



*Mater Dei: Managing Complaints  
National Standard 4 – Feedback and Complaints*

<b>201409009</b>	<b>MANAGING COMPLAINTS</b>
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Applies to: <b>All Children, Students, Young People, Service Users and Stakeholders</b>
Specific responsibility: <b>Staff, Management, Board, Volunteers / Others</b>

Version: 001
Date approved: 09/14
Next review date: 09/15

<b>Policy context:</b> This Policy relates to	
Standards or other external requirements	NSW Disability Services Standards 1993
Legislation or other requirements	Community Services Complaints and Appeals Monitoring Act (NSW) 1993 Disability Services Act (NSW) 1993 Human Rights and Equal Opportunity Commission Act (Commonwealth) 1986 Disability Discrimination Act (Commonwealth) 1992 Anti-Discrimination Act (NSW) 1977 Disability Inclusion Act 2014
Contractual obligations	Family & Community Services (FaCS) National Disability Insurance Scheme (NDIS) Disability Care Australia (DCA)

## **POLICY STATEMENT**

Mater Dei is committed to ensuring that any person or organisation using the Early Intervention Program or Living Skills Program, or affected by its operations has the right to lodge a complaint or to appeal a decision of the Organisation and to have their concerns addressed in ways that ensure access and equity, fairness, accountability and transparency.

The Organisation will provide a Complaints and Appeals Management Procedure that:

- is simple and easy to use
- is effectively communicated and promoted to all clients and stakeholders
- ensures complaints or appeals are fairly assessed and responded to promptly
- is procedurally fair and follows principles of natural justice
- complies with legislative requirements



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## **PRINCIPLES**

Mater Dei will

- consider all complaints it receives
- treat all complainants with respect, recognising that the issue of complaint is important to the complainant
- maintain confidentiality of parties involved, keeping any information private to those directly involved in the complaint and its resolution
- ensure advocacy is available to clients who make a complaint and require support
- resolve complaints, where possible, to the satisfaction of the complainant
- deal with all complaints in a timely manner
- keep parties to the complaint informed of progress of the complaint
- ensure that members of the Mater Dei Board of Directors, staff, volunteers/others are given information about the complaints procedure as part of their induction and are aware of procedures for managing client feedback and complaints
- ensure all children, students, service users and stakeholders are aware of the Complaints Policy and Procedures
- ensure that a complainant is not penalised in any way or prevented from use of services during the progress of an issue, and
- ensure that feedback data (both positive and negative) is considered in Organisational reviews and in planning service improvements

## **PROCEDURES**

### **Information for clients and stakeholders**

Mater Dei Complaints and Appeals Procedure will be documented for clients and stakeholders in the Managing Complaints document which is made available in the Mater Dei Quality Policy Manual.

All clients will be informed of their rights and responsibilities with regards to complaints and appeals at the earliest possible stage of their involvement with the organisation.

The Managing Complaints document will contain information on the following

- how to make a complaint or lodge an appeal
- the identified contact person for lodging a complaint or appeal
- how the Organisation will deal with the complaint or appeal, the steps involved and the timelines
- the rights of the complainant to an advocate, support person or interpreter
- how the person will be informed about the outcome of their complaint or appeal, and
- how to make a complaint to an external body including contact details.

The information will also be made available to clients through plain English, easy read and accessible versions of the document.



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### **Making a complaint**

A person wishing to make a complaint may do so in writing or verbally to

- the staff member they were dealing with at the time
- the Program Manager of that staff member
- the CEO / Principal
- the Mater Dei Board of Directors, or
- The NSW Ombudsman

Telephone: 02 9286 1000

Toll free 1800 451 524

(TTY) 02 9264 8050

[nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)

If the complaint is about

- a staff member or volunteer the complaint will normally be dealt with by the Program Manager
- a Program Manager or Senior Staff Member, the complaint will normally be dealt with by CEO / Principal
- CEO / Principal the complaint will normally be dealt with by the Mater Dei Board of Directors

Written complaints may be sent to:

Mater Dei,

229 Macquarie Grove Road

CAMDEN NSW 2570

PO Box 3090 NARELLAN NSW 2567

[admin@materdei.org.au](mailto:admin@materdei.org.au)

The Administration & Business Manager will be responsible for receiving this correspondence and directing it to the appropriate person.

### **Lodging an appeal**

Clients or their advocates may lodge an appeal if they disagree with a decision made by the organisation, or by a staff member, related to Mater Dei

- in the way it provides a service
- if it fails to provide a service
- by withdrawing a service
- by varying a service, or
- in the way it administers a service.



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An appeal should be made in writing using the Complaints Form and submitted to

Tony Fitzgerald

CEO/Principal

Mater Dei

229 Macquarie Grove Road

CAMDEN NSW 2570

PO Box 3090 NARELLAN NSW 2567

### **Procedure for complaints and appeals management**

The person managing the complaint will be responsible for:

1. Processing the complaint or appeal
  - registering the complaint or appeal in the Complaints Register, and
  - informing the complainant that their complaint has been received and providing them with information about the process and time frame.
  
2. Investigating the complaint or appeal
  - examining the content of the complaint being received
  - investigating the complaint and deciding how to respond, and
  - informing the complainant by letter within 5 days of the complaint being received of what is being done to investigate and resolve it, and the expected time frame for resolution.

As far as possible, complaints or appeals will be investigated and resolved within 28 days of being received. If this time frame cannot be met, the complainant will be informed of the reasons why and of the alternative time frame for resolution.

3. Resolving the complaint
  - making a decision or referring to the appropriate people for a decision within 5 days of the complaint being received
    - informing the complainant of the outcome:
    - upheld (and if so what will be done to resolve it)
    - resolved (and how this has been achieved); or
    - if no further action can be taken, the reasons for this, and
  - informing the complainant of any options for further action if required.
  
4. Reviewing the complaint

If the complainant is not satisfied with the investigation and proposed resolution of their complaint or appeal they can seek a further review of the matter by talking to Tony Fitzgerald CEO/Principal.



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#### 5. Referral to external procedure

A formal external complaints procedure may follow Step 4 if the complainant is still not satisfied with the outcome. The complainant will be referred to

The NSW Ombudsman

Telephone: 02 9286 1000

Toll free 1800 451 524

(TTY) 02 9264 8050

[nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)

Complaints Resolution and Referral Service CRRS

[www.crrs.org.au](http://www.crrs.org.au)

Abuse and Neglect Hotline

[www.disabilityhotline.org](http://www.disabilityhotline.org)

Australian Human Rights Commission

[www.hreoc.gov.au](http://www.hreoc.gov.au)

#### **Record keeping**

A Register of Complaints and Appeals will be kept in the Complaints Register which is located in the Director of Services Office. The register will be maintained by the Director of Services and will record the following for each complaint or appeal

- details of the complainant and the nature of the complaint
- date lodged
- action taken
- date of resolution and reason for decision
- indication of complainant being notified of outcome, and
- complainant response and any further action.

Copies of all correspondence will be kept in a locked filing cabinet within the Director of Services Office.

The Complaints Register and files will be confidential and access is restricted to

- CEO / Principal
- Director of Services
- Executive Assistant to the CEO / Principal, and
- Investigating Officer.



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A statistical summary of complaints and appeals will also be kept in a Complaints Database and maintained by Director of Services. The Director of Services will be responsible for preparing a report on the number of complaints, outcomes and action undertaken on a monthly basis to

- CEO / Principal
- Mater Dei Leadership, and
- Mater Dei Board of Directors.

Results from this report will be reviewed by Mater Dei CEO/Principal and Mater Dei Board of Directors and used to

- inform service planning by including a review of complaints and appeals in all service planning, monitoring and evaluation activities
- inform decision making by including a report on complaints and appeals as a standard item on staff and management meeting agendas
- review process, systems, policy and procedure
- contribute to Continual Improvement Strategies, and
- maximise design, delivery and implementation of quality service delivery.

### **Complaints involving specific staff members or volunteers**

The Program Manager has delegated responsibility for resolving complaints or disputes involving staff members and volunteers.

Internal complaints, where a staff member or volunteer makes a complaint concerning another staff member or volunteer will be dealt with in accordance with the Mater Dei Grievance, Complaints and Disputes Policy.

External complaints by clients or stakeholders made against a staff member or volunteer will be managed by the CEO/Principal who will

- notify the staff member or volunteer of the complaint and its nature
- investigate the complaint and provide the staff member or volunteer with an opportunity to respond to any issues raised
- attempt to mediate the dispute (if appropriate) and/or attempt to resolve the matter to the satisfaction of the outside party, and
- take any other action necessary to resolve the issue.

Any disciplinary action against a staff member or volunteer arising from a complaint will be taken in accordance with the procedures contained in Mater Dei's Disciplinary Procedures.

Complaints involving the CEO/Principal will be managed by the Mater Dei Board of Directors.



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### **Complaints involving members of the Mater Dei Board of Directors**

Complaints made against a member of the Mater Dei Board of Directors will be referred to the Chairperson of the Mater Dei Board of Directors. The Chairperson, or their delegate, will

- notify the person about whom a complaint is being made of the complaint and its nature
- investigate the complaint and provide the Board Member with an opportunity to respond to any issues raised, and
- attempt to mediate the dispute (if appropriate) and/or attempt to resolve the matter to the satisfaction of the outside party..

Where the Chairperson of the Mater Dei Board of Directors is the subject of a complaint, the complaint should be referred to other office bearer/s.

If the matter remains unresolved, the Chairperson or notified office bearer will raise the matter at the next Board meeting. Depending on the seriousness of the complaint, the Board may

- deal with the matter at its meeting, or
- refer the matter to the NSW Ombudsman.

### **DOCUMENTATION**

<b>Documents related to this Policy</b>	
Related Policies	Managing Complaints Code of Conduct Discrimination Harassment & Bullying Statement for Employees, Contractors and Volunteers Complaints Form
Forms, record keeping or other organisational documents	Managing Complaints Complaints Register Complaints Database Client Feedback Grievance Complaints and Disputes Policy Plain English Making a Complaint



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<b>Reviewing and approving this Policy</b>		
<b>Frequency</b>	<b>Person responsible</b>	<b>Approval</b>
Annually	CEO / Principal Director of Services Program Managers Executive Assistant to the CEO / Principal	Board of Directors

<b>Policy review and version tracking</b>			
<b>Review</b>	<b>Date Approved</b>	<b>Approved by</b>	<b>Next Review Due</b>
1			
2			
3			