all management and staff are trained in Complaints management. • Provides resources to ensure the implementation of policy and procedures relating to complaints management. • Manages escalated complaints and complaint reviews. • Reports any significant complaints to the Irabina Board and/or the Finance, Risk and Audit Committee.
Executive Managers	<ul style="list-style-type: none"> • Responsible for the effective management of complaints in their portfolios. • Analyse feedback and manage escalated complaints where required. • Drive and facilitate relevant process and quality improvements. • Communicate with complainant and respondent for escalated complaints where required.
Complaints Officer	<ul style="list-style-type: none"> • Facilitates complaint resolution with Irabina Managers and escalates to relevant Executive Team member or CEO where required. • Liaise with relevant government and independent advocacy groups in supporting the satisfactory resolution of the complaint. • Ensures each complaint, resolution and relevant decisions are recorded; follow up with relevant Manager or Executive Manager where required. • In the event of a Child Safety Issue, the Complaint Officer will: <ol style="list-style-type: none"> i. Discuss the support requirements for a client/ parents (or other stakeholders such as carers) making a complaint, including access to a support person, advocate or legal advice. ii. Ensure statutory obligations and/or mandatory reporting requirements are met, including internal incident reporting, reporting to Victoria Police, and the Commission for Children and Young People if related to allegations of child abuse at Irabina.
Quality Manager	<ul style="list-style-type: none"> • Supports the Complaints Officer in complaints investigation and complaints management systems. • Ensures there is an effective system to record and manage complaints and reviews the adequacy of the system in managing complaints on a regular basis. • Reports any significant complaints to Irabina Board or to the Finance, Risk and Audit Committee. • Prepares quarterly Complaints and Feedback Report • Prepares and lodges annual complaints report to NDIS Quality and Safeguarding Commission.
Managers	<ul style="list-style-type: none"> • Ensure complaints received are responded to and resolved within timelines specified in this Policy. • Record all complaints, resolutions and decisions in a relevant register, as specified by Complaints Officer.

	<ul style="list-style-type: none"> Escalate complaints as required. Pass a feedback received from stakeholders to relevant staff, analyse changes required and make relevant recommendations to Executive Team where required.
Employees/Volunteers	Irabina employees are responsible for ensuring complaints are acknowledged, recorded and are accountable for actions taken as a result of a complaint.

7. Definitions

Term	Meaning
Appropriate Person	A Manager or a member of Executive Team determined to manage a complaint, based on their authority and knowledge of best practice/ quality requirements.
Consumer	All end users (parents/guardian/carers, those with autism and related conditions, Professionals, Schools, etc) of goods or services provided by Irabina or is directly affected by, the services.
Complaint	In this policy, the term 'complaint' is defined as expression of dissatisfaction made to an organisation, related to its products or service, or the complaints-handling process itself, where a response to resolution is explicitly or implicitly expected.
Complainant	The person making a complaint.
Compliment	A compliment is an expression of praise, encouragement or gratitude about a service that is funded, regulated or provided. It may be about an individual staff member, a team or a service.
Feedback	An opinion, suggestion or expression of interest in services or the complaint handling process that may not require a formal investigation, but will inform continuous improvement.
Respondent	The Irabina staff member/s who are the subject of a complaint.
Stakeholder	Includes current and ex-clients and their families or carers, members of the public and other service providers.

8. Procedure

8.1 Management of Complaints and Feedback

All staff must provide information to consumers and other stakeholders about how to make a complaint. This includes a copy of the Irabina Feedback and Complaints Policy and Procedure, Feedback, Suggestions and Complaints Form. When appropriate, staff will assist a consumer/stakeholder to document their complaint, or support them to find someone to help them document their complaint.

Interpreter services may be called to assist clients who speak another language. Advocacy Services can be used to assist the client in their complaint.

Complaints can be received through a series of reporting methods. The Complaints and Feedback Form is available to families via our website and clearly displayed at all sites. This form includes the contact details for a range of bodies families can complain to, at any point in the complaints process such as:

National Disability Insurance Scheme – Commission

Telephone: 1800 035 544 (free call)

TTY Services for people with hearing and speech difficulties: 133 450

Visit: <https://www.ndiscommission.gov.au/about/complaints-feedback/complaint>

Office of the Disability Services Commissioner

The Disability Services Commissioner works with people with a disability, and disability services to resolve complaints.

Telephone: 1800 677 342 (free call)

TTY service for people with hearing or speech difficulties: 1300 726 563

Visit: <http://www.odsc.vic.gov.au/>

Health Complaints Commissioner

The Health Complaints Commissioner receives and resolves complaints about healthcare and the handling of health information in Victoria.

Telephone: 1300 582 113

Visit: <https://www.hcc.vic.gov.au>

Mental Health Complaints Commissioner

The Mental Health Complaints Commissioner can assist you if your complaint is about a public mental health service in Victoria.

Telephone: 1800 246 054

Visit: <http://www.mhcc.vic.gov.au/>

Victorian Ombudsman

The Ombudsman has the power to investigate complaints about State and local government authorities. The Ombudsman investigates complaints made about decisions, actions or inaction by these bodies.

Telephone: 9613 6222, Regional: 1800 806 314

Visit: <https://www.ombudsman.vic.gov.au/>

Office of the Commissioner for Privacy and Data Protection

The Privacy and Data Protection Commissioner will investigate complaints about a Victorian Government agency or local council's failure to comply with one or more of the Information Privacy Principles.

Telephone: 1300 666 444

Visit: <https://www.cpdp.vic.gov.au>

8.2 Receiving and Recording Complaints

If we become aware someone wants to make a complaint, we:

- ensure appropriate support and assistance is provided to any person who wishes to make a complaint
- ensure that the complainant or participant affected by the complaint know they can take their complaint to the commissioner, if they wish.

If a participant wants advice or support to make a complaint, we will suggest they contact an external advocate or the NDIS Complaints Commissioner.

Participants, their family/guardian or advocate, are able to make complaints directly to the commissioner about a provider's services or conduct. If a complaint to the commissioner is made about our conduct or services, we are prepared to:

- work with the commissioner by providing information, advice and assistance
- where possible and appropriate, work towards a mutually agreed resolution with the participant affected by the issue.

When recording a complaint it is important to capture as much detail as possible within The Complaints and Feedback Form to understand the concerns. The information should include:

- what happened where it happened
- date and time of the incident who was involved

- any witnesses
- what the desired outcome is.

When a complaint is received:

- acknowledge and assess the complaint in a fair and timely manner provide the complainant expected time frames for actions
- take appropriate action in relation to the issues raised in the complaint keep accurate details of the complaint
- take reasonable steps so complainants, or participants affected by the complaint, are not adversely affected as a result of making a complaint
- ensure that information provided in the complaint is kept confidential.
- Keep accurate information of complaints received including decisions made, actions taken and eventual outcomes. Records of complaints must be kept for 7 years from the date of the complaint. Complaints records:
 - enable reviews of any complaints received assist in identifying any systemic issues raised
 - allow a better response to the Commissioner, if required
 - must be stored securely and accessible only by the people handling complaints.

Categorising complaints helps to prioritise based on seriousness. By law, complaints involving serious incidents may need to be reported to other bodies. When we assess and prioritise complaints, this is in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security, the response will be immediate and escalated appropriately. In our complaints system, complaints are categorised as follows:

- standard complaints – complaints that involve dissatisfaction about a decision made, the conduct of a worker, how services are being delivered, or allegations of discrimination
- serious complaints – complaints related to incidents that involve:
 - fraud
 - physical or sexual assault, or sexual misconduct of a participant committed by an employee
 - physical or sexual assault, or sexual misconduct of a participant committed by another participant while in the care of the provider
 - abuse or neglect
 - serious unexplained injury death of a participant
 - unauthorised use of restrictive practices.

Where a serious complaint has been received, it is necessary to complete an **Incident Report** and follow the **Incident Management Policy and Procedure and report accordingly to the NDIS Commission and or the Commission for Children and Young People.**

All complaints are to be recorded in complaints register. Complaints are not to be recorded in case notes or Communication books.

Complaints received in writing, must be scanned and kept within complaint management system. The original should be disposed of securely.

For complaints received after hours or on the weekend that may be assessed as high risk, staff should contact on-call nominated personnel for advice and support in dealing with immediate needs regarding the complaint. If the complaint could be assessed as a 'high risk', on-call personnel will notify the relevant Executive Team member / CEO.

During the initial and follow-up assessment of the complaint, the Manager or Complaints Officer (depending on how the complaint was received) will:

- a) Seek further information from the complainant and/or relevant staff, if required.
- b) Consult with the relevant Executive Team member, or CEO to determine the 'Appropriate Person' to manage the complaint (normally that would be a Manager/ Supervisor of a staff member who is the subject to complaint). This may include the allocation of complaint to another nominated person within Irabina to manage, if the Manager who received the complaint:
 - is the subject of the complaint;
 - believes there could be a conflict of interest, if they manage the complaint;
 - is not confident they could manage the complaint in accordance with the principles and requirements outlined in this policy.
- c) Escalate a complaint and request an additional investigation related to a staff member conduct where initial assessment will demonstrate a potential for serious misconduct or significant performance issues.

NOTE: If the complaint concerns child safety, the Irabina Complaints Officer will manage the complaint in the following manner:

- i. Discuss the support requirements for a client/ parents (or other stakeholders such as carers) making a complaint, including access to a support person, advocate or legal advice.*
- ii. Ensure statutory obligations and/or mandatory reporting requirements are met, including internal incident reporting, reporting to Victoria Police, The NDIS Commission and the Commission for Children and Young People if related to allegations of child abuse at Irabina. For further information please see the Irabina Incident Management Policy and Procedure.*

NOTE: Complaint received about the CEO.

Complaints received about the CEO will be managed by referring the complainant to the NDIS Complaints Commission. The Commission may contact Irabina Board Member regarding the investigation of the complaint. (to discuss).

The Irabina staff member managing the complaint will contact the complainant (using the complainant's preferred mode of communication – verbal and/or written) and the respondent, within 1 day of being appointed, to:

- a) Acknowledge that the complaint has been received.
 - b) Provide the complainant and respondent with their contact details.
 - c) Outline the process for managing the complaint, including: timelines, what the complainant and respondent can expect, and options if they are unhappy with the resolution proposed.
 - d) Contact Manager People & Culture for advice on investigation process and any disciplinary process for staff member, if the complaint concerns a staff member.
- 8.1.8 The Irabina staff member managing the complaint will try to resolve the complaint to the satisfaction of all parties within 28 days, with the following possible outcomes:
 - Complaint is resolved - no further action will be taken,
 - Complaint is resolved - action taken.
 - Complainant (or Respondent) is not satisfied with proposed resolution.

Where a complainant or respondent (if complaint concerns a staff member) is not satisfied with the proposed resolution / outcome (or any aspect of the complaints management process):

- i. The complainant or respondent can request a review from a nominated person from within Irabina.
- ii. The complainant should be referred to the appropriate oversight body, such as: the NDIS Complaints Commissioner, Victorian Ombudsman, the Victorian Health Complaints Commissioner, the Federal Privacy Commissioner, the Disability Services Commissioner, the Mental Health Complaints Commissioner.
- iii. The respondent can seek advice from other professional body, legal practitioner or escalate their concerns to Irabina CEO or Irabina Board.

In a situation where the complaint cannot be investigated and resolved within the specified 28 days, the Irabina staff member managing the complaint will formally notify the complainant, and any respondents, about the reason for the delay and inform them of the expected timelines.

Irabina will formally respond to the complainant and respondent, by communicating the findings of the examination of their complaint and proposed resolution, verbally and in writing. If the complainant indicates that they are not satisfied with the proposed resolution, the person responsible for managing the complaint must record this decision in complaints register.

If the complaint concerns child abuse at Irabina, the allegation, investigation and outcomes must be reported to the NDIS Commissioner and the Commission for Children and Young People by the CEO.

NOTE: Information related to the handling, investigation and outcomes of complaints must be stored in complaints register/system only, and should not be recorded in client files, case notes, communication books, or handover documents. Confidential information relating to Irabina staff will be retained and stored by the Manager People & Culture.

8.3 Complaint and feedback reviews to inform continuous improvement

After the complaint is resolved, it is necessary to follow up with the complainant to check that resolution actions are effective.

If a complainant (the person making the complaint) is not satisfied with the way a complaint has been handled, they can take their complaint to the NDIS Complaints Commissioner. Complaints can also be made directly to the Commissioner. When a complaint is received by the Commissioner, the Commissioner may:

- take no further action, such as when:
 - the complaint was not valid
 - there wasn't enough information provided
 - the complaint or issue has been resolved, or in the process of being resolved the complaint was withdrawn
 - the complaint was referred to another agency or body
- provide assistance or advice to the complainant or participant affected by the issue and the provider start a resolution process, which may:
 - require the provider to try and resolve the issue request the related parties resolve through conciliation
 - require the provider to take remedial action to resolve the complaint or issue
 - involve other action as deemed appropriate by the Commissioner
- arrange an inquiry:
 - If there are concerns regarding the issues connected to the complaint
 - if there are concerns regarding a series of complaints.

Complaints to the Commissioner may be referred to other agencies or bodies if needed. This could include any complaints relating to:

- non-compliance with the NDIS code of conduct
- inappropriate or unauthorised use of restrictive practice
- employee screening issues e.g. if an employee of the provider was found to have a criminal history
- incidents relevant to other bodies (police, consumer affairs agencies or other regulatory bodies).

A report of feedback/complaints data will be prepared every quarter. Irabina Executive Team will consider the quarterly Complaints and Feedback Report, submitted by the Complaints Officer, and approve implementation of associated recommendations for improvement, where appropriate. At least once a year, Irabina Board will review the complaints data and the outcomes of quality improvement projects, systems changes, and staff training in response to complaints received, for clinical governance implications. (Report may also be copied to the Finance, Risk & Audit Committee). At regular intervals, key management personnel review all complaints recorded to check that complaints are being resolved in a timely fashion and look for patterns which might indicate systemic issues look for patterns which might indicate improvements.

Where feedback provided to staff and/or managers has the potential to inform staff recognition, practice change, or continuous improvement, and staff have permission to share the information, they should record the feedback in a feedback register.

9. Related Documents

Consumer Charter

Continuous Improvement Policy

Records Management Procedure

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

The National Disability Insurance Scheme Act 2013 (NDIS Act)

The Incident Management Policy and Procedure

Incident Report

Incident and Complaints Register

The NDIS Code of Conduct

The Irabina Code of Conduct

Feedback, Suggestions and Complaints Form

Choice and Advocacy Policy

Duty of Care Child safe Policy