



## CS - Clients - Making and Managing

### Complaints

Policy and Procedure



Dept/Service: (CO) Client Support

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Stage: Issued

#### Objective:

To ensure that all Colac Otway Disability Accommodation (CODA) Inc. clients, family and/or carers who wish to make a complaint about any aspect of our service delivery can be confident that the complaint will be taken seriously. CODA 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 and all other appropriate funding bodies.

To ensure that all people using services at CODA are aware of the processes that will be followed if a complaint about service provision be 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.

**Staff complaints are called "grievances" and should be raised as per the Staff Grievances Policy and Procedure.**

#### Policy Statement:

A complaint, as defined by the Oxford Dictionary, is '*a statement that something is unsatisfactory or unacceptable*'. With this definition, a complaint at CODA is a problem with service delivery that the client comments on and the organisation should respond to. A client doesn't have to request a "formal complaint" process for the problem to be noted as a complaint.

CODA is committed to a positive complaints culture from the highest levels of management to all frontline staff and 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 the organisation to measure levels of satisfaction with our service provision and identify areas for improvement.

CODA ensures that information about making complaints is provided to all existing and new clients to CODA 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 or supported by an advocate of their choice at any stage. CODA 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
- use an advocate or representative when seeking resolution or making a complaint
- make a complaint anonymously via a letter or third party such as an advocate
- 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:

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

**Process Steps:**

**1 Identifying/receiving a Complaint**

A client/and or their carer/representative can make a complaint to any staff member of the organisation. The staff member should seek assistance from their supervisor or member of the administration team to make notes about the complaint. The staff person can advise the client that they can:

- have their complaint reviewed and responded to internally by their supervisor or a member of CODA management,
- be assisted to make a complaint via the NDIS Quality and Safeguarding website, if they are an NDIA funded client, or
- the Disability Services Commission if the client is funded by DFFH or TAC
- have a formal or informal advocate provide support throughout the process.

Depending on the nature of the complaint, the client may also be able to report the conduct of a support worker to the Victorian Disability Worker Commission.

The details of the initial complaint are forwarded to the applicable supervisor or manager, who will complete the Complaints Report & Register form. If the Supervisor is not available staff can contact the Operations Manager or the QCM directly in business hours for support.

The Quality and Compliance Manager is the person responsible for receiving the form and monitoring the resolution of 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.

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

**Responsibilities Links**

(CO) HR - Quality & Compliance Manager (CO) Human Resources	GEN - Complaints Report & Register (CO-Forms)
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**2 Principles for Complaint management and Continuous Improvement**

CODA Inc. will make every effort to establish an atmosphere of trust and open communication so that complaints are managed

(CO) CODA

**Process Steps:**

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 Operations Manager or 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 various Commissions as requested.

**3 Responding to a Complaint**

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 as soon as possible after completion of service with the client/carer/complainant
- where staff need advice on the complaints process the Supervisor should be contacted immediately to ensure the correct information is given.
- the Supervisor will then report the verbal complaint to the Operations Manager and the Quality and Compliance Manager
- the staff member Supervisor, Operations Manager or Quality and Compliance Manager will discuss the complaint and document the complaint accordingly
- Where a formal response is required the Operations Manager or the Quality and Compliance Manager will

**Responsibilities Links**

(CO) HR - Administration Support  
(CO) Human Resources

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

(CO) CODA

(CO) HR - Chief Executive Officer  
(CO) Human Resources

(CO) HR - Operations Manager  
(CO) Human Resources

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

CS - Violence, Abuse, Neglect and Exploitation Policy and Procedure - (CO) Client Support

## Process Steps:

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 Operations Manager or 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
- if the client remains unhappy following discussion with the CEO they may choose to lodge an appeal with the Board of Management and/or 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 or the Disability Service Commission, and the Victorian Disability Worker Commission if relevant.
- Clients will continue to work or receive service whilst the dispute is settled (depending on the nature of the complaint and the client's interest in continuing to receive services).

## Responsibilities Links

### **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:**

**Process Steps:****Responsibilities Links**

will be supported on an individual basis to access the appropriate funding body.

**4 Recording a Complaint & outcome**

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 as requested 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 applicable Commissioners Office via the reporting portal within the specified timelines each year.

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

**5 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 Families Fairness and Housing 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

**Process Steps:**

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

**Responsibilities Links****Other Information:**

The *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/>

The NDIS Quality and Safeguarding Commission receives, investigates and provides information about complaints processes. The website of the Commission is at: <https://www.ndiscommission.gov.au/> , 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 - Informal Client Feedback Form	CO-Forms
CS - Making a Complaint is OK - Easy Read	CO-Forms
GEN - Complaints Report & Register	CO-Forms
VDWC Code of Conduct: Guidance Dis Workers	CO-Information
VDWC Mandatory Reporting	CO-Information

**Quality Document References:**

CS - Reportable Conduct: Policy and Procedure -(CO) Client Support  
 CS - Staff and Child Safe Standards: Policy and Procedure -(CO) Client Support  
 CS - Violence, Abuse, Neglect and Exploitation: Policy and Procedure -(CO) Client Support  
 HR - Staff Code of Conduct: Policy and Procedure -(CO) Human Resources  
 CS - Community Visitors: Procedure -(CO) Client Support

**External Files/Links:**

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

**References to Standards and Legislation:**

- : NDIS (Complaints Mgt & Resolution) Rules 2018
- :NDIS (Complaints Mgt & Resolution) Rules 2018
- : NDIS (Protection and Disclosure of Information—Commissioner) Rules 2018
- :NDIS (Protection and Disclosure of Information—Commissioner) Rules 2018
- CSS:** Child Safety Stds 2022
- 7:**Processes for complaints and concerns are child focused
- NDIS:** Provider Governance & Operational Mgt
- :2.5 Feedback and Complaints Management
- NDIS :** Specialist Disability Accomodation
- SDA:**1. Rights and Responsibilities

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