

**Objective:**

To ensure that all Colac Otway Disability Accommodation (CODA) Inc. clients, family and/or carers who wish to make a complaint about any CODA Inc. any aspect of our service delivery can be confident that the complaint will be taken seriously. CODA Inc. will attempt to manage all complaints within the time frames set out in this document with the requirements of the National Disability Insurance Scheme Quality and Safeguards (NDIS) Commission, Complaints Management and Resolution Rules 2018, the Disability Act 2006 all other appropriate funding bodies.

To ensure that all people using services at CODA Inc. are aware of the processes that will be followed if a complaint about service provision is made. This includes how to make a complaint to the NDIS Quality and Safeguards Commission.

**Scope:**

This policy and procedure applies to all CODA Inc. clients, their families/carers, other key stakeholders and all CODA Inc. staff.

**Policy Statement:**

CODA Inc. are committed to a positive complaints culture from the highest levels of management to all our frontline staff.

A complaint, as defined by the Oxford Dictionary, is 'a statement that something is unsatisfactory or unacceptable'. CODA Inc. welcomes the opportunity to receive feedback from its stakeholders. Complaints are seen as an integral part of providing high quality supports to our clients, their families/carers and other key stakeholders. Complaints assist us to measure levels of satisfaction with our service provision and identify areas for improvement.

CODA Inc. makes sure that information about making complaints is provided to all existing and new clients to CODA Inc. services. The process for raising complaints is also verbally explained to the clients and/or their family members/carers. People will also be informed that they are entitled to be represented at any stage by an advocate of their choice. CODA Inc. will, wherever possible, assist in arranging access to an advocate should the person/s wish us to do so.

Clients and carers will also be provided with information on how to make a complaint to the NDIS Commission in a format that best suits their communication needs.

It is CODA Inc.'s policy that all persons who use the service have the right to:

- complain and provide feedback without fear or discrimination
- CODA Inc. aims to foster an atmosphere of trust
- use an advocate or representative when seeking resolution or making a complaint
- respect and recognition of human worth and dignity
- a fair hearing and resolution of their complaint through an agreed process
- privacy and confidentiality
- continue to work or receive service until the dispute is settled (depending on the nature of the complaint)

CODA Inc. is committed to ensuring that our response to complaints will:

- where possible and appropriate, endeavour to resolve all complaints through negotiation and discussion between the parties
- all complaints will be handled with sensitivity, objectivity, promptness and confidentiality
- ensure that processes for managing the complaints adhere to the principles of natural justice

**Process Steps:****1 Who do I talk to about a Complaint?**

The Quality and Compliance Manager is the person responsible for receiving and managing complaints for all areas of the organisation. The QCM. is to be informed of all complaints via CODA Inc. Supervisors and Team Leaders and Administrative staff at the time the complainant expresses concerns. If the Supervisor or Team Leader is not available staff can contact the QCM directly in business hours.

The complainant can also contact the QCM directly via the details provided in the complaints brochure.

**NB: Staff Grievances should be raised as per the Staff Grievances Policy and Procedure linked below.**

**Responsibilities Links**

(CO) HR - Quality & Compliance Manager  
(CO) Human Resources

**2 Principles for Complaint management and Continuous Improvement**

## Process Steps:

CODA Inc. will make every effort to establish an atmosphere of trust and open communication so that complaints are managed in a positively constructive way. All complaints will be taken seriously and dealt with quickly until resolved.

CODA Inc. is committed to continually improving the quality of its services. Managing complaints justly, effectively and efficiently is in the best interests of all concerned and aim for it to lead to:

- improved services and better outcomes for all clients through the continuous improvement process
- an apology, explanation or investigation, policy or procedure review and/or change
- the identification of issues and emerging trends within the organisation, community or the service system that can be improved

All CODA Inc. staff have a responsibility to ensure they:

- respond to a complaint in a positive and professional manner
- explain the process for raising and resolving complaints, in a format best suited to the complainants needs
- deal quickly and efficiently with any complaint made, ensuring early notification of the Quality and Compliance Manager to address in accordance with their urgency and policy and procedure
- treat the person making the complaint courteously
- ensure there is a written record of any complaint to facilitate reports to the NDIS Quality & Safety Commission

## Responsibilities Links

(CO) CODA

(CO) HR -  
Administration  
Support

(CO) Human  
Resources

(CO) HR - Quality  
& Compliance  
Manager

(CO) Human  
Resources

## 3 Responding to a Complaint

## Process Steps:

It is important to respond to complaints quickly as an early resolution is beneficial to both the individual and the organisation.

The following steps are to be taken within the documented time frame for responding to complaints :

- where possible, the staff member receiving a verbal complaint should respond immediately by listening in a positive, courteous and professional manner
- the staff member must inform their Supervisor or Team Leader as soon as possible after completion of service with the client/carer/complainant
- where staff need advice on the complaints process the Supervisor or Team Leader should be contacted immediately to ensure the correct information is given.
- the Supervisor/Team Leader will then report the verbal complaint to the Quality and Compliance Manager
- the staff member Supervisor/Team Leader and Quality and Compliance Manager will discuss the complaint and document the complaint accordingly
- The Quality and Compliance Manager will attempt to respond complaints in writing within **three (3) working days** of receipt
- the matters raised will be investigated in an open and transparent manner and responded to by the Quality and Compliance Manager within a further **three (3)** working days where possible.
- the response to the complaint will be confirmed in writing, including the right to request a review of the decision if they consider the complaint unresolved.
- the review will be forwarded through the QCM to the Chief Executive Officer
- if the complaint remains unresolved the Quality and Compliance Manager and CEO will hold a meeting with the client determine if any further information can be provided to assist in resolving the complaint. This may involve a third independent party such as an advocate or a culturally appropriate person if the matter relates to racism or discrimination
- the CEO will seek to resolve the matter within **2 weeks** and will inform the Board of Management as appropriate
- following discussion with the CEO if the client remains unhappy, they may choose to lodge a formal complaint with the applicable funding body
- Clients and carers will be provided with information on how to make a complaint to the NDIS Quality and Safeguards Commission
- Clients will continue to work or receive service until the dispute is settled (depending on the nature of the complaint)

**NOTE: An NDIS client and/or carer or their advocate can contact;**

**The National Disability Insurance (NDIS) Quality and Safeguards Commission by ringing 1800 035 544 (free call from landlines) or TTY 133 677 (interpreters can be arranged), using the National Relay Services and asking for 188 035 544 or by completing the complaint contact form on the NDIS Quality and Safeguards Commission website, <https://www.ndiscommission.gov.au/>**

**A Transport and Accident Commission can contact**

- Use our online complaints and compliments form
- Email [complaints@tac.vic.gov.au](mailto:complaints@tac.vic.gov.au)
- Call 1300 654 329 or 1800 332 556 (toll-free outside Melbourne metropolitan area) 8:30am to 5:00pm, Monday to Friday

**A Continuity of Support (COS) client will be supported on an individual basis to access the appropriate funding body**

## 4 Recording a Complaint

All complaints must be recorded on the CODA Inc. 'Complaints Register and Report Form'. The Quality and Compliance Manager (or delegated person) is responsible for completing the form after receiving the initial complaint.

A signed copy of the Complaints Form may be provided to the client making the complaint if requested.

Written complaints documents are stored securely, safely and confidentially in the Quality and Compliance Manager's office and any supplementary documentation such as emails or letters must be attached to the form. Records are kept for 7 years.

All conversations that have been conducted during the investigation into the complaint are to be recorded, either by detailed hand written notes, journal entries or emails.

The information collected on the Complaints Register and Report Forms must be reported annually to the NDIS Quality and Safety Commission for NDIS funded clients

The Quality and Compliance Manager is responsible for ensuring that all Complaints and Compliments are ready to be recorded in this report and are lodged with the Commissioners Office via the reporting portal within the specified timelines each year.

## Responsibilities Links

(CO) CODA	CS - Abuse and Neglect Policy and Procedure -
(CO) HR - Chief Executive Officer	(CO) Client Support
(CO) Human Resources	
(CO) HR - Operations Manager	
(CO) Human Resources	
(CO) HR - Quality & Compliance Manager	
(CO) Human Resources	

(CO) HR - Quality & Compliance Manager  
(CO) Human Resources

## Process Steps:

## Responsibilities/Links

### 5 The National Disability Quality and Safeguards Commission

Under the *National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018 (the Commission)* has a broad range of functions related to complaints about disability services and conciliation of complaints. The specific functions of the Commission are detailed in the *National Disability Insurance Scheme (Provider Registrations and Practice Standards Rules 2018)*.

The NDIS Commission can receive complaints about issues such as :

- whether services or supports have been provided in a safe respectful way
- whether services and supports have been delivered to an appropriate standard
- how and NDIS provider has responded to an advocate or carer of an NDIS participant
  
- The NDIS Commission can also provide :
  - information and education about complaints processes
  - suggestions for improving complaints processes, investigating and conciliating complaints
  - making broad recommendations about resolving complaints or issues arising from complaints
  - determining actions that should be taken by disability services providers with regard to complaints

### 6 External Agencies that may help when making a complaint

The following agencies may also be of assistance in resolving a complaint.

Colac Otway Regional Advocacy Service  
50 Rae Street  
COLAC VIC 3250  
Phone: (03) 5232 1009

Department of Health and Human Services Regional Office  
CODA Inc. Local Engagement Officer - 52264758  
or, where the matter relates to Aboriginal or Torres Strait Islander people, the West Division  
Aboriginal Case Worker on 5226 4540

Office of the Public Advocate (including Community Visitors) - 1300 309 337

Health Services Commissioner - 1800 136 066

Australian National Disability Abuse and Neglect Hotline - 1800 880 052

Villamanta Legal Service  
44 Bellarine St.  
GEELONG VIC 3220  
Phone: (03) 5229 2925 or 1800 014 111

Victorian Civil & Administrative Tribunal (VCAT)  
55 King St  
MELBOURNE  
1800 133 055

Equal Opportunities Commission  
Level 3 / 380 Lonsdale Street  
MELBOURNE VIC 3000  
1800 134 142

### Other Information:

- *Disability Act 2006* provides a legislative framework to strengthen the rights and responsibilities of people with a disability. It is on the Victorian Legislation and Parliamentary Documents website at: <http://www.legislation.vic.gov.au/>
- NDIS Commission receives, investigates and provides information about complaints processes. The website of the Commission is at: <https://www.ndiscommission.gov.au/> And click on the complaints link

### Revision History:

Revised due to implementation of the NDIS Practice Standards July 1 2019

### Internal Files/Links:

Complaints to the Commissioner VALID compic	dKnet General Info
CS - Making a Complaint is OK 2018 - Easy Read	CO-Forms
Easy English - DHHS Complaints about your service	dKnet General Info
Easy English - DHHS Complaints policy	dKnet General Info
Easy English - DHHS Dis. Services Commissioner	dKnet General Info
GEN - Complaints Report & Register	CO-Forms

### Quality Document References:

**Quality Document References:**

- CS - Abuse and Neglect: Policy and Procedure -(CO) Client Support
- CS-Reportable Conduct: Policy and Procedure -(CO) Client Support
- HR - Staff and Child Safe Standards: Policy and Procedure -(CO) Human Resources (**Not Issued** - In Draft)
- OHS - Staff and Child Safe Standards: Policy and Procedure -(CO) Client Support
- CS - Community Visitors: Procedure -(CO) Client Support

**External Files/Links:**

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|--|----------------------------------|
| National Disability Insurance Scheme Home Page | NDIS                             |
| NDIS Code of Conduct (Workers)                 | Quality & Safe Guards Commission |
| Office of Public Advocate                      | OPA (Vic)                        |
| Zero Tolerance Framework                       | Resources                        |

**References to Standards and Legislation:**

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|---|--|
| <b>HSS:</b> Standard 1 - Empowerment              | <b>1.1:</b> Criteria 1.1 – People understand their rights and responsibilities.  |
| <b>HSS:</b> Standard 1 - Empowerment              | <b>1.2:</b> Criteria 1.2 – People exercise their rights and responsibilities   |
| <b>HSS:</b> Standard 2 – Access and Engagement    | <b>2.1:</b> Criteria 2.1 – Services have a clear and accessible point of contact   |
| <b>HSS:</b> Standard 3 – Wellbeing                | <b>3.5:</b> Criteria 3.5 – Services are delivered in a safe environment for all people free from abuse, neglect violence and /or preventable injury.   |
| <b>HSS:</b> Standard 4 – Participation            | <b>4.1:</b> Criteria 4.1 – People exercise choice and control in service delivery and life decisions, where appropriate  |
| <b>NSDS:</b> Standard 4 - Feedback and Complaints | <b>4.1:</b> Individuals, families, friends, carers and advocates are actively supported to provide feedback, make a complaint or resolve a dispute without fear of adverse consequences                          |
| <b>NSDS:</b> Standard 4 - Feedback and Complaints | <b>4.2:</b> Feedback mechanisms including complaints resolution, and how to access independent support, advice & representation are clearly communicated to individuals, families, friends, carers and advocates |
| <b>NSDS:</b> Standard 4 - Feedback and Complaints | <b>4.3:</b> Complaints are resolved together with the individual, family, friends, carer or advocate in a proactive and timely manner  |
| <b>NSDS:</b> Standard 4 - Feedback and Complaints | <b>4.5:</b> The service develops a culture of continuous improvement using compliments, feedback and complaints to plan, deliver and review services for individuals and the community                           |

