your health navigator

# Complaints Process

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| **Status:** | Current |
| **Effective date:** | August 2016 |
| **Review date:** | August 2019 |
| **Approval authority:** | Managing Director/s |
| **Responsible committee:** | QRMC |

**Guideline Intent**

To ensure a consistent evidence based approach to the handling of all complaints by employees.

**Overview**

Your Health Navigator (YHN) is committed to effective complaints management by managing complaints in an accountable, transparent, timely and impartial manner. Effective complaints management is integral to good client service. YHN values all complaints and encourages a people-focused and proactive approach to complaints management. YHN is committed to being open and responsive to any complaints and will at all times seek an outcome to a complaint which is satisfactory to all parties.

The purpose of this policy is to:

- Ensure the existence of a procedure through which people can communicate any complaints regarding YHN's services, functioning or operations;
- Enable YHN to benefit from all complaints through ensuring that they are recorded, considered, resolved and monitored;
- Establish the principles that govern our response to complaints;
- Ensure that employees and clients are aware of the content of this policy and relevant procedure;
- All suggestions for improvement and complaints are recorded, considered and retained for process improvement purposes;
- Encourage people who have a complaint in relation to services or the actions of an employee, to express this through the formal complaints procedure; and
- Ensure that the complainant is informed of their right to have a support person or advocate present to assist or represent them during the formal complaints procedure. Formal complaints can be written or verbal. If verbal, the assisting employee will document the complaint and the documents must be signed.

**Scope**

This policy applies equally to all employees including permanent, casual and contractual.

**Objectives**

The objectives of this policy are to ensure:

- Fair, accountable, transparent and responsive management of complaints;
- That complaints are handled promptly and as close to the source as possible;
- Effective monitoring of complaints; and
- Identification and implementation of business improvement opportunities.

This policy is has been developed to provide guidance to employees therefore ensuring all complaints are managed consistently and within agreed time-frames.

**Availability**

This policy is freely available to all employees and is made visible through several mechanisms, which include, but are not limited to:

- Publication on the YHN website;
- Provision to employees at induction; and
- In the Policy Manual in the main office.

**Process**

- All complaints will be addressed in a confidential manner within 24-hours;
- Action to resolve the complaint will commence within two working days of the complaint being made (this includes contacting the complainant);
- Only the people directly involved in making, investigating or resolving a complaint will have access to information about it;
- Where the complainant is a client, no information will be documented in the individual's client file without his/her consent;
- The complaint investigation process is impartial. No assumptions will be made nor any action taken until all relevant information has been collected and considered;
- Any complaint is free of repercussions for the complainant and Management will take all necessary steps to ensure that no victimisation occurs against anyone who makes a complaint;
- All employees are aware of this policy and relevant procedure;
- All clients are informed of the existence of this policy and procedure at the commencement of receiving services as well as providing relevant information on the YHN website;
- YHN recognises the right of individuals to approach an external agency if the formal complaints procedure has not resolved the issue to their satisfaction; and
- YHN Directors have overall responsibility for this policy.

YHN is committed to the following complaints management principles:

- Provision of a free and accessible complaints process, that supports natural justice and procedural fairness for all persons with no reprisals or detriment from making a complaint;
- People have the right to be supported by a friend, an advocate, an interpreter or a community elder;
- Provision of information about where to lodge a complaint, how to make a complaint and how complaints will be managed, including referring complaints to external agencies, where required;
- Opportunity for complaints to be made anonymously, with complainants advised of the limitations of an anonymous complaint;
- Provision of clear information about what can or cannot be achieved by a complaints process, and providing assistance to anyone who wishes to make a complaint;
- Responding to complainants in a respectful, fair, objective and timely manner, that respects the confidentiality of personal information;
- Communicating with parties about the progress of the complaint;
- Providing a clear explanation of the final decision, any recommendations, review options and any available external review mechanisms;
- Employees will adhere to the record keeping policy and procedure including the use of the approved complaint management system to monitor and review the progress of the complaint;
- Wherever relevant, inform the continuous improvement system; and
- Employees receiving complaints are treated with respect. Abusive, aggressive or disrespectful behaviour towards employees during their interactions will not be tolerated.

**Excluded**

The following complaints will be managed in accordance with the relevant legislation, and the Company's policies and procedures:

- Matters currently being dealt with or have been previously dealt with by a court, tribunal or external complaints agency;
- Matters where employees have not conducted themselves in accordance with the Code of Conduct or Service Standards when dealing with their clients, which have been referred to the Crime and Corruption Commission for investigation;
- Matters regarding administrative decisions of the Company;
- Matters that have already been subjected to an internal review and an outcome has been determined; and
- Allegations of suspected harm, or risk of harm to a child will be actioned immediately by urgent referral or reporting to Families SA via https://my.families.sa.gov.au/IDMProv/landing.html.

**Complaints Management Model**

The complaints management model is a three-stage process, which includes the option for an external review. Employees are empowered, with clear delegations to resolve less serious complaints (low complexity) wherever possible at first contact. In the event that this does not resolve the complaint, then all serious complaints (medium and high complexity) are referred to the Directors.

**Internal Review**

If a complainant is dissatisfied with the complaint management process undertaken to manage a complaint, an internal review can be requested within 12 months of the outcome being provided to the complainant.

**External Review**

If the complainant remains dissatisfied after progressing through Stages 1 and 2, they can pursue external options, for example, alternative dispute resolution, other avenues of appeal or review.

**YHN Review and Auditing**

YHN is committed to continually improving its services and will monitor agreed system improvements resulting from the review of complaints. Regular reviews and self-audits of the effectiveness of the entire complaints management system will occur and include an evaluation of the major elements of the system including:

- Compliance with the policy; and
- Procedure and guidelines including:
  - → Complaints capture
  - → Recording and internal reporting;
  - → Time taken to manage complaints; and
  - → Accuracy of complaint outcomes.

The Complaints Process and associated procedures will be reviewed every three years or as necessary in light of emerging evidence.

**Roles and Responsibilities**

Directors are responsible for:

- Establishing a system that manages complaints effectively and efficiently;

- Implementation of the Complaints Process, procedure and associated tools for the administration and recording of complaints and ensuring the complaints process is effectively administered;
- Ensuring all employees are appropriately trained in complaints management;
- Reviewing recommendations, and providing management responses, made through investigation reports, internal reviews or any complaint management process that relate to business quality improvement;
- Ensuring recommendations made through investigation reports, internal reviews and any complaint management process are implemented, within agreed time-frames;
- Ensuring ongoing continuous improvement of service delivery by making changes to processes where the trends and issues identified indicate a change to service delivery process is required;
- Facilitating the development of the Complaints Process and the delivery of an effective complaints management system;
- Providing specialist complaints management advice and support to relevant service delivery and business areas;
- Providing effective complaints management capability for centrally investigated/managed complaints and internal reviews;
- Conducting internal reviews after a complaint has been made and conducted an investigation or alternate response, and the client is not satisfied with the process;
- Oversight of complaints management tool and information and accessibility to webpages pertaining to the complaint process;
- Ensuring that recommendations made through investigative reports and internal reviews that were agreed to are finalised;
- Referring matters to an external agency for action where appropriate; and
- Facilitating reviews of the effectiveness of the complaints management system including its policy, procedure, guidelines and recording requirements.

The Operations Manager is responsible for:
- Managing low, medium and high complex complaints and referring matters to an external agency for action where appropriate;
- Maintaining accurate complaint records by using the approved methodology to record the receipt, management and outcome of complaints, including any recommendations made;
- Local implementation of the complaints management policy, procedure and associated guidelines and ensuring the complaints process is effectively administered;
- Analysis of complaints management data to identify trends and areas of improvement;
- Providing complaints management advice and support to relevant people and arranging a practice review, where the client is not satisfied with a decision made by an employee; and
- Implementing recommendations made through investigation reports and internal reviews to improve service delivery within the agreed time-frames.

All employees are responsible for:
- Handling complaints in accordance with the Complaints Process and procedure;
- Determining the response to complaints received at their level; and
- Ensuring the Occurrence Notification Form (ONF) is being used to record complaints received and actions taken in managing complaints.

**Complaint Channels**

Complaints can be received through a number of channels, including but not limited to:
- Telephone;
- Email;
- Fax;
- Web-chat;
- In person;
- Letter; and or

- Client Satisfaction Survey.

**General Considerations**

After a complaint has been received, general considerations in dealing with the matter include:

- Define whether the matter is an issue or complaint? If the concern/worry is assessed as being an issue this should be dealt with as part of day-to-day management of case work
- Who is the subject of the complaint?
- What is the specific service delivery issue being raised?
- Define the complaint complexity e.g. a low, medium or high complexity matter?
- Who should deal with the complaint?
- What outcome is the complainant seeking?
- Is there relevant supporting information and submission?
- Does further information need to be requested?

**Complaint Complexity**

Once the concern/worry is defined as a complaint the employee needs to determine the level of complexity.

**Low complexity complaints:** Matters that cannot be resolved with the complainant, needs intervention by Management and can be concluded as soon as practicable. Low complexity complaints require minimal investigation and can be easily addressed through the provision of information, or through negotiating a desired outcome, perhaps face-to-face or over the phone. A written response may not be required. Low complexity complaints should be managed at the service level.

**Medium complexity complaints:** May require some research into the matter. It might also require some negotiation/facilitated discussion with the complainants or consultation with other service areas or employees. Medium complexity complaints typically include complaint issues that relate to a single incident or a decision. Typically, medium complexity complaints contain a small number of issues and a written response is generally required. These complaints are managed by the Operations Manager.

**High complexity complaints:** 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 the Directors resources to address. The matters can be of a very complex nature which may involve working with a number of people in the business in order to reach an outcome. Formal investigation may be required, involving assessment of information, and may involve interviews or discussions with employees and other relevant persons, including external jurisdictions (e.g. SA Police, Office of the Adult Guardian, Community Visitor etc.) These complaints are managed by the YHN Directors.

**Complaint Types**

**Anonymous complaints:** These matters are assessed against the same criteria as any other complaints. When assessing complaints, particular considerations include the nature and complexity of the complaint, the quantity and quality of information and the capability of a productive outcome.

**Privacy complaints:** Complaints concerning a possible breach of privacy will be managed in accordance with the Privacy Policy and State Legislation.

**Employee conduct**: Allegations concerning the conduct of employee will be managed in accordance with relevant governing bodies code of conduct and legislation. If corrupt conduct is suspected, consultation will occur with the Directors for consideration and possible referral to the Crime and Corruption Commission will be made. If the matter is deemed serious, then it will also be referred to AHPRA for consideration and further action.

**Suspected harm**: Allegations of suspected harm, or risk of harm to a child or elderly person, will be referred immediately to Families SA or SA Police for action.

**System Improvement and Monitoring**

The ONF is the primary tool for the collection of data. A current and accurate record of complaints received must be maintained to:

- Enable employees to query active/closed records;
- Enable employees to manage complaints across the board;
- Ensure data quality and integrity;
- Monitor the time taken to resolve complaints;
- Provide non-identifiable reports on patterns and trends to relevant stakeholders;
- Provide data for inclusion in workplace performance reporting as required; and
- Ensure consistency and integrity of complaints management data.

YHN is committed to continually improving its service delivery. Information from the ONF will be analysed, and meaningful feedback will be provided to employees about the nature, causes and outcomes of complaints. Recommendations from complaints processes relating to operational and/or systemic process improvements, that have been agreed to by Directors will be monitored until fully implemented.

**Reference List**


- Australian Health Practitioner Regulatory Agency. 2015. Complaint Handling Policy and Procedure. https://www.ahpra.gov.au/documents/default.aspx?record...dbid=AP&chksum
- CommonwealthOmbudsman. 2016. Complaints About Private Health Insurance. www.ombudsman.gov.au/about/private-health-insurance
- Department of Communities, Child Safety and Disability Services. 2016. https://www.communities.qld.gov.au/gateway/about-us/customer-service-compliments-and-complaints/complaints-management-policy-and-procedure
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- Epilepsy SA. 2011. Complaints Policy. https://www.epilepsy.org.au/sites/default/files/Complaints%20Policy.pdf
- Health and Community Services Complaints Commissioner. 2016. http://www.hcscc.sa.gov.au/


**Legislation**


- The Health Practitioner Regulation National Law Act (the National Law).www.ahpra.gov.au/Legislation-and-Publications/Legislation.aspx
- The Ombudsman Act 1976 (Cth) as adopted by the National Law and amended by the National Law Regulations. www.austlii.edu.au/au/legis/cth/consol_act/oa1976114
- The Privacy Act 1988 (Cth) as adopted by the National Law and amended by the National Law Regulations. www.austlii.edu.au/au/legis/cth/consol_act/pa1988108
- Child Protection Act 1999. https://www.legislation.sa.gov.au/lz/c/a/childrens%20protection%20act%201993.aspx
- Home and Community Care Act 1985. https://www.legislation.gov.au/Series/C2004A03223
- Aged Care Act 1997. https://www.legislation.gov.au/Series/C2004A05206

- Mental Health Act 2009. ttps://www.legislation.sa.gov.au/LZ/C/A/Mental Health Act 2009.aspx
- Domestic Violence Act 1994. https://www.legislation.sa.gov.au/LZ/C/A/DOMESTIC%20VIOLENCE%20ACT%201994/2004.06.30/1994.22.PDF
- Child protection Act. 1993. http://www.lawhandbook.sa.gov.au/ch06s03.php
- Workplace Health and Safety Act 2012. https://www.legislation.sa.gov.au/lz/c/a/work%20health%20and%20safety%20act%202012.aspx
- Australian Service Excellent Standards. 2016. https://www.dcsi.sa.gov.au/services/community-development/australian-service-excellence-standards
- Commonwealth Privacy Act 1988. https://www.legislation.gov.au/series/c2004a03712


**Guidelines and Standards**


- 'Better Practice Guide to Complaint Handling', Commonwealth Ombudsman, 1 April 2009. Available at: www.ombudsman.gov.au/docs/better-practice-guides/onlineBetterPracticeGuide.pdf
- 'The Why and How of Complaints Handling', Standards Australia, 26 June 2006. (HB 229—2006)
- 'Customer satisfaction: Guidelines for complaints handling in organizations', Standards Australia, 5 April 2006. (ISO 10002:2004, MOD).
- Australian/New Zealand Standard AS/NZS 1002-2014 Guidelines for complaints management in Companies