Feedback and Complaints Policy and Procedure

pathways southwest
Towards better mental health

Policy Statement

This policy and procedure sets out how any person can provide feedback and make complaints about any aspect of Pathways SouthWest operations and the process of addressing or responding to feedback and complaints.

The objectives of this Policy are to:

- Recognise, promote and protect individuals' rights, including the right to comment, compliment or complain.
- Provide an efficient, fair and accessible mechanism for ensuring the perspective of consumers is heard.
- Provide information on the feedback handling process.
- Monitor feedback in an endeavour to improve the quality of services.
- Increase the level of satisfaction with the delivery of services.
- The recording of data to identify existing or emerging trends or systemic issues
- And to promote and demonstrate that Pathways SouthWest has an organisational culture that is focused on effective, person-centred complaints resolution and utilises feedback for continuous improvement

Scope

This policy and procedure applies to the organisation, staff, students, contractors and volunteers and all potential and existing consumers, their family members and other supporters. The policy also applies to other service providers, government agencies and members of the community. This policy is owned by the Management Team.

Definitions

- **Consumer:** Participant under NDIS whom are in receipt of services – for the purposes of this policy, participants will be referred to as consumers. Consumers are persons receiving a service from Pathways SouthWest.

- **Complaint**: 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. Complaints include an expression of displeasure, such as poor service and any verbal or written complaint directly related to the service (including general and notifiable complaints).

- **Complainant:** Means the person or organisation making the complaint.

- **Compliment:** An expression of praise, encouragement or gratitude about an individual staff member, a team or a service.

- **Complimenter:** Means the person who is providing a compliment.

- **General complaint**: Addresses any aspect of the service e.g. a lost clothing item or the service's fees. The complaint must be dealt with as soon as is practicable to avoid escalation of the issue.

- **NDIS:** National Disability Insurance Scheme. The **NDIS** is a new way of providing individualised support for people with disability their families and carers. The **NDIS** will provide all **Australians** with a permanent and significant disability aged under 65 with the reasonable and necessary supports they need to live an ordinary life.

- **Manager/management:** Means the Chairperson of the Board of Management if complaint is about the Chief Executive Officer (CEO), or CEO if the complaint is about an employee, consumer or carer

- **MHC:** Mental Health Commission. The Western Australian Mental Health Commission is the government body responsible for planning and purchasing mental health, alcohol and other drug services.

Principles

1. Procedure

Pathways SouthWest respects the right of consumers or members of the community to provide feedback about the services that we provide. Pathways SouthWest commitment to fair, equitable and timely resolution of complaints is also described in this Policy and related documents.

All feedback is to be recorded and actioned by management who will sign off on all complaints when they have been dealt with. All personal information that Pathways SouthWest collects to manage feedback or complaints will be handled in accordance with the Privacy Act1988.

Feedback and complaints will be dealt with in a confidential manner and will only be discussed with the people directly involved. All information regarding feedback and complaints will be kept securely in accordance with the Information Management and Code of Conduct Policies and Procedures

All consumers and community members will be made aware of their right to complain, the complaints procedure and the use and availability of advocates. Management will take steps to ensure that consumers feel comfortable to continue accessing the service after making a complaint.

Information on Pathways SouthWest complaints procedure is included in the Consumer and Carer Information Pack. The complaints procedure will be briefly explained to consumers at the time of entry into the service. If a situation develops where there is

potential for a complaint, or a complaint is made then more information will be given about the process.

2. Fairness

Pathways SouthWest recognise the need to be fair to both the complainant and Pathways SouthWest employee/s against whom the complaint is made.
If a consumers complains, Pathways SouthWest will:

- Treat the complainant with tact, courtesy and fairness at all times;
- Maintain appropriate confidentiality of the complainant at all times;
- Not victimise or harass the complainant as a result of any complaint they make,
- Not discriminate against the complainant because of any disability, their colour, race, religion, age, sex or sexual orientation.

3. Complaints System

First stage - Responding to a Complaint

- Recording via the "Your Opinion Matters Form'. Verbal complaint can be documented using consumers words
- Acknowledgment of the complaint and attempt to resolve the complaint at the first point of contact.
- Where a complaint is not fully understood, contact the person who lodged the complaint to ensure good understanding of the issues correctly and advise.
- For complaints not resolved "on the spot", Pathways SouthWest aim to resolve the complaint and issue a response within 30 working days.

Second stage - If the complainant is still not satisfied, the CEO or the Chairperson of the Board of Management will review the person's complaint and the results of the review will be reported to the complainant.
If the complainant remains dissatisfied, Pathways SouthWest will consider other options that may be available to achieve a resolution.
Third stage - If the complaint cannot be resolved within the organisation, the complainant will be referred to an outside agency.

4. Actions

Pathways SouthWest will endeavour to resolve all complaints received as fairly as possible and in a timely manner. Some of the remedies that we may use to help resolve complaints include:

- Rectify mistakes - where a mistake has been made, it has taken too long to follow up a matter, or a matter has been overlooked, action will be taken to rectify the mistake or situation as soon as practicable;
- Employee training and counselling - where a complaint is made about an employee, there will be an investigation which may result in the employee being provided with training and/or counselling.

5. Visibility and Transparency of the Complaints Process

Pathways SouthWest promote the existence of our Feedback and Complaints Policy and Procedures through:

- Inclusion in the Consumers Statement of Rights and Responsibilities which is displayed prominently on our noticeboard.
- Provision of information on this process in the Consumer/Carer Information Pack.

6. Access to the Complaints Process

If it is difficult for a customer to personally make a complaint, a complaint may be made on their behalf by another person.

7. Confidentiality of Complaints

Staff directly concerned with lodging, receiving and resolving the complaint must as far as possible maintain the confidentiality of the complainant. Staff may refer to the Pathways SouthWest Whistle Blower Policy.

8. Complaints about Employees

Complaints about Pathways SouthWest employees should be directed to the CEO or in the case of a complaint against the CEO, it will be submitted to the Chairperson of the Board of Management.

Where and when appropriate the employee will be:

- Given the opportunity to comment;
- Informed of the final resolution/decision and the reason for that decision;
- And provided with a copy of the final reply to the complainant.

If management deems it appropriate, the employee will receive appropriate training and/or counselling.

Pathways SouthWest will provide a response to the complainant and inform the complainant of our decision and the reasons for that decision.

9. Compliments

All compliments will be acknowledged by a member of the management team to the complimenter, the compliment will be recorded in the feedback register (on SharePoint) and this will be fed back to the staff and considered as part of service improvement.

10. Review and Evaluation

Pathways SouthWest will monitor feedback and complaints to identify opportunities to improve choice and control for people accessing services and to improve the quality and type of services delivered.

Key Contacts

Questions about how to implement this procedure should be directed to Pathways SouthWest CEO on ceo@pathwayssouthwest.org.au or phone 97911257

Agencies that may be used for the purposes of advocacy and mediation:

Health Consumers' Council (HCC)
Unit 6/40 Lord Street
Perth WA 6000
Telephone: 1800 620 780
Email: *info@hconc.org.au*
Website: *www.hconc.org.au*

Advocacy South West Inc.
32 Wittenoom Street
BUNBURY WA 6230
Telephone: 9791 6444
Website: www.advocacySouthWest.org.au

Consumers of Mental Health WA (CoMHWA)
13 Plaistowe Mews
West Perth WA 6005
Telephone: 9321 4994
email: *admin@comhwa.org.au*
Website: *www.comhwa.org.au*

Community Mediation Services
(Via Bunbury Community Legal Centre)
101 Victoria Street,
BUNBURY. WA 6230
Telephone: 9791 3206
Website: *www.bunburyclc.com.au*

Mental Health Law Centre (WA) Inc.,
96- 98 Parry Street
PERTH. WA 6000
Telephone: 1800 620 285
Email: *office@mhlcwa.org.au*
Website: *www.mhlcwa.org.au*

Health and Disability Services Complaints Office (HaDSCO)
GPO Box B61
PERTH. WA 6838
Email: *mail@hadsco.wa.gov.au*
Website: *https://www.hadsco.wa.gov.au*

NDIS Complaints Contacts:
Complaints can be lodged with the NDIA by:

Email: *feedback@ndis.ogv.au*
Or phone 1800 800 110.

Relevant Legislation

- Carers Recognition Act 2004 (WA)
- Carers Recognition Act 2010
- Disability Discrimination Act 1992
- Disability Services Act 1993 (WA)
- Environmental Regulations Amendment (Work Health and Safety) Regulations 2022
- Equal Opportunity Act 1984 (WA)
- Freedom of Information Act 1982
- Mental Health Act (WA) 2014
- National Disability Insurance Scheme 2013: Principles
- National Disability Insurance Scheme Quality and Safeguarding Framework
- NDIS Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018
- NDIS Insurance Scheme (Procedural Fairness) Guidelines 2018
- NDIS Insurance Scheme (Protection and Disclosure of Information) Rules 2013
- NDIS Insurance Scheme (Complaints Management and Resolution) Rules 2018
- Occupational Health and Safety Act 1984 (WA)
- Privacy Act 1988
- Public Sector Ethics Act 1994
- Racial Discrimination Act 1975
- Racial Hatred Act 1995
- Sex Discrimination Act 1984Quality of Care Principles 2014
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Consumer with Disability
- Work Health and Safety (General) Regulations 2022
- Workplace Gender Equality Act 2012

Approved by: Steve Blackwell, Chief Executive Officer, Pathways SouthWest

Signature:

Date: 1st March, 2023