

Complaints and Feedback Policy

Document number: PO2022-025

Version 4

Approval

Policy owner	Director Legal		
Approved by	Executive Leadership Team & State Council		
Date approved	ELT – 7 February 2024 State Council - 17 February 2024	Review date	17 February 2027

Purpose

1. The Society of St Vincent de Paul (NSW) and the company titled the St Vincent de Paul Society NSW (together the Society) welcome feedback and complaints and are committed to responding fairly, efficiently, and effectively.
2. This policy and the appended procedures specify the processes for resolution of complaints made by people who come into contact with or use the Society's programs and services, including avenues for complaint resolution outside the Society.
3. This policy aims to inform and educate Society Personnel and the people they work with about:
 - the value of complaints and feedback
 - the Society's commitment to learning from complaints and feedback for the continuous improvement of its programs and services
 - the complaints and feedback procedures
 - the requirement to document and report complaints and feedback in the Integrated Risk Management System (IRMS).

Scope

4. This policy applies to all Society Personnel.
5. This policy applies to how complaints and feedback about Society programs and services, Society Personnel, and Society governing bodies (Board, State Council, and Central Councils) are managed.
6. Complaints and feedback may be made by:
 - anyone receiving services or assistance from the Society, their advocate, or an authorised representative
 - a member of the public
 - customers of the Society's retail outlets
 - other service provider agencies, including partner organisations
 - a government officer or agency
 - an organisation, supplier, or business partner supplying goods or services to the Society
 - anyone who donates money or services to the Society.
7. These complaints may concern but are not limited to:
 - member, volunteer, and employee conduct
 - provision of information
 - the way in which the Society conducts its activities

- quality of service, communications, or treatment by the Society
 - access to or promptness of a service.
8. Complaints may be received in any Society location. This policy outlines how complaints received in different locations should be managed.
 9. This policy does not apply to feedback, grievances, or complaints by Society Personnel about each other, which are managed according to the *Internal Grievance Policy*.
 10. This policy does not apply to allegations of fraud and/or misconduct. Such issues are managed according to the *Managing Fraud and Dishonest Behaviour Policy* and/or the *Counselling and Disciplinary Policy*.
 11. This policy does not apply to allegations of misconduct and concerns about child safety. These should be referred immediately to the Safeguarding Team in keeping with the *Safeguarding Children and Young People Policy*.
 12. This policy does not apply to eligible whistleblowers making qualified disclosures. Such issues are managed according to the *Whistleblower Policy*.
 13. Other complaints that **cannot** be investigated pursuant to this policy include:
 - matters relevant to the National Council or the Society operations in other States or Territories
 - any employment law matters such as discrimination or industrial relations matters between the Society and employees and unions/employee associations
 - requests for services or support which are not currently provided by the Society
 - contractual disputes between the Society and third parties
 - policy decisions made by the St Vincent de Paul Society NSW Board or the Trustees of the Society of St Vincent de Paul (NSW) (State Council)
 - a criminal allegation or matters under criminal investigation or currently before a court or tribunal
 - reportable conduct investigations, including allegations involving risk of significant harm reported to the Child Protection Helpline (if clearance is provided by the Department of Communities and Justice, a matter may be investigated internally only under the Society's Safeguarding Children and Young People Policy)
 - work, health and safety concerns or incidents. These should be reported as an incident or hazard in the IRMS
 - any complaint that has been raised, investigated, and determined previously through the Society's complaints and review process
 - matters outside the control of the Society.

Related policies and procedures

14. Related policies and procedures include:

Code of Conduct

Incident Management Policy

Internal Grievance Policy

Managing Fraud and Dishonest Behaviour Policy

Open Disclosure Policy

Person-Centered Service Delivery Policy

Person we assist charter of rights and responsibilities

Privacy Policy

Privacy Management Policy

Records Management Policy

Safeguarding Children and Young People Policy

Safeguarding Vulnerable Adults

Trauma-Informed Practice Policy

Whistleblower Policy

Policy principles

15. The Society encourages all forms of feedback, including complaints, about the way it works, its interactions with the community, the programs and services it provides, and its complaint handling processes. It will adopt a trauma-informed, person-centered approach that is flexible and makes reasonable adjustments for the needs of the person making a complaint, and their support person if applicable.
16. The Society is committed to providing a transparent feedback and complaints management system that is accessible, responsive, efficient, fair, and integrated into the organisation's culture. Such a system provides accountability and supports the continuous improvement of services, processes, and systems.
17. Complaints received in person or by phone should be resolved within 5 working days without recourse to the formal complaint procedure if acceptable to the complainant.
18. Where a complaint cannot be resolved at the local level, within five working days, the complaint must be entered into the IRMS by the person who received the complaint. In serious matters, the complaint must be escalated immediately. This includes:
 - any complaint involving a child or young person or vulnerable adult, or a child protection issue
 - a criminal, or serious misconduct matter
 - a W.H & S Notifiable Incident or

- An NDIS reportable incident
 - a reportable Aged Care incident
 - a complaint from a government agency
 - where the complaint is against the Chief Executive Officer, Board Chair, State Council President, Central Council President, Regional President, Executive Director, Chief Financial Officer, Director, Regional Director, or Team Leader/Manager.
19. The Society is committed to a transparent and robust review process. Complainants can access one internal review if they are dissatisfied following the Society's decision. The complainant may seek a review of the decision within 25 working days of notification of the decision on the following grounds:
- a. if the response failed to respond to a ground of the complaint
 - b. if the response failed to take into account material facts raised or evidence provided by the complainant
 - c. if the response took into account irrelevant facts or evidence

Respectful and fair treatment

20. The Society will:

- take all complaints and feedback seriously
- treat all complainants in a fair, objective, unbiased and non-judgmental manner
- determine all complaints on their merits and facts, acknowledging any conflict of interest
- act in accordance with procedural fairness and transparency
- treat both those who make and those who are the subject of complaints with dignity and respect
- adhere to all legal obligations in respect of protecting the privacy and confidentiality of all parties
- ensure that no one is adversely affected because they have made a complaint, or a complaint has been made on their behalf
- follow the NSW Ombudsman guidance 'Managing unreasonable conduct by a complainant', if a complainant consistently behaves in a disrespectful or unreasonable manner

Accessibility

21. The Society will:

- actively promote opportunities to provide feedback and complaints
- ensure that information about making a complaint or providing feedback is easy to find and access at service sites and on the Society's, website including:
 - areas covered by this policy
 - how to make a complaint
 - how to make an anonymous complaint
 - how to appeal against the outcome of a complaint
 - how to escalate a complaint to external authorities
- provide appropriate support and assistance to anyone wanting to provide feedback or make a complaint

- take steps to ensure that people experiencing particular vulnerabilities (for example, Aboriginal and Torres Strait Islander people, people from CALD backgrounds, children and young people, and older people) are supported to provide feedback or make a complaint, and that complaints are investigated by appropriate Personnel.
- respect the rights of people with disability and take reasonable steps to ensure that all individuals understand and can effectively exercise their right to provide feedback or complain. This includes encouraging and seeking advocates for people. Where appropriate, information should also be provided in easy read or another format that meets the needs of a person with a disability.
- communicate through a complainant's representative, including an advocate, where this is requested.

Good communication

22. The Society will:

- acknowledge receipt of a complaint or feedback
- let the complainant know who will be managing their complaint
- keep the complainant or their representative informed about the status and progress of their complaint, including any delays
- clearly communicate outcomes and decisions.

Accountability

23. The Society will:

- record, assess, and review complaints and feedback
- ensure employees handling complaints are appropriately skilled and trained

Timeliness

24. The Society will:

- respond promptly and aim to resolve complaints appropriately and efficiently
- where possible, resolve complaints at the local level at the time the complaint is raised, so that a timely and responsive resolution is achieved

Transparency

25. The Society will:

- provide a clear explanation, and apology if required, to the complainant and any representatives/advocates of the actions undertaken and why, as a result of the feedback or complaint
- provide those making a complaint with the opportunity to apply for a review and/or information about external complaint processes, should they be dissatisfied with the way the complaint process was handled by the Society
- record, review, and report on complaints and feedback data as part of our commitment to continuous improvement.

26. When required open disclosure processes will also be applied when a complaint relates to an incident that caused harm or had the potential to cause harm to a Person We Assist.

Roles and responsibilities

27. The Director, Legal is responsible for maintaining the currency of this policy.
28. Each Executive Director or the Chief Financial Officer is responsible for:
 - the management of complaint handling and resolution in their directorates,
 - promoting, monitoring, and upholding a positive compliance culture
 - identifying the need to engage support and/or train employees to implement the policy,
 - ensuring complaints and feedback inform continuous improvement.
29. The Complaints Resolution Officer:
 - oversees complaints and feedback registered in IRMS
 - enters complaints received via phone, email or mail into the IRMS, assesses these complaints, and where required assigns or reassigns a Delegated Person to manage the complaint
 - where required, supports the Delegated Person to manage and resolve complaints under this policy
 - liaises with the Regional Directors who will consult with the appropriate Conference, Regional or Central Council President regarding the response to the complaint
 - manages complaints escalated or assigned to them, including investigating, or appointing an investigator to conduct an investigation on advice from the Director, Legal
 - supports other parts of the business to access complaints and feedback data and reports
 - submits regular (e.g., biannual) reports ~~every three months~~ to the Executive Leadership Team, Governance, Risk and Nominations Committee, and other Society committees as required, on complaints received, their resolution, and actions recommended and implemented to address systemic issues
 - assists with investigations to facilitate the conclusion of the complaints handling process within 25 working days, wherever possible
 - conducts or assigns the review of a complaint outcome if one is requested by the complainant.
30. The roles and responsibilities of other individuals are set out in **Appendix 4**.

Review

31. This policy and its implementation will be reviewed every three years, or on a needs basis as required to align with legislative or practice changes.

Further assistance

32. Society Personnel must speak with their manager regarding any questions about the implementation of this policy. They may also contact the Director, Legal to provide feedback on this policy.
33. Individuals who have any queries, concerns, or feedback about this policy, may contact the Society's Complaints Resolution Officer as follows:
 - Phone: +61 2 4032 3508
 - Email: Complaints@vinnies.org.au
 - Post: PO Box 5 Petersham NSW 2049

References

34. Legislation, regulations, and guides relevant to this policy include:
 - Fair Work Act 2009 (Cth)*
 - Age Discrimination Act 2004 (Cth)*
 - Aged Care Act 1997 (Cth)*
 - Anti-Discrimination Act 1977 (NSW)*
 - Australian Human Rights Commission Act 1986 (Cth)*
 - Community Services Complaints, Reviews & Monitoring Act 1993 (NSW)*
 - Child and Young Person's Care and Protection Act 1998 (NSW)*
 - Children's Guardian Act 2019 (NSW)*
 - Disability Discrimination Act 1992 (Cth)*
 - Privacy Act 1988 (Cth)*
 - Racial Discrimination Act 1975(Cth)*
 - Sex Discrimination Act 1984 (Cth)*
 - National Disability Insurance Scheme Act 2013 (Cth)*
 - The NDIS Quality and Safeguarding Framework*
 - National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018 [F2018L00634]*
 - National Disability Insurance Scheme (Procedural Fairness) Guidelines 2018*

Approval and amendment history

Version	Approval authority	Date	Amendment summary
Doc 1	Board of Directors	14 February 2014	NA
Doc 2 PO2020-025	Executive Leadership Team and State Council	22 June 2020	Update policy to address legislative changes and NDIS compliance. Replaces Complaint Handling Policy and Procedures
PO2020-025 Version 2	Executive Director Corporate Services	27 July 2020	Updated policy owner and responsibilities to align with organisational structure changes
PO2020-025 Version 3	Executive Leadership Team	7 December 2021	Updated with Office of Children's Guardian's feedback to ensure compliance and new roles titles. Updated to ensure compliance with NDIS requirements, IRMS procedure changes and new role structure.
PO2020-025 Version 4	Executive Leadership Team and State Council	7 February and 17 February 2024	The 2023 Review takes into account several internal changes. This includes the introduction of the Integrated Risk Management System (IRMS), the change to the role of the Complaints Resolution Officer due to the introduction of the IRMS, changes to Vinnies Services, and new procedures for managing complaints and ways to foster continuous improvement by using the data that is now available through the IRMS.

Appendix 1: Definitions

Relevant definitions include:

Advocate	An advocate is a person authorised or nominated by the complainant to act their behalf
Aged Care Reportable Incident	<p>Reportable incidents under the Serious Incident Response Scheme (SIRS) for residential care include:</p> <ul style="list-style-type: none"> • Unreasonable use of force – for example, hitting, pushing, shoving, or rough handling a consumer • Unlawful sexual contact or inappropriate sexual conduct – such as sexual threats against a consumer, stalking, or sexual activities without consumer consent • Neglect – for example, withholding personal care, untreated wounds, or insufficient assistance during meals • Psychological or emotional abuse – such as yelling, name calling, ignoring a consumer, threatening gestures, or refusing a consumer access to care or services as a means of punishment • Unexpected death – where reasonable steps were not taken by the provider to prevent the death, the death is the result of care or services provided by the provider or a failure by the provider to provide care and services • Stealing or financial coercion by an employee – for example, if an employee coerces a consumer to change their will to their advantage, or steals valuables from the consumer • Inappropriate use of restrictive practices – where it is used in relation to a consumer in circumstances such as: <ul style="list-style-type: none"> ○ where a restrictive practice is used without prior consent or without notifying the consumer’s representative as soon as practicable ○ where a restrictive practice is used in a non-emergency situation, or ○ when a provider issues a drug to a consumer to influence their behaviour as a form of restrictive practice • Unexplained absence from care – where the consumer is absent from the service without explanation and there are reasonable grounds to report the absence to the police.
Authority to Act	An authority to act is verbal or written authorisation by an individual for a friend, relative, community organisation, or advocate to act on their behalf when engaging with the Society.
Anonymous complainant	An anonymous complainant is any member of the public who chooses to remain anonymous when making a complaint through any means.
Children and Young People	In this Policy document, ‘Child’ means persons between the ages 0-15. A ‘young person’ is any person between the ages 16-17.

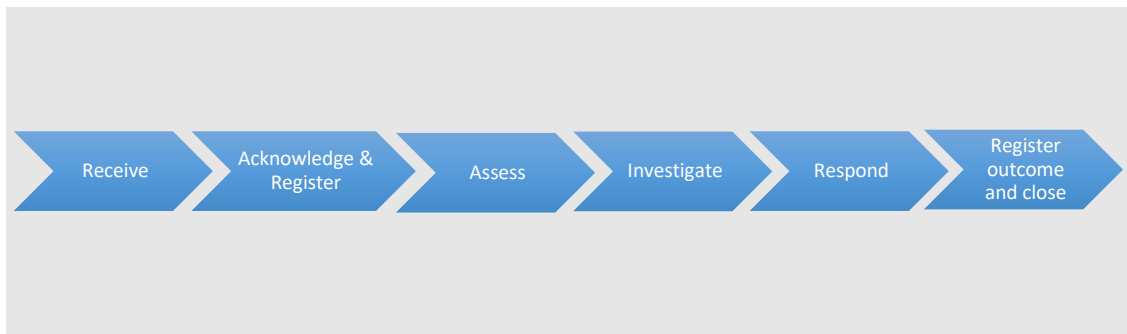
	Children and young people may be People We Assist, family members of People We Assist, members (Mini Vinnies, High School Conferences), volunteers, employees, or members of the public (for example, customers of Society retail shops or activities where children and young people regularly or occasionally attend such as working bees with local schools or parish youth groups to pack Christmas hampers).
Complainant	A complainant is any member of the public, not working on behalf of the Society in any capacity, making a complaint.
Complaint	Expression of dissatisfaction made to or about the Society relating to its services or service quality, decisions, policies, procedures, charges or fees, personnel, or the complaint handling process itself, where a response or resolution is explicitly or implicitly expected or legally required.
Complaint Management System	All policies, procedures, fact sheets, practices, employees, hardware, and software used by the Society in the management of complaints, including the IRMS.
Delegated Person	A person authorised to act on behalf of the Society in dealing with, investigating, and resolving a complaint, for example retail or service managers, Vinnies Services manager, or the relevant Conference or Council President.
Employee	An employee is a paid member of staff unless otherwise specified. This includes full-time, part-time, fixed-term, or casual staff, contractors providing services to the Society, and those engaged in the performance of duties for the Society from a labour hire agency.
Feedback	Opinions, comments, compliments, and expressions of interest or concern made to, or about, the Society, its services or service quality, decisions, policies, procedures, charges or fees, personnel, or the complaint handling process itself, where a resolution is not explicitly or implicitly expected or legally required.
Integrated Risk Management System (IRMS)	The Integrated Risk Management System (IRMS) is the program used by the Society to record and manage complaints, incidents, risk, WHS and safeguarding matters.
Investigator	An Investigator is an employee of the Society who has received formal investigation training, or a third party engaged externally by the Society, who is tasked with undertaking an investigation in relation to this policy.
Member	The term member includes Conference, Associate, and Volunteer members as per <i>The Rule</i> , 7 th Edition 2012, Australia.
Notifiable Incident	A 'notifiable incident' under the work health and safety legislation relates to <ul style="list-style-type: none"> • the death of a person • a serious injury or illness of a person • a potentially dangerous incident

NDIS Reportable Incident	<p>Reportable incidents are serious incidents or alleged incidents which result in harm to an NDIS participant and occur in connection with NDIS supports and services. Specific types of reportable incidents include:</p> <ul style="list-style-type: none"> • The death of a person with a disability. • Serious injury of a person with a disability. • Abuse or neglect of a person with a disability. • Unlawful sexual or physical contact with, or assault of, a person with a disability (excluding, in the case of unlawful physical assault, contact with, and impact on, the person that is negligible). • Sexual misconduct committed against, or in the presence of, a person with a disability, including grooming of the person for sexual activity. <p>The use of a restrictive practice in relation to a person with a disability, other than where the use is in accordance with an authorisation (however described) of a State or Territory in relation to the person or a behaviour support plan for the person.</p>
Person/People We Assist	<p>This is anyone receiving Society services, whether those services are financial or non-financial, and whether those services are delivered in the person’s home, a formal setting, or elsewhere.</p> <p>Person/People We Assist also includes a potential client seeking Society services.</p>
Society	<p>Means the unincorporated association known as The St Vincent de Paul Society that works through local conferences and the related incorporated company St Vincent de Paul Society NSW (ABN 91 161 127 340).</p>
Society Personnel	<p>Any person (or group of people) engaged by the Society to assist in its works. This includes members, volunteers, employees, contractors, and consultants.</p>
Volunteer	<p>A volunteer is any person who performs unpaid work for the Society.</p>

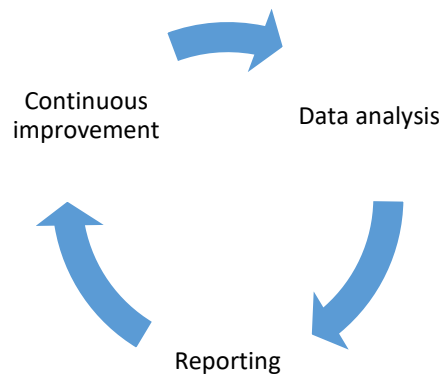
Appendix 2: Complaint Handling Procedures

Introduction

1. When responding to complaints and feedback, Society Personnel must act under this Complaints and Feedback Policy and Procedure and must consider any relevant legislation and/or regulations.
2. The key stages in the Society’s complaint management system are set out below.



3. Complaints and Feedback data is routinely analysed and reported on to support continuous improvement.



Receiving and managing feedback and complaints

4. The Society encourages Complaints and Feedback by communicating this policy, our complaints forms and processes to People We Assist, their families/carers/guardians, the community, partner organisations and other key stakeholders. Wherever possible the Society will encourage feedback by:
 - Publishing feedback and complaints information on our website and other publications.
 - Upskilling employees, members and volunteers to encourage and engage positively with feedback and complaints in services/sites and apply this policy and procedure effectively.
 - Providing a range of ways people can provide feedback about our services (e.g., focus groups, surveys, online forms, evaluations, service-user or committee meetings etc.) and providing information and opportunities in a range of languages and formats.
5. Complaints or Feedback can be provided to the Society in several ways including:
 - By the online Web Form at [Contact Us - St Vincent de Paul Society NSW \(vinnies.org.au\)](https://vinnies.org.au)
 - At the local service level:
 - in person

- in writing (using the paper-based form, available on the Staff Portal)
 - by phone
 - To State Support Office:
 - by email to complaints@vinnies.org.au
 - by phone to Vinnies Assist on 13 18 12
 - by phone to the Complaints Resolution Officer on +61 2 4032 3508
6. Where an individual requires assistance to provide a complaint or feedback, the Society will assist by:
- arranging an interpreter through the Translating and Interpreting Service (TIS) on 13 14 50
 - communicating via the National Relay Service 1800 254 649 (relayservice.gov.au)
 - providing assistance in completing the Society's Complaints and Feedback Form
 - providing the Easy Read version of this policy and/or communicating in a style that meets the needs of the person
 - providing information or referral to relevant advocacy services.
 - providing other reasonable and appropriate assistance

Authority to act or disclose

7. A person who makes a complaint on behalf of someone else must have that person's authority to act for them either generally or in relation to the complaint. If they don't already have a legal authority to act on the other person's behalf, the Society will confirm that the person lodging the complaint has the complainant's authority to do so. This authority should be provided by completing the 'Authority to Act or Disclose' form (**Attachment A**). However, it can be provided verbally or in a communication style which meets the needs of the person wishing to make the complaint.
8. The authority to act or disclose, however given, must be documented in the Society's Complaints Management System.

Anonymous complaints

9. The Society accepts anonymous complaints through any of the methods identified at paragraphs 5 and 6 above. Where a complaint is made anonymously, the Society will act on the complaint, respecting the complainant's request for anonymity.
10. Where possible the Society will make an anonymous complainant aware of the limitations of investigating an anonymous complaint including that clarification, feedback, or individual resolution may not be possible.
11. Where an anonymous complaint involves allegations of corruption, fraud, theft, or serious waste of Society resources, the person receiving the complaint must immediately escalate it

to the Complaints Resolution Officer who will assess the complaint and will either manage it or refer it to the appropriate personnel to be actioned under the *Society's Managing Fraud Policy and Dishonest Behaviour Policy* and with reference to the *Whistleblower Policy*.

12. Anonymous complaints alleging criminal conduct must immediately be referred to the Complaints Resolution Officer who will inform the Director, Legal and NSW State President (in the case of an allegation against a member) and/or the Chief Executive Officer (in the case of an allegation against an employee or volunteer) who will ensure that it is addressed in accordance with the Society's legal obligations.
13. Anonymous allegations relating to matters of concern regarding children must immediately be dealt with following procedures set out in the *Safeguarding Children Policy and notified to the Safeguarding team at 1800 4 SUPPORT*.

Complaints and Feedback at the local level

14. The person who receives a complaint or feedback at a Society facility, program or service should endeavor to manage feedback, or resolve minor complaints (for example, about pricing, timing, and the quality of services) by:
 - respectfully and responsively listening and acknowledging the issue raised
 - clarify whether the person is providing feedback or making a complaint
 - asking the person who has raised the issue what they are seeking as a resolution to the matter
 - calmly provide an explanation about the issue raised (if the person is aware of what happened and why)
 - document and maintain a record of the complaint and any actions taken and refer this information to their manager or relevant Council President
 - complaints and feedback received by or about Vinnies Services should be entered into the IRMS.
 - If the person receiving the complaint cannot resolve, the complaint within five working days, or if the complaint is significant, they must:
 - i. provide the person with a copy of or access to the Society's Complaint and Feedback Form (available from the staff portal or the MAVS website) and offer help complete it
 - ii. forward the information to their manager or relevant Council President, or otherwise ensure that the relevant information is entered into the IRMS.
15. Complaints and feedback entered into the IRMS will be allocated to a Delegated Person, authorised to resolve the complaint, usually the senior Society representative at a facility, program or service, Conference or Council (for example retail manager, service manager or Conference President)
16. The Delegated Person must:
 - acknowledge receipt of the complaint

- ask the person who has raised the issue what they are seeking as a resolution to the matter, if this information has not already been obtained
- assess the complaint and ensure it is escalated if required (see initial assessment and escalation at paragraph 18 below)
- attempt to resolve the complaint within 25 working days
- offer an apology, if appropriate
- communicate rights for a review of the complaint outcome/decision
- ensure there is a record of all discussions relating to the complaint, including contact with the complainant and other parties, decisions and the rationale for decisions and that these are entered into the IRMS
- ensure the complainant is made aware of their right to lodge a complaint with an external agency where appropriate. For example, to the NDIS QSC if they are an NDIS participant, or Aged Care Quality and Safety Commission.

Initial assessment and escalation

17. The Delegated Person must carry out an initial assessment to:

- ensure that the terms of the complaint are clear, and if not, clarify the complaint
- determine if the complaint comes within the scope of this policy
- determine if the complaint is complex or serious and needs to be referred to the Complaints Resolution Officer for assistance
- determine if the complaint includes an allegation of a crime, notifiable incident, NDIS or Aged Care reportable incident, involves a child, young person or vulnerable adult, risk of significant harm or misconduct, and if so, apply the relevant policy and notify the relevant Society Personnel
- determine if the complaint is from an external complaints body or government agency and therefore needs to be referred to the Complaints Resolution Officer or the Director Legal
- ensure complaints concerning Society Personnel, not already lodged as personnel conduct complaints, are referred to the Complaints Resolution Officer for assignment.

Complaints and Feedback handling by the Complaints Resolution Officer

18. The Complaints Resolution Officer manages escalated complaint requests, complaint reviews and receives all complaints lodged as personnel conduct complaints and feedback via the IRMS for allocation.

19. Complaints and Feedback may also be made directly to the Complaints Resolution Officer by:

- phone to: +61 2 4032 3508
- by email to: complaints@vinnies.org.au

- mail to: Complaints Resolution Officer, State Support Office, PO Box 5, Petersham, NSW 2049
 - Via referral from Vinnies Assist
20. Where the complaint has been received via email, phone or mail, the Complaints Resolution Officer will triage and enter into the IRMS.

Initial assessment

21. Where the complaint has come to the Complaints Resolution Officer directly, the Complaints Resolution Officer will:
- determine if the information constitutes feedback or a complaint that falls within the scope of this policy
 - determine if the matter is a local issue and should be referred to the relevant Delegated Person or if appropriate, resolve it themselves.
22. Where a complaint concerns the quality and pricing of merchandise in retail outlets, or the rejection of personal donations of goods, the Complaints Resolution Officer has the discretion to deal with the complaint more expeditiously through separate protocols negotiated with the Retail and Logistic team.
23. Where the complaint involves a Notifiable Incident, NDIS Reportable Incident, Aged Care Reportable Incident, criminal, or serious misconduct matter, the Complaints Resolution Officer will inform the Director, Legal, who will ensure that it is addressed in accordance with the Society's legal obligations and notify the Chief Executive Officer and/or NSW State President where appropriate.
24. If a complaint involves a child or young person, as a party to the complaint or a witness, the Safeguarding Team will be notified immediately, to ensure compliance with the Society's Safeguarding Children and Young People Policy.
25. If a complaint identifies a safety concern or workplace hazard, the Work, Health and Safety Team should be notified immediately. Where the safety concern relates to a Person We Assist, the Clinical Governance Team should also be notified immediately.

Escalated and complex complaints

26. For complaints escalated to the Complaints Resolution Officer, or for complex complaints received directly, the Complaints Resolution Officer must:
- ensure that the terms of the complaint are clear, and if not, seek further clarification
 - identify the key concerns raised by the complainant and the complainant's desired outcome for resolution.
 - conduct a risk assessment of the complaint where appropriate, and determine if the complaint should be:
 - managed by them, and if required consult with the Director Legal
 - delegated to an internal or external investigator, or
 - referred for investigation/action to another Directorate of the organisation

27. Where complaints involve a Central Council President, State Council President, the Chief Executive Officer, Executive Director or the Chief Financial Officer, the Complaints Resolution Officer may, on the advice of the Director, Legal, appoint an external Investigator and inform that person's direct report that a complaint has been made and an investigation is underway. For example, in the case of a complaint against the State President, the National President will be advised, and in the case of the Chief Executive Officer, the Board Chair will be advised.
28. If an investigation is conducted into a complaint about a Society member, the relevant Council President should be informed prior to the investigation commencing.
29. The Complaints Resolution Officer will close the matter and inform the relevant parties if:
 - further clarification requested has not been provided which prevents the matter from being investigated, or
 - the complaint is vexatious or frivolous in nature.
30. Where a complaint is closed, the Complaints Resolution Officer will record the reasons for this decision and update the IRMS.

Investigation

35. When a formal investigation is required, the Investigator or Complaints Resolution Officer must:
 - seek clarification from the complainant where necessary
 - seek information from the respondent where necessary
 - obtain all relevant information, including but not exclusive to, email correspondence, file notes, CCTV footage and interviews with witnesses and relevant Society personnel.
36. The Investigator or Complaints Resolution Officer must then determine:
 - what facts are, and are not, in dispute between the parties
 - the relevance, reliability and consistency of the information collected
 - whether Society representatives have followed standard procedures
 - whether any systemic performance or management issues arise.
37. The Investigator or Complaints Resolution Officer, as appropriate, is responsible for ensuring that complex complaints are resolved within 25 working days of receiving the complaint.
38. In exceptional circumstances, additional time may be required to conduct a thorough investigation. If a complaint is not resolved within the 25 working day timeframe, the Society will contact the complainant and advise them of the expected date of conclusion.
39. Where the complaint is anonymous, the 25 working days begins from the date an Investigator is assigned to the complaint.

Complaint resolution

40. Appropriate actions in response to a complaint may include:
 - a. addressing the issues raised to resolve the complaint

- b. offering a written apology
 - c. meeting with the complainant to acknowledge their experience
 - d. developing or amending policies and procedures if appropriate and/or applicable
 - e. training Society representatives if required or reasonable to do so
 - f. discussing the matter directly with the Society Personnel concerned (i.e., those named in the complaint)
 - g. ensuring there are measures put in place to prevent the issue from recurring
 - h. following up with a complainant for feedback on the finalisation of their complaint, and to garner their response to any follow up or implementation of actions.
41. Where preliminary enquiries determine a matter can be resolved without an investigation, the Delegated Person or Complaints Resolution Officer will notify relevant management personnel prior to providing an outcome to the complainant
 42. Where a complaint is about a member, the Delegated Person or Complaints Resolution Officer will liaise with the Regional Director who will consult with the appropriate President, about how the complaint will be resolved.
 43. Where a formal investigation has been conducted, the Investigator or Complaints Resolution Officer must prepare a report and recommendations at the conclusion of the investigation.
 44. Where the Investigator is not the Complaints Resolution Officer, the Investigator must provide their report to the Complaints Resolution Officer or Director, Legal for registration.
 45. Once the investigation report has been received, the Complaints Resolution Officer or the Director Legal will:
 - a. where necessary, in consultation with the relevant Executive Director or Chief Financial Officer, or their delegate, or relevant Council President (decision-maker), determine the appropriate outcome resolution for the complaint.
 - b. communicate the outcome to the complainant, where possible in writing and in a language or format that meets the complainant's needs.
 - c. communicate the outcome to the respondent in a language or format that meets the respondent's needs, including any actions to be undertaken, and provide an apology or arrange an apology if required.
 46. The investigation report is the property of the Society and may be subject to legal professional privilege. It will not be made available to the complainant or the respondent unless the CEO determines that it should be provided.
 47. Society Personnel must base any actions taken in response to a complaint on the evidence and information contained in the investigation report and must address any system or process issues that the report identifies.

Confidentiality

48. The Investigator will keep all records of the investigation secure and confidential, in line with Society policies.

49. The Society may provide details of a complaint (excluding contact details) to the person or organisation subject to the complaint and, if necessary, others who have relevant information about the complaint. This excludes the identity of the complainant, where the complainant has requested anonymity.
50. The Society will otherwise take steps to ensure that confidentiality is maintained while a complaint is being investigated unless disclosure is required by law.

Scope for further review of the complaint

51. If a complainant remains dissatisfied following the Society's response after an investigation has occurred, they may seek a review of the decision within 25 working days of notification of the decision. A review will be conducted for the following reasons:
 - a. the response failed to respond to a ground of the complaint; or
 - b. the response failed to take into account material facts raised or evidence provided by the complainant; or
 - c. the response took into account irrelevant facts or evidence; or
52. Before a request for review can be assessed, a complainant must clearly identify why they believe the original decision was wrong or unreasonable and provide any relevant supporting information or evidence. The Complaints Resolution Officer will assist the complainant to identify the reason they are asking for a review if requested.
53. The review must be conducted by the Complaints Resolution Officer or a person who is independent of the original investigation or decision-making or is senior to the original decision-maker.
54. If a complainant seeks a review of a decision, the reviewer will consider:
 - a. the request for review
 - b. the investigation report and the original decision
 - c. the material before the original decision-maker.
55. The possible outcomes from a review are:
 - a. referral of the complaint for further investigation
 - b. confirmation of the original decision
 - c. variation of the decision
 - d. setting aside the decision and substituting a new decision.
56. The Reviewer must advise the complainant of the review outcome within 25 working days of a request for review being received and, where appropriate, provide information on further external avenues of redress. These can be found at **Appendix 3**.

Record keeping

57. The Complaints Resolution Officer or Delegated Person must keep complete records of complaint management and investigations in line with the *Records Management Policy* and the *Privacy Management Policy*.
58. Records include the complaint, the acknowledgement letter, any notes taken, status updates, the investigation report, and the resolution letter. File notes of all conversations must be made and retained.
59. Complaint records must be retained for a period of not less than seven (7) years.

Continuous improvement and preventative action

60. Investigations of complaints may indicate that improvement in current practices, procedures, capabilities, and training might be required. Routine analysis can also ensure that systemic issues are identified and addressed.
61. Each Executive Director or Chief Financial Officer is responsible for:
 - a. ensuring responses to complaint investigations include identification of, and action on, areas of improvement to reduce the likelihood of a similar situation/event occurring.
 - b. ensuring the complaints data relevant to their Directorate is reviewed and analysed to ensure systemic issues and continuous improvement actions for their Directorate are identified and addressed. Where appropriate, ensuring stakeholders and/or the community are informed about any improvements made as a result of feedback and complaints
 - c. ensuring local protocols are in place to meet specific industry requirements, and ensuring employees follow local processes for continuous improvement and preventative action (e.g., Frederic House employees must follow Continuous Improvement and Preventive Action Protocol in CompliCare).
62. The Complaints Resolution Officer will submit regular (e.g., biannual) reports to the ELT and the Governance, Risk and Nominations Committee detailing the number and type of complaints and feedback received, information about their resolution, including information (if any) that they have received from Executive Directors or the Chief Financial Officer regarding any process improvements, preventive action taken or challenges to implementation.
63. Where requested, the Complaints Resolution Officer will support business units to access data and reports on complaints and feedback relevant to their areas.

Appendix 3: External Complaints

Aged Care Quality and Safety Commission

- 1800 951 822
- info@agedcarequality.gov.au

Anti-Discrimination New South Wales

- (02) 9268 5544
- 1800 670 812 (Toll-free for regional NSW only)
- <http://www.antidiscrimination.justice.nsw.gov.au/>
<http://www.antidiscrimination.nsw.gov.au>
- <mailto:complaintsabd@justice.nsw.gov.au>complaintsadb@justice.nsw.gov.au

Australian Charities and Not-for-profits Commission

- 13 22 62
- <https://www.acnc.gov.au>
- online complaint form

Australian Human Rights Commission

- 1300 656 419
- <https://www.humanrights.gov.au>
- infoservice@humanrights.gov.au

Department of Communities and Justice (DCJ) (Complaints about DCJ funded services)

- (02) 9377 6000
- facs@yourfeedback.nsw.gov.au
- [Feedback and complaints | Communities and Justice \(nsw.gov.au\)](#)

Department of Social Services

- 1800 634 035
- [online complaint form](#)
- complaints@dss.gov.au

National Disability Insurance Agency (Complaints about the NDIS)

- 1800 800 110
- <https://www.ndis.gov.au>
- [online complaint form](#)
- feedback@ndis.gov.au

NDIS Quality and Safeguards Commission (Complaints about NDIS providers)

- 1800 035 544
- www.ndiscommission.gov.au
- [complaint contact form](#)
- contactcentre@ndiscommission.gov.au

Office of Children’s Guardian (Complaints about the Society’s investigation of reportable conduct matters)

- (02) 8219 3600
- ocg@yourfeedback.nsw.gov.au

NSW Ombudsman (Complaints about NSW government-funded services)

- 02 9286 1000
- 1800 451 524
- <http://www.ombo.nsw.gov.au>
- [Online complaint form](#)
- nswombo@ombo.nsw.gov.au

Appendix 4: Roles and Responsibilities

Roles	Responsibilities
Chief Executive Officer	<ul style="list-style-type: none"> • foster a culture where complaints and feedback are welcomed, and lead to decisions about continuous improvement • ensure the organisation has effective information management systems for feedback and complaints records
Chief Financial Officer, Executive Directors, Directors	<ul style="list-style-type: none"> • foster a culture where feedback and complaints are welcomed, and lead to decisions about service quality and improvement actions • ensure the effective implementation of this policy in their area • receive reports of investigations into any allegations against employees or volunteers that report directly in their service area and ensure that an appropriate response is provided to the complainant at the conclusion of the investigation • identify areas of improvement in current policies, procedures or processes to be introduced to reduce the likelihood of a similar situation/event occurring again • ensure external stakeholder feedback and complaints data is analysed against internal (i.e., employee/volunteer) complaints, grievances, feedback, to inform organisational decision making and address systemic issues • ensure that there are mechanisms to respond to complaint matters raised by key funders of services • ensure that appropriate engagement exists with external complaints handling bodies such as the NDIS Commission and Aged Care Commission
Regional Directors	<ul style="list-style-type: none"> • receive reports of investigations into any allegations against members in their region • write an appropriate response to the complainant at the conclusion of the investigation • ensure this policy is consistently applied within their region • identify areas of improvement in current policies, procedures or processes to be introduced to reduce the likelihood of a similar situation/event occurring again and to address any systemic issues
Governance, Risk and Nominations Committee	<ul style="list-style-type: none"> • receive regular reports (i.e., biannual) on the number and type of complaints received and their resolution • consider the complaints and any patterns that may emerge requiring further consideration

Investigator	<ul style="list-style-type: none"> • undertakes an investigation at the request of the Complaints Resolution Officer or Director, Legal • collects and analyses information about the matter • presents a report with determinations of fact and a recommended course of action to the Complaints Resolution Officer or Director Legal within the negotiated timeframe • maintains adequate records and a file for each complaint investigated and provides this file to the Complaints Resolution Officer or Director Legal at the conclusion of the investigation
NSW State President and Central Council Presidents	<ul style="list-style-type: none"> • receive reports of investigations into any complaints against members in their area in relation to this policy • ensure they have the appropriate training in managing and investigating complaints. Ensure the training is kept up to date.
Managers/Program Managers/Director of Nursing	<ul style="list-style-type: none"> • ensure the Society's feedback and complaints processes are accessible to People We Assist and other stakeholders. • ensure there is accessible information about, and accessible local avenues to provide feedback and complaints, including providing complainants with appropriate support to enable them to make the complaint • ensure employees and volunteers access complaints handling training, support employees to implement this policy and procedures, and understand their role. • receive and acknowledge complaints escalated from Society Personnel • attempt to resolve any complaints locally, liaising with complainants (and any representatives) in a clear, open, timely and respectful manner • record all feedback and complaints in the IRMS and maintain required documentation • escalate complaints as required by the Procedure • assist with investigations, as required • identify and action continuous improvement recommendations resulting from complaints and analysis of complaint data and trends • comply with the NDIS Complaints Management and Resolution Rules 2018 where relevant • ensure timely compliance with relevant legislative and statutory requirements, such as responding to the NDIS Commission, Aged Care Commission, and other relevant government agencies
Society Personnel	<ul style="list-style-type: none"> • participate in complaint handling training, as required

	<ul style="list-style-type: none">• after attempting an informal resolution with the complainant, if possible, promptly forward any complaint received to Managers• take complaints received seriously and cooperate and assist with investigations into complaints received from anyone outside the Society or being assisted by the Society• be aware of their role and authority to act on complaints and feedback• be aware of what information to give to complainants, and help ensure the complaints process is accessible• ensure all significant feedback and complaint information is recorded in the IRMS• for Frederic House employees, be aware of specific Aged Care complaints handling requirements. Refer to CompliCare protocol.
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Attachment A: Authority to Act and Disclose

AUTHORITY TO ACT

I, _____ (*name of complainant*)

authorise _____ (*name of authorised person/s*)

to act on my behalf in relation to the complaint I have made to the Society.

I understand that the Society will deal directly with
_____ (*name of authorised person/s*)

in relation to this complaint.

AND/OR

AUTHORITY TO DISCLOSE

I authorise _____ (*name of authorised person/s*)
to:

Provide information and documents to the Society in connection with the Society's assessment, investigation, and conciliation of my complaint.

Receive information and documents from the Society about my complaint including responses provided by the respondent/s and correspondence from the Society.

Discuss my complaint with the Society.

I understand that I can withdraw my authority to act or disclose at any time by contacting the Society.

I understand that the Society will use and store my personal information under the *Privacy Act 1988* (Cth).

Signed: _____

Name: _____
(*name of complainant*)

Date: _____