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| Complaints management policy for organisations funded by the Department of Health and Human Services  |
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# Complaints management policy

The department wants to make sure our services work for the people who use them. We are committed to listening to and responding to feedback, including both compliments and complaints. This important data source informs the development and delivery of policies, programs and services that support and enhance the well-being of all Victorians.

## 1.1 Organisation requirements

Funded organisations must record and respond to feedback, including compliments and complaints regarding the services funded by the department.

Funded organisations should base their feedback policy on the principles of: visibility and accessibility, responsiveness, assessment, feedback, improvement focus and service excellence.

Each funded organisation needs to decide how their feedback policy will work most effectively in the context of their service delivery. Sample documents to assist organisations with their feedback management process are available in the Complaints section of the department’s [Funded Agency Channel website](https://fac.dhhs.vic.gov.au/policies-and-procedures) <https://fac.dhhs.vic.gov.au/policies-and-procedures>.

### 1.1.1 Legislation and/or regulation

Some organisations funded by the department are subject to specific legislative requirements and policy frameworks governing their approach to complaints management, for example the *Victims and Other Legislation Amendment Act 2018*, *Mental Health Act 2014* or the National Health Safety and Quality Standards. Organisations’ complaints policy should also take into consideration legislated privacy, and public interest disclosure and whistle-blower requirements. Organisations must ensure they are fully informed of legislative requirements and comply with them.

The Victorian Ombudsman can receive complaints about and investigate private and non-government organisations that perform public functions. The Ombudsman also has the power to review the complaint handling practices and procedures of such organisations.

# Elements of a feedback policy document

The following elements of a feedback policy are provided to assist organisations in establishing or reviewing their existing framework for complaints and other forms of feedback.

## 2.1 Policy statement

Compliments, complaints and other forms of feedback provide valuable information on levels of client satisfaction and provide an organisation with an opportunity to improve upon all aspects of service. Feedback is to be taken seriously and seen as an opportunity for improvement.

Feedback that is recorded and handled effectively will provide valuable information in identifying areas for improvement, coordinating a consistent approach for resolution, reducing the potential for future complaints and allow for reporting and efficient allocation of resources.

Resolving complaints at the earliest opportunity in a way that respects and values the person’s feedback, can be one of the most important factors in recovering the person’s confidence about a service. It can also help prevent further escalation of the complaint. A responsive, efficient, effective and fair complaint management system can assist an organisation to achieve this.

## 2.2 What does the organisation do?

The funded organisation provides a brief description of the types of services and supports available to service users to which this policy applies.

## 2.3 Definitions

**Complaint** – a complaint is an ‘expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required’ as defined in the Australian Standard AS/NZS ISO 10002:2014 Guidelines for Complaints Management in Organisations.

**Compliment** – a compliment is an expression of praise, encouragement or gratitude about a service that is funded, regulated or provided. It may be about an individual staff member, a team or a service.

## 2.4 Guiding principles

An effective feedback, compliment and complaint handling system addresses the principles of visibility and accessibility, responsiveness, assessment and investigation, feedback, improvement focussed and service excellence.

An approach to compliments and complaints management supports:

* people[[1]](#footnote-1) understanding their rights and responsibilities
* information on the compliment and complaint management process being easily accessible
* increased satisfaction of clients in the management of their compliments and complaints
* the recording of data to identify emerging and existing trends or systemic issues
* staff to demonstrate an awareness of feedback, compliment and complaint management processes
* staff to develop the range of skills and capabilities required to manage compliments, complaints and feedback
* an organisational culture that is focused on effective, person-centred complaints resolution and utilising feedback for continuous improvement.

### 2.4.1 Visibility and accessibility

The compliments and complaints management process will be visible and accessible to individuals and:

* explain how and where to make a compliment or complaint, including an anonymous complaint
* ensure the website and service sites have information on how to lodge a compliment or complaint
* consider specific needs of the individual or barriers they may experience
* explain alternative complaint resolution pathways when the complaint is first lodged and when it is closed
* explain how the organisation will manage a complaint and the expected timeframe for resolution
* support individuals to identify and seek their preferred outcome.

### 2.4.2 Responsiveness

The compliments and complaints management process will be responsive and provide mechanisms and strategies to:

* promote service user rights, particularly those with special support needs, so they can actively participate in the compliments and complaints process
* inform and train staff to use the compliments and complaint management system
* support the individual to seek the most appropriate resolution
* ensure there is clarity about the requested outcome
* provide a respectful, valuing and informative acknowledgement
* actively listen, empathising and acknowledging when the service was not the best it could have been
* monitor timeframes for resolution
* communicate with all relevant parties about the progress of the resolution of the complaint.

### 2.4.3 Assessment

The compliments and complaints management process will have mechanisms to:

* assess complaints for severity, safety, complexity, impact and the need for immediate action
* collect adequate and appropriate information
* protect the privacy and confidentiality of the information
* determine who and at what level the complaint should be dealt with
* enable complaints to be considered independently, fairly and objectively.

### 2.4.4 Feedback

The compliments and complaints management process will provide mechanisms and strategies to resolve the complaint, including:

* explain what happened and why, what will be done to fix the issue, and who will do it, how we will communicate our progress and how we will check things are on track
* explain the reasons for the decision
* provide an apology where the organisation has failed to meet its service obligations[[2]](#footnote-2)
* where an apology is provided, ensure it is sincere, and accepts responsibility for what occurred and the impact
* explain the circumstances without making excuses, and summarise the key actions that will be taken
* provide regular updates to the complainant if the resolution is delayed
* notify the complainant of alternative complaint resolution pathways and review mechanisms
* follow up with complainants to determine the effectiveness of the outcome, where appropriate.

### 2.4.5 Improvement focussed

The complaint management system will provide mechanisms and strategies to gather and record feedback and other information to:

* meet any statutory, policy or procedural reporting requirements
* improve the training and capabilities of complaint management staff
* monitor the time taken to resolve complaints and other data to monitor and improve the quality of the complaints service
* build a leadership culture to promote and improve the complaints service
* regularly use the intelligence from the complaints data to identify systemic quality and safety issues in a cycle of continuous quality improvement of services.

### 2.4.6 Service excellence

The compliment and complaint management system and resolution process is a part of a quality culture where compliments and complaints are an opportunity for improvement through:

* positive attitudes towards dealing with feedback, compliments and complaints and respect for the person who has raised the matters
* values that reinforce the commitment of the organisation to quality service delivery and encouragement for provision of feedback on what is and what isn’t working
* a clear statement that no one will be adversely affected as a result of making a complaint or a complaint being made on their behalf
* prompt resolution of complaints, ideally a week for simple complaints and within three weeks for more complex matters, with updates to the complainant if the timelines cannot be met.
* a policy that enables the compliment and complaint management system to address and investigate issues relating to all employees, including senior management.
* data analysis to identify and explore trends that highlight opportunities to improve service delivery and complaint handling
* a commitment to continued training and development of the capabilities of compliment and complaint management staff, as well as their health and well-being
	+ a commitment by the organisation’s leadership to an effective compliments and complaints management process as part of a robust quality improvement framework.

Note: For the purpose of this document, a privacy incident / complaint / breach that relates to a client, whether substantiated or unsubstantiated is managed according to existing department instructions.

# Compliment and complaint management process

The compliment and complaint management process can be simplified into five steps: Receive, Record, Acknowledge, Resolve, and Communicate the resolution.

## 3.1 Receive

* Listen – openly to the concerns being raised by the complainant.
* Ask – the complainant what outcome they are seeking.
* Inform – the complainant clearly of the complaint process, the time the process takes and set realistic expectations.
* Accountable – be empathic towards the affected person and action all commitments made.
* Assess – create a prioritisation framework to identify situations which pose an immediate threat or danger or require a specialised response.
* A Compliment and complaint form template to assist in recording key information at the time of first contact is available in the Complaints section of the department’s [Funded Agency Channel website](https://dhhsvicgovau.sharepoint.com/sites/CentralComplaints-DHHS-GRP/Shared%20Documents/General/Temporary%20documents/Funded%20Agency%20Channel%20website) <https://fac.dhhs.vic.gov.au/policies-and-procedures>.

## 3.2 Record

* Record – all information that is relevant to the compliment or complaint, in its original and simplest form.
* Store – in a compliment or complaint management system that also allows for data analysis.
* Protect – use a system that restricts access only to staff who are involved in managing the compliment or complaint.
* A reporting system template available in the Complaints section of the department’s [Funded Agency Channel website](https://fac.dhhs.vic.gov.au/policies-and-procedures) <https://fac.dhhs.vic.gov.au/policies-and-procedures>.

## 3.3 Acknowledge

* Acknowledge – receipt of the complaint early to build a relationship of trust and confidence with the person who raised the complaint.
* Anonymity – a person may request to remain anonymous in their lodgement and therefore contact may not be possible or expected.
* Desired outcomes – provide realistic expectations and refer the matter to other organisations where identified as being more suitable to handle.
* Conflict of interest – avoid this by appointing a person unrelated to the matter as an investigator.
* Timeframes and expectations – provide these to the complainant where possible.

## 3.4 Resolve

* Involve the complainant – keep them regularly informed of the progress of the complaint and discuss any disparities identified in the information held.
* Additional information – request when required but apply a timeframe that limits when it is to be provided.
* Extensions in time – consider only where necessary and always communicate any additional time requirements to the complainant with an explanation of the need.
* Record – continue to record all decisions or actions of the complaint investigation in the compliment and complaint management system.
* Focus – when investigating, focus on the identified complaint matters only. A complaint is not an opportunity to review the whole case.

## 3.5 Communicate resolution

* Outcome – Where possible, discuss the outcome verbally with the complainant before providing written advice and allow them the opportunity to make further contact following receipt of the written advice.
* Recourse – include what further action may be available to the complainant at the conclusion of the complaint investigation. An action of recourse may be to escalate the matter further with an external agency or for a further review within the organisation.
* Further reviews – providing a minimum of one further review will enable the first investigation to be reviewed for soundness and allow additional information not available in the first complaint to be included.
* Opportunities – develop a mechanism or process by which complaint outcomes can be relayed to the appropriate area within the organisation for action to improve service delivery.
* Feedback – develop a process that allows for a review of the complainant’s experience of the complaints process by encouraging and enabling feedback on how the process by which their complaint was dealt with.

# Support

Support is available from the Department of Health and Human Services or other organisations such as the Victorian Equal Opportunity and Human Rights Commissioner (see list below) in the form of training, advice and resources to support receiving and managing compliments and complaints.

The Victorian Ombudsman also has an excellent range of resources, including:

[Guide to dealing with challenging behaviour](https://www.ombudsman.vic.gov.au/Publications/Guides/guide-to-dealing-with-challenging-behaviour) <https://www.ombudsman.vic.gov.au/Publications/Guides/guide-to-dealing-with-challenging-behaviour>

# Other Contacts

#### Complainants must always be advised by the organisation of their option to take their complaint to an external oversight body at any stage of the complaints process. Complainants may also wish to contact:

#### Department of Health and Human Services

The department responds to feedback about any part of people’s experience with the department and the services it funds.

Telephone: **1300 884 706** Web: [Making a complaint](https://www.dhhs.vic.gov.au/making-complaint) <https://www.dhhs.vic.gov.au/making-complaint>.

#### Victorian Ombudsman

Receives and investigates complaints about decisions and actions made by state and local governments as well as private and non-government organisations which perform a public function.
Telephone: **9613 6222** or regional: **1800 806 314** Web: [Victorian Ombudsman](https://www.ombudsman.vic.gov.au/) <https://www.ombudsman.vic.gov.au/>.

#### Disability Services Commissioner

Works with people with a disability, and disability services to resolve complaints.
Telephone: **1800 677 342 (free call);**TTY service for people with hearing or speech difficulties **1300 726 563** Web: [Disability Services Commissioner](http://www.odsc.vic.gov.au/) <https://www.odsc.vic.gov.au>.

#### Health Complaints Commissioner

Receives and resolves complaints about healthcare and the handling of health information in Victoria.
Telephone: **1300 582 113** Web: [Health Complaints Commissioner](https://hcc.vic.gov.au/) <https://hcc.vic.gov.au/>.

#### Independent Broad-based Anti-corruption Commission

Receives complaints about corruption in the Victorian Public Sector or complaints about Police misconduct. Web: [ibac](https://www.ibac.vic.gov.au/reporting-corruption/how-to-make-a-complaint) <https://www.ibac.vic.gov.au/reporting-corruption/how-to-make-a-complaint>.

#### Mental Health Complaints Commissioner

Assists you if your complaint is about a public mental health service in Victoria.
Telephone: **1800 246 054** Web: [Mental Health Complaints Commissioner](https://www.mhcc.vic.gov.au/) <https://www.mhcc.vic.gov.au/>.

#### Office of the Victorian Information Commissioner

Promotes fair public access to information while ensuring its proper use and protection.
Telephone: **1300 006 842** Web: [Office of the Victorian Information Commissioner](https://ovic.vic.gov.au/) <https://ovic.vic.gov.au/>.

#### Victorian Equal Opportunity and Human Rights Commissioner

Assists people who have been discriminated against, sexually harassed, victimised or vilified.
Telephone: **1300 292 153** Web: [Equal Opportunity and Human Rights Commissioner](https://www.humanrightscommission.vic.gov.au) <https://www.humanrightscommission.vic.gov.au/>.

#### Victims of Crime Commissioner

Aims to improve services and systems within government departments, victims service providers and the justice system to meet the needs of victims of crime, including reviewing complaints about services provided to victims of crime. Telephone: **1800 819 817** Web: [Victims of Crime Commissioner](https://www.victimsofcrimecommissioner.vic.gov.au) <https://www.victimsofcrimecommissioner.vic.gov.au/>.

1. The term ‘people’ is used to refer to staff and service users or clients who receive a service from the funded organisation. [↑](#footnote-ref-1)
2. Wrongs Act 1958 *–* section 14J provides that in the case of civil proceedings where the death or injury of a person is an issue, or is relevant, an apology does not constitute either an admission or liability, or an admission of unprofessional conduct, carelessness, incompetence or unsatisfactory professional performance. [↑](#footnote-ref-2)