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## **B.5.1 FEEDBACK AND COMPLAINTS**

### **1.0. OVERVIEW**

- 1.1. A “complaint” is when a person indicates that they have an issue with the quality or delivery of the service, made by person receiving services or an employee expressing grievance or concern for any reason and are seeking resolution. Complaints can be made in a number of ways including informally, in writing and verbally.
- 1.2. Each person has the right to complain about the quality of delivery of a service and have the opportunity to participate fully in the process of complaint resolution.
- 1.3. Service providers are expected to be person centred and innovative in their approaches to support and address the needs of each person making a complaint and comply with all relevant legislation. Service providers need to have the capacity and capability for complaint handling and provide information and support that takes into consideration the person’s individual and cultural needs.
- 1.4. Complaints play an essential role in identifying areas, which can lead to improved service performance to deliver positive outcomes for people with a disability, their families and carers. Service providers should use this information to inform service planning, identify areas for improvement and put in place strategies to address any areas requiring change at an individual or organisational level.
- 1.5. Feedback is different to complaints and is an important way for people to have a say about a service. Service providers should also have a feedback process in addition to their complaints policy, which encourages and welcomes comments, compliments or suggestions that can lead to ways of improving service delivery, systems or processes. In this way, service providers can build relationships and work with each person to identify and attempt to resolve any issue before it escalates.
- 1.6. Service providers are required under the [National Disability Insurance Scheme Act 2013](#) to develop good complaint handling systems and deal with complaints fairly, objectively and as quickly as possible.
- 1.7. Service providers are also required to use processes that reflect the best interests of the person with a complaint and which support a person-centred approach.

### **2.0. OBJECTIVE**

- 2.1. ELS clients & staff are encouraged to report any complaints and/or provide feedback (both negative or positive) in regards to the delivery of ELS services. ELS will use any complaints and feedback as an opportunity for improving ELS services and its procedures. Complaints and feedback can be either written or verbally reported.

Envisioning Life Supports (ELS) is committed to ensuring that any person or organisation using services provided by ELS or affected by its operations has the right to lodge a complaint and to have their complaint addressed.

- 2.2. Staff will be trained in helping ELS clients, their Families/Carers/Advocates and Guardians to make and respond to complaints, disputes or suggestions.
- 2.3. The organisation will provide a complaints management procedure that:
  - a) is simple and easy to use
  - b) is available to all members, clients and stakeholders via the ELS website.
  - c) ensures complaints are fairly assessed and responded to promptly

- d) is procedurally fair and follows principles of natural justice
- e) complies with legislative requirements.

2.4. ELS clients and staff can expect that we will:

- a) treat you with respect
- b) tell you what to expect while your complaint is being looked into
- c) carry out the complaint handling process in a fair and open way
- d) provide reasons for decisions that are made
- e) protect your privacy.

### 3.0. PROCEDURE

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

- a) the staff member they were interacting with at the time, unless you are making a complaint about this person.
- b) the Operations & Engagement Manager (designated person for complaints handling)
- c) ELS Principal.
- d) Written complaints may be sent to the email address - [admin@elsaustralia.org](mailto:admin@elsaustralia.org) or by completing an enquiry form on ELS website via the weblink - <https://www.elsaustralia.org/contact-us> .

3.2. The person in charge for managing the complaint at ELS will be responsible for:

3.2.1. Registering the complaint:

- a) registering the complaint in the ELS complaints register.
- b) informing the complainant that their complaint has been received and providing them with information about the process and time frame.

3.2.2. Investigating the complaint:

- a) examining the complaint within 7 working days of the complaint being received.
- b) informing the complainant by letter within 10 working days of the complaint being received of what is being done to investigate and resolve it, and the expected time frame for resolution.

3.2.3. Resolving the complaint:

- a) making a decision or referring to the appropriate people for a decision within 30 working days of the complaint being received.
- b) Informing the complainant of the outcome and any options for further action if required.

3.3. Resolution

- a) If you are not satisfied with the outcomes of a complaint, at the first point of contact e.g. support worker; you may then take it to the Operations & Engagement

Manager. If the complaint is still unresolved it can then be escalated to ELS Principal for further discussion.

- b) In the event that the complaint is still not resolved through normal channels you have the right to take your complaint to the Ombudsman in your state or to the NDIS Quality & Safeguards Commission under the Community Services (Complaints, Reviews and Monitoring) Act 1993 (NSW)

#### **4.0. RECORD KEEPING**

- a) A register of complaints will be kept by ELS. The register will be maintained by the Operations & Engagement Manager and will record the following for each complaint:
- b) Details of the complainant and the nature of the complaint
- c) Date lodged
- d) Action taken
- e) Date of resolution and reason for decision
- f) Indication of complainant being notified of outcome
- g) Complainant response and any further action

#### **5.0. INFORMATION STORAGE**

Copies of all correspondence and other materials received by ELS in connection with any complaints will be kept for 7 years. The complaints register and files will be confidential and access is restricted to the Operations & Engagement Manager & the ELS Principal. ELS Organisation is a mandatory reporter therefore Client & Staff personal information will only be shared with relevant authorities when requested under legislation.

A statistical summary of complaints and appeals will also be kept.

#### **6.0. RELATED REGISTERS**

Complaints Register

Incident Register

#### **7.0. RELATED POLICIES**

B.6.1. Incident Reporting and Investigation

#### **8.0. FORMS**

Complaints Resolution Form

#### **References**

*NDIS Quality & Safeguards Commission Complaints Resolution  
National Disability Service Standards 2013*

*Note: Hard copies of this document are uncontrolled and will not be updated*

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*Community Access Ageing Disability and Home Care, NSW Department of Family & Community Services. November 2012*  
*UN Convention on the Rights of Persons with Disabilities 2007*  
*Disability Services Act (NSW) 1993*  
*Disability Services Act (NSW) 1986*

The information on interpreters provided above is also available on the following website:  
[http://www.immi.gov.au/living-in-australia/help-with-english/help\\_with\\_translating/](http://www.immi.gov.au/living-in-australia/help-with-english/help_with_translating/)

### **Legislative obligations**

Every service provider is required to fulfil the complaint handling obligations under:  
*Disability Services Act 1993 No.3, Principles (Schedule 1)*

*Community Services (Complaints, Reviews and Monitoring) Act 1993 No 2 (CS CRAMA)*  
[www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

NDIS commission -  
1800 035 544 (free call from landlines) or TTY 133 677.  
Weblink: <https://www.ndiscommission.gov.au/participants/complaints>