

## COMPLAINTS, COMMENTS AND FEEDBACK PROCEDURE

<b>VERSION:</b>	<b>8</b>
<b>TITLE OF AUTHOR:</b>	Director
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<b>EFFECTIVE DATE:</b>	<b>January 2023</b>
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## Complaints Management Process

All complaints must be resolved in accordance with the principles contained in this document and the Complaints, Comments and Feedback Policy.

All complaints and notes relating to correspondence from clients must be recorded in "OneNote" under password security in folder named "Little Star Speech Therapy Complaints".

The Director will be responsible for monitoring the complaints process across Little Star Speech Therapy and including establishing a process for performance monitoring, evaluation and reporting of the complaints management process.

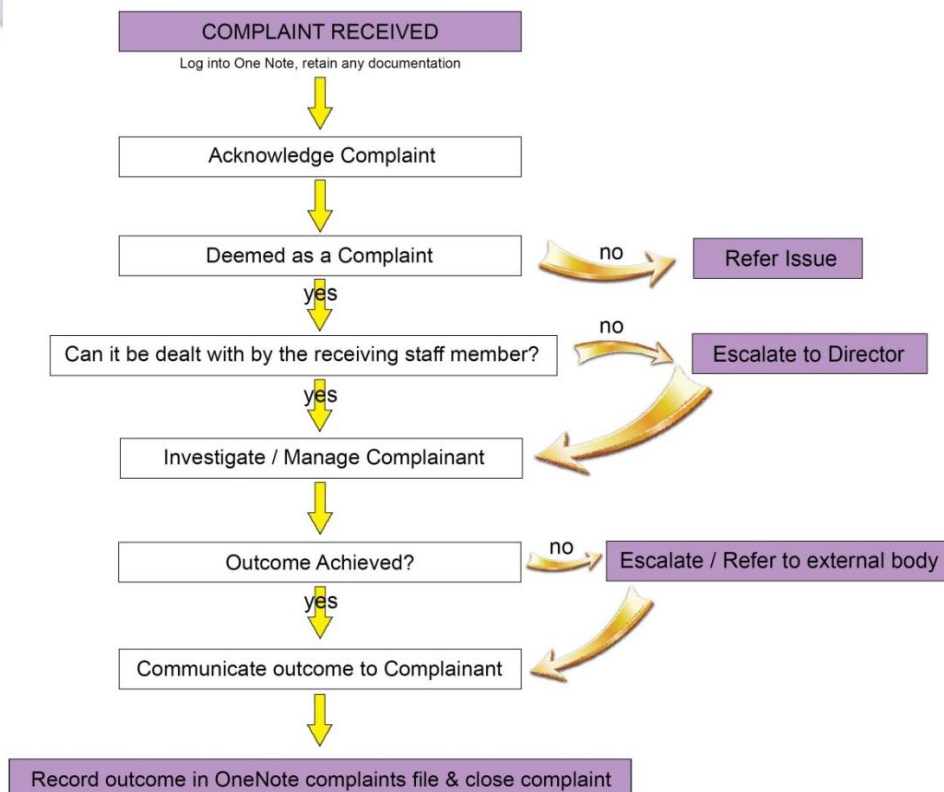
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#### Process for handling complaints:



## Guidance

### 1 Receipt of Complaints

A complaint can be received in written form (Complaint Form, letter, email, online etc.) or verbally (in person or by telephone). Little Star Speech Therapy accepts anonymous complaints and investigates these as far as possible.

In some instances, Little Star Speech Therapy staff may be required to assist clients to make their complaint. In this instance an appropriate method of communication for that person should be explored and implemented.

### 2 Acknowledgement of a Complaint

The information provided should be in a relevant format to address the needs of the complainant.

Complaints that are not resolved immediately should be acknowledged in a manner which is consistent with the way in which it was received unless the complainant requests that they be contacted in an alternative method e.g. if a complaint is received via email, acknowledgement of the complaint should also be sent via email unless requested otherwise by the complainant. Complaints resolved immediately do not require a formal acknowledgement unless specifically requested by the complainant.

***Timeframe: Acknowledgement of the complaint should be provided within five working days of receipt of a complaint and all Managing Directors are to be notified.***

### 3 Recording Complaints

The member of staff receiving the complaint is responsible for entering complaints data in **OneNote** as complaints are received, including complaints received and immediately resolved.

If a member of staff is in receipt of a complaint during a client visit, this must be recorded in the case notes for that visit also.

As the notifier does not have **OneNote** access, record the complaint via **Complaints & Feedback Form** which can be requested and emailed or it can be downloaded via the Little Star Website at [www.littlestarspeechtherapy.com.au](http://www.littlestarspeechtherapy.com.au) or via a hyper link in the E-Welcome pack and submit to the Director or as per local process.

***Timeframe: Accurate complaint data is to be recorded into “OneNote Little Star Speech Therapy Complaints” and file within five working days of a complaint being received.***

#### **4 Identifying a Complainant’s Expectations**

The complainant should be contacted to clarify what they think should happen to resolve the issue and their expected timeframes for a response. If the complainant’s expectations are not clear in the complaint lodged, staff should consult the complainant before any investigation of the matter commences. The complainant’s expectations should be met where possible.

#### **5 Escalation of a Complaint**

All complaints should be resolved by the Director before resorting to formal external investigative processes.

Staff should consult with the Director if they are unsure of the most appropriate party to refer the complaint to.

Complaints of a more serious nature should be referred to the Director in the first instance e.g. complaints that include allegations of abuse or criminal conduct.

#### **6 Investigation of a Complaint**

The investigation process will involve gathering information to establish the facts relating to a complaint. Steps involved in the investigation of a complaint may include the following:

- Discussion with an appropriate manager to determine the options for handling the complaint. This will take into consideration the complainants expectations identified in step 4.
- Develop an Action Plan (refer to the Complaints Management Process) which includes the steps to be taken to resolve the complaint.

However, staff responsible for this task must take care in situations where criminal prosecution is a possible outcome, so that they don’t inadvertently taint evidence and/or compromise the prosecution of a case.

***Timeframe: Resolution of a complaint should usually take a maximum of 20 working days, although more complex cases might take longer.***

If an investigation takes longer than expected due to delays in obtaining information or a case being more complex than expected, the complainant should be informed. Records on management of a complaint should capture the reasons for delays.

## 7 Closing a Complaint

After action on a complaint is completed, the outcome should be recorded and closed in **OneNote** and communicated to the complainant. The complainant must be notified of the following:

- Decisions behind the resolution provided.
- Appeal avenues and how to access them. This includes the internal and external review process.
- Seek feedback from the complainant of their experience of the complaint handling process. Note: Resolution of a complaint does not always mean that the complainant will be satisfied with the outcome.

## 8 Internal Review Process

It will not always be possible to fully satisfy complainants, or agree to all the terms of settlement that they expect/seek. As a result, some complainants may request an internal review on the way their complaint was managed. All requests for internal review should be directed to the relevant Director who will review the complaint handling process followed in the initial response and further investigates matters and/or reconsiders the original decision when appropriate.

An internal review should be carried out by staff who were not involved in the initial complaint investigation. Staff performing the internal review of a complaint should follow the same investigation process as per these Guidelines. Staff should not overturn the previous outcome/resolution unless the outcome reached was not in line with Policy and other responses to similar complaints, or the new relevant information provided leads to a requirement for an alternative outcome to be provided. All information and actions are to be recorded in **OneNote Little Star Speech Therapy Complaints** file.

## 9 External Review - Dissatisfied with the Outcome

There are a number of accountability/complaint bodies established by the NSW Government that receive and investigate complaints from the public and public sector agencies about the conduct of government agencies and public officials.

Little Star Speech Therapy will provide advice to the complainant about the options for making a complaint if they are dissatisfied with the outcome provided by Little Star Speech Therapy.

Some of these external agencies include:

- **Anti-Discrimination Board of NSW (ADB):** The Anti-Discrimination Board of NSW is part of the NSW Department of Justice. It promotes antidiscrimination, equal opportunity principles and policies throughout NSW. It administers the antidiscrimination laws, and handles complaints under the Anti-Discrimination Act 1977 (NSW). Further information can be found at [www.antidiscrimination.justice.nsw.gov.au](http://www.antidiscrimination.justice.nsw.gov.au) or by calling (02) 9268 5544 or 1800 670 812 (for regional NSW only).
- **Guardianship Division within NSW Civil and Administrative Tribunal (NCAT):** The Guardianship Division is a specialist disability division within NCAT. The Guardianship Division conducts hearings to determine applications about adults with a decision making disability who are incapable of making their own decisions and who may require a legally appointed substitute decision maker. Further information can be found at [www.ncat.nsw.gov.au](http://www.ncat.nsw.gov.au) or by calling 1300 006 228.
- **Health Care Complaints Commission (HCCC):** The Health Care Complaints Commission receives and deals with complaints about individual health practitioners, such as doctors, optometrists and acupuncturists, and health service organisations, such as hospitals in NSW. Further information can be found at [www.hccc.nsw.gov.au](http://www.hccc.nsw.gov.au) or by calling 1800 043 159.
- **Independent Commission Against Corruption (ICAC):** Accepts complaints about serious misconduct and allegations against public servants. Further information can be found at [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au) or by calling (02) 8281 5999.
- **National Disability Abuse and Neglect (NDAN) Hotline:** For reporting abuse and neglect of people with disabilities using government funded services. Further information can be found at [www.betterhealth.vic.gov.au/health/serviceprofiles/national-disability-abuse-and-neglect-hotline-service](http://www.betterhealth.vic.gov.au/health/serviceprofiles/national-disability-abuse-and-neglect-hotline-service) or by calling 1800 880 052.
- **NSW Ombudsman (Ombo):** About the conduct of a community service provider or an employee of such a service. Further information can be found at [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au) or by calling 1800 451 524 (toll free) or (02) 9286 1000 (Sydney).
- **Office of the Australian Information Commissioner (OAIC):** Investigates privacy complaints about agencies covered by the Privacy Act 1988 (Privacy Act) or the handling of your personal information. Further information can be found at [www.oaic.gov.au](http://www.oaic.gov.au) or by calling 1300 363 992.



- **NDIS Quality & Safeguards Commission:** People with disability have the right to complain about the services they receive. Most NDIS providers do their best to provide quality supports and services to people with disability, but issues can occur.

If you have a concern about your current NDIS supports or services, it is important that you talk about it. Further information can be found at [www.ndiscommission.gov.au/about/contact](http://www.ndiscommission.gov.au/about/contact) or by calling 1800 035 544 (free call from landlines).

## 10 Additional Considerations - Anonymous Complaints

Little Star Speech Therapy will accept anonymous complaints and investigate these as far as possible. Anonymous complaints will be treated with the same priority as other complaints.

## 11 Natural Justice

Little Star Speech Therapy is committed to managing complaints, in a manner consistent with the principles of 'natural justice'. This means every effort is fair and just to:

- Ensure that all parties to a complaint know what to expect during the complaint handling process
- Carry out the complaint handling process in a transparent manner
- Where appropriate, each complainant has the opportunity to nominate the person they want as the key contact regarding the complaint
- Provide all parties with equal opportunity to participate in the process
- Treat all parties in a respectful manner
- Provide reasons for all decisions made.

## 12 Privacy and Confidentiality

All efforts should be taken to ensure that the complainant's identity is protected as there is a possibility of adverse reaction against the complainant. Therefore, complaints should be handled in a manner that protects the privacy of complainants and shared with staff on a needs basis. Consent must be obtained to provide information to a third party or to proceed with an enquiry to lodge a complaint.

However, there are some instances where Little Star Speech Therapy is required to report complaints to a third party without the complainant's consent. These include complaints with:

- Allegations of criminal behaviour – in which case Little Star Speech Therapy must report this to the Police
- Allegations of abuse against a child – in which case Little Star Speech Therapy must report this to the police and to Community Services, and in some instances the NSW Ombudsman
- Allegations of other reportable behaviour as defined by the ICAC Act – in which case Little Star Speech Therapy must report this to the ICAC.

### **13 Unreasonable or Vexatious Complaints**

It is important to clarify allegations and ascertain if a complaint has arisen from personal agendas rather than from issues related to standards or conduct, or if the complaint is considered unreasonable or vexatious.

Should you suspect a complaint is considered unreasonable or vexatious, you will need to raise this suspicion with the Director for confirmation. In some cases it will not need to be taken any further. However, the complainant must be notified of the reasons why their complaint will not be investigated and informed of the external agencies that may be able to assist them with their concerns. Unreasonable complaints might have one or more of the following features:

- Unreasonable persistence
- Unreasonable demands
- Unreasonable lack of cooperation
- Unreasonable arguments
- Unreasonable behaviour.

### **14 Abusive Complaints or Complainants**

Little Star Speech Therapy staff are entitled to be treated with respect and courtesy when handling complaints. Staff will respond to all complainants in a respectful and courteous manner, in accordance with the Little Star Speech Therapy Code of Conduct. However, dealing with personally abusive complainants is rarely productive and can be counter-productive.



Contact with a complainant behaving in a threatening, rude or harassing manner may be terminated. A complainant's emotional state and/or communication skills should be considered before deciding to end contact. Before ending contact, staff should make it clear to the complainant that they are willing to work on resolving the issue but only when the complainant is ready to discuss it in a calm and non-abusive manner. The complainant should be encouraged to recontact staff when they feel they are ready to discuss matters appropriately.

Client or staff member are considered regardless of the manner in which they are expressed. Before Little Star Speech Therapy will consider declining or ceasing to deal with a complaint the following steps must be taken:

1. All relevant evidence and/or issues presented by the complainant must be appropriately responded to.
2. An internal review of the complaint handling process must be undertaken.
3. Referral of the complainant to an external review agency should occur, if appropriate.

Once the above steps have been taken Little Star Speech Therapy may then consider further action to limit the complainant's access to staff and/or services. This may include forwarding a letter to the complainant that clearly sets out:

- The background to the complaint
- The resolutions attempted to date
- Outcomes of the internal review of the complaint handling and
- Restates Little Star Speech Therapy's final position and the reasons for that decision.

## Appendix A

### Version Control Sheet

VERSION	DATE	AUTHOR	SUMMARY OF CHANGES
8	23/01/2023	Sarah Miraziz – Little Star	Updated Policy with no changes
7	12/10/2022	Sarah Miraziz – Little Star	Updated Policy with no changes
6	06/12/2021	Casey Tarrant – Little Star	Updated Policy with no changes
5	06/07/2021	Casey Tarrant – Little Star	Updated Policy with no changes
4	18/01/2021	Casey Tarrant – Little Star	Updated Policy with no changes
3	30/06/2020	Director Dr Sarita Hamall / General Manager – Chris Hamall	Updated / No Changes
2	20/01/2020	Director – Dr Sarita Hamall	Updated / No Changes
1 Modified	01/08/2019	Director – Dr Sarita Hamall	New Policy
Created	29/05/2019	Centro Assist	

