

<b>Policy Number</b>	MKT - 1.2
<b>Policy Name</b>	Complaints Handling
<b>Release No.</b>	3
<b>Release Date</b>	July 2020
<b>Date For Next Review</b>	July 2021

## Policy

Engage Abilities is committed to the effective, timely and impartial resolution of complaints and the continuous improvement of our work. Engage Abilities recognises the importance and value of feedback from all stakeholders, including Clients, their carers and other Service Providers. Where this feedback is in the form of a Complaint, Engage Abilities will address and resolve the matter in a timely and professional manner; ensuring a response is provided to the Complainant.

This policy should be read in conjunction with Engage Abilities's "Conflict of Interest" Policy , "Safeguarding Vulnerable People" Policy and the "Risk Management Framework".

### Scope:

This policy and associated procedures apply to all employees, Contractors, volunteers, Personnel and Service Partners associated, either directly or indirectly, with Engage Abilities Services.

## Rationale

Engage Abilities believes that to improve services provided to Clients and their carers, we need to be open to feedback from all stakeholders, both positive and negative. Receiving a complaint is an important way of learning what is needed to improve our work, so in the case of a complaint, timely and appropriate action will be taken in order to improve the quality of our work and develop best practice.

## Procedure

### Definitions

**Child/Children:** For the purposes of this policy the term 'child/ren' is defined in line with The United Nations Convention on the Rights of the Child (UNCRC) definition of a child, which

is any person under the age of 18, regardless of whether a nation's laws recognise adulthood earlier.

**Client:** Means any individual receiving services from Engage Abilities.

**Confidentiality:** The victim of the exploitation or abuse is entitled to strict confidentiality. The accused person is also entitled to confidentiality to protect his/her reputation while the assessment and investigative processes are undertaken.

**Contractor:** Means a private contractor that has been contracted for the provision of Services under the Services Agreement. A Contractor is not an employee of Engage Abilities.

**Complaint:** A complaint is any expression of dissatisfaction or concern regarding Engage Abilities, our employees, Personnel, Service Partners, contractors or anyone else acting on our behalf in relation to the delivery of Engage Abilities Services. It is a criticism that requires a response from and/or change by Engage Abilities to improve our work. A complaint is an action for which Engage Abilities is responsible, or is within our sphere of influence.

Considered a 'Complaint'	NOT Considered a 'Complaint'
<ul style="list-style-type: none"><li>▪ Unfair, inappropriate or incorrect management</li><li>▪ Any breach of Engage Abilities policies</li><li>▪ Any breach of law</li><li>▪ Any breach of Engage Abilities's eleven (11) Client Rights</li><li>▪ Concern over appropriate use of funds</li><li>▪ Concern from a member of the public, a Client or carer about any concerning conduct they witnessed from Engage Abilities Personnel</li><li>▪ Timeliness of responses to queries from the public</li><li>▪ Concern from a client or carer over the quality of program delivery</li><li>▪ Concern in relation to one of our programs</li><li>▪ Behaviour or decisions of Personnel</li><li>▪ Practices, policies or procedures.</li></ul>	<ul style="list-style-type: none"><li>▪ A general query about Engage Abilities's work</li><li>▪ A request for information</li><li>▪ A contractual dispute</li><li>▪ A request to amend records e.g. to correct an address</li></ul>

**Corruption:** The offering, giving, soliciting or acceptance of an inducement or reward which may improperly influence the action of any person.

**Fraud:** 'Dishonestly obtaining a benefit, or causing a loss, by deception or other means' (Cth Fraud Control Framework 2014). This may include the deliberate misappropriation of funds, altering documents, falsifying signatures, misuse of assets, knowingly

providing false information to the Commonwealth, unauthorised disclosure of confidential information, or the theft of funds or assets.

**Mandatory Reporters:** Are persons required by law to inform child protection authorities that they have reasonable grounds to suspect that a child is at risk of harm. This policy regards all employees, Personnel, Contractors and consultants to be mandatory reporters of child exploitation or abuse, or when there is suspicion that a child is at risk of significant harm.

**Personnel:** Means all employees, private Contractors, volunteers and Service Partners involved, either directly or indirectly, in the services of Engage Abilities.

**Services:** Means the work required to be provided to the Client on behalf of Engage Abilities.

**Service Partner:** Means any external party who engages with Engage Abilities on the delivery, creation or evaluation of any services.

## General Principles

1. A complaint can be made by any stakeholder connected to Engage Abilities, including a person to whom we deliver services or who is affected by our services, a client, carer, local organisation with which we work, our staff, volunteers, donors or a member of the public.
2. Engage Abilities will encourage stakeholders with a complaint to express this through Engage Abilities's formal complaints procedure. A complaint can be received by Engage Abilities in person, by phone, email, fax or in writing or can be lodged on the Engage Abilities website. The policy and process of how to make a complaint and contact information is communicated on the Engage Abilities website:  
[www.engageabilities.com.au](http://www.engageabilities.com.au)
3. Engage Abilities will make stakeholders aware of their rights to express a complaint to the NDIA Commission about the provision of a service by Engage Abilities. The process of how to make a complaint to the Commission and their contact information is communicated on the Engage Abilities website: [www.engageabilities.com.au](http://www.engageabilities.com.au)
4. Engage Abilities will maintain a formal complaints procedure and ensure all complaints are acknowledged/responded to in a timely manner, no later than five (5) Business days after receiving the complaint.
5. Engage Abilities will commit to the practice of continuous improvement, ensuring all suggestions for improvement are considered and implemented, where applicable.
6. Engage Abilities will take all reasonable steps in any investigation to protect the complainant from repercussions and ensure the investigation into a complaint is impartial. Engage Abilities will take all reasonable steps to ensure confidentiality is maintained, in line with Engage Abilities's "Privacy Policy", and will safeguard against complainant victimisation. We will not reveal a complainant's name or personal details to anyone outside Engage Abilities without the complainant's permission.

7. Engage Abilities will take all reasonable steps for our complaint handling process to be as accessible as we can practically make it to all complainants.
8. In all instances where a complaint relates to Engage Abilities Personnel, that person is not to be responsible for recording the complaint or determining its resolution, in line with Engage Abilities's "Conflict of Interest" Policy.
9. Engage Abilities will make it clear to Clients, their family and carers that complaints can be made. This awareness will be done initially by Engage Abilities Personnel during their commencement with Engage Abilities and then followed up on at regular intervals by Engage Abilities management.

## Procedural Guidelines

### 1. General Complaints Handling

- 1.1. Purpose: The purpose of this Section is to provide clear guidelines regarding the process to be undertaken when a general Complaint is received. A 'general' Complaint is any Complaint that does not fit within an alternative Section of these procedural guidelines.
- 1.2. All Personnel are to listen to the complaint and make all reasonable attempts to address the concern promptly at the initial stage.
- 1.3. The Personnel who receives the Complaint is responsible to complete the Engage Abilities Enquiry/Feedback/Complaint Form (Appendix A). This is to include:
  - 1.3.1. The date the Complaint was received;
  - 1.3.2. The name of the Personnel taking the Complaint;
  - 1.3.3. The Complainant's name and contact details;
  - 1.3.4. The method in which the Complaint was received (phone, email, in-person, etc);
  - 1.3.5. The nature of the Complaint;
  - 1.3.6. The initial steps taken to address the Complaint when it was received.
- 1.4. After completing cl.1.3, the Personnel is to forward the Engage Abilities Enquiry/Feedback/Complaint Form to the Engage Abilities Governance & Compliance Manager.
  - 1.4.1. The Governance & Compliance Manager will confirm that it is appropriate for the Complaint to be determined by the Safeguarding Officer.
  - 1.4.2. The Safeguarding Officer will determine the appropriate investigation steps to be taken to resolve and respond to the Complaint.
    - 1.4.2.1. Where appropriate, the Safeguarding Officer may seek input from the Complainant as to the preferred method they would like the Complaint to be investigated.
  - 1.4.3. The Complaint is to be recorded in the Complaints Spreadsheet (Appendix B) and stored in a secure folder.
- 1.5. A letter of acknowledgement of the Complaint is to be sent by the Governance & Compliance Manager, or delegated Staff, to the complainant within five (5) working days of the Complaint being received. The letter is to outline an approximate time frame for the Complaint to be fully resolved. An email may be used instead of a letter.

- 1.6. The Governance & Compliance Manager will be responsible for all Complaints received, however may delegate the investigation and resolution to the Safeguarding Officer. At all times, all applicable Engage Abilities policies and procedures are to be followed.
- 1.7. All Complaints will be raised as a standing item on the Engage Abilities Management Meeting Agenda. The purpose for this is to ensure trends are identified and used in shaping Engage Abilities policy and service delivery.
- 1.8. A formal response by the Governance & Compliance Manager, or the Safeguarding Officer where this has been delegated, will be provided to the Complainant either by email or mail within four (4) weeks of the Complaint being received. The response should include information on the resolution, if appropriate.
  - 1.8.1. Where the investigation and findings have not been completed within four (4) weeks, a progress update will be formally provide to the Complainant by email or mail, including a realistic timeframe for a resolution to be provided.
- 1.9. Where the resolution requires a change to Engage Abilities policies or systems, a review period will be set for a maximum of three (3) months from the change being implemented to ensure the change has minimised and/or eliminated the concern.
- 1.10. At no stage in the process is a Personnel with an interest in the Complaint, or outcome of the Complaint, to be involved in the investigation or determination of findings.
  - 1.10.1. An example of an 'Interest' in the Complaint would be the Engage Abilities Support Worker that the Complaint relates too.

## 2. Complaints regarding a Service Partner

- 2.1. Purpose: The purpose of this Section is to provide clear guidelines regarding the process to be undertaken when a Complaint is received by Engage Abilities regarding a Service Partner.
- 2.2. Clauses 1.2 to 1.4 are to be followed.
- 2.3. The Governance & Compliance Manager is to determine the Service Partner that the Complaint relates to and email a copy of the Engage Abilities Enquiry/Feedback/Complaint Form through the Manager of that Service Partner.
  - 2.3.1. Where the Governance & Compliance Manager determines that the Complaint relates to a Service Partner, they are to obtain consent from the Complainant prior to emailing the Engage Abilities Enquiry/Feedback/Complaint Form.
  - 2.3.2. Where the Complainant does not consent, they are to be informed that the Complaint cannot be actioned and will be ceased. The Complainant is to be provided with all appropriate support to make a Complaint to either the other Service Partner, or the NDIA Commission. This will be the end of cl.2.
- 2.4. A letter of acknowledgement of the Complaint is to be sent by the Governance & Compliance Manager, or the Safeguarding Officer where this has been delegated, to the complainant within five (5) working days of the Complaint being received. The letter is to outline that the Complaint relates to a Service Partner and that the Complaint Form has been registered with the Service Partner. The letter is to provide the appropriate contact details for the Complainant to follow-up with the Service Partner and reassurance that Engage Abilities will assist in this process as requested by the Complainant.



### 3.Complaints Regarding Engage Abilities Personnel

- 3.1.Purpose: The purpose of this Section is to provide clear guidelines regarding the process to be undertaken when a Complaint is received regarding an Engage Abilities Personnel.
- 3.2.Where an Engage Abilities Personnel receives a Complaint related to another Engage Abilities Personnel, they are to politely pause the conversation as soon as they realise the Complaint relates to another Engage Abilities Personnel.
- 3.2.1. The Personnel is to inform the Safeguarding Officer as soon as practicable that a Complaint has been made regarding a Personnel and that the Complainant is currently waiting for a further discussion.
- 3.2.2. Where the Safeguarding Officer is unavailable, the Personnel is to take the contact details for the Complainant and explain that the Safeguarding Officer will contact them as soon as possible to discuss the Complaint.
- 3.2.3. The Safeguarding Officer is to contact the Complainant as provided in cl.3.2.2 as soon as practicable.
- 3.3.The Safeguarding Officer is to complete the Engage Abilities Enquiry/Feedback/Complaint Form (Appendix A). This is to include:
- 3.3.1. The date the Complaint was received;
- 3.3.2. The name of the Personnel taking the Complaint;
- 3.3.3. The Complainant's name and contact details;
- 3.3.4. The method in which the Complaint was received (phone, email, in-person, etc);
- 3.3.5. The nature of the Complaint;
- 3.3.6. The initial steps taken to address the Complaint when it was received.
- 3.4.The Safeguarding Officer will complete the steps outlined in cl.1.4.
- 3.5.The Governance & Compliance Manager is to determine whether it is appropriate for the Complaint to be forwarded to Engage Abilities Human Resources (HR). Where the Complaint relates to an Engage Abilities Team Leader, the Governance & Compliance Manager is to determine where it is appropriate for the Engage Abilities Services Manager to be informed.
- 3.6.The Engage Abilities Enquiry/Feedback/Complaint Form is to be recorded in the Complaints Spreadsheet (Appendix B) and stored in a secure folder.
- 3.7.Where cl.3.5 has resulted in HR or the Engage Abilities Services Manager being informed, they are to be consulted and informed of the progress throughout the investigation.
- 3.8.Where the findings from the investigation regarding a Personnel's conduct confirms the allegation, the Governance & Compliance Manager and Safeguarding Officer is to discuss the actions to be taken with the Engage Abilities Director. The action to be taken with regard to the outcome of the Complaint will be made by a majority vote of the Director, Safeguarding Officer and Governance & Compliance Manager.
- 3.8.1. Where cl.3.4 has resulted in HR or the Services Manager being informed, they are to be included in the discussion and determination of the outcome in consultation with the Director, Safeguarding Officer and Governance & Compliance Manager.

- 3.9. Where the Personnel identified in cl.3.2 is the Governance & Compliance Manager, the Personnel is to inform the Engage Abilities Director. Any task allocated to the Governance & Compliance Manager in clause 3.4 to 3.8 is to be completed or delegated by the Director. The Director may delegate these tasks to any Personnel except the Governance & Compliance Manager.
- 3.10. Where the Personnel identified in cl.3.2 is the Safeguarding Officer, the Personnel is to inform the Governance & Compliance Manager. Any task allocated to the Safeguarding Officer in clause 3.4 to 3.8 is to be completed by the Governance & Compliance Manager.

## 4. Complaints involving Children

- 4.1. Purpose: The purpose of this Section is to provide clear guidelines regarding the process to be undertaken when a Complaint is received involving conduct with a Child.
- 4.2. Where the Engage Abilities Personnel receiving the Complaint identifies that the Complaint relates to conduct with a Child, they are to consult the Engage Abilities Safeguarding Vulnerable People policy prior to completing the Engage Abilities Enquiry/ Feedback/ Complaint Form, as outlined in cl.1.3. This is to include mandatory reporting requirements and reporting to the Police.
- 4.3. The Governance & Compliance Manager is to consult the Safeguarding Vulnerable People Policy for the appropriate actions and notifications to accompany the investigation.
- 4.4. The applicable process regarding clauses 1, 2 or 3 are to continue from cl.1.4, 2.3 or 3.4 respectively, taking into account the requirements of the Safeguarding Vulnerable People Policy.

## 5. Notification of Complaints Processes

- 5.1. Purpose: The purpose of this Section is to provide clear guidelines regarding the process to be undertaken to advertise, promote and make known the Engage Abilities Complaints process, including the NDIA Commission Complaint process.
- 5.2. Engage Abilities will encourage stakeholders with a Complaint to communicate this through Engage Abilities's formal Complaints procedure. A Complaint can be received by Engage Abilities in person, by phone, email, fax or in writing or can be lodged on the Engage Abilities website.
- 5.3. The policy and process of how to make a Complaint and the contact information is communicated on the Engage Abilities website ([www.engageabilities.com.au](http://www.engageabilities.com.au)). All Clients and their carers will be informed of the Complaints process during their commencement with Engage Abilities, and then regularly during Feedback Surveys.
- 5.4. Engage Abilities will ensure that all stakeholders are aware that they may make a Complaint regarding Engage Abilities to the NDIA Commission. This will be promoted through the following methods:
- 5.4.1. On the Engage Abilities website ([www.engageabilities.com.au](http://www.engageabilities.com.au));

- 5.4.2. By the Engage Abilities Personnel during the Client's commencement with Engage Abilities;
- 5.4.3. On the Feedback Survey conducted regularly with Clients and their carers and family.
- 5.5. With reference to cl.5.4.1, as a minimum, the following contact information will be displayed;

#### **NDIS COMMISSION CONTACT DETAILS**

Web link: <https://www.ndiscommission.gov.au/participants/complaints>

General enquiries: 1800 035 544

TTY: 133 677

Email: [contactcentre@ndiscommission.gov.au](mailto:contactcentre@ndiscommission.gov.au)

Completing a Complaint Contact Form: On the web link above.

Mail: NDIS Commission Feedback, PO Box 210, Penrith, NSW 2750



## APPENDIX A: Enquiry / Feedback / Complaint Form

**Date:**                      **Staff Name:**                      **Date Logged:**     /     /

### Complainant Details:

**Did the Complainant choose to remain anonymous?**     Yes     No

**Name:**

**Phone:**

**Address:**

**Email:**

**Reason for Contact:**   Request   Feedback   Complaint   Donation   Other

### Satisfaction with Services:

Very Satisfied     Satisfied     Did not state     Dissatisfied     Very Dissatisfied

### Description:

**Personnel Implicated:**     Yes     No

**If 'Yes', Who:**

### COMPLAINT INVESTIGATION

#### Personnel Allocated:

#### Investigation Plan:

*Be as detailed as possible about how the complaint will be investigated.*

### Investigation Findings:

*What was found through the investigation? Only include the facts that were uncovered.*

### Investigation Resolution:

*How was the complaint determined and what was done about it?*

**Did the Complaint relate to a Safeguarding Concern?** Yes No

If 'Yes', what is the reporting reference details?

**Were the Police required or Notified?** Yes No

If 'Yes', what is the reference/contact details?

**Was the Complainant informed about Outcome?** Yes No

If 'Yes', provide Date and Details, if 'No', why not?:

**Were changes to Engage Abilities practices required?** Yes No

If 'Yes', what were they?

Date changes were implemented:

**Date Complaint was reviewed and closed by the Board:**

## APPENDIX B: Complaints Spreadsheet

No.	Date	From	Summary of Complaint	Outcome of Complaint
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				
26				
27				