

POLICY S07-01

Original: 20/05/93
Revised: 02/03/15

STANDARD: 4 – FEEDBACK & COMPLAINTS

SUBJECT: COMPLAINTS

SUMMARY PAGE

What is the policy?

Cerebral Palsy Alliance will ensure that everyone has access to fair and timely resolution of complaints.

What are? Complaints

A complaint is an expression of concern, dissatisfaction or frustration with the quality or delivery of service, a policy or procedure, or the conduct of employees, contractors or volunteers.

Why is this policy needed?

To ensure individuals know their rights, responsibilities and the procedures to use when expressing/lodging or dealing with a complaint regarding Cerebral Palsy Alliance. To meet Cerebral Palsy Alliance's responsibilities under the National Standards for Disability Services, the NSW Disability Inclusion Act 2014, the Community Services (Complaints, Reviews and Monitoring) Act 1993, and the Disability & Community Services (ACT) Human Rights Act 2004 and ACT Human Rights Commission Act 2005.

Whom does it affect?

Any client and/or family member or advocate with a complaint about Cerebral Palsy Alliance and staff members handling complaints about the organisation.

Expected Result/Outcome

This policy will:

- ensure that an individual's right to express a complaint is upheld and respected.
- ensure that individuals know how they can make complaints.
- assist service providers resolve individual complaints.
- ensure that with the investigation of complaints the focus is on continuous improvement of Cerebral Palsy Alliance's services, policies and practices.
- ensure that no victimisation or discriminatory practices occur in the handling of complaints, e.g. reduction or withdrawal of services.
- ensure that, where appropriate, all information in relation to the complaint is kept confidential.

POLICY

Cerebral Palsy Alliance's goal is to provide the highest quality services to its clients and their families in line with the relevant legislation, the National Standards for Disability Services and Cerebral Palsy Alliance's [Customer Experience Charter](#). Cerebral Palsy Alliance does all it can to facilitate open communication, participation and creative problem solving and respect among all involved. However, there may still be times when a person is unhappy about some aspect of the organisation's services. Cerebral Palsy Alliance relies on individuals to assist it by bringing these matters to its attention and working together to resolve them.

Cerebral Palsy Alliance is committed to ensuring that everyone is able to make a complaint easily and it is dealt with quickly, fairly and sensitively. Cerebral Palsy Alliance will make every effort to resolve the complaints it receives to the satisfaction of everyone involved.

If you make a complaint to Cerebral Palsy Alliance you can expect that we will:

- treat you with respect
- tell you what to expect while your complaint is being looked into
- carry out the complaint handling process in a fair and open way
- provide reasons for decisions that are made
- protect your privacy.

You can make a complaint to Cerebral Palsy Alliance about any aspect of its business or the services it provides directly.

This policy outlines how Cerebral Palsy Alliance will manage complaints and provides guidelines to help staff in responding to complaints received. All staff of Cerebral Palsy Alliance, as well as contractors and volunteers, are required to handle complaints according to the principles and guidelines outlined in this policy.

PROCEDURES

1. GUIDANCE FOR THOSE MAKING A COMPLAINT

a. Who can make a complaint?

Anyone can make a complaint to Cerebral Palsy Alliance. You do not have to be receiving services from us and you may make a complaint on behalf of someone else.

Any complaints received anonymously will be accepted and investigated as far as possible.

If a member of Cerebral Palsy Alliance staff wishes to make a complaint, they should refer to the grievance process (see the Good Working Relations Policy (S08:03:36) for further information).

b. Who do I make a complaint to?

You can make a complaint to any Cerebral Palsy Alliance staff member. We encourage you to discuss your complaint with your local staff first.

If the complaint is about a staff member, a different person will deal with it.

If the complaint is about a particular service or group of staff in Cerebral Palsy Alliance, then another area of Cerebral Palsy Alliance may handle the complaint or an independent party may be called in to investigate the complaint.

Go to the [Contact Us](#) page on the Cerebral Palsy Alliance website for contact details of our various sites.

c. How do I make a complaint?

Complaints can be made in a number of ways – in a letter, email, over the phone, in person or using the online complaints form via this link [Make a comment, complaint or compliment | Cerebral Palsy Alliance](#). Cerebral Palsy Alliance will support you to make a complaint. If you need assistance in making a complaint we are able to help you. If required, we can organise an interpreter (see the [Other Languages](#) page on the Cerebral Palsy Alliance website).

You may wish to have an advocate or someone to support you or to act on your behalf to help you make a complaint. There are a number of advocacy services that provide this kind of help (see a list at [Disability Advocacy Services in NSW & ACT](#)).

There are other external agencies who may be able to give you advice or assist you in making a complaint. These include the [NSW Ombudsman](#) and the [National Disability Abuse and Neglect Hotline](#), and the [ACT Disability & Community Services Commissioner](#).

d. What happens once I make a complaint?

When you make a complaint we will explain:

- what will happen while the complaint is being dealt with
- what supports are available to you
- who will deal with the complaint
- what will happen next, such as when you are likely to be contacted again.

You should not be made to feel that you cannot make a complaint, nor should making a complaint have any effect on the services you are receiving from

Cerebral Palsy Alliance, such as changes to your service or less communication with you.

The time it takes to resolve a complaint will depend on the nature of the complaint. Simple complaints may be resolved immediately. If we need to make further enquiries, it may take a few weeks to resolve. Where the complaint is about a more difficult matter it may take longer to resolve. The flowchart at **Appendix A** shows the levels to which your complaint may be referred.

Once the complaint is resolved as far as possible, you will be informed of the outcome. You may wish to raise any ongoing problems or concerns at this time.

Some complaints cannot be resolved completely. If so, Cerebral Palsy Alliance staff will help you to look at other options to address your issues and may follow up with you afterwards to check that the outcome of the complaint handling process is meeting your needs.

e. What happens if I am not happy with the outcome of my complaint?

If you are not happy with the outcome of the complaint, you can ask Cerebral Palsy Alliance to review how the complaint was dealt with. You can do this in a letter, email, over the phone or in person. A more senior staff member may undertake the review.

Cerebral Palsy Alliance staff may gather additional information to review the decision. This may or may not alter the original decision. After you have asked us to review how the complaint was dealt with, if you are still unhappy with the outcome of a complaint then there are outside agencies that may be able to help. These include:

ACT Disability & Community Services Commissioner

You can complain to the ACT Disability & Community Services Commission, who are mandated to consider complaints about provision of services. See <http://www.hrc.act.gov.au/>

NSW Ombudsman

You can complain to the [Ombudsman](#) about Cerebral Palsy Alliance or an employee of the service. The Ombudsman can also inquire into major issues affecting clients and services. Further information about the NSW Ombudsman can be found at www.ombo.nsw.gov.au or by calling (02) 9286 1000, or 1800 451 524 (rural/regional callers only).

Administrative Decisions Tribunal

You can complain to the Tribunal about some administrative decisions, for example, the funding of disability services or the refusal of a community service provider to implement a recommendation of the NSW Ombudsman. The Administrative Decisions Tribunal can review such decisions in certain

circumstances. Further information can be found at www.lawlink.nsw.gov.au/adt or by calling 1800 060 410.

Anti Discrimination Board (ADB)

You can complain to the ADB about discrimination, harassment and vilification. The ADB investigates and conciliates such complaints. Further information can be found at www.antidiscrimination.lawlink.nsw.gov.au or by calling (02) 9268 5555, or 1800 670 812 (rural/regional callers only).

f. Complaints via social media and online

Social media can be used to disseminate information, but should be considered a form of two-way communication and a vehicle to listen to 'wider' community views.

In the event of a complaint or negative comment about Cerebral Palsy Alliance received through social media, it is important to address the comment as soon as possible.

Complaints received via social media and online will be dealt with in the same way as other complaints received, as outlined in this policy. Staff should refer to **Appendix D** for further guidelines.

2. COMPLAINTS MANAGEMENT PROCESS

For details of the complaints management process, staff should refer to **Appendix D**.

3. MONITORING SYSTEM

All complaints received from or on behalf of a client will be logged within the Client Management System.

Reports are run through this system as required to:

- monitor the progression of each individual client complaint
- monitor the number and progression of all complaints across each Program and Division within Client Services.

Monthly Management Reports are to be utilised to notify senior management and the Board of numbers and trends of resolved and unresolved complaints and broader issues arising out of complaints. This information will be used for the purpose of continuous improvement and future planning of the organisation's services and policies and procedures.

Divisional Managers are responsible for the review and resolution of any outstanding complaints not resolved at the local level and for notifying the Chief Executive Officer if complaints are unresolved at the Regional/Central level.

APPENDICES AND FORMS

Feedback Form	Online at Make a Comment, Compliment or Complaint
Appendix A	Steps to follow - Making a Complaint Flowchart
Appendix D	Complaints Management Process (for CPA staff - available only via the intranet)

RELATED POLICIES AND FURTHER READING

S04:03	Privacy Protection of Client Information Systems and Consent
S05:01	Rights and Responsibilities
S08:01:08	Conflicts of Interests
S08:03:01	Code of Conduct
S08:03:36	Good Working Relations
S08:04:01	Work Health & Safety General Consultation, Communication & Reporting
S08:05:12	Social Media and Online
S10:01A	Allegations of Sexual, Physical or Emotional Assault on Adults
S10:01B	Child Protection
S10:03	Duty of Care
S10:07	Advocacy

Cerebral Palsy Alliance's Quality Systems Manual
Program/Service/Department Quality Procedures
Community Services Commission Report on Good Complaints Handling
Community Services Commission Report Card on Complaints Handling

ADHC Complaints Procedure:

http://www.adhc.nsw.gov.au/contact_us/complaints_procedure

Legislation

National Standards for Disability Services
Disability & Community Services (ACT) Human Rights Act 2004
ACT Human Rights Commission Act 2005
NSW Disability Inclusion Act 2014
NSW Civil Liability Act 2002
NSW Community Services (Complaints, Reviews and Monitoring) Act 1993 – makes retribution a criminal act and details penalties that apply.

Other websites

- Administrative Decisions Tribunal
http://www.adt.lawlink.nsw.gov.au/adt/administrative_index.html
- Anti Discrimination Board
http://www.antidiscrimination.lawlink.nsw.gov.au/adb/adb1_index.html
- Australian Human Rights Commission <http://www.humanrights.gov.au/>
- Commonwealth Carelink Centre <http://www9.health.gov.au/ccsd/>
- NSW Ombudsman <http://www.ombo.nsw.gov.au/>
- Office of the Information Commissioner
http://www.ipc.nsw.gov.au/privacy/ipc_index.html

- ACT Disability and Community Services Commissioner
<http://www.hrc.act.gov.au/disability/>
- ACT Office of the Children and Young People Commissioner
<http://www.hrc.act.gov.au/childrenyoungpeople/>

This Policy can be accessed via the CPA website at www.cerebralpalsy.org.au ('About Us' and 'Contact Us')



SIGNATURE OF CEO: _____

DATED: ____ / ____ / ____

REVISION SCHEDULE

Policy: S07-01 – Complaints		
Review Date	Outcome	Comment on revised/review details
11/05/01	<input checked="" type="checkbox"/> revised	Policy has been completely rewritten and reformatted. The main focus is the nature of complaints being about a service rather than an individual.
10/09/02	<input checked="" type="checkbox"/> revised	Policy reviewed in line with recommendations of Community Services Commission. Flow chart revised. Emphasis on ensuring complaints process easily accessible.
06/08/03	<input checked="" type="checkbox"/> revised	Addition of ref to Civil Liability Act 2002 and ability to apologise without it constituting an admission of liability or fault.
21/08/08	<input checked="" type="checkbox"/> revised	Updated Appendix A – External Contact List and Appendix B – Internal Contact List.
04/07/11	<input checked="" type="checkbox"/> revised	Updated policy to include the following forms: Appendix A – Steps to follow – Making a Complaint Flowchart Appendix B – External Contacts Appendix C – Internal Contacts Form A - Feedback/Complaint Form (for Clients) Form B – Feedback/Complaint Form (for Managers) Form C – Complaints Register Updated organisation name and logos to Cerebral Palsy Alliance.
30/09/11	<input checked="" type="checkbox"/> revised	Inserted line under Section 1, F stating that CPA endeavours to have all matters resolved within 10 working days.
07/06/13	<input checked="" type="checkbox"/> revised	Updated Regional Manager to Divisional Manager.
22/01/14	<input checked="" type="checkbox"/> revised	<ul style="list-style-type: none"> • Added procedure re complaints received via social media and online. • Updated to include contractors and volunteers. • Updated Regional Manager to Divisional Manager in App A. • Updated App C.
14/07/14	<input checked="" type="checkbox"/> revised	<ul style="list-style-type: none"> • Significant updates in line with new complaints handling procedures developed by Client Services. • Added Appendix D: Complaints Management Process (for CPA staff). • Updated Appendix A: Steps to follow – Making a Complaint Flowchart. • Deleted Appendices B and C, and Forms A, B, C, and replaced with weblinks where applicable.
02/03/15	<input checked="" type="checkbox"/> revised	<ul style="list-style-type: none"> • Updated to include ACT references.