

COMPLAINTS AND APPEALS (CLIENT- RELATED)

1.0 PURPOSE

- 1.1 The purpose of this procedure is to provide a mechanism for clients and their families or advocates, members of Spinal Injuries Australia Ltd (SIA) and other relevant stakeholders to raise any complaints or appeal a decision and have them dealt with in a fair, timely, transparent, equitable and accountable manner.

2.0 SCOPE

- 2.1 This procedure relates to complaints or appeals raised by clients and their families or advocates, members of the organisation or other relevant stakeholders regarding any of SIA's policies and procedures, SIA workers, quality of services, programs or products provided across all locations of the organisation.
- 2.2 Employee grievances raised by SIA workers are not covered by this procedure - refer to ***Employee Grievance procedure***.

3.0 OBJECTIVE

- 3.1 The organisation considers all client-related complaints as a source of valuable feedback and recognises these as opportunities for continuous improvement under the quality management system framework, which strives for a fair and reasonable outcome for all parties. The organisation adopts guiding principles for handling complaints based on Australian and International Standards.

4.0 DEFINITIONS

4.1 Issue:

- 4.1.1 An issue is an expression of dissatisfaction relating to any of the organisation's policies and procedures, SIA workers, quality of services, programs or products, alleged breach of privacy that may be raised by a client, family member or advocate of a client, member of the organisation or other relevant stakeholders. An issue (e.g. client issue) generally refers to the more day-to-day commonplace matters that are dealt with and resolved on an operational or frontline level.
- 4.1.2 Where an issue is unresolved on an operational level or relates to any of the below incidents, the issue will be escalated to management and recorded as a formal complaint.

4.2 Formal Complaint:

- 4.2.1 A formal complaint is an expression of dissatisfaction relating to any of the organisation's policies and procedures, SIA workers, quality of services, programs or products, or alleged breach of privacy that may be raised by a client, family member or advocate of a client, member of the organisation or other relevant stakeholders. It can be made either verbally or in writing, and is handled through the formal complaints handling process where further assessment and/or investigation will be required.
- 4.2.2 A formal complaint may also relate to incidents of sexual harassment, abuse, neglect, bullying or harassment, discrimination, assault, or other allegations of criminal activity,

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these incidents will be assessed and, if required, managed according to the **Critical Incident Reporting procedure**.

4.3 Complainant: The person raising the complaint.

5.0 PROCEDURE

- 5.1 A complainant may raise an issue or lodge a formal complaint to a representative of the organisation. The representative will assess whether the matter is an *issue, normally handled at the frontline*, or a *formal complaint* (see Definitions). The representative should refer to this document in conjunction with the **Complaints Management Work Instruction** and **Complaints Management Guideline** for further instructions and guidance on the organisation's complaints handling process.
- 5.2 All complaints will be handled with respect and dignity, fairly and equitably. Confidentiality of information will be maintained and the sharing of information will be confined only to parties involved in the resolution of the complaint. Representatives of the organisation are bound by the Privacy Act 1988 and the organisation's **Privacy and Confidentiality Policy** which is available on the website and from the organisation.
- 5.3 The complainant will be provided with information on the organisation's complaints handling process; and if required, assistance on how to raise the complaint can be provided by a representative of the organisation.
- 5.4 A complainant has the right to engage an independent person or advocate to raise a complaint and/or to act on their behalf throughout the process.
- 5.5 The organisation will take a risk management approach in resolving a client's complaint, with priority given to assessing the client's needs and ensuring there is minimal risk to health and safety. Strategies for resolving complaints may include discussion, problem solving activities, investigation and/or mediation. Service support plans may be updated with remedial or preventive action following a substantiated complaint, where applicable.
- 5.6 The organisation will strive to reach a fair and reasonable outcome within 30 days from the initial lodgement of a complaint; but may take longer where external authorities and parties are involved.
- 5.7 Feedback about the way a complaint was handled at conclusion of the process is encouraged.
- 5.8 If a complainant is dissatisfied with the outcome, they may appeal the decision to higher management within the organisation who will review the matter – refer to **APPEALS** section below. The complainant may choose to raise the matter with their funding body or an external resolutions agency to assist with the resolution process – refer to **Appendix A – List of External Complaints Resolution Agencies**.

6.0 STEPS TO RAISING A COMPLAINT

A complainant who wishes to raise a matter may do so in the following ways:

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1. In the first instance, the complainant should discuss the matter with the person(s) directly involved in order to resolve the problem at the frontline and achieve a satisfactory outcome.
2. If the matter is not resolved, or if the complainant feels uncomfortable with raising the matter with the person(s) involved, they should bring the matter to the attention of the person's supervisor or department manager for resolution. The complainant may choose to lodge a formal complaint at this point.
3. Raise a formal complaint in writing or verbally, e.g., via telephone, email, letter, or through the organisation's website. The complaint will be documented to ensure details are accurately recorded.
 - a. Telephone - 07 3391 2044, Toll Free number – 1800 810 513
 - b. Website feedback facility: <http://www.spinal.com.au/>
 - c. Head Office address:
109 Logan Road, Woolloongabba Qld 4102
PO Box 5651 West End Qld 4101
 - d. The Quality Manager - qmscoordinator@spinal.com.au
4. If the complainant has raised a formal complaint, an acknowledgement receipt will be issued by a representative of the organisation within two working days of the complaint being received, and contact with the complainant will be made to initiate the complaints resolution process.
5. Complainants who are dissatisfied with the outcome of the complaint process may appeal the decision, refer to **APPEALS** section below.

7.0 APPEALS

- 7.1 All applications for appeals must be made in writing within 14 days of being notified of the outcome of the original complaint. The application should provide reasons for the appeal, feedback or additional evidence to support the appeal.
- 7.2 In the first instance, the relevant General Manager will consider the application and review the outcome and investigative process under which the outcome was reached. If required, the complaint may be re-opened and any further supporting evidence provided will be considered.
- 7.3 In the second instance, the Chief Executive Officer (CEO) will consider the appeal and make a final decision. The CEO at their discretion may refer the matter to an agreed external agency to assist with the resolution of the complaint.

8.0 REFERENCES

Code of Conduct policy
Complaints Management work instruction
Complaints Management Guideline
Continual Improvement procedure
Critical Incidents Reporting procedure
Document and Data procedure
Employee Grievance procedure

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Feedback, Satisfaction, Grievance, Complaints and Appeals policy
Privacy and Confidentiality policy and procedure
Record Control procedure
Disability Services Act 2006 (Qld)
Disability Services Regulation 2006 (Qld)
Disability Services Act 1986 (Commonwealth)
Privacy Act 1988 and Australian Privacy Principles
Whistleblowers Protection Act 1994

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APPENDIX A – LIST OF EXTERNAL COMPLAINTS RESOLUTION AGENCIES

Disability and Communities Complaints Unit Department of Communities	Disability Services Telephone: 3224 7179 TTY: 3224 8021 Email: complain@disability.qld.gov.au for more information or to receive a brochure about the Disability Services Complaints Service.
Veterans' Standards and Complaints Management (VSCM) team Department of Veteran Affairs	To call DVA ring 133 254 or from regional Australia Telephone: 1800 555 254. Veterans' Services & Complaints Management Team (Level 1) GPO Box 9998 SYDNEY NSW 2001 Email: feedback@dva.gov.au
Department of Social Services DSS – funded service providers	http://www.dss.gov.au/ Tel 1800 634 035 (freecall) Fax: 02 6133 8442 Email: DSSfeedback@dss.gov.au
Legal Aid QLD	1300 651 188
Complaints Resolution and Referral Service (for services funded by the Australian Government – disability employment services) National Disability Service Abuse and Neglect Hotline contact points	CRRS Telephone: 1800 880 052 (toll-free within Australia) TTY: 1800 301 130 (toll-free within Australia) National Relay Service: 1800 555 677 (toll-free within Australia) Telephone Interpreter Service: 131 450 (cost of a local call) Email: crrs@workfocus.com Email: hotline@workfocus.com
Office of the Adult Guardian	(07) 3234 0870 or 1300 653 187
Office of the Australian Information Commissioner – Privacy related complaints	www.oaic.gov.au Tel 1300 363 992 Email: enquiries@oaic.gov.au
Public Trustee (Brisbane)	(07) 3213 9288
QLD POLICE (Headquarters Brisbane)	(07) 3364 6464
Queensland Anti-Discrimination Commission	Level 17, 53 Albert Street BRISBANE QLD 4000 Tel 1300 130 670 TTY: 1300 130 680
Queensland Victims Counselling & Support Line	1300 139 703
Regional Dispute Resolution Centre	179 North Quay BRISBANE QLD 4000 Tel 3239 6007 Free Call: 1800 017 288
Sexual Assault Services	Statewide Sexual Assault Help Line (24 hrs day): Tel 1800 010 120 (free call)
Department of Health Aged Care Complaints Scheme (HACC services)	Aged Care Complaints Scheme: Phone 1800 550 552 (free call from fixed lines; calls from mobiles may be charged) Online - online complaint form.

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Workplace Health and Safety Qld – Department of Justice and Attorney-General	http://www.deir.qld.gov.au Tel 1300 369 915
Workplace Disputes – Fair Work Australia Wages, Awards and Employment – Fair Work Ombudsman	See relevant Award for dispute resolution procedure Fair Work Ombudsman http://www.fairwork.gov.au Tel 13 13 94
Workplace Health and Safety – Workplace Health and Safety Qld – Department of Justice and Attorney-General	http://www.deir.qld.gov.au Tel 1300 369 915
Bullying and harassment Fair Work Commission	https://www.fwc.gov.au Tel 1300 799 675