

Complaint and Feedback Policy

1. Introduction

Lutheran Disability Services (LDS) is committed to providing a harmonious working and living environment where people are empowered to exercise their rights and responsibilities. It is our policy to recognise the rights of clients, employees, volunteers, contractors, family members and friends to foster and develop an atmosphere conducive to the early resolution of complaints in a prompt, fair, confidential and equitable manner.

LDS believes that all complaints or grievances, including any alleged discrimination, sexual harassment, bullying or harassment issues are best resolved internally initially via the Complaint/grievance/ Grievance and Feedback Management Procedures.

2. Purpose

The purpose of this policy is to provide an overview of the process for handling of feedback, complaints and grievances for employees, clients and families.

3. Scope

This policy applies to all LDS employees, volunteers, contractors and consultants.

4. Definitions

Allegation	A claim or concern without proof.
Advocate	A person who has been asked by a person with a disability to speak on their behalf and represent their concerns.
Complainee	A person against whom the complaint is made
Complaint	An expression of dissatisfaction, grievance, criticism
Complainant	The person making the complaint.
Feedback	Information about reactions to a product, process, procedure, persons performance, which is used as a basis for improvement
Grievance	an official statement of a complaint over something believed to be wrong or unfair
Party(ies)	Specific Individual(s)
Support Person	A person chosen by the complainant to witness, not advocate on behalf of the complainant
Visual Care (VC) app	CRM used by LDS to submit an incident, grievance, compliment and/or feedback

5. Policy

LDS encourages a culture of open communication, which is both responsive and accountable in relation to any feedback, grievance or complaint.

Feedback, complaints and grievances are an essential component of service provision. LDS considers that these provide opportunities for improvement; by reviewing the content of feedback, complaints and grievances and the resolution of these, LDS will identify improvements to service provision and planning at local and organisational levels.

Below is an overview on how feedback, complaints and Grievances are managed. Refer to the Client Complaint/grievance and Feedback Procedure and the Employee Grievance and Feedback Procedure for details of the process.

5.1 Complaints Management Principles

5.1.1 Confidentiality

When handling a complaint/grievance:

- Information about a complaint/grievance will only be given to people directly involved.
- Everyone involved will be advised of the need of confidentiality
- Information will be stored securely with appropriate authorised access.

Refer to LDS's Information Privacy Policy for more information.

5.1.2 Fairness, Impartiality and Natural Justice

When handling a complaint, principles of procedural fairness, impartiality and natural justice will be present.

Procedural fairness

- Fair treatment for all is paramount
- The complaint/grievance will be handled fairly and in good faith by a trained person
- act fairly and provide reasons for decisions
- give the person who is the subject of a grievance process a fair hearing and an opportunity to present their own case
- be unbiased and disinterested in the outcome of the disciplinary process
- base their decision on relevant evidence and exclude all irrelevant arguments.

Natural Justice

- the person accused should receive notice of, and know the nature of the accusation made against them
- the person accused should be given the opportunity to state their case
- the person/s or body/ies hearing the case should act in good faith and without bias.

Impartiality

- No judgements will be made or action taken until all relevant information has been assessed
- All sides may have a support person present
- All allegations will be investigated before a decision is made
- Complaints / grievances must be substantiated before any action is taken.

5.1.3 Complainant / Complainee Protection

When handling a complaint / grievance:

- People involved in a complaint/grievance will be protected from being further harassed or bullied.
- Employees must not victimise, harass or discriminate against anyone who raises a concern under this Policy or who participates in an investigation. Such victimisation, harassment or discrimination is serious misconduct and may result in disciplinary measures, up to and including summary dismissal.
- A whistleblower or participant in an investigation who believes they have been penalised or disadvantaged, including by being subjected to victimisation harassment, discrimination or other unfavourable treatment, will be offered support and protection.
- Anyone found making malicious or false complaints will be managed appropriately.
- In addition to this complaints policy and procedure employees are covered by the LDS Whistleblower policy.

5.2 Clients Complaints and Feedback

Each LDS client has knowledge of an access to our complaints management and resolution system. Complaints and other feedback made by all parties are welcomed, acknowledged, respected and well-managed.

The LDS system follows principles of procedural fairness and natural justice and complies with the requirements under the National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018.

Each client is provided with information on how to give feedback or make a complaint, including avenues external to the provider, and their right to access advocates. There is a supportive environment for any person who provides feedback and/or makes complaints.

5.2.1 Client Feedback

Client feedback may be positive or negative and may occur at any time.

Feedback is formally sought through an annual “Client Satisfaction with Service” survey. The results from this survey are reported on at Management Review Meeting and Board meetings.

Client and family feedback is recorded in the CRM in the first instance and may also be recorded in the Incident Management System.

Positive feedback may be publicised in LDS communications such as memos and on the website after consultation with the person giving the feedback.

5.2.2 Client Complaints

Complaints from a client or in relation to a client or LDS services can be made by sending an email or completing the incident form on Visual Care.

This is lodged in the Confidential section of our Incident Management System and closed out by the CEO.

If there has not been a satisfactory solution the Complaint/grievance will be dealt with by the Board.

All clients are informed that they may complain to the NDIS Commission at any time during this process.

5.3 Employees and Contractors Grievances and Feedback

5.3.1 Employee Feedback

Feedback is welcome from employees no matter whether it is positive or negative feedback.

Feedback is formally sought through an annual “Employee Satisfaction” survey and annual focus groups. The results from this survey are reported at Management Review Meetings and results shared to LDS employees.

Employee feedback may be recorded in an email or on the Incident Form on Visual Care in the feedback section.

5.3.2 Employee Grievances

Grievances from an employee should be sent directly to HR through the hr@ldssa.org.au inbox.

When an employee has raised a grievance, steps will be taken to resolve the grievance by following the Grievance Management process.

Please refer to the Employee Grievance and Feedback Procedure for details on the Grievance Management Process.

6. Responsibilities

The CEO has the ultimate responsibility for implementing this Policy and is responsible for:

- Encouraging a culture where all client complaints are dealt with seriously and thoroughly.
- Ensuring that effective complaint/grievance reporting and management strategies are in place.
- Ensuring that appropriate actions are implemented in response to all complaints, including implementation of identified service improvements.
- Regularly monitoring and reviewing each complaint.

The Senior Customer Service Managers have the responsibility to:

- Notify the CEO of any complaint.

Customer Service Managers have a responsibility to:

- Communicate this policy to employees, volunteers, contractors and subcontractors.
- Provide evidence, documentation or assistance to the investigation process of any complaint / grievance.

Employees have the Responsibility to:

- Be aware of, and follow this Policy
- Ensure Clients are assisted with access to submit a formal complaint.

7. Other References

- National Standards for Disability Services
- NDIS ACT
- NDIS (Quality Indicators) Guidelines (Notifiable Instrument)
- NDIS (Complaints Management and Resolution) Rules
- Fair Work Act and related legislation
- Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019
- 5.4 Employee Grievance & Feedback Procedure
- 6.15 Client Complaint & Feedback Procedure