Clover Care

YOUR CHOICE. YOUR CONTROL.

COMPLAINTS MANAGEMENT

POLICY AND PROCEDURES

Legal name: CLOVER CARE PTY. LTD.

Business/trading name: Clover Care Pty Ltd

ABN: 70 663 519 766

ACN: 663 519 766

Head office: 29 Woollum Place Rivett 2611

Phone: (02)61896111

Email: support@clovercare.au

Website: www.clovercare.au

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1. Policy Overview

1.1 Purpose

This policy and Procedures provides guidance on the key concepts of the complaint management procedures to Clover Care staff and those people who wish to make a complaint.
This Policy and Procedures is intended to ensure all complaints are handled fairly, efficiently and effectively.

1.2 Scope

This Policy and Procedures applies to complaints about Clover Care, its services, products and/or how complaints are handled, originating from outside Clover Care, Tis includes, for example, complaints about:

- Decisions made by the employees of Clover Care
- The conduct of employees of Clover Care, including the quality of service provided
- Policies, procedures and practices of Clover Care

Complaints not covered by this Policy and Procedures include those relating to, for example:

- Staff grievances – see Grievance Resolution Policy and Procedures (Internal Clover Care policy)
- Public interest disclosures – see Public Interest Disclosures Policy and Procedures (internal Clover Care policy)
- Privacy complaints – complaints concerning breaches of privacy are referred to the general counsel, who will manage the complaint in accordance with the *Privacy and personal information protection act 1998* and *Health records and information privacy act 2002*

Clover Care may also not accept or action complaints relating to matters which have been previously dealt with or finalised, are outside its jurisdiction or which are vexatious or frivolous (as determined by the Director Corporate).

1.3 Key Features

This Policy and Procedures is based on a number of clear principles, including:

- Commitment – being open to complaints and viewing them as a means to enhance service delivery and improve products, services, practices and procedures.
- Facilitation – publicing information about how and where complaints may be made.
- Resourcing – providing appropriate support and resources to e,ployees to handle complaints, and empowering employees to implement Clover Care's Complaints Management Policy and Procedures as relevant to their role.

- Learning – regularly analysing, reporting and reviewing the subject matter and outcomes of complaints to measure the quality of Clover Care's service, for continuous improvement.
- Guidance – Clover Care's Complaints Management Policy and Procedures provides clarity regarding how complaints will be received, recorded, managed and reported.

1.4 Key Responsibilities

This Policy and Procedures specifies the responsibilities of Executive members, Director Corporate, Managers, Employees and Complainants.

1.5 Risk Management

This Policy and Procedures will considerably reduce risks associated with:

- Inefficient and untimely handling of complaints
- Dissatisfaction by clients with Clover Care services
- Unfair, discourteous handling of complaints and breaches of complaint privacy
- Decisions made without transparency and objectivity.

1.5 Monitoring and Review

Analysis and evaluation of complaints

The Director Corporate will provide a biannual complaints report to the Clover Care Executive. This report will highlight the performance of the complaint Management procedures over the previous six months and will include (but is not limited to):

- Number and nature of complaints received during the reporting period
- Number of complaints resolved during the reporting period
- Time taken to investigate complaints
- Issue arising to investigate complaints
- Action to address systemic issues (if any)
- The number of requests received for external review of complaint handling
- Complainant satisfaction with Clover Care's procedures for investigating complaints.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of services and make improvements.

Monitoring the complaint management procedures

The Director Corporate will review the complaint management procedures on an annual basis to ensure the policy's suitability for responding to and resolving complaints.

1.6 References

Relevant guidelines

- Guidelines for complaints handling in organisation, AS/NZS 10002:2014
- Complaint Handling Framework and Model Policy DRAFT 2015, Ombudsman NSW
- Behaving Ethically: a guide for NSW government sector employees, Public Service Commission 2014

Related internal Clover Care Policies

- Code of Ethics and Conduct
- Managing Public Interest Disclosures (Whisleblower)
- Grievance Resolution Policy and Procedures

2. Policy Statement

Clover Care is committed to providing services of the highest quality. Key to meeting this commitment is using feedback from those who use Clover Care's services as opportunities to improve the quality of the services provided. Feedback can be in the form of a complaint.

A complaint is defined as an expression of dissatisfaction about Clover Care, related to its products, services, policies, procedures, practices, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected.

Clover Care is committed to ensuring that complaints received are handled in a manner which is fair, courteous and respects the privacy of the person making the complaint. Further, Clover Care is committed to ensuring that reasons are provided for decisions made in relation to any complaint received.

Clover Care is also committed to making available simple procedures and the provision of all reasonable assistance to those who choose to make a complaint.

3. Key Responsibilities

Executive member responsibilities

Clover Care Executive members are responsible for:

- Promoting a culture that values complaints and their effective resolution.
- Establishing Clover Care's complaint Management Policy and Procedures.
- Ensuring complaints are effectively addressed in accordance with the complaint management procedures.
- Providing adequate support and direction to employees responsible for handling complaints.

- Regularly reviewing reports about complaint trends and issues arising from complaints.
- Encouraging employees to make recommendations for system improvements.
- Supporting recommendations for service and/or product improvements arising from analysis of complaint data.

Director corporate responsibilities

The director Corporate is responsible for:

- Oversighting complaint handling and ensuring complaints are investigated and dealt with in accordance with Clover Care's Complaint Management Policy and Procedures.
- Ensuring a central Complaints Register is maintained for monitoring and tracking complaints, and reporting on actions and decisions.
- Ensuring the promotion of awareness of the complaint management procedures.
- Prompt notification to the commissioner of any serious complaints.
- Annually reviewing the complaint management procedures to ensure the policy's suitability for responding to and resolving complaints.
- Reporting biannually to Clover Care's Executive.

3.3 Manager Responsibilities

Managers are responsible for:

- Understanding, complying with and managing individual complaints in terms of Clover Care's complaint Management Policy and Procedures.
- Supporting and empowering employees to resolve complaints promptly and in accordance with the complaint management procedures; to minimise the need for escalation.
- Ensuring complaints are effectively addressed in accordance with this Policy and Procedures.
- Ensuring appropriate records are kept.

3.4 Employee Responsibilities

Employees are responsible for:

- Understanding and complying with Clover Care's Complaint Management Policy and Procedures.
- Dealing professionally, promptly and courteously with complaints and, where appropriate, providing assistance and information to people looking to make a complaint in accordance with this Policy.

3.5 Complainant Responsibilities

Complainants are responsible for:

- Attempting to resolve the matter early by contracting the relevant employee directly to try to settle the issue or concern informally.
- If unable to resolve the matter informally, following Clover Care Complaint Management Policy and Procedures to lodge a formal complaint.

4. Complaint management procedures

Clover Care's complaint management procedures are based on a three-tiered approach to complaints handling, as recommended by the Ombudsman's NSW. The procedures recognise that, before a complaint is lodged, every effort will be made to resolve an issue early and informally at the first point of contact.

Three tiered approach –

Informal resolution →	**Formal resolution** →	**External review**
Staff empowered to resolve issues early and informally wherever possible	complaint lodged and investigated – only when issue remains unresolved after informal discussions	Complainant advised of outcome and options available for further review if not resolved satisfactorily

The flow chart at Appendix 1 (A1) outlines the steps involved in the three tiered approach to complaint handling.

4.1 Informal resolution

Wherever possible, complaints are best resolved early and informally by the employee who the complaint is being made about. This is the most effective and service-focused way to resolve a problem.

Some examples of these types of complaints might be:

- A response to correspondence or telephone call
- An inconsistency in a policy or procedure
- An error in records.

Employees are empowered to resolve these issues wherever possible. As such, they have authority to:

- Obtain necessary information to assess the validity of the complaint
- Resolve issues or concerns
- Inform the complainant of the entitlement to lodge a formal complaint if the issue or concern remains unresolved.

If the matter is dealt with to the satisfaction of the complainant at this atge, the employee concerned must log a basic record of the informal resolution in Complaints Register held by the Director Corporate – Per Appendix 2 (A2).

The basic record in the Complaints Register must contain the following information:

- Complaint number
- Complainant's contact information, if provided
- Type of complaint is related to employee, service, policy or procedure
- Complainant satisfaction with the outcome.

4.2 formal resolution

where informal resolution of a complaint is not possible the complainant may lodge a formal complaint with Clover Care.

There are four basic steps to deal with a formal complaint which are – receiving, acknowledging, investigating and reporting.

Step 1 – Lodging a complaint

Complaints can be received either orally or in writing. Wherever possible, complaints should be submitted in writing so that all aspects of the complaint can be accurately investigated. The complaint form at Appendix 3 (A3) provides an outline of the type of information that is required when lodging a complaint.

Written complaints can be made on the complaint form available at: https://clovercare.au/feedback-1 or emailed to:

Support@clovercare.au

Oral complaints may be made by phoning Clover Care on 02 61896111. The receiving staff member will create a record of the complaint, and should:

- work through the complaint form with the complainant, listening carefully to document the complaint as dictated
- provide further information about the complaint management procedures
- have the complainant sign the complaint form (where possible) or acknowledge the complaint details
- provide the complainant a copy of the form
- refer the record of complaint to

Anonymous complaints

while anonymous complaints are not encouraged, they are accepted. They may be lodged either in writing or accepted by an employee as an oral statement. Complainants are encouraged to provide as much information as possible which may be of assistance when assessing the complaint. It should, however, be noted that an anonymous complaint might be more difficult to investigate as, for example, further details of the circumstances relating to the complaint might be difficult to obtain, and it will be difficult to provide feedback on the complaint.

Providing assistance

Clover Care will provide all reasonable assistance to those who need help to communicate in relation to the complaint. Assistance may include, for example, access to an interpreter service or agreement to a personal interview during which the details of the complaint can be written down on the complainant's behalf.

Step 2 – Registering, allocating and acknowledging a complaint

Registering a complaint

all formal complaints must be recorded in the complaints Register held by the Director Corporate. The Director Corporate will be responsible for maintaining the Complaints Register per Appendix 2 (A2).

The resister must contain the following information:

- complaint number
- complainant's contact information, if provided
- type of complaint i.e. related to employee, service, policy or procedure
- name of investigating employee to manage the complaint
- time taken to investigate complaint
- outcome of complaint
- action recommended to address systemic issues (if any)
- complainant satisfaction with outcome.

To maintain confidentiality, access to the complaints register and all associated documents (both electronic and paper) will be restricted to the Director Corporate, the investigating employee's and other staff approved by the Director Corporate.

Allocating a complaint

Once a complaint is lodged, the Director Corporate will undertake a review to ensure the complaint:

a) has not been previously dealt with or finalised
b) is within the policy's jurisdiction
c) is not vexatious or frivolous

the Director Corporate will then consider how to allocate the complaint, and will either:

a) refer the complaint to the appropriate staff member of Clover Care Executive or
b) refer the complaint to another member of Clover Care's executive team if it is not appropriate to allocate the complaint to Clover Care's executive member involved, for example:
    - there may be a potential conflict of interest
    - the complaint relates to Clover Care's executive member, or
    - the complainant requests it; or
c) engage someone to investigate the complaint.

The designated Clover Care executive member will be responsible for:

a) nominating the investigating officer; and
b) ensuring the complaint is managed fairly, reasonable and within an appropriate timeframe (refer step 3 – resolution timeframes).

Acknowledging a complaint

Complaints should be acknowledged within five working days of receipt of the complaint.

The acknowledgement should:

- reassure the complainant that the complaint is valued
- request any further information that is considered necessary to investigate the complaint
- outline how the complaint will be managed, including an estimate timeframe for resolution
- establish how progress reports will be provided, if necessary
- provide contact details for the investigating officer.

Corporate unit have an acknowledgement letter template, if required.

Step 3 – Investigating a complaint

Conducting an investigation

The investigation process must be objective, reasonable and conducted in good faith. Decisions must be made on the weight of evidence and on the balance of probabilities.

Investigating a complaint may include:

- clarifying the details provided in a complaint
- identifying actions taken to resolve the issue before the complaint was lodged
- analysing information from relevant file notes, correspondence and/or other sources
- reviewing details of the complaint
- reviewing documentation submitted by the complainant
- reviewing previous administrative decisions or actions
- interviewing complainants, employees and/or other individuals involved in the complaint
- reviewing relevant policies, procedures, practices and/or legislation
- reviewing previous complaints about the same issue.

A case management form is provided at Appendix 4 (A4) to assist investigating officers. This can be used to record and track the complaint process.

Resolution timeframes

Complaints will be investigated as promptly as possible. Complaints should normally be resolved within 60 days. However, Clover Care recognises that complaints can be sensitive and complex and may require detailed investigation. Therefore the complexity of, and the resources available for, an investigation into more complex issue will result in more time being taken to

finalise a complaint. In these circumstances, the rationale for the extended time being taken to finalise a complaint. In these circumstances, the rationale for the extended time for resolving the complaint must be explained to the Director Corporate, as well as communicated to the complainant, who will be kept informed on a regular basis of progress on the resolution of the complaint.

Record keeping

The investigating employee will be responsible for ensuring complete and accurate recordings of all material relating to an investigation into a complaint.

Details of each investigation should be contained within a discrete confidential complaint file (held on objective), which should contain all correspondence, file notes of phone conversations, interviews and findings from investigations, recommendations and internal approvals. The file should also contain evidence of the steps taken to investigate the complaint including a summary of actions in respect of recommendations (if any) made.

To maintain confidentiality, access to information filed abut a complaint should be restricted to the Director Corporate, the investigating employee and other staff approved by the Director Corporate.

Procedural fairness

A decision that directly affects the rights or interests of a person or organisation must be made in accordance with the principles of procedural fairness. A decision maker is required to follow a fair decision-making process, complying with two rules:

- the rule against bias, which is that a decision-maker should have no personal interest in the matter to be decided, have no bias as to the outcome and act in good faith throughout the process. Care should also be exercised to exclude perceived bias from the process.
- The hearing rule, which is that the decision-maker must ensure the affected person in notified that a decision may be made, and is given a reasonable opportunity to express their views before that occurs.

Clover Care apply procedural fairness in its handling of complaints made in accordance with this policy and procedures.

As set out in step 2, Clover Care will take steps to identity and manage conflicts of interest when allocating the investigating officer. The decision-maker on the complaint (which includes the investigating officer and Director Corporate) will approach each decision with an open mind and act in good fait throughout the complaint handling process.

Clover Care will observe the hearing rule through the following steps:

- It will acknowledge the complaint received from a complainant

- The investigating officer will present preliminary findings to the complainant and provide the complainant with a reasonable opportunity to respond before making a decision
- The decision maker will consider any response by the complainant before making a decision
- The decision maker will provide the complainant with reasons for their decision
- If a complainant is not satisfied with the outcome of the complaint, the complainant will be advised of their right to seek external review.

Outcome of an investigation

Following consideration of the complaint and any investigating into the issues raised, the investigating officer will provide Clover Care Executive member with a written report, detailing the findings and making recommendations regarding appropriate action and/or system improvements, as appropriate.

Outcomes that may result from an investigation may include, but are not limited to:

- Varying a decision
- A written /verbal apology
- An explanation
- Changes to a service provided by Clover Care
- A review of policies/procedures/practices and changes to those policies/procedures/practices
- Staff training
- Disciplinary action.

In some circumstances, no further action on a complaint may be recommended. The rationale for this course of action may include:

- The matter has been investigated by Clover Care and it is considered that all actions to address the complaint have been satisfactorily completed
- The matter is currently being managed by an external agency
- The matter has already been adequately managed by an external agency

An investigation report template is provided at Appendix 5 (A5).

STEP 4 – Advising the complainant

At the conclusion of the investigation, written correspondence must be provided to the complainant outlining the preliminary key findings and/or recommendations made concerning the complaint, and offering the complainant an option to respond.

Following this process, a written response setting out final outcomes must be drafted by the investigating officer and signed by the Director Corporate before forwarding to the complainant.

The written response should:

- Provide the outcome of the complaint and any action to be taken arising out of the complaint
- The reasons for any decisions that have been made
- Any remedy of resolution that has been offered, and
- Any options for review that may be available to the complainant, such as external review.

Closing the complaint

At the time of closing the complaint the investigating officer will update the complaints register and objective record with the following:

- Steps taken to address the complaint
- The outcome of the complaint, and
- Any undertakings or follow up action required.

4.3 External review

If a complainant is not satisfied with the outcome of the investigation by Clover Care, they can seek an external review of their complaint.

Appendix 2 – Complaints Register

Name of complainant	Type of complaint	Investigating employee	Date complaint received	Date outcome advised to complainant	Outcome of complaint	Action recommended	Complainant satisfaction with outcome

Appendix 3 Complaint Form

Complaint Form
Reference Number / Complainant name:
Information for complainants
Before you lodge a formal complaint, ensure you have contacted the relevant employee directly and attempted to resolve the issue or concern informally. A complaint should only be lodged if you have been unable to resolve your issue or concern informally. You may be contacted and asked to provide additional information to support your complaint.
Personal details
Tile: Family Name: Given name:
Contact Details
Address: Postcode: Email address: Phone Number: Mobile Number: Preferred contact method:
Complaints details
Have you attempted to resolve the issue informally: yes ☐ No ☐ If yes, please provide details: Have you lodged a complaint about this issue before: yes ☐ No ☐ If yes, when
Complaint summary
When is happened: Where it happened: Who was involved:

What happened (details of the complaint)? What would you like to happen to resolve your complaint? Attatch any documentation that supports your compaint
Acknowledgment
All the information provided above is true and correct to the best of my knowledge. Signature Date:
Privacy notice
The personal information provided by you in this form and any associated documents will be used by Clover Care to assit you with your complaint and not for any other puspose. The iinformation will only be discolsed to persons or agencies outside of Clover Care in accordance with the Privacy and personal