

Complaints Management Policy

Cerebral Palsy Support Network Inc (CPSN) works in partnership with our members to share knowledge, create connections and provide support.

CPSN is committed to rights-based, person-centred, high-quality, effective, and safe services and supports.

Record of policy development		
Version	Date approved	Date for review
3	February 2022	February 2023

Responsibilities and delegations	
This policy applies to:	Clients, Members, Employees, volunteers, contractors, researchers and Board
Policy approval:	Board
Review of Policy Compliance	General Manager, Quality and Practice
Specific responsibilities:	Board, CEO, General Manager, Quality and Practice, General Manager, People and Culture, General Managers

Policy context - this policy relates to:	
Service Standards	NDIS Practice Standards 2020 National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018
Legislation	National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018 Disability Act 2006 (Vic) Ombudsman Act 1976 (Vic) Occupational Health and Safety Act 2004 (Vic) Child Wellbeing and Safety Act 2005 (Vic) Worker Screening Act 2020 (Vic) Privacy and Data Protection Act 2014 (Vic) Disability Service Safeguards Act 2018 (Vic) Disability Service Act 1986 (Cth) Fair Work Act 2009 (Cth) Charter of Human Rights and Responsibilities Act 2006, Victoria
Contractual obligations	NDIS Practice Standards NDIS Quality Safeguards Commission: Effective Complaints Handling Guidelines for Providers
Organisation policies	Human Rights Policy and Framework Practice Governance Policy and Framework Vulnerable Persons Policy, Work, Health and Safety Policy Code of Conduct Incident Management Policy Privacy and Confidentiality Policy Conflict of Interest Policy Bullying and Harassment Policy

	Risk Management Policy and Framework
Forms, record keeping, other documents	Feedback and Complaints Registers Complaints Form Complaint Acknowledgement Letter Template Complaints Resolution Letter
Other Conventions	United Nations Convention on the Rights of People with Disabilities (CRPD)

POLICY STATEMENT

Purpose

This Policy provides an efficient and fair basis by which CPSN responds to and resolves any complaints that are within the scope of the Policy.

CPSN is committed to ensuring that any person or organisation has the right to lodge a complaint or to appeal a decision of the organisation (including, through a third party or advocate). All concerns that are raised will be addressed in ways that ensure access and equity, fairness, accountability and transparency.

The organisation will provide a complaints procedure that:

- Allows any person to make a complaint or provide feedback.
- Facilitates complaints by cultivating a supportive environment in which they can be made.
- Is simple, accessible and easy to use.
- Is effectively communicated and promoted to all clients, members and stakeholders, including workers.
- Is proportionate to the size of the organisation and the services it provides.
- Ensures complaints or appeals are fairly assessed and responded to promptly.
- Is procedurally fair and follows principles of natural justice.
- Complies with legislative requirements.
- Enables CPSN to learn from complaints to improve practice and service delivery, and to inform planning, allocation of resources and policy review.

CPSN will:

- Ensure that the Complaints Management Policy and Procedure is publicly available electronically and in accessible formats. Accessible information on this policy and its procedures will be included on the CPSN website, in Service Agreements, IC toolkits and home visit material.
- Ensure that all employees, volunteers, researchers, contractors and Board are familiar with and can access the Complaints Management Policy and Procedure.
- Ensure staff are provided with training in relation to this Policy and the Complaints Management Procedure.
- Welcome feedback and complaints and see them as opportunities for improvement.
- Acknowledge receipt of a complaint in accordance with the associated Procedure.
- Support complainants in the process including assistance with documenting their complaint and/or engaging external support/advocacy.
- Handle all matters as discreetly and confidentially as is reasonably practicable in line with the CPSN Privacy and Confidentiality Policy.
- Not disadvantage a complainant because they have made a complaint.

- Use its best endeavours to ensure procedural fairness and natural justice for all parties to the complaint and find a satisfactory solution to the complaint for the complainant.
- Deal with complaints in an effective and timely manner.
- Ensure that all complainants are aware of and understand how to escalate their complaint to appropriate external bodies, including but not limited to: NDIS Quality and Safeguards Commission, Victorian Disability Worker Commission, Commission for Children and Young People, WorkSafe Victoria, Victorian Ombudsman, and Victoria Police.
- Meet CPSN's external reporting obligations.
- Ensure that complaints and feedback data (both positive and negative) is considered in organisational reviews and in planning service improvements.
- Review and evaluate the accessibility and effectiveness of this Policy, the complaints management Procedure and system and continually improve its processes.

Definitions

Complaint - An implied or express statement of dissatisfaction where a response is sought, reasonable to expect or legally required.

Major Complaint - A complaint which is urgent, or complex involving other service providers/organisations, as well as notifiable incidents.

Notifiable / Reportable Incident - An incident or occurrence that is reportable to an external authority: NDIS Quality and Safeguards Commission, Commission for Children and Young people and the reportable conduct to the Disability Worker Scheme and Work safe Victoria.

Complaints may be about CPSN services (accessibility, quality, or staff manner), decisions, responsiveness, or this policy and its associated procedure.

All complaints received by CPSN will be managed under the Complaints Procedure associated with this policy as well as any legislative or regulatory requirements including:

- Notifiable incidents which are managed in accordance with the requirements of NDIS Practice Standards and NDIS Quality and Safeguards Incident Reporting Requirements, Commission for Children and Young People, Victorian Disability Worker Commission, and WorkSafe Victoria.
- Where issues relate to allegations of criminal matters the complainant will be advised to report to the appropriate investigating authority such as Victoria Police.

Principles

CPSN is committed to honesty, integrity and best practice in all aspects of its operations. The following principles underpin these processes:

- CPSN is committed to empowering clients and employees to feel comfortable to make complaints and have the information about the process to do so.
- CPSN affirms and supports the right of our members, employees, volunteers, researchers, contractors, and Board members to be able to provide feedback and to have complaints heard and actioned. It recognises that feedback, both positive and negative, is essential to provide quality services that meet clients' needs, and to improve the operation of the organisation.
- CPSN is committed to investigating and resolving complaints confidentially and with due process ensuring natural justice and procedural fairness and that complainants are supported and informed about the progress of the complaint where CPSN is investigating.

IMPLEMENTING THIS POLICY

Within CPSN the following roles communicate and operationalise this Policy:

Roles and Responsibilities

The Chair is responsible for:

- Managing the process where a complaint about member/s of the Board is investigated through an appointed external investigation body.
- Overseeing the process of investigation and resolution of complaints about members of the Leadership Team.

The Board is responsible for:

- Managing the investigation and resolution process where the complaint is about the Board Chair.
- If a complaint is against the Chair, two board members would work with an external investigation organisation.
- Managing the investigation and resolution process where the complaint is about the CEO.
- Approving the development of this Policy.
- Approving alterations and changes to this policy.

The CEO is responsible for:

- Creating and maintaining a culture of person-centred response to complaints management.
- Notifying the Chair within 24 hours from when a major complaint is made.
- Notifying the Chair within 48 hours from when a complaint is made about the CEO, or members of the Leadership Team or Board.
- Managing the process when a complaint is about member/s of the Leadership Team in conjunction with the GM, People & Culture.
- In consultation with the Chair, managing any responses to the media.

The General Manager, Quality and Practice is responsible for:

- Ensuring the reporting, resolution and monitoring of complaints received.
- Ensuring confidentiality is maintained, to the extent possible.
- Ensuring the complaint is documented on Feedback/Complaints in Salesforce.
- Acknowledging the receipt of a complaint within two business days.
- Reporting the complaint to the CEO and/or Board within 24 hours from when a major complaint is received.
- Ensuring that major complaints are reported to any external bodies as per legislation and standards requirements and ensuring the required officer is liaising with such bodies in relation to the management and resolution of complaints.
- Investigating and resolving any major complaint other than where the complaint is about the LT, Board or CEO.
- Regularly reporting on complaints, risks, practice quality, and themes to management, CEO and Board and external authorities to assist monitoring and improvement of quality of practice, services, allocation of resources.
- Ensuring the Policy and the Complaints Management Policy and Procedure is regularly reviewed and continually improved.

The General Manager, People and Culture is responsible for:

- GMP&C to assist CEO with Board and direct report complaints.
- Supporting managers to investigate complaints where employee poor performance or misconduct is involved/alleged.
- Reporting to and liaising with WorkSafe in relation to any Notifiable Incidents and the Victorian Disability Worker Commission in relation to Notifiable Conduct.

CPSN General Managers

General Managers are responsible for the following:

- Communicating and supporting staff in understanding their responsibilities under this Policy.

- Ensuring procedures are clear to staff.
- Monitoring implementation and contributing to review of policy.
- Ensuring complaints are registered on Salesforce within 24 hours and assessed for initial response
- Resolving operational issues within two weeks.
- Escalating major complaints to the General Manager, Quality and Practice.
- Considering reports and data on complaints risks and quality to identify themes and systemic solutions.
- Referring the feedback/complaint to General Manager Quality and Practice where it cannot be resolved at the local level.

CPSN Staff

All staff are responsible for:

- Understanding this Policy and the following the Complaints Management Procedure when receiving and/or making a complaint.
- Completing relevant training.
- Receiving and completing a complaints form for feedback/complaints and recording near miss/Incident reports.
- Treating a complainant with respect and speaking to them in a courteous manner when receiving any feedback/complaints.
- Resolving the feedback/complaint as quickly as possible at the local level where possible.
- Referring the feedback/complaint to CPSN General Managers where it cannot be resolved at the local level.

Maintaining appropriate records

Salesforce records

Continuous Improvement Register

Risk Register

Procedures apply to this Policy

Complaints Management Procedure

Incident Reporting Procedure

Hazards/Incident Reporting Procedure

End of document