



## COMPLIMENTS, COMPLAINTS AND FEEDBACK POLICY

### 1. PURPOSE

The BCWCA regards all feedback, including complaints, as a positive opportunity to improve the quality of our services and regularly revisit the way in which we deliver services.

Our Complaints Management process promotes participants to feel safe, encouraged and supported to give feedback and make complaints. Any feedback or complaint will be dealt with in an ethical, timely, transparent and confidential manner. Participants concerns will be treated as a priority and we are committed to working in collaboration with the participant towards a satisfactory resolution.

The purpose of this policy is to outline how people can provide feedback and make complaints about any aspect of BCWCA and the processes that will be undertaken to address and/or respond to the complaint.

This policy supports the NDIS Practice Standards, Provider Governance and Operational Management Module, in relation to Feedback and Complaints Management. It also supports the National Standards for Disability Services, in particular Standard 4: Feedback and Complaints.

### 2. SCOPE

This policy applies to all personnel of BCWCA including participants, families and carers, staff members, other service providers and members of the community. The framework of this policy is based on the three core principles of natural justice or procedural fairness:

- The right to be heard fairly;
- The right to an unbiased decision made by an objective decision maker; and
- The right to have the decision based on relevant evidence.

### 3. DEFINITIONS

**Advocate** is a person who promotes, supports and represents the rights and interests of a person with a disability. An advocate is often involved in acting, speaking or responding on behalf of a person with a disability but not as a legally appointed guardian. Staff cannot be advocates for participants.

**Closed** refers to a complaint that is considered closed and resolved once a final decision has been made about the matter.

**Complaint** is an expression or dissatisfaction made to an organisation related to its products or the complaint handling process, where a response or resolution is explicitly or implicitly expected.

**Compliment** is an expression of praise, encouragement or gratitude about services provided or managed by the organisation.

**External Advocacy Agency** provides support to encourage and assist individuals to achieve and maintain their rights and achieve equity of access and participation in the community.

**External Authorities** are independent, impartial bodies, such as the NDIS Quality and Safeguarding Commission, empowered to handle complaints; although they do not act for a complainant.



**Feedback** is a concern where no outcome is requested or expected.

**Staff** are those who provide direct services to participants we support.

**Open disclosure** is an apology or expression of regret, a factual explanation of what happened, an opportunity for the participant to relate their experience and an explanation of the steps being taken to manage the event and prevent reoccurrence. Open disclosure is a discussion and an exchange of information that may take place over several meetings.

**Participant** is a person who is accessing BCWCA to be involved in specific program activities.

**Person with an interest** is any person we support, family member, friend, staff member or other service provider.

**Person responsible/guardian** may act as alternate decision makers and provide emotional support. The person responsible has authority to consent only on behalf of a person who is incapable of providing consent.

**Resolved** is a complaint considered solved when a final decision regarding the matter has been reached.

**Support person** provides emotional support during the process but is not directly involved in the complaint resolution process or outcome.

#### 4. POLICY STATEMENT

BCWCA regards all feedback, including complaints, as a positive opportunity to improve the quality of our services and regularly revisit the way in which we deliver services. Compliments provide:

- Valuable indicators of the effectiveness of a service;
- Useful insights about the most meaningful aspect of a service by the people receiving those services;
- Examples of good practice which can be shared across the organisation;
- An opportunity to recognise the efforts of staff;
- Acknowledgement of excellence to boost morale.

BCWCA supports and encourages the rights of our participants and their families/carers to lodge and pursue any complaint in relation to any aspect of BCWCA services or operations. BCWCA is committed to the following complaint management principles:

- Assisting people to make a complaint in whatever way is meaningful to them;
- Complainants have the right to access interpreters, advocates, a support person to assist them to lodge a complaint;
- Complaints can be lodged without fear of retribution;
- Complaints are assessed fairly, objectively and professionally;
- Openness and accountability;
- Complaints are resolved in a timely manner;
- Ensure the application of procedural fairness and natural justice for all involved;
- Encourage the development of harmonious partnerships;



- Integrate complaints information into the organisations improvement process.

## 5. PROCEDURES

- i. Any individual, stakeholder or agency wishing to lodge a complaint against services, Directors or staff of BCWCA will be provided with information regarding the organisation's Complaints Management policy and process. Any complaint will be heard with open ears and a willingness to assist the complainant. Complainants will be given the opportunity to respond via several methods including verbally, in person, phone, face to face or in writing.

### Contact Details

Email: [info@bcwca.org.au](mailto:info@bcwca.org.au)

Website: [www.bcwca.org.au](http://www.bcwca.org.au)

Phone: +61487 012 813

- ii. Information will be provided in a format that is easily understood and considered effort will be provided to ensure the complainant is fully informed of the complaint management process. A third party on behalf of another person may lodge complaints, if their permission and consent has been given.
- iii. BCWCA expects that most complaints/feedback will be able to be addressed and responded to by the people directly involved. However, where complaints require investigation or a more formal review, BCWCA will ensure that complaints are proficiently managed and investigated by implementing the following stages:
  - Acknowledgement of receipt of complaint;
  - Complaint assessment;
  - Investigation of complaint;
  - Complaint response;
  - Communicating the decision; and
  - Complaint closed.
- iv. BCWCA is committed to open disclosure principles, which attempt to address and balance the interests of participants, staff members and other key stakeholders. The principles are as follows:
  - Open and timely communication
  - Acknowledgment
  - Apology or expression of regret
  - Supporting the meeting the needs and expectations of participants and their families
  - Supporting and meeting the needs and expectations of staff
  - Review and quality improvement
  - Compliance with privacy and confidentiality legislation
- v. All BCWCA staff will handle compliments with:
  - Courtesy and encouragement;
  - Sensitivity to the needs of the complainant;
  - Efficiency and effectiveness;
  - Empathy and perspective;



- Communicate mindfully.
- vi. Complaints received will be formally acknowledged within two (2) business days of receipt and the complaint responded to within fourteen (14) days. Persons who lodged the complaint will be regularly updated and advised of progress within agreed intervals. If it is perceived that a delay may be experienced, this delay will be clearly articulated in writing to the complainant.
- vii. The following details relating to the complaint will be documented in BCWCA's Complaints Register:
  - Information and details about the complaint;
  - Any action taken to resolve the complaint;
  - The outcome of any action taken.
- viii. Investigation of complaints will not be conducted by a person about whom a complaint has been made.
- ix. BCWCA will endeavour to fully inform any staff member that is subject of a complaint of the nature of the complaint and of the resolution process being implemented. If required, the staff member concerned will be provided with a seven (7) day timeframe in which to submit a written response and/or seek further advice.
- x. If a complaint is received that alleged criminal activity or provides information about possible criminal activity, it is considered to be a reportable incident to NDIS Commission and a BCWCA Director. The Director will also contact the police or other relevant authorities.

## 6. ADVOCACY AND SUPPORT

Participants who access supports and services provided by BCWCA have varying support networks. An advocate must represent the best interests of a person, and in the absence of a family member, may be the contact person for issues or complaints made by or relating to the participant. Staff members are also aware of their right to use an advocate.

Individuals can contact any of the following bodies should the complaint remain unresolved or at any time during the process:

- **Australian Human Rights Commission (CTH)**  
Phone: (02) 9284 9600  
Complaints Info Line: 1300 656 419  
TTY: 1800 620 241  
Email: [complaintsinfo@humanrights.gov.au](mailto:complaintsinfo@humanrights.gov.au)  
Website: [www.humanrights.gov.au](http://www.humanrights.gov.au)
- **National Disability Insurance Scheme (NDIS) Quality and Safeguards Commission**  
Phone: 1800 035 544  
Website: [www.ndiscommission.gov.au](http://www.ndiscommission.gov.au)
- **National Disability Abuse and Neglect Hotline**  
A hotline for reporting or complaining about the abuse or neglect of a person with a disability at home, in the community, or in any other location. The hotline will refer a complainant to a relevant state or local agency where necessary.  
Free call: 1800 880 052  
TTY: 133 677 then ask to speak with 1300 003 224  
Email: [hotline@workfocus.com](mailto:hotline@workfocus.com)



- **Intellectual Disability Rights Service (IDRS)**

A community legal centre specialising in legal and rights issues for people with a disability.

Phone: (02) 9318 0144

Free call: 1800 666 611

Email: [info@idrs.org.au](mailto:info@idrs.org.au)

Website: [www.idrs.org.au](http://www.idrs.org.au)

- **People with Disability Australia Incorporated**

For people with a disability who wish to make a complaint about their rights being infringed.

Phone: (02) 9370 3100

Free call: 1800 422 015

TTY: 1800 422 016 (free call)

Website: [dris@pws.org.au](mailto:dris@pws.org.au)

## 7. COMPLIMENTS AND FEEDBACK

Compliments and feedback can be provided in person, by phone, email, in writing or via the BCWCA website. A copy of this Policy will be accessible on the BCWCA website or upon request.

## 8. RESPONSIBILITIES

- i. The Directors of BCWCA are responsible for monitoring the implementation of this policy, ensuring that:
  - All stakeholders are aware of and understand their rights and responsibilities in relation to the making of a complaint and managing a complaint.
  - All staff members, volunteers and Directors have been provided with training in relation to this policy as required.
  - Ongoing support and guidance is provided to all employees in relation to implementing this policy.
  - All complaints and feedback are dealt with and recorded in accordance with this policy.
  - Complaints and feedback data is analysed annually and used to inform improvements.
- ii. All staff are responsible for ensuring that:
  - Viewing complaints and feedback as opportunities to improve the organisation.
  - They attempt to resolve and address any complaints or issues raised with them in line with their authority.
  - Are aware of and understand this policy and procedures and seek clarification if they do not understand.
  - They follow the policy and procedures outlined in this policy.
- iii. Participants, families, carers and other important stakeholders are responsible for:
  - Using this complaints process to raise issues with the organisation.

## 9. EQUITY AND ACCESS CONSIDERATIONS

Staff, volunteers and Directors are to ensure that services are provided with sensitivity to and awareness of people with culturally diverse or indigenous backgrounds, and cultural practices. Information provided to a participant, their family/carer, person responsible or other support person about legal rights, options and support services, must be provided in a format that suits their individual communication needs.



## **10. QUALITY OR SAFETY OF NDIS SUPPORTS AND SERVICES**

Complaints about the quality or safety of NDIS supports and services can be made to the NDIS Commission.

## **11. NDIA OR PARTICIPANT PLANS**

Complaints about the NDIA or participant plans can be made to the NDIA or to the Commonwealth Ombudsman.

## **12. BREACHES OF POLICY**

All BCWCA personnel are expected to follow this policy. Failure to follow BCWCA’s policies and procedures will be treated seriously and may result in disciplinary action. Serious breaches of this policy resulting in gross misconduct could result in instant dismissal.

## **13. REVIEW**

This policy will be reviewed on a two-yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

### **SUPPORTING DOCUMENTS**

Complaints Management Register

### **RELEVANT LEGISLATION OR STANDARDS**

Disability Discrimination Act

NDIS Practice Standards and Quality Indicators (2020)

National Disability Insurance Scheme Act (2013): Principles

National Disability Insurance Scheme Quality and Safeguarding Framework

National Disability Insurance Scheme Rules

National Standards for Disability Services, Standard 4: Feedback and Complaints

United Nations’ Convention on the Rights of Persons with Disabilities (2006)

### **DOCUMENT HISTORY**

Version No.	Version Date	Description of Change	Author
1.0	2 April 2021	Initial Release	Savva Petridis