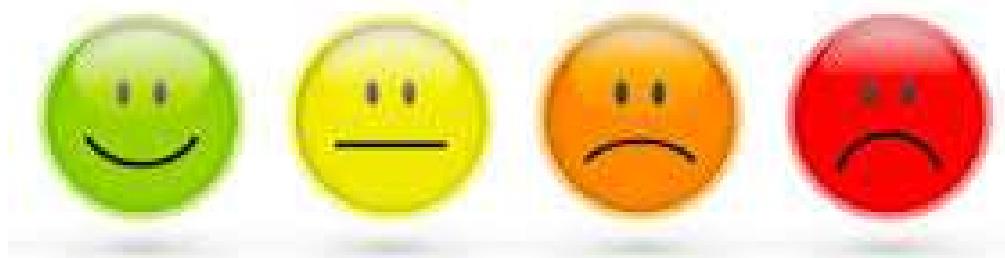


Feedback, Complaints and Appeals Policy



Policy: Feedback Complaints and Appeals

Policy number: FCA v7

Date adopted: October 2019

Authorised by: Lee-Anne Morse

Date last reviewed: Jan 2024

Reviewed and updated by:
David Semgreen

Date of next review: Oct 2026

Major changes since last review:

Policy context: This policy relates to:

Queensland Standards for Community Services

Standard 5 (Feedback, complaints and appeals)

Indicator 1: The organisation has fair, accessible and accountable feedback, complaints and appeals processes.

Indicator 2: The organisation effectively communicates feedback, complaints and appeals processes to people using services and other relevant stakeholders.

Indicator 3: People using services and other relevant stakeholders are informed of and enabled to access any external avenues or appropriate supports for feedback, complaints or appeals and assisted to understand how they access them.

Indicator 4: The organisation demonstrates that feedback, complaints and appeals processes lead to improvements within the service and that outcomes are communicated to relevant stakeholders.

Other standards

NDIA Guidelines
Australian Privacy Guidelines
NDIS (Provider Registration and Practice Standards)
NDIS ACT 2013

Legislation or other requirements

Disability Services Act Qld 2006
Commonwealth Disability Discrimination Act 1992
Commonwealth Disability Services Act 1986
Equal Employment in Public Employment Act 1992
Guardianship and Administration Act 2000
Mental Health Regulation 2002



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| | Power of Attorney Act 1998 Home and Community Care Act 1985 Racial Discrimination Act 1975 Sex Discrimination Act 1984 Commonwealth Privacy Act 1988 National Disability Insurance Scheme Act 2013 |
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1. Purpose: Why do we have a feedback and complaints policy?

Beyond the Spectrum as an organisation has been created to provide quality, tailored service provision to Individuals, Stakeholders and Organisations with regard to Inspiring Diversity and Inclusion. Feedback mechanisms are the starting point for the active engagement and participation of our clients and associated stakeholders in our service, leading to open and honest communication. Encouraging feedback provides an opportunity for people to praise or criticise our service. Feedback enables our staff and management to have insight into the experience of our clients and stakeholders. Feedback assists us to deliver appropriate and effective services and is an opportunity to continuously improve our services.

Dealing fairly, promptly and effectively with complaints and appeals helps us to maintain and improve our service quality and ensure clients have their issues resolved. Complaints and appeals processes give clients a way of expressing any dissatisfaction with our service and of having their concern dealt with quickly and effectively. It also provides us with the opportunity to improve our service delivery. The procedures guide us in responding appropriately and fairly to complaints and to appeals.

2. Scope

This policy will apply to all *Beyond the Spectrum* staff (including employees, managers, contractors, affiliates and volunteers) and will directly affect all primary persons and their associated stakeholders that access *Beyond the Spectrum* services.

Feedback is expression of positive or negative comments relating to *Beyond the Spectrum* services or staff that provides information about how primary persons, associated stakeholders and connected disability service providers perceive *Beyond the Spectrum*. Feedback may contain an improvement, compliment, issue, complaint or disclosure of serious harm.

An **issue** is a concern or worry by a customer regarding the department's products, services or staff that can be managed routinely, as a request for service.



A **complaint** is an expression of dissatisfaction about the *Beyond the Spectrum* services, or staff that requires a response or resolution.

Complaints may include dissatisfaction about:

- a decision *Beyond the Spectrum* has made or not made.
- the service *Beyond the Spectrum* has provided or not provided.
- the behaviour of *Beyond the Spectrum* employees.
- an act or practice of *Beyond the Spectrum* in relation to the security of an individual's personal information.

A complaint about a decision or action of *Beyond the Spectrum* must be made no later than 12 months after the complainant was notified or made aware of the decision or action. Complaints made outside this time period will only be reviewed if the CEO considers that exceptional circumstances warrant consideration of the out-of-time complaint.

The following matters will be excluded from this policy and will be dealt with under relevant legislation or processes that pertain best to the matter:

- matters currently being dealt with or have been previously dealt with by a court, tribunal or external complaints agency.
- matters regarding administrative decisions of *Beyond the Spectrum* and/or matters that have already been subjected to an internal review and an outcome has been determined.

3. Policy statement: Our commitment

Beyond the Spectrum is committed to respecting and listening to people using our service. We take on feedback, both positive and negative, as a source of ideas and an opportunity to improve our services and other activities. Feedback includes facilitating our primary persons' and their associated stakeholders right to make a complaint about our service, to appeal a decision we have made that directly concerns them, and to ensure that their complaint or appeal is fairly assessed and responded to promptly.

Specifically, we will:

- provide a free and accessible feedback and complaints process, that supports natural justice and procedural fairness for all persons with no ill will, reprisals or detriment from making a complaint.
- provide information about how to provide feedback or complaints, and how feedback or complaints will be managed, including anonymous complaints and referring complaints to external agencies, if required.
- provide clear information about what can or cannot be achieved by a feedback and complaint process, and provide assistance to anyone who wishes to provide feedback, make a complaint or appeal a decision.
- fair, accountable, transparent and responsive management of feedback and complaints regarding *Beyond the Spectrum*.
- respond to those giving feedback or complaints about the progress or outcome of the complaint in a manner that respects the confidentiality of personal information.
- provide a clear explanation of the final decision, any recommendations, appeal options and any available external appeal mechanisms.
- identify, review and implement business improvement opportunities.



4. Procedures

4.1 Informing primary persons and their associated stakeholders

Information regarding feedback, complaints and appeals is given to the primary persons and their associated stakeholders in accordance with the service entry procedure. All clients are informed of their rights and responsibilities at the earliest possible stage of their involvement with our service. We give clients access to all policies that further explain and support their rights and responsibilities. We inform clients how to take action if they feel that their rights have not been respected.

Accessibility to feedback and complaints information will be provided by those that indicate preference of communication methods other than written English. This might include verbal explanation either through a *Beyond the Spectrum* staff member, support persons or networks, or external provider, such as translation services. This will be tailored to the specific needs and requests of the primary person and their associated stakeholders.

4.3 Promoting opportunities for feedback

We encourage feedback from our primary persons and their stakeholders. Feedback can be provided to us by individuals or stakeholders on their initiative or in response to requests by our organisation. We make it as easy as possible for people to provide feedback and ensure anonymity to people who do, unless they agree otherwise.

Feedback initiated by the primary person or associated stakeholder will be encouraged by a culture of transparency, openness and honesty around positive and negative feedback and the outcomes of this feedback. Feedback will be received through a variety of methods including verbal, written or any other communication methods suited to the person providing feedback. Feedback will be promptly analysed to decide whether the feedback is an improvement, compliment, issue or complaint. Improvements and compliments will be forwarded to the CEO for review and/or action.

Feedback will be sought from clients and stakeholders via regular surveys that contribute to risk management, future planning and continuous improvement process at *Beyond the Spectrum*. These surveys will be proactively sought from primary persons, associated stakeholders and disability services directly connected with *Beyond the Spectrum*.

Informal and formal feedback is to be entered into the Feedback Register and saved under the years' feedback folder.



4.4 Complaints

4.4.1 How staff and management will respond to feedback, complaints or appeals

Step 1: Assess the feedback

- Determine whether it is a suggestion, compliment, issue, complaint, or serious harm disclosure
- If it is an issue that can be managed routinely, manage this issue and record the management in the file of the primary person or employee involved.
- Feedback though suggestions and compliments are forwarded to the CEO for inclusion in the continuous improvement annual review, future planning and dissemination to employees or groups involved. The CEO may decide to upgrade a suggestion regarding negative feedback to a complaint.
- If the complaint has been received as an incident report that outlines serious harm, the CEO must be verbally notified immediately.

Step 2: Registering a complaint or appeal

We will follow this procedure when a complaint or appeal against a decision is received: The primary person may have registered the complaint through various forms of communication, so it is important to record the information in a format which allows for documentation of the complaint within *Beyond the Spectrum* framework.

The staff member who receives the complaint will be responsible for:

- Recording the known details of the complaint on the Complaints Form and attaching any hardcopy evidence or images to the form.
- The complaint will be entered into the Feedback Register within 24 hours of the complaint being received.
- Acknowledgement of the complaint will be made to the complainant as soon as the complaint is registered.
- Information regarding the complaint process will be provided to the complainant using a communication method that is appropriate to that person.
- The complaint must be forwarded to the CEO as soon as practicable and within 24 hours of receiving the complaint.

The CEO will:

- Check the complaint has been registered, acknowledged and complaints information given to the complainant within 24 hours of receiving the complaint.
- Commence complaint investigation and resolution.



Step 3: Investigating the complaint or appeal

Each registered complaint or appeal will be investigated and assessed by the CEO in the following way:

- Determine the complexity of the complaint
 - **Low complexity complaints** are matters that can be resolved with the complainant as a service issue. They require no investigation and can be easily addressed through the provision of information, or through negotiating a desired outcome, perhaps through face-to-face or over the phone; a written response may not be required. Low complexity complaints should take no more than 15 business days to respond.
 - **Medium complexity complaints** may require some research and limited investigation into the matter; it might also require some negotiation/facilitated discussion with the complainants or consultation with external bodies. They typically include complaint issues that relate to a single incident or a decision relating to one primary person. Minimal investigation or fact finding of a small number of complaint issues may be required and a written response is generally required. Medium complexity investigations should be completed within 45 business days.
 - **High complexity complaints** are matters where there are a large number of complaint issues; or where the complaint issues may refer to possible systemic concerns. These matters will typically involve complainants providing very detailed and lengthy background information that requires time to address. The matters can be complex in nature and may require working with external agencies to provide an outcome. Formal investigation and assessment of information is required, and may involve interviews, extensive documentation or discussions with staff and other relevant persons. Investigation and resolution may take up to six months to complete.
- Contact the complainant within two business days of acknowledgement and discuss the following:
 - Further details of the complaint
 - Has the person been able to communicate clearly through their chosen method of communication? Do they need further support to provide more details of the complaint?
 - Is there any information missing from the complaint that is necessary for investigation and resolution?
 - Complaints Process
 - Do they understand the complaints investigation process?
 - Is there informed consent to refer to external agencies for review or appeal?
 - Reiterate the timeframes associated with investigation.



- Expected resolution
 - What would be an acceptable and realistic resolution for the complainant?
- Assess if the matter is to be dealt with under this policy and/or should be referred to relevant external agencies.
- Identify prominent matters within the complaint and begin to devise resolution to each of these matters.

Step 4: Providing Resolution

- *Beyond the Spectrum* requires timely resolution of complaints; yet legitimate delays can occur and the reasons for delays will be promptly communicated to the complainant.
- The cause and seriousness of a complaint or appeal will determine the best way of resolving it. The CEO will consider the following options:
 - internal resolution is appropriate for most complaints or appeals that involve allegations about breaches of policy.
 - mediation by a neutral outsider, if this is requested by the person making the complaint or appeal or is considered the best way to manage the issue.
 - arbitration by a designated external body for allegations of serious breaches of the rights of those that access *Beyond the Spectrum* services.
 - Where a breach of law may have occurred, Police should also be informed.
- Outcomes will be provided to the complainant in writing, and suitable communication support will be given to ensure the person understands the resolution of the investigation and the complaint.
- Information for appeal from an external agency will also be given to the complainant at this time, including the need for informed consent for the matter to be referred to an external agency.



Step 5: Reviews and Appeals

Beyond the Spectrum does not have the staff to conduct internal reviews of CEO decisions. Options for review and appeal lie external to *Beyond the Spectrum* via use of advocates and will be governed by current advice from a governing body such as NDIS.

If the complainant is not satisfied with the investigation and offered outcomes and resolution of their complaint or appeal, they can seek a further review of the matter by:

- Asking for an appeal which will be registered in the same manner as the complaint and attached to the original complaint documentation.
- Providing informed consent for information on the complaint, appeal and investigation to be disclosed to an appropriate external agency such as Independent Advocacy in the Tropics or NDIS.
- Agreeing to the policies, procedures and timeframes for complaint resolution of the external agency.

Using feedback and complaints for Service Improvement

We keep comprehensive, clear and useful records of all feedback and complaints, including appeals from clients and stakeholders. We assess, compile and use information arising from this feedback.

We keep secure records of formal feedback to allow for the provision of appeals and reporting for the 12 months following the receipt of feedback or complaints. Complaints, including serious harm disclosures will be kept on the relevant primary persons or staff file for 10 years after the primary person or staff member has exited *Beyond the Spectrum*.

We ensure that client and stakeholder feedback direct our decision making, recruitment, training and planning processes.

Beyond the Spectrum is committed to the continuous improvement of its service delivery. Information from the complaints process will be analysed and meaningful feedback will be provided to staff about the nature, causes and outcomes of complaints. Suggestions, ideas and questions will be thoroughly reviewed and included in our future planning.

Recommendations from complaints management processes relating to operational and/or systemic process improvements, may be implemented, monitored and fed back to staff by the CEO.

On an annual basis, *Beyond the Spectrum* will undertake a survey of its service users and complainants to understand client satisfaction with the feedback and complaints process. The deidentified results of the survey will be reported and contribute to risk management plans, continuous improvement processes, recruitment practices and staff training and development.



5. Other related policies and procedures

| Documents related to this policy | |
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| Related policies | Privacy and Confidentiality Policy Workplace Health and Safety Policy Staff Recruitment and Training Policy Service Delivery Policy Value of the Primary Persons Policy Client Records Policy Continuous Improvement Policy P & R to Harm, Neglect and Abuse Policy |
| Forms or other organisational documents | Feedback Register Complaints Form Annual Survey Service Agreement Risk Management Plan |

6. Review processes

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| Policy review frequency: Annually and after all critical incidents. | Responsibility for review: CEO |
| Review process: | Review will be carried out by the CEO in consultation with staff associated with incident reporting during the year. It is expected that the review process will take one month and changes will be recorded using a version numerical system. Approval will be undertaken by the CEO and outlines of major changes will be noted at the beginning of the new version before dissemination to staff. |
| Documentation and communication: | Review of the policy will be communicated through email notification to each staff member after being stored electronically and printed at the main office. |
| Key Questions for Review: | Is the policy being implemented? Are procedures being followed? Is the policy clear? What has changed or trends have emerged that may prompt a change to the policy? Have stakeholders had difficulty with any aspect of the policy? Can their concerns be resolved? How does the policy compare with that of similar organisations? |

