FEEDBACK AND COMPLAINTS POLICY AND PROCEDURE

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FEEDBACK AND COMPLAINTS POLICY AND PROCEDURE

Purpose and Scope

The purpose of this policy and procedure is to set out how any person can provide feedback and make complaints about any aspect of Bilingual Care's operations and the process that Bilingual Care will take to address or respond to feedback and complaints.

It applies to all stakeholders of the business, including consumers, families, carers, advocates, staff, other service providers, government agencies and members of the community. It meets relevant legislation, regulations and Standards.

Feedback and Complaints raised by Bilingual Care staff will generally be dealt with under Bilingual Care's *Disputes and Grievances Policy and Procedure*, however from time to time staff may raise issues or provide feedback that is best dealt with under this policy and procedure.

Bilingual Care also has obligations in relation to incident management systems and reportable incidents that may apply to a complaint. See Bilingual Care's *Incident Management policies and procedures*.

Failure to comply with the complaint's management requirements of the Aged Care legislation and Standards may lead to the Aged Care Quality and Safety Commission taking compliance and enforcement action against Bilingual Care.

Applicable Strengthened Aged Care Quality Standards

- *Standard 1. The Person*
- *Standard 2. The Organisation*
- *Standard 3. The Care and Services*
- *Standard 5. Clinical Care*

While ***Standard 2 (Outcome 2.6)*** specifically focusses on feedback and complaints management, Bilingual Care recognises that feedback and complaints are relevant across ***all*** Aged Care Quality Standards, and a consumer has the right to provide feedback and complaints that relates to any aspect of their care and services.

Definitions

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**.**

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.[1]

Feedback – a person's thoughts, reactions, or feelings in relation to a service or product received that is often used as a basis for improvement.

Open Disclosure – open discussions and communication with each consumer/their representative when something goes wrong within the service that has caused harm or may potentially cause harm to a consumer. This harm may be physical, psychological, or social, resulting in loss of quality of life, impairment, suffering, injury, disability, or death. The elements of open disclosure are an apology or expression of regret (including the word 'sorry'), a factual explanation of what happened, an opportunity for the consumer to relate their experience, and an explanation of the steps being taken to manage the event and prevent recurrence. Open disclosure is a discussion and an exchange of information that may take place over several meetings. Further information can be found in the *Aged Care Open Disclosure Framework and Guidance*.[2]

Procedural Fairness – a principal that requires a fair and proper procedure be used when making a decision.

Policy

Bilingual Care respects each person's right to feel safe and comfortable to provide feedback or make complaints about the organisation or its services.

Feedback and complaints are taken seriously as they provide Bilingual Care with valuable information about consumers' and others' satisfaction, and an opportunity to improve upon all aspects of service delivery. Feedback and complaints can be made without fear of being treated unfairly or being disadvantaged because of the feedback or complaint.

Bilingual Care's complaints management and resolution system ensures people can easily make a complaint and have it dealt with transparently, fairly and quickly. Staff will assist consumers to access advocacy or other support services if they need help with raising or resolving a complaint.

A complainant's privacy and confidentiality will be maintained, and Bilingual Care will obtain informed consent when handling any personal information. In addressing and responding to feedback and complaints, open disclosure will be practiced when things go wrong.

Bilingual Care makes information available to consumers and other stakeholders about how to make a complaint to it, the Aged Care Quality and Safety Commission any other relevant body, and keeps adequate records about complaints received.

Procedures

General

Bilingual Care's Leadership Team must promote best practice, continuous improvement and an open, respectful culture that encourages and supports staff, consumers and other stakeholders to make complaints without fear of retribution. It reviews its effectiveness

[1] AS 10002:2022 Guidelines for Complaint Management in Organisations (ISO 10002:2018, NEQ)

[2] Australian Commission on Safety and Quality in Healthcare, 2014, *Australian Open Disclosure Framework: Better Communication, a Better Way to Care*, ACSQH, Australian Government, accessed 28 August 2025, https://www.safetyandquality.gov.au/publications-and-resources/resource-library/australian-open-disclosure-framework-better-communication-better-way-care.

regularly, as per the *Governance Policy and Procedure*.

As per Bilingual Care's *Training and Development Policy and Procedure*, all staff must undergo induction, which includes training in Bilingual Care's feedback and complaints processes. Staff knowledge and application of this policy and procedure, Bilingual Care's feedback and complaints system and their obligation to protect children from harm are monitored on a day-to-day basis and through annual Performance Reviews. Additional formal and on-the-job training is provided where required.

Meeting Agendas for team meetings include a standing item on Continuous Improvement, including a review of feedback and complaints.

Bilingual Care uses the *Statement of Rights*, its *Consumer Information Pack,* website, *Service Agreement* and *Feedback and Complaints Form* to provide consumers, families, carers and all other stakeholders with information about this policy and procedure, in an easy to understand format. Information provided includes how to make a complaint to Bilingual Care and to the Aged Care Quality and Safety Commission and other external bodies, how complaints will be addressed, and external advocacy and support services that can assist people in the complaints process.

Staff must provide consumers and their supporters with information about Bilingual Care's feedback and complaints processes when they first access the service. Throughout service delivery, staff must remind consumers and their supporters of their right to make a complaint without fear of it affecting their service. Any other person wishing to lodge feedback or a complaint must also be provided with this information.

To ensure consumers understand their right to make a complaint and how to make a complaint, staff must provide information to them and their supporters in ways that suit their individual communication needs. Written information can be provided in different languages and Easy English or explained verbally by staff. Staff can also help consumers access interpreters or advocates where required.

The Managing Director must track and review feedback and complaints to identify ongoing issues using Bilingual Care's *Complaints Register* and report feedback and complaints data to the Leadership Team at its monthly meetings.

Privacy and Information Management

All personal information Bilingual Care collects to manage feedback or complaints must be handled in accordance with Bilingual Care's *Privacy and Confidentiality Policy and Procedure*.

Staff must keep information about complaints confidential. They may only disclose necessary detail if they are required to do so by law, or if not disclosing is likely to place the safety, health or wellbeing of any person at risk. Staff must take all reasonable steps to notify the complainant before deciding not to keep personal information confidential.

Bilingual Care's *Complaints Register* must be used to record information about feedback and complaints, any action taken to resolve complaints and the outcome of any action taken. All information regarding feedback and complaints is kept securely in accordance with Bilingual Care's *Records and Information Management Policy and Procedure*. All records regarding complaints must be retained for at least 7 years from the date they are created.

Feedback

Providing feedback to Bilingual Care is voluntary.

Feedback can be provided at any time, in any way, by any stakeholder, through:

- a staff member
- email, mail or phone
- Bilingual Care's *Feedback and Complaints Form*
- Bilingual Care's website
- service delivery planning days (involving consumers and other stakeholders)
- Leadership Team meetings (involving consumers and other stakeholders)
- Consumer Advisory Body meetings and Quality Care Advisory meetings
- staff collection of feedback after a person interacts with the service (e.g. initial assessment and planning reviews, exit interviews, etc.)
- annual consumer satisfaction surveys. All consumers or their family/supporters will be asked to complete these surveys and
- annual staff and stakeholder satisfaction surveys. All staff will be asked to complete these surveys and stakeholders will be selected on a random basis.

Where feedback is provided verbally, the receiving staff member will transcribe it onto a Bilingual Care *Feedback and Complaints Form.*

Complaints

People can make a complaint about any aspect of Bilingual Care's services, including breaches of its policies and procedures, the *Aged Care Code of Conduct*, *Statement of Rights* or *Staff Code of Conduct*.

Bilingual Care's complaints management process can be simplified into five steps:

1. Complaint Lodgement
2. Record the Complaint
3. Acknowledge the Complaint
4. Resolve the Complaint
5. Communicate the Resolution

1. Complaint Lodgement

To lodge a complaint, people are encouraged to speak directly to a staff member first, in an attempt to resolve the matter without recourse to Bilingual Care's complaints procedures.

Staff must:

- listen openly to the concerns being raised by the complainant
- ask the complainant what outcome they are seeking
- inform the complainant of the complaint process and how to formally make a complaint to Bilingual Care, the Aged Care Quality and Safety Commission or other complaints body and the time the process takes
- be empathic towards the person and action all commitments made and
- action situations that pose an immediate threat or danger or require a specialised response.

If the complaint is resolved, it must be reported to the Managing Director for inclusion in Bilingual Care's *Complaints Register.*

If the complaint cannot be resolved promptly or within 24 hours, it must be referred to the Managing Director. The Managing Director will advise the person of their right to lodge a formal complaint if they have not already done so, with the assistance of a support person or advocate if they wish. A *Feedback and Complaints Form* will be made available to the individual to lodge their complaint, however it is not mandatory that they use the form.

Formal complaints can be lodged:

- directly with a staff member, either verbally or by providing a completed *Feedback and Complaints Form*
- by email to: savva@bcwca.org.au or
- by phone on: (02) 7259 3625
- in writing to: PO Box 4040 BEXLEY NORTH NSW 2216 or
- by placing a written complaint in a Suggestion Box in Bilingual Care's head office.

Mail and phone submissions as well as the *Feedback and Complaints Form* can be used to make anonymous complaints.

Complaints and feedback can be lodged by a third party on behalf of another person, if their consent or the consent of their legal representative has been provided.

At any time, people can make a complaint about aged care service providers or the support they provide to the Aged Care Quality and Safety Commission or other external complaints bodies (listed below).

Staff must assist people making a complaint, or people affected by a complaint, to contact the Aged Care Quality and Safety Commission or other complaints body, where this is required.

People making or impacted by a complaint must be encouraged to use an advocate of their choice to act on their behalf if they wish. The advocate may be a family member or friend or sourced (with assistance from staff if required) through the Older Persons Advocacy Network (OPAN).

If a complaint alleges actual or possible criminal activity or abuse or neglect, it must be referred to the Managing Director immediately. The Managing Director must report and action the complaint as per Bilingual Care's *Incident Management* policies and. If a complaint is raised where elder abuse or neglect is suspected, refer to Bilingual Care's *Elder Abuse and Neglect Policy and Procedure* for response procedures.

In accordance with the Aged Care Act 2024, individuals who raise concerns or complaints about suspected breaches of care, misconduct, or unlawful behaviour may be protected under Bilingual Care's *Whistleblower Policy and Procedure*. If a complaint or feedback involves disclosable conduct, such as abuse, neglect, fraud, or serious non-compliance, it may qualify as a protected disclosure. In these cases, the individual making the report may be entitled to confidentiality and additional protections. For more information, refer to the *Whistleblower Policy and Procedure*.

Staff must take all reasonable steps to ensure complainants or people affected by complaints are not adversely affected or fear retribution because a complaint has been made by them or on their behalf.

Complaints made to Bilingual Care, the Aged Care Quality and Safety Commission and other complaints bodies can be withdrawn at any time.

Where a complaint about Bilingual Care is made to the Aged Care Quality and Safety

Commission, all staff must:

- comply with any orders or requests made by the Aged Care Quality and Safety Commission and
- assist in any resolution process or inquiry undertaken by the Aged Care Quality and Safety Commission.

Complaints Under the *National Code of Conduct for Healthcare Workers*

Complaints can be made about healthcare practitioners under the *National Code of Conduct for Healthcare Workers* (Code of Conduct). The Code of Conduct sets out a range of minimum standards for health practitioners who:

- are not registered under the National Registration Accreditation Scheme (NRAS). The NRAS covers 16 professions who are regulated by 15 National Boards, and is administered by the AHPRA (the Australian Health Practitioner Regulation Agency)
- provide services unrelated to their registration or
- are student or volunteer health care workers.

The types of practitioners the Code of Conduct applies to can include (but is not limited to) counsellors, dieticians, massage therapists, nutritionists, psychotherapists, social workers, and speech pathologists. It may also include some other types of allied, alternative, and community health service workers.

The Code of Conduct requires healthcare workers to:

- provide services in a safe and ethical manner
- not provide health care of a type outside of their experience or training or services they are not qualified to provide
- not make claims to cure certain illnesses
- not financially exploit clients
- not engage in improper personal relationships with a client
- be covered by appropriate professional indemnity insurance and
- display the Code of Conduct, and information about how to make a complaint.

Where the Code of Conduct applies to Bilingual Care staff, the Managing Director must advise those staff of their obligation to comply with it. Bilingual Care must also display the Code of Conduct in its premises, and ensure clients can access a copy, along with information about how they can make a complaint under it. See *External Complaints Bodies* for complaints bodies who will take complaints under the Code of Conduct.

External Complaints Bodies

Outside Bilingual Care, complaints can be made to the following bodies. Staff must support people to make a complaint to these bodies, where this is required.

Aged Care Quality and Safety Commission (Complaints Commissioner)
Complaints to the Aged Care Quality and Safety Commission can be lodged:

- Phone: 1800 951 822
- Online: https://www.agedcarequality.gov.au/making-complaint/lodge-complaint
- Email: info@agedcarequality.gov.au
- Mail:

  Aged Care Quality and Safety Commission
  GPO Box 9819
  Sydney, NSW, 2000

If the complaint is about food, nutrition and dining, contact the Commission's dedicated phone:

- Phone: 1800 844 044
    - Phone services are available from 9am to 5pm AEST, Monday to Friday.

Australian Human Rights Commission
Complaints regarding discrimination and breaches of human rights can be lodged with the Australian Human Rights Commission by:

- Phone: 1300 656 419 (National Information Service).
    - Phone hours services are currently reduced due to COVID-19 and are therefore only available between 10am and 1:30pm AEST, Monday to Friday
- Email: infoservice@humanrights.gov.au
- Online: https://humanrights.gov.au/.

Australian Competition Consumer Commission (ACCC)
Consumers can contact the ACCC regarding obtaining information about consumer rights and can investigate complaints about breaches of these rights by:

- Phone: 1300 302 502
- Online: https://www.accc.gov.au/

Consumers also have rights under the **Australian Consumer Law (ACL)**, including provisions on customer guarantees and unfair contract terms. Information and advice about customer disputes under the ACL are managed by individual State and Territory agencies.

Contact details are provided below:

- NSW Fair Trading
    - Website: https://www.fairtrading.nsw.gov.au/
    - Phone: 13 32 20
        - Phone hours services are currently available between 8:30am – 5pm, Monday to Friday

Australian Securities and Investments Commission (ASIC)
Consumers can contact ASIC if they have concerns regarding consumer protect in relation to finances via the ASIC website at https://asic.gov.au/for-consumers/how-to-complain/.

The Australian Health Practitioner Regulation Agency (AHPRA)
AHPRA deals with complaints and concerns about health practitioners and students. This includes complaints made under the National Code of Conduct for Healthcare Workers. More information is available at https://www.ahpra.gov.au/Notifications/How-to-submit-a-concern.aspx.

Additional External Complaints Bodies

New South Wales Ombudsman
The NSW Ombudsman investigates complaints about New South Wales Government agencies and certain non-government organisations. Complaints can be lodged by:

- Phone: 1800 451 524
    - Phone hours services are currently available between 9.00am to 4.00pm Monday to Friday
- Online: https://www.ombo.nsw.gov.au/Making-a-complaint

Anti-Discrimination Board of NSW

The Anti-Discrimination Board of NSW investigates complaints relating to breaches of the Anti-Discrimination Act 1977 (NSW). Complaints can be lodged by:

- Phone: 1800 670 812
- Form: a Complaints Form at https://antidiscrimination.nsw.gov.au/anti-discrimination-nsw/complaints/how-to-make-a-complaint.html can be submitted via email or mail
- Email: complaintsadb@justice.nsw.gov.au
- Mail: PO Box W213, Parramatta Westfield, New South Wales, 2150

Health Care Complaints Commission

The Health Care Complaints Commission takes complaints about health services provided in New South Wales. This includes complaints made under the National Code of Conduct for Healthcare Workers. Complaints can be lodged by:

- Online: https://ecomplaints.hccc.nsw.gov.au/
- Phone: 1800 043 159 or (02) 9219 7444
- Email: hccc@hccc.nsw.gov.au
- Mail: Level 12, 323 Castlereagh Street, Sydney, NSW 2000

Privacy Complaints

Complaints about privacy or the handling of personal or health information can be reported to the regulatory bodies listed in Bilingual Care's *Privacy or Confidentiality Policy and Procedure.*

2. Record

The Managing Director must record all information relevant to complaints, in its original and simplest form, in Bilingual Care's *Complaints Register*. The *Complaints Register* must be stored in a secure file, accessible only to the Leadership Team.

3. Acknowledge

The Managing Director must acknowledge receipt of complaints within 2 working days. However, where a person has requested to remain anonymous, contact may not be possible or expected.

In their acknowledgement, the Managing Director must set realistic expectations regarding complaint resolution and refer the matter to other organisations where they are identified as being more suitable to handle it. Acknowledgements must provide timeframes for resolution where possible.

4. Resolve

Investigation of a complaint must not be conducted by a person about whom the complaint has been made, or a person who has a conflict of interest in the matter. If required, the Leadership Team will determine the appropriate person to undertake the investigation.

In resolving a complaint, the Managing Director must involve the complainant and keep them informed of the progress of the complaint. They must discuss any disparities identified with the complainant and may request additional information when required. A timeframe within which further information is to be provided should be clearly communicated with the complainant.

The Managing Director should consider granting extensions where necessary and always communicate any additional time requirements to the complainant with an explanation of the need.

Complaint investigation must focus on the identified complaint matters only. All parties involved in a complaint must be provided with procedural fairness and with the support and information necessary to participate in the complaints process. This can include supporting the consumer to connect with an independent advocate if required. All outcomes from complaint investigations must be consistent with the *Statement of Rights*.

All decisions or actions regarding complaint investigation must be recorded by the Managing Director in Bilingual Care's *Complaints Register.*

5. Communicate Resolution

Bilingual Care will respond to all complaints as soon as possible and within 28 days from acknowledgement.

If a complaint cannot be responded to in full within 28 days of acknowledgement, an update must be issued to the complainant. The update must provide the date by which a full response can be expected. The update should be provided verbally in the first instance then confirmed in writing.

The Managing Director should discuss the outcome of a complaint investigation verbally with the complainant, where possible. This must be followed by written advice that provides the complainant an opportunity to make further contact with the Managing Director if required.

The written advice must also include information on what further action may be available to the complainant at the conclusion of the complaint investigation. This may include escalating the matter further with an external agency or seeking a further review within the business. Written advice should also seek feedback from the complainant regarding their experience of the complaints process.

Support must be provided to assist complainants' understanding of correspondence regarding complaints, where this is required (e.g., interpreters, referral to advocates, etc.) to meet their communication needs.

Options for responding to a complaint may include, but are not limited to:

- explaining processes
- rectifying an issue
- providing an apology
- ongoing monitoring and
- training or educating staff.

In all cases, the approach set out in the *Open Disclosure Policy and Procedure* must be followed when communicating with consumers about complaints and their resolution. This involves an expression of regret, a factual explanation of what happened and the potential consequences, and what steps are being taken to manage this and prevent it from reoccurring.

Once resolved, complaint outcomes must be relayed to the appropriate area within Bilingual Care in order to improve service delivery.

Feedback and Complaint Review

Feedback and complaint review includes identifying, monitoring and acting upon trends and systemic issues identified through the analysis of feedback and complaint information.

The purpose of analysing feedback and complaint data is to learn from patterns, to safeguard the safety and wellbeing of individual consumers, as well as improve the quality of supports.

The *Complaints Register* must be reviewed at monthly Leadership Team meetings. The Managing Director is responsible for monitoring the *Complaints Register* in order to analyse and report on trends.

Reviews should consider:

- the causes, handling and outcomes of feedback and complaints
- processes, timeframes and record keeping practices associated with feedback and complaint management and
- feedback provided by staff and consumers about Bilingual Care's feedback and complaint management.

Where preventative or improvement measures are identified, these must be tracked in the *Continuous Improvement Plan.*

Supporting Documents

Documents relevant to this policy and procedure include:

- *Governance Policy and Procedure*
- *Privacy and Confidentiality Policy and Procedure*
- *Records and Information Management Policy and Procedure*
- *Disputes and Grievances Policy and Procedure*
- *Whistleblower Policy and Procedure*
- *Workplace Incident Management Policy and Procedure*
- *Consumer Incident Management Policy and Procedure*
- *Elder Abuse and Neglect Policy and Procedure*
- *Open Disclosure Policy and Procedure*
- *Training and Development Policy and Procedure*
- *Statement of Rights*
- *Consumer Information Pack*
- *Service Agreement*
- *Feedback and Complaints Form*
- *Complaints Register*
- *Continuous Improvement Plan*
- *Meeting Agendas*

Monitoring and Review

This Policy and Procedure will be reviewed at least annually by the Leadership Team. Reviews will incorporate staff, consumer and other stakeholder feedback.

Bilingual Care's feedback collection mechanisms, such as staff and consumer satisfaction surveys, will assess:

- satisfaction with Bilingual Care's feedback and complaints processes
- whether stakeholders have received adequate information about making complaints

and their awareness of complaints mechanisms
- the extent to which consumers and their supporters feel they have been included in the review of feedback and their satisfaction with this process
- whether stakeholders have received adequate information about how the organisation will use feedback, complaints and appeals information and
- any barriers to lodging complaints and feedback.

Bilingual Care's *Continuous Improvement Plan* will be used to record improvements identified and monitor the progress of their implementation. Where relevant, this information will be considered as part of Bilingual Care's service planning and delivery processes.

DOCUMENT CONTROL

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