

2020

Complaints Management & Resolution Policy

ORGANISATIONAL GOVERNANCE COMPLAINTS MANAGEMENT POLICY
OPERATIONAL DIRECTOR & COMPLAINTS MANAGER | CHRISTINE NEILAND



NDIS PROVIDER COMPLAINTS MANAGEMENT AND RESOLUTION SYSTEM

1 PURPOSE

- 1.1 At Rainbow Care Home Services, we do our best to help people. But sometimes, you, or someone else might not be happy with us. For example, you may not be happy with some of our services and supports. You have a right to make complaints about our services and supports at any time
- 1.2 If you want to make a complaint, we want to help you to make it quickly and easily, and without stress
- 1.3 We will do our best to deal with any complaint fairly and quickly
- 1.4 This document explains how to make a complaint to us, and to the NDIS Commissioner and others, about us
- 1.5 The NDIS laws make us keep records about complaints so they can check that we are following the law and doing a good job for NDIS participants

2 SCOPE > Who can make a complaint?

- 2.1 Anyone. This includes people who are receiving support or services from us. It also includes people who are receiving supports or services from us. It also includes family members, carers, and other people. Anyone at all can make a complaint about our supports or services

3 PROCESS > How you can make a complaint

Do you have to give your name to make a complaint?

- 3.1 No. You can make a complaint anonymously
- 3.2 We want to make sure it is as easy as possible for you to make your complaint. We will give support and help to anyone who wants to make, or who has made, a complaint, about us.
- 3.3 To make a complaint, you fill in our Feedback and Complaint Form. This can be found in your welcome pack or we can email you more copies upon request.
- 3.4 If you prefer you can make your complaint a different way. You can make your complaint:

- By talking with us face-to-face
- By calling us on the phone
- Through your preferred Augmentative or Alternative Communication device or method
- By email
- By text message

To protect your privacy, we do not recommend using social media like Facebook, Twitter or Instagram to make a complaint. But if you make a complaint this way, we will still treat it as a complaint.

Can you ask someone for help to make a complaint about us?

- 3.5 Yes. You can have a family member, carer, friend, advocate, advisor, or any other person make the complaint for you

Does your complaint have to be in English?

- 3.6 No. you can make your complaint in your preferred language

Who should you contact to make a complaint?

- 3.7 So that we can respond to your complaint quickly and fairly, we suggest making or sending you complaint to our specially trained Complaints Manager:

- Operational Director, Christine Neiland
- Phone or text: 0422 834 087
- Email: feedback@rainbowcarehomeservices.com.au

- 3.8 If you would prefer not to contact or are unable to reach our Complaints Manager for any reason, you can make your complaint to any of our staff.

Can you report your complaint about us to anyone else?

- Phoning: 1800 035 544 (free call from landlines) or TTY 133 677. Interpreters can be arranged
- National Relay Service and ask for 1800 035 544
- Completing a complaint contact form online and the NDIS Commission will contact you – www.ndiscommission.gov.au

If you need help to report your complaint, we will support and show you how to contact the NDIS Commission.

4 PROCEDURE > What will happen when you make a complaint? How do we ensure the process is fair?

To make sure everyone is treated fairly, we will follow these steps for all complaints about our supports and services:

4.1 STEP 1: we will send you a **message in writing**. The message will:

- tell you that we have received your complaint; and
- tell you what we are doing to look into the complaint, when you can expect to hear from us, and who you can contact to discuss the complaint; and
- tell you and any person with a disability affected by the issue in your complaint how to raise the complaint with the NDIS Commissioner; and
- offer to help you to contact the NDIS Commissioner about the complaint.

(Note: If you make an anonymous complaint, we will not be able to do this because we will not know who you are.)

4.2 STEP 2: we will **assess** your complaint. This means we will look into your complaint by reviewing what happened, talking to you, NDIS participants, and any staff members who were involved, and looking at any documents or other records we have that might give us information about what happened.

4.3 STEP 3: we will work with you to try to **fix (resolve)** the complaint. If appropriate, we will keep you involved in the resolution process. We will also keep you informed on the progress of the complaint, including any action taken. We will do our best to do this in a fair way that does not take too long. We will try to resolve your complaint within 21 business days. If this is not possible, we will let you know why not in writing and give you an estimate of how long it will take for us to respond. (Note: If you make an anonymous complaint, we will not be able to do this because we will not know who you are.)

4.4 STEP 4: we will **respond appropriately** to your complaint. Depending on the complaint and the results of our assessment and attempts to resolve the complaint, this may include a range of responses. For example, our response may be that:

- no further action is required; or
- you are owed an apology; or
- you are entitled to a part or full refund of fees; or
- we need to change our policies and procedures to ensure similar events do not happen again; or
- it would be appropriate for us to support you or an NDIS participant to transfer to a different provider (at our cost for the handover); or
- we undertake to ensure the staff involved receive additional training and/or supervision, as appropriate.

We will tell you our decision and the reasons for our decision. (Note: If you make an anonymous complaint, we will not be able to do this because we won't know who you are.) We will also make sure that any recommended improvements or changes are put into place.

At each stage in the process, we will do our best to make sure everyone is treated fairly. This is called “**procedural fairness**”.

What if your unhappy about our decision?

- 4.5 If you are not satisfied with our response to your complaint, let us know and our Complaints Officer will try to schedule a time to meet with you to discuss your ongoing concerns with a view to resolving the matter in a friendly way.
- 4.6 If you are not happy with our response, you have other options. You can take your complaint to the NDIS Commission
- 4.7 We will help you to contact the right people at these organisations (if you would like us to).

Will your complaint affect how you and others are treated by us?

- 4.8 Absolutely not. Your complaint will not affect the care we give you or anyone else

Will your complaint be treated confidentially?

- 4.9 Yes. We will only share the information in your complaint if the law makes us share it, or if we need to for risk management purposes (e.g. if we need to contact our insurer or a regulator).

For example, in some cases, a complaint may require us to notify a regulator, professional body, and/or an insurer, e.g. if your complaint includes allegations of criminal, or professional misconduct, or leads us to anticipate a claim for compensation or other litigation. This may become clear only after we have completed our preliminary investigation of your complaint.

5 INFORMATION & RECORDS MANAGEMENT

How long will we keep records of your complaint?

- 5.1 We are required by law to keep appropriate records of all complaints received in our capacity as an NDIS provider for at least 7 years from the date a record is made. These include, where appropriate:
 - information about complaints.

- any action taken to resolve complaints; and
- the outcome of any action taken.

5.2 We are also required by law to collect complaint-related information to enable us to review issues raised in complaints; identify and address systemic issues raised through the complaints management and resolution process, and if requested, to report information relating to complaints to the NDIS Commissioner.

Please note: In some cases, health records laws require us to keep information that constitutes health records for longer than 7 years. We must follow these laws, too.

Status of this Document

5.3 This policy is intended to document this provider's complaints management and resolution system as required by the National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018.

Distribution of this Document

5.4 This policy forms part of the provider's compliance system. A copy is provided to:

- each person with a disability receiving support or services from us as an NDIS provider, and their family, carers, and advocates (as appropriate); and
- each person employed or otherwise engaged by us (our **staff**). Each staff member is trained in this process as part of their staff induction.

6 RESPONSIBILITIES > Who is responsible for making sure this system is followed?

- 6.1 Each staff member of the provider must comply with the system as documented in this policy. This policy forms part of the provider's compliance system with respect to the NDIS.
- 6.2 The Complaints Manager has primary responsibility for training all provider staff to comply with the requirements of this system, including making sure clients and others are aware of their rights to complain.
- 6.3 The Complaints Officer also has primary responsibility for the oversight and review of the complaints management and resolution system.
- 6.4 Both Managing Directors bear ultimate responsibility for setting the objectives of the system and monitoring compliance