

Summary

This is a national policy guideline that applies to the management and resolution of all complaints received within the context of all supports and services delivered nationally by Life Without Barriers (LWB).

It must comply with all legislative and regulatory requirements related to the range of services provided by LWB across each State jurisdiction.

This policy guideline demonstrates LWB's commitment to evidencing a systemic process for continual improvement.

It is a requirement for all LWB staff to implement this policy guideline and the Complaints and Feedback Management and Resolution Procedure. LWB staff will take reasonable steps to support any client to speak up and support access to accredited translation services and other communication and hearing support services as required.

The Complaints and Feedback Management and Resolution Policy Guideline is to be used for external agencies, clients, carers, or members of the public wishing to raise concerns, provide feedback, or make a complaint to LWB regarding any aspect of service delivery.

The value and importance of receiving and working through complaints and having a positive complaints and improvement culture is emphasised at induction for all staff.

NB: Any staff member who wishes to raise or lodge a concern regarding an employment related matter within the workplace should follow the Workplace Resolution Policy or contact the People, Safety and Culture Unit.

Who should read this document?

All staff who are employed by LWB.

The meaning of terms and words used in this document

LWB has adopted the following definitions

- **Complaint:** "An expression of dissatisfaction made to or about a service provider, relating to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required" as per the Australian standard (AS/NZS 10002:2014)
- **Feedback:** is information about our services provided by individuals or stakeholders which can be used as the basis for improvement.
- **Grievance:** a formal complaint that is raised by an employee regarding an employment related matter within the workplace.

What is our aim?

Our complaints and feedback management and resolution process aims to:

- increase service delivery and satisfaction levels resulting in improved outcomes for clients
- maintain and foster positive relationships with clients and stakeholders

- prevent the escalation of issues
- identify trends and opportunities for improvement within LWB.

Complaints and Feedback Management and Resolution Policy Guideline

Procedural fairness

Procedural fairness or natural justice is related to the resolution process, rather than the actual outcome reached. LWB aims for the process to be transparent, provide opportunities for all parties to communicate and be fair in the allocation of required resources available to resolve the dispute.

LWB gives assurance that all people will be treated fairly, with dignity and concerns will be dealt with in an unbiased and objective manner.

Timeliness of resolution

LWB acknowledges the importance of a complaint being addressed as quickly as possible for the satisfaction of all concerned. To ensure the timely resolution of complaints LWB has recommended timelines for resolution. Acknowledgment of receipt of the complaint is to be forwarded to the complainant within two (2) days and the timeline for resolution is based on the seriousness or complexity of the complaint.

Should expected timelines not be able to be met the complainant must be informed and revised timelines discussed. Details on the steps to be taken to resolve a complaint are in the Complaints and Feedback Management and Resolution Procedure. This includes a flow chart that summarises steps to be taken and roles responsible for actions.

Monitoring and Reporting

In addition to the individual monitoring of a complaint by the event owner, LWB undertakes systemic reporting and reviews of complaints.

The recording of all complaints is embedded within the LWB internal monitoring system (i-Sight).

Reports are provided monthly to senior leadership teams, the Executive, Board and quarterly to the Practice Governance Committee of the Board. These reports highlight trends, issues and make recommendations for improvement.

The process of continual monitoring of complaint and feedback management, resolution and outcome ensure LWB's effectiveness in responding to and resolving complaints and the ability to identify corrective actions and improvements for the operation of systems and services.

Monitoring may also include the use of audits, complaint satisfaction surveys and online and phone conversations.

Privacy and confidentiality

Personal and/or sensitive information may be collected by LWB from complainants during the process. Complaints can be made on an anonymous basis, with a pseudonym and can be requested to be kept confidential.

LWB takes all reasonable steps to comply with legislated privacy and confidentiality requirements and complainant requests. However, a complainant withholding their identity or other relevant information may impact on how successfully a complaint can be addressed.

At all times LWB maintains information securely and will only disclose information to relevant parties as permitted by law. It is noted that some complaints can or must be referred to an agency, organisation or individual external to LWB. Where referral outside LWB is required or appropriate, the complainant will be advised and asked to consent where possible.

Referral

Under certain circumstances, LWB will be required to refer the complainant and/or the complaint to another agency or organisation, for example:

- report suspected crimes to the police and other relevant authorities; for example, a Disclosable Matter as identified under the Whistleblowers Protection Policy Guideline.
- report Reportable Incidents such as serious incidents or allegations which result in harm to the NDIS Commission or relevant State Guardian or Commissioner in relation to a child (this information is attached at the end of this document).

Escalation

Where staff are unable to manage the complaint or identify a realistically achievable resolution, they must escalate the matter to their line manager, for advice and or to transfer the ownership of the event.

Discussions and potential solutions must be documented, and the complainant updated on progress and key decisions, including if different or additional parties become involved in the management and resolution of the complaint.

The National Complaints Manager can also be contacted for advice and support.

The complainant should be informed of their option to escalate the matter either internally within LWB or to an external body, e.g. the NDIS Commission or relevant State Ombudsman.

Advocacy Services

LWB recognises and values the opportunity of working in partnership with advocates to resolve issues and produce better outcomes for clients.

LWB acknowledges that advocacy for clients can be provided by:

- carers, family members and friends that have a unique and deep understanding of clients and their needs
- professionals working in Advocacy Services, Service Providers with knowledge and expertise, and members of the legal profession.

Supporting a client with a review

If any client or complainant is not satisfied with the way their complaint has been managed, they may request a review of the complaint. The National Complaints Manager is the first option within LWB for a complainant to discuss the outcome or request a review.

The complainant may also wish to discuss their matter with an advocate or external organisation, e.g. NDIS Quality and Safeguarding Commission or relevant State Ombudsman. Contact details can be located here for these agencies. These organisations are independent, confidential and take all complaints seriously. They work with clients, providers, and workers to resolve any problems and improve quality and safety services and supports.

Complaints to agencies or bodies outside LWB

Some of the supports and services LWB provides are covered by legislated oversight or complaints schemes that are administered by agencies or bodies independent of LWB, for example the NDIS Quality and Safeguarding Commission, the Aged Care Quality and Safety Commission or a State Ombudsman or Government Department that funds LWB's services.

Complainants may raise their complaint with one of these agencies and are to be informed about these additional avenues of support and redress. It may also be appropriate to refer a complainant to an agency or body external to LWB.

Some oversight or complaint handling bodies are able to lodge a complaint with LWB on behalf of a client. At all times the relevant process and timelines must be adhered to and all information recorded on i-Sight.

Should a complaint be received from the Australian Government, Department of Home Affairs staff are to contact the Manager NISS or the NISS Quality Business Partner for advice.

Managing unreasonable interactions by complainants

Complainants may at times act inappropriately or unreasonably due to high levels of distress, frustration, and anger regarding their situation or experience.

LWB staff will take reasonable steps to accommodate people making complaints. However, LWB can only effectively resolve complaints under safe and conducive conditions. Violent and abusive behaviour can be counter-productive and have a negative effect on everyone concerned.

The NSW Ombudsman, in conjunction with other State and Territory Ombudsman offices and the Commonwealth Ombudsman, has undertaken a joint project to develop a publication dealing with unreasonable complainant conduct. Managing Unreasonable Complainant Conduct – Practice Manual (NSW Ombudsman).

Further Advice and Information

For further advice, please contact the LWB National Complaints Manager or your line manager.

Mail: Life Without Barriers
PO Box 2226
DANGAR NSW 2309

PH: 1800 721 226

Email: complaints@lwb.org.au

Website: www.lwb.org.au

Audit / Evaluation

The audit and evaluation of this policy guideline is comprised of external and internal reviews as part of licence or accreditation reviews.

References and Links

- National Complaints and Feedback Management and Resolution Policy Statement
- National Complaints and Feedback Management and Resolution Procedure
- National Complaints Handling Charter
- National Acknowledgement of Complaint template
- National Complaint Closure Letter Template
- National Complaints and Compliments Form
- Working with Aboriginal and Torres Strait Islander People - LWB Practice Approach
- Whistleblowers Protection Policy Guideline
- We Put Children First Policy Guideline
- Aged Care Quality and Safety Commission: Guidance and Resources for Providers to support the Aged Care Quality Standards. Australian Government, December 2019.
- NDIS LWB 920 Complaints Management and Resolution - Procedure - this includes the NDIS Complaint Resolution process
- NDIS LWB 922 Complaints Management and Resolution Procedure - Easy Read
- NDIS LWB 925 Preventing and responding to Violence, Abuse, Neglect, Exploitation and Discrimination - Policy Guideline
- NDIS Quality and Safeguarding Commission principles of procedural fairness