



CO-P-01: Client complaints procedure

1. PURPOSE

- To strengthen the right of clients to be treated fairly, equally and with respect
- To ensure the voices of clients are heard
- To ensure clients are informed about their rights to make a complaint and have it fully investigated
- To ensure clients are assisted and supported in exercising their right to make a complaint
- To ensure client complaints are managed effectively and efficiently, and that client rights are upheld
- To guide and assist staff responding to and investigating client complaints
To ensure complaints are monitored and contribute to service improvement
- To ensure no client is adversely effected as a result of making a complaint
- To provide MacKillop the opportunity to learn and modify practice as a result of complaints

All clients or consumers have a right to make a complaint about a service received. The right to make a complaint is now part of legislation, regulation and practice across the community sector. For example the Children, Youth and Families Act 2005 (Vic), the Health Services Act 2006 (Vic), the Disability Act 2006 (Vic) and the Children and Young Persons (Care and Protection) Act 1998 (NSW) all include provisions outlining the rights of clients to make a complaint and the obligations of organisations to respond to complaints.

2. SCOPE

This procedure applies to all MacKillop staff. This procedure applies to all complaints made by/on behalf of current and former clients of MacKillop (**client complaints**).

This procedure **does not** replace or deal with:

- Investigation of client allegations of abuse or criminal activity. MacKillop has separate guidelines that cover these situations (Guidelines for Allegations of Abuse, Managing Unsatisfactory Behaviour)
- Complaints by staff or volunteers (Including Home Based Carers / Foster Carers). MacKillop has separate guidelines (grievance procedures) that cover these situations
- Complaints made by members of the community about MacKillop services.

3. DEFINITIONS

Complaint	An expression of dissatisfaction, frustration or concern with any aspect of MacKillop provided services made by clients, their families, carers and/or advocates. A complaint may be verbal or written.
Clients	Families, children, young people, students, and others receiving services from MacKillop, including former clients
Complainant	A client or their representative / advocate making a complaint on the client's behalf
Written Complaints Information	Authorised brochures and documents in a format that the client can understand. Documents must include <ul style="list-style-type: none"> · details of relevant external complaints bodies (for example Commissioners, Ombudsman) · a statement that client privacy and confidentiality will be respected and complaints are recorded and responded to in a timely manner · a statement that clients will not be adversely affected as a result of making a complaint
Respondent	A staff member, volunteer or client about whose behaviour or practice a complaint is made
Client Complaints Officer	Designated staff member responsible for client complaints procedure development and oversight/analysis of responses to all client complaints
Complaint Log	A record of client complaints resolved promptly at the point of service delivery, with limited investigation required
Client Complaint Form	A form used to record the details of client complaints that require investigation
Complaint Investigation Record	A form used to record the details of investigation and outcomes of client complaints
Complaints Register	An electronic database used to record and summarise details and outcomes of client complaints. It is maintained by the Client Complaints Officer

Responsibilities summary:

Manager	Ensuring staff and clients are informed of the complaints procedures, and that complaints are investigated and recorded in accordance with these procedures
All staff	Receiving and recording complaints
Client Complaints Officer	Collating, analysing and reporting on complaints
Director/General Manager	Responding to specific complaints and oversight of program response to complaints
Chief Executive Officer	Oversight of the complaints process; involvement in response to serious complaints and reporting complaints data to Board

4. PROCEDURES

4.1. Informing clients about their right to complain

- 4.1.1. Program staff will provide written complaints information to clients at the earliest possible stage of their involvement with MacKillop Family Services.
- 4.1.2. Program staff **must** verbally explain information about the complaints process to clients. Explanations must be in a format understandable to the client (including use of interpreters where appropriate)
- 4.1.3. Program staff should periodically (at least annually) remind clients of the complaints process (for example at a review point), or if an issue arises.
- 4.1.4. Staff receiving the complaint should ensure that clients are aware of their right to have a trusted person (for example a friend, family member, community member or staff member) as a support or advocate in the process of making a complaint. Client supports/advocates are to be fully informed of the complaints process.

4.2. Initiating a complaint

- 4.2.1. Clients may choose to complain about MacKillop services to any staff member at MacKillop. If, upon discussion, the client wishes to lodge a complaint, the Complaint Procedure is initiated. Clients do not need to make a complaint in writing (although they may do so).
- 4.2.2. Ideally, most complaints should be dealt with directly and promptly at the point closest to where the issue arose.
- 4.2.3. If a complainant is not satisfied with the way that the complaint is investigated or resolved they may seek a review through line management.

4.3. Responding to Complaints

- 4.3.1. If the complaint can be resolved promptly **and** to the client's satisfaction with limited investigation required, staff must inform the complainant of the outcome of their complaint, and record it in the **Client Complaint Log** on the intranet.
- 4.3.2. Procedures below relate to those complaints that are **not** able to be dealt with promptly **and** to the client's satisfaction at the point of complaint.
- 4.3.3. Where complaints can **not** be resolved quickly at the point of service and to the satisfaction of the complainant, the complainant can choose to have the complaint investigated by senior program staff. Any complaint investigated in this manner must be recorded on a **Client Complaint Form**.
- 4.3.4. The staff member who **received** the complaint should request permission from the complainant to record details of the complaint. The staff member who receives the complaint must explain that the investigation will be overseen by senior program staff, and that the complainant will be contacted by the person investigating the complaint within two working days.

If the complainant chooses not to have a complaint investigated further, the details of the complaint must be recorded on the Client Complaint Log.
- 4.3.5. Staff members must inform the relevant Manager about any complaint that has been recorded on a Client Complaint Form as soon as possible after the complaint is made.

- 4.3.6. The Manager nominates who will investigate the complaint. The complaint may be investigated by the manager or coordinator, or another independent person. The significance and complexity of the complaint will determine who will investigate a complaint.
- 4.3.7. If a complaint is about events or behaviour of a very serious nature and/or reflects a systemic issue, the relevant General Manager / Director and/or the Executive Director of Operations should immediately be notified by the Manager and consulted regarding the process for investigation.
- 4.3.8. Where the Manager does not directly investigate the complaint, they will be kept informed of the investigation process and consulted prior to the determination of a finding in respect of the complaint.

4.4. Supporting parties to the complaint

- 4.4.1. Staff responding to and investigating the complaint must advise clients of their right to a support person/advocate of their choice.
- 4.4.2. Staff should advise clients/complainants that they can have a copy of these procedures on request.
- 4.4.3. Staff respondents are able to receive support through the investigation process from their supervisor, the Employee Assistance Program, nominated support person, through referral to external supports, or as advised by the Human Resources Director.
- 4.4.4. Staff responses to a complaint made by or concerning a client who is Aboriginal or from a culturally and linguistically diverse community must ensure cultural sensitivity and wherever possible include community members in the resolution.

4.5. Investigating Complaints

- 4.5.1. The person nominated to investigate the complaint will:
 - Acknowledge the complaint and notify the complainant and any respondents of the process for investigation within 2 working days of receiving the complaint.
 - Advise the complainant and respondents of the likely timeframe for investigating the complaint, normally no longer than a total of **5–10 working days**.
 - Investigate the complaint, making use of review of records, interviews with the parties, and/or other consultations as relevant to establish the complaint.
 - Investigate the complaint with sensitivity and respect for client/complainant/respondent rights to privacy
 - Inform the complainant and any respondents in writing of the decision, the reasons for decisions and what action has or will be taken in response

(to the extent allowed by employment and confidentiality considerations) within two working days of completing the investigation.

- 4.5.2. MacKillop may provide support and counselling, as appropriate, to the complainant and/or respondent through the course of an investigation.
- 4.5.3. The response to complaints made about a Manager or deemed to be of a critical nature should be coordinated by the relevant Director / General Manager.
- 4.5.4. If the complainant is not satisfied with the outcome, they can request a review. The form of this review will be determined by the relevant Director / General Manager. If the complaint remains unresolved after the review or the complainant is not satisfied with the process, they may request a review by the Executive Director of Operations or the CEO.
- 4.5.5. Where an external avenue exists for review of an unresolved complaint, the complainant will be advised of this and provided the contact details for the external authority.

4.6. Recording Client Complaints

- 4.6.1. Staff should use the MacKillop Client Complaints Form and the Complaints Investigation Record to record details of **all** written complaints and those that were not able to be dealt with promptly and to the client's satisfaction at the point of complaint.
- 4.6.2. The staff member receiving the complaint should use the Client Complaint Form to record details of the complaint. It must be provided to the Coordinator or Manager as soon as possible after the complaint has been made.
- 4.6.3. The Manager should ensure a copy of the Complaints Form is forwarded to the Client Complaints Officer, who will commence entry of complaint details on the MacKillop Complaints Register.
- 4.6.4. The staff member investigating the complaint should use the Complaints Investigation Record to record details of the investigation, the outcome and reflection on any learning from the complaint.
- 4.6.5. Some programs have additional complaint recording and reporting requirements for external parties (e.g. Disability programs). Staff in these programs are required to follow procedures described above in addition to external requirements.
- 4.6.6. A completed copy of the Complaint Investigation Record must be forwarded to the Client Complaints Officer **within 2 working days** of the response being provided to the complainant. The Client Complaints Officer will add the information to the record on the Complaints Register.
- 4.6.7. If the complainant requests a review of the decision, details of that investigation should be recorded and sent to the Client Complaints Officer **within 2 working days** of the outcome of the review being provided to the Complainant.

- 4.6.8. Hardcopy and electronic records (e.g. of the investigation, review, the response letter(s)) are filed in client files. Where confidentiality concerns preclude this, records are maintained by the staff member investigating the complaint, with a summary reference to the complaint placed on the client file by the staff member responsible for investigating the complaint.

4.7. **The Complaints Officer:**

- 4.7.1. Is responsible for communicating the complaints handling process to staff.
- 4.7.2. Maintains details of complaints and investigations/outcomes on a central MacKillop Complaints Register.
- 4.7.3. Is the initial contact point for complaints received via the MacKillop website
- 4.7.4. Provides advice on handling specific complaints.
- 4.7.5. Reviews compliance with the Client Complaint Procedures.
- 4.7.6. Reports, monitors and analyses complaint data for the MacKillop Executive Team, including how complaints have led to quality service improvements.
- 4.7.7. In conjunction with Managers, ensures that MacKillop meets complaints reporting requirements as determined by funding bodies or their designated complaints management bodies.
- 4.7.8. Participates in review and development of complaints handling and reporting requirements.
- 4.7.9. Ensures that up to date complaints procedures, and forms are available on the intranet and that staff are notified of any changes to these.
- 4.7.10. Provides an independent point of contact, where required, for clients or ex-clients to raise issues of concern or make complaints. In normal circumstances, however, the Complaints Officer does **not** investigate complaints for or on behalf of other staff.

4.8. **Monitoring and Analysing Complaints**

- 4.8.1. Staff should discuss and note complaints at relevant program meetings (e.g. house meetings, team meetings), except in cases where the need for confidentiality takes precedence.
- 4.8.2. Managers are required to report the outcomes of all complaints that were not able to be dealt with promptly **and** to the client's satisfaction to their General Manager / Director, including lessons learned and any changes/service improvements made as a result of the complaint.
- 4.8.3. General Managers / Directors are responsible to ensure that learnings lead to program change and are shared across all relevant programs.
- 4.8.4. Managers are required to provide summary data for monthly MacKillop Executive Reports, including number and status of complaints.
- 4.8.5. Summary reports are provided back to programs by the Complaints Officer (each six months). These reports should be incorporated into program planning processes.

- 4.8.6. A full, deidentified report of complaints investigation is to be provided to the Executive by the Complaints Officer on a twice yearly basis. This report is to include an analysis of the information provided on the Complaints Register, including the timeliness of complaints resolution and learning / service improvements resulting from complaints.

4.9. Maintaining staff knowledge of the complaints procedures

- 4.9.1. Managers must ensure that new staff are familiar with the procedures for receiving complaints, and the location of Complaint Forms and procedures on the intranet.
- 4.9.2. Managers should provided regular opportunities at team meetings to review these procedures to raise awareness of the procedure with staff:
- that client complaints are highly valued and encouraged as client rights, as well as for their potential to lead to improvements in service provision
 - of the importance of ensuring that making complaints is an open, welcome and easy process for clients.

5. REFERENCES

- MacKillop Suggestions and Complaints Brochure
- Suggestions, Complaints and Feedback Brochure for young people living with MacKillop

Attachments:

- Responsibilities and procedures summary chart – investigated complaints (below)
- Client Complaint Form
- Client Complaint Investigation Record
- Client Complaint Acknowledgement Letter

