

### Objective:

To ensure that all CODA clients, family and/or carers who wish to make a complaint about any CODA service or staff person can be confident that the complaint will be taken seriously. any complaint received will be managed within the stated CODA time frames set out in this document for complaints resolution in accordance with the requirements of the Disability Act 2006.

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

### Scope:

This policy and procedure applies to all CODA clients, their families/carers, other concerned parties and all CODA staff.

### Policy Statement:

A complaint as defined by the Oxford Dictionary is "a statement that something is unsatisfactory or unacceptable". CODA 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 interested parties. Complaints assist us to measure levels of satisfaction with our service provision and identify areas for improvement.

CODA makes sure 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 at any stage by an advocate of their choice. CODA will, wherever possible, assist in arranging access to an advocate should the person/s wish us to do so.

It is CODA's policy that all persons who are employed or 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
- respect and recognition of human worth and dignity
- a fair hearing and resolution of their complaint through an agreed process
- confidentiality
- continue to work or receive service until the dispute is settled (depending on the nature of the complaint)

**NOTE:** CODA employees should use the 'Staff-Grievances Procedure' via the link below.

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

- manage all complaints with sensitivity, objectivity, promptness and confidentiality
- where possible and appropriate, endeavour to resolve all complaints through negotiation and discussion between the parties with a minimum of formality.

## Process Steps:

## Responsibilities Links

### 1 Who do I talk to about a Complaint?

The Quality and Compliance Manager is the person responsible for receiving and managing complaints for the organisation.

In this role the Quality and Compliance Manager will:

- receive complaints and determine what actions are required to respond initially to the complaint
- where necessary, initiate and conduct an investigation in response to the complaint
- assist staff in the investigation and management of complaints by providing advice and support
- represent CODA Inc. in the ongoing management and development of individual complaints and reporting requirements
- assist and support people wishing to make a complaint in order that they understand their rights, the complaint procedure and additional complaint avenues
- support people to contact and meet with an independent advocate or external complaints body where this may be required
- liaise with and inform family members/carers or advocates of the complaint procedure and progress in working towards resolving the complaint.

### 2 CODA Principles for Managing Complaints

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

Complaints should always be managed sensitively, objectively, confidentially and promptly.

CODA Inc. staff have a responsibility to ensure they:

- respond to a complaint in a positive and professional manner
- have explained to clients the process for raising and resolving complaints, in a manner that ensures that it is understood
- take all reasonable steps to ensure that any person using a CODA Inc. service is not adversely affected by making a complaint
- deal quickly and efficiently with any complaint made, addressing issues in accordance with their urgency
- treat the person making the complaint courteously, and keep them informed about the progress of their complaint
- keep a written record of any complaint to facilitate annual

reports to the Disability Services Commissioner

### 3 Formal and Informal Complaints

The information above describes the steps to be taken with regard to formal complaints. In addition to formal complaints, sometimes through our regular interaction with family members and carers, CODA staff may receive informal verbal feedback that may include complaints, compliments or suggestions for improvements. All CODA staff are required to capture these comments and pass them on to the Quality and Compliance Manager to be recorded and used to better inform our practice and proactively address issues of concern.

The "Informal Feedback - Compliments, Complaints and Suggestions" Form should be placed in an accessible location such as next to the telephone in each worksite and is to be used by all staff to record informal comments received from families/carers or other disability service providers. Equally the informal feedback can be forwarded to the Quality and Compliance Manager by email or telephone.

The Quality Manager is responsible for:

- assessing the general content of informal feedback and verbal complaints
- identifying emerging trends
- working together relevant staff members to implement and monitor improvements as required

### 4 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 acceptable timeframe for responding to complaints :

- where possible, the staff person receiving a verbal complaint should immediately respond in a positive, courteous and professional manner
- if further information is required to be able to respond to a complaint, the staff person will seek information and advice from their supervisor as soon as possible and then report the verbal complaint to the Quality and Compliance Manager
- all complaints, either written or verbal, will be acknowledged in writing within **three (3) working days** by the Quality and Compliance Manager
- the staff member and/or supervisor will discuss the complaint with the Quality and Compliance Manager and record the complaint accordingly

- the matters raised will be thoroughly investigated and responded to by the Quality and Compliance Manager within a further **three (3)** working days. Often a one-to-one meeting can be beneficial in resolving matters
- the response to the complaint will be confirmed in writing, including the right to request a review of the decision
- if the individual remains unhappy with the information provided and requests a review, the Quality and Compliance Manager must discuss this immediately with the Chief Executive Officer
- the Quality and Compliance Manager and Chief Executive Officer will conduct a meeting and determine if any further information can be provided to assist in resolution of the complaint. This may involve a third independent party such as an advocate or a culturally appropriate individual if the matter relates to racism or discrimination
- the CEO will seek to resolve the matter within **2 weeks**
- following discussion with the CEO if the individual remains unhappy, they may choose to lodge a formal complaint with the Office of the Disability Services Commissioner or another external body as determined by the nature of the complaint

## 5 Informal Resolution of Complaints

A CODA client can make a complaint by talking to a staff member, by writing down their complaint or by talking to an advocate. Depending on the nature of the complaint, every attempt should be made, where possible, to encourage and support the client to resolve the complaint by speaking directly with other persons or staff members involved to reach a friendly conclusion to the issue.

The client making the complaint should inform the relevant program supervisor of their wish to make a complaint. The client should be provided with a "Complaints Register and Report Form" which can be filled in by them or someone assisting on their behalf. Together they must all agree on a strategy to resolve the matter within the stated CODA timeframe for investigation and response.

An external mediator may be engaged at any point during this process to assist in resolving a complaint where this is considered appropriate.

The Supervisor will advise the Quality and Compliance Manager that a complaint has been made and, depending on the nature of the complaint, together they will conduct an internal investigation and seek possible solutions. The outcome of the investigation will be discussed with the client and/or someone who is assisting on

their behalf.

Should the problem remain unresolved the complaint should be referred to the Chief Executive Officer. At this stage resolution is expected to be achieved within **2 weeks**.

Should the issue continue to be unresolved, the complaint may be referred to the CODA Inc. Board Chairperson and then ultimately to the CODA Inc. Board for resolution. The Board may choose to access appropriate and relevant external agencies to help facilitate a suitable conclusion.

Appropriate advice will be sought by the Quality and Compliance Manager to resolve culturally sensitive issues regarding reports of racism, discrimination or cultural abuse involving Aboriginal or Torres Strait Islander people.

## 6 Recording a Complaint

All complaints must be recorded on the CODA Complaints Register & Report form. In the event that a complaint is made via email, the content will be transferred to the CODA complaints form and the original email attached.

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

Written complaints documents are stored securely, safely and confidentially in the Quality and Compliance Manager's office.

The information collected on the Complaints Register and report forms must be reported annually to the Disability Services Commissioner in July. The Quality and Compliance Manager is responsible for ensuring that all complaints are ready to be recorded in this report.

## 7 Continuous Improvement Using Complaints

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 may lead to:

- improved services and better outcomes for all clients
- 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

## 8 The Disability Services Commissioner

Under the Disability Act 2006, the Disability Services Commissioner has a broad range of functions related to complaints about disability services and conciliation of complaints. The specific

functions of the Commissioner are detailed in section 16 of the Act.

These include:

- providing information and education about complaints processes
- 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

The Disability Services Commissioner responds to complaints about:

- the provision of a disability service, or
- where a disability service provider has acted unreasonably by not properly investigating, or not taking proper action on a complaint that has been made to them.

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

The following agencies may 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. Program and Service Advisor 5226 4676  
or, where the matter relates to Aboriginal or Torres Strait Islander people, the West Division Aboriginal Case Worker on 5226 4540

The Disability Services Commissioner -  
Complaints - 1800 677 342 (Free Call)  
General Enquiries - 1300 728 187 (Local Call)  
TTY - 1300 726 563  
Level 30, 570 Bourke Street  
MELBOURNE VIC 3000

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  
 55 King St  
 MELBOURNE  
 1800 133 055

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

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### 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/>
- Disability Services Commissioner the Commissioner provides information about complaints processes and responds to complaints. The website of the Commissioner is at: <http://www.odsc.vic.gov.au>
- Disability Services Commissioner - "It's OK to Complain" brochure
- Disability Services Commissioner - Complaints Form

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### Revision History:

Complaints Brochure Easy English	CO-Information
Complaints process VALID compic	dKnet General Info
Complaints to the Commissioner VALID compic	dKnet General Info
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
FA - Informal Feedback - Compliments, Complaints	CO-Forms
Gen - Advocacy Brochure	CO-Information
GEN - Complaints Report & Register	CO-Forms

GOV - Board Dispute Resolution: Policy -(CO) Governance  
 Abuse and Neglect: Policy and Procedure -(CO) Client Support  
 Staff - Child Safe Standards at CODA: Policy and Procedure -(CO) Client Support  
 HR - Staff Grievances and Complaints: Procedure -(CO) Human Resources  
 (**Not Issued** - In Draft)

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## Staff - Grievances : Procedure -(CO) Human Resources

### References to Standards and Legislation:

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|---|--|
| <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                           |