

PGOM_POL_FC/V3/9.4.24	<b>Core Supports Module 2. Provider Governance and Operational Management</b>
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Specific Responsibility:
<b>All Staff and Board</b>

## Policy: FEEDBACK AND COMPLAINTS

POLICY CONTEXT	
Standards or other external requirements	<p>National Disability Insurance Scheme Practice Standards  <a href="http://ndiscommission.gov.au">NDIS Quality and Safeguards Commission (ndiscommission.gov.au)</a>            Core Module            Division 1. Rights and Responsibilities            Division 2. Provider Governance and Operational Management            Division 3. Provision of Supports            Division 4. Provision of Supports            Early Intervention Supports            Specialist Behaviour Support            National Disability Insurance Scheme (Code of Conduct) Rules 2018  <a href="http://ndiscommission.gov.au">NDIS Code of Conduct (NDIS Providers)   NDIS Quality and Safeguards Commission (ndiscommission.gov.au)</a>  <a href="https://www.legislation.gov.au/Details/F2018L00629">https://www.legislation.gov.au/Details/F2018L00629</a>            National Guidelines Best Practice in Early Childhood Intervention  <a href="https://www.eciavic.org.au/resources/eci-best-practice-guidelines">https://www.eciavic.org.au/resources/eci-best-practice-guidelines</a></p>
Legislation or other requirements	<p>National Disability Insurance Scheme Act 2013  <a href="https://www.legislation.gov.au/Details/C2019C00332">https://www.legislation.gov.au/Details/C2019C00332</a>            National Disability Insurance Scheme (Registered Providers of Supports) Rules 2013  <a href="https://www.legislation.gov.au/C2013A00020/latest/text">https://www.legislation.gov.au/C2013A00020/latest/text</a>            National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018  <a href="https://www.legislation.gov.au/F2018L00634/latest/text">https://www.legislation.gov.au/F2018L00634/latest/text</a>            State Records Act 1998  <a href="https://www.legislation.nsw.gov.au/#/view/act/1998/17">https://www.legislation.nsw.gov.au/#/view/act/1998/17</a>            Disability Discrimination Act 1992  <a href="https://www.legislation.gov.au/Series/C2004A04426">https://www.legislation.gov.au/Series/C2004A04426</a>            United Nations Conventions on the Rights of the Child (CRC)  <a href="https://www.humanrights.gov.au/convention-rights-child">https://www.humanrights.gov.au/convention-rights-child</a>            Australian Human Rights Commission Act 1986  <a href="https://www.legislation.gov.au/Series/C2004A03366">https://www.legislation.gov.au/Series/C2004A03366</a>            Australian Privacy Principles            National Disability Insurance Scheme Act 2013  <a href="https://www.legislation.gov.au/Details/C2016C00934">https://www.legislation.gov.au/Details/C2016C00934</a>            Australian Privacy Act 1988            Privacy Amendment (Enhancing Privacy Protection) ACT 2012            Health Records and Information Privacy Act 2012</p>

	<p>Privacy Amendment (Notifiable Data Breaches) Act 2017 (NDB Act) <a href="https://www.legislation.gov.au/Details/C2017A00012">https://www.legislation.gov.au/Details/C2017A00012</a> Chapter 16A</p> <p>National Disability Insurance Scheme (Code of Conduct) Rules 2018 <a href="https://www.legislation.gov.au/Details/F2018L00629">https://www.legislation.gov.au/Details/F2018L00629</a></p> <p>National Disability Insurance Scheme (Worker Checks) Act 2018 No 82 <a href="https://legislation.nsw.gov.au/view/html/inforce/2018-11-28/act-2018-082">https://legislation.nsw.gov.au/view/html/inforce/2018-11-28/act-2018-082</a></p> <p>State Records Act 1998 <a href="https://www.legislation.nsw.gov.au/#/view/act/1998/17">https://www.legislation.nsw.gov.au/#/view/act/1998/17</a></p> <ul style="list-style-type: none"> <li>• Fair Work Act 2009</li> <li>• Fair Trading Act 1987</li> <li>• Australian Charities and Not-for-profits Commission Act 2012 (ACNC Act)</li> <li>• Associations Incorporation Act 2009</li> <li>• Corporations Act 2001</li> <li>• Associations Incorporation Regulation 2016</li> <li>• Racial Discrimination Act 1975</li> <li>• Sex Discrimination Act 1984</li> <li>• Australian Human Rights Commission Act 1986 (Cth)</li> <li>• Disability Discrimination Act 1992</li> <li>• Age Discrimination Act 2004</li> <li>• Workplace Gender Equality Act 2012</li> </ul> <p>Australian Human Rights Commission Act 1986: <a href="https://www.legislation.gov.au/Series/C2004A03366">https://www.legislation.gov.au/Series/C2004A03366</a> including</p> <ul style="list-style-type: none"> <li>- Convention on the Rights of Persons with Disabilities</li> <li>- Convention on the Rights of the Child</li> </ul> <p>Office of Children’s Guardian <a href="https://ocg.nsw.gov.au/child-safe-scheme">https://ocg.nsw.gov.au/child-safe-scheme</a></p>
Contractual Obligations	<p>Rules of Association 2020 (EarlyEd)</p> <p>Funding agreements eg NSW Dept of Education and NSW Dept of Communities and Justice</p> <p>Organisational contracts and community grants/fundraising</p> <p>EarlyEd Service Agreement Documents.</p> <p>Employment contracts</p> <p>EarlyEd Enterprise Agreement</p>

**Policy Statement:**

To be a Person and Families-centred organisation EarlyEd fosters a “rights-based” culture that

- is respectful to all involved with the organisation and committed to quality service provision and
- welcomes, values and responds to feedback and complaints.

“Empowering people to speak up goes to the very heart of people feeling valued and respected as equal citizens in their community.” [www.ndiscommission.gov.au/complaints-management-and-resolution-guidance](http://www.ndiscommission.gov.au/complaints-management-and-resolution-guidance) P6 & 7.

EarlyEd

- **acknowledges** feedback and comments, no matter how small, from children, family members and any person or agency in contact with the organisation including volunteers

- **actively seeks, encourages** and accepts all persons that they are involved with to provide feedback, **both positive and negative and minor and significant**
- analyses and reflects on them as a source of improvements for services and activities.

Feedback and Complaints management is an essential part of

- Continuous Quality Improvement
- Protecting the rights of children and people with a disability
- Maintaining continuity of supports
- Providing responsive care
- Creating job satisfaction and retain employees and volunteers
- Safe practices and environments.

Learning from complaints is one of the most important ways EarlyEd can meet people's needs and continuously improve our services.

The organisation will:

- foster a service culture that encourages open and honest communication
- ensure participants are informed about what they can expect from EarlyEd services
- protect the rights of children, families and any person or agency in contact with the organisation, to provide feedback and to make positive and negative feedback and complaints about, and aspect of the organisation and service delivery
- encourage and make it easy for people to provide feedback
- ensure anonymity to people providing feedback unless they have given permission
- ensure persons involved in a complain are not adversely affected
- utilise policies and procedures to support good practice, documentation and response to feedback
- embed feedback opportunities, recording and analysis in operational practices
- record, retain and analyse information arising from feedback and use it to improve services
- provide timely and considered responses and follow up
- use the feedback for continuous business improvement purposes to reduce future complaints
- report to another other bodies to comply with both state and federal legal requirements

“A commitment to a positive complaints culture, from the highest levels of management to frontline staff, provides the foundation on which all other components of a quality complaints management and resolution framework can be built.

A complaint is someone letting you know that your service is not ‘hitting the mark’.

A person does not necessarily have to expressly state that they wish to make a complaint to have an issue or concern dealt with as a complaint. Regardless of whether it is a big or small issue, if it is treated seriously, it demonstrates to the person that their input is valued to improve the services bring delivered.” [www.ndiscommission.gov.au/complaints-management-and-resolution-guidance](http://www.ndiscommission.gov.au/complaints-management-and-resolution-guidance) P6.

### **Aim/Purpose:**

EarlyEd's Purpose, Vision and Values reflect responsiveness and quality as does our Code of Ethics and Conduct. A proactive, accountable and outcome focussed approach to feedback and complaints is the only way ensure we not only listen but respond to families and other stakeholders. The focus of the policy is to create:

1. a culture at EarlyEd that encourages and welcomes all feedback
2. a straightforward approach to managing feedback which supports staff to make decisions confidently as to how to respond
3. learn from the information in order to improve practices.

### **Feedback and Complaints Management Framework:**

“What is a complaint?”

Broadly speaking, a complaint is an expression of dissatisfaction with an NDIS support or service, including how a previous complaint was handled, for which a response or resolution is explicitly or implicitly expected.” [www.ndiscommission.gov.au/complaints-management-and-resolution-guidance](http://www.ndiscommission.gov.au/complaints-management-and-resolution-guidance) P7.

Feedback and Complaints are classified according to 4 main levels:

- Level 1: Comment about the service, or requests for information or clarification.  
Comments may be either positive or negative or may be suggestions for improvement
- Level 2: Criticism or dissatisfaction about the service received, particularly where there is dissonance between the expressed need of the client and the service delivered.
- Level 3: Concern or serious objection about the service delivery, where there is a high level of dissatisfaction or a specific grievance.
- Level 4: Complaint about serious breaches of the service contract, or of rights, policy, or the legislative responsibilities of the service (for example, anti-discrimination legislation etc.)

Prevention and reduction of complaints

Continuous quality improvement and risk management strategies: Systems of that support a cycle approach to continuous quality improvement as well as risk management assessment and strategies reduces the likelihood of complaints and increases the likelihood of positive feedback. EarlyEd does this by

- Designing and building
  - processes that support quality approach, compliance and support the rights of all people involved with the organisation.
- Implementing processes
  - supporting them through leadership, training, evaluation and resources
- Tracking implementation and measuring outcomes

- Reviewing
  
- Learning and adapting
  
- Improvement planning

Management of feedback or complaints:

All Complaints and feedback are logged and reflected on by Team Leaders and other workers. Feedback and Complaints is standard agenda item on team meeting and leader agendas. Trends are analysed and reported to the Board.

Being proactive in the response to concerns is the focus, at all times, through timely responses and support efforts to avoid further stress and concerns.

<b>Complaints management and resolution system requirements</b>	<b>Actioned by</b>
Fostering a service culture that encourages open and honest communication.	<ul style="list-style-type: none"> <li>- Requesting feedback</li> <li>- Making it possible to give feedback anonymously.</li> <li>- Addressing any comment big or small and valuing them</li> <li>- Ensuring privacy in documentation particularly regarding staff complaints</li> <li>- Being respectful</li> <li>- Taking time to find out as much about the concerns.</li> <li>- Responding promptly</li> <li>- Acknowledging feelings about the complaint by complainer and those managing the complaint.</li> <li>- Offering advocacy support.</li> <li>- Asking the complainant what they would like to see happen and giving feedback on how the organisation can respond.</li> <li>- Keeping everyone informed as the complaint is addressed.</li> <li>- Using the complaint to improve practice and the organisation</li> </ul>
Ensuring participants are informed about what they can expect from EarlyEd services	<p>Explained by whatever member in the team is involved</p> <ul style="list-style-type: none"> <li>• on referral,</li> <li>• when devising a service agreement with the family,</li> <li>• when creating an Individual Family Service plan</li> </ul>

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	<ul style="list-style-type: none"> <li>• when undertaking assessments or reviews</li> <li>• planning for reporting</li> <li>• at each session</li> <li>• when transitioning out of the organisation.</li> </ul>
Protecting the rights of children, families and any person or agency in contact with the organisation, to provide feedback and to make positive and negative feedback and complaints about, and aspect of the organisation and service delivery.	<p>Leadership, feedback and complaint processes, training and information provided in all the forms they need, for children, families and all those involved with the organisation will help protect a person's right to be heard and responded to.</p> <p>Each complaint is managed individually with tailored responses appropriate to requirements and complaint. See National Disability Insurance Scheme (Procedural Fairness) Guidelines 2018 Section 2.7</p>
Encourage and make it easy for people to provide feedback.	<p>Create opportunities for feedback. Use technology as it becomes available.</p> <p>Get feedback from families about how easy it was to complain.</p>
Ensuring anonymity to people providing feedback unless they have given permission.	<p>Feedback can be given by without leaving their name</p> <ul style="list-style-type: none"> <li>• leaving a phone message,</li> <li>• sending an email,</li> <li>• using the QR code</li> <li>• or at the offices via the suggestion box.</li> </ul> <p>Though it is not always possible to give a response to the complainant when anonymous the complaint is still treated seriously discussed with those responsible to understand further the concerns raised and managed and use to influence improvements to the organisation and services.</p>
Ensure persons involved in a complaint are not adversely affected.	<ul style="list-style-type: none"> <li>- Individuals are treated fairly</li> <li>- Individuals feel supported</li> </ul>
Utilising policies and procedures to support good practice, documentation and response to feedback.	<p>Cycle approach use to prevent, mitigate, and implement continuous quality improvement as well as risk management assessment and strategies.</p>
Embedding feedback opportunities, recording and analysis in operational practices.	<p>Opportunities to give feedback embedded in service delivery, use of technology, meeting agenda, newsletters, phone conversations.</p>
Recording and retaining information arising from feedback and analysis to use it to improve services.	<p>Recording</p> <ul style="list-style-type: none"> <li>- Team leaders notified by staff check recorded.</li> <li>- CEO notified checks recording.</li> </ul>

	<p>Retaining</p> <ul style="list-style-type: none"> <li>- Logged and retained for as long as legally required.</li> </ul>
Providing timely and considered responses and follow up.	<p>All staff are expected to acknowledge of all kinds feedback, on receipt or as soon as possible and then to respond to feedback and complaints not matter how big or small. Feeling listened to and acknowledged is the most important part of an effective management approach.</p>
Using the feedback for continuous business improvement purposes to reduce future complaints	<ul style="list-style-type: none"> <li>- Coaching to support analysis about reasons for complaint and how to respond and monitor.</li> <li>- Quarterly Board reporting.</li> <li>- Review and discuss feedback and complaints at all leadership meetings</li> </ul>
Reporting to another other bodies to comply with both state and federal legal requirements and time frames while ensuring the safety of all concerned.	<p>As required eg</p> <ul style="list-style-type: none"> <li>- Mandatory reporting</li> <li>- Police</li> <li>- Office of Children Guardian (NSW) <a href="https://ocg.nsw.gov.au/child-safe-scheme">https://ocg.nsw.gov.au/child-safe-scheme</a></li> </ul>

#### Promoting Feedback:

All staff, Board, Leadership, Business and Administration Team and the CEO are responsible for looking for, creating and developing ways to support formal and informal feedback and for receiving, reflecting on, analyzing, and making a record of feedback and responding to the outcomes.

Team Leaders when they receive

- any negative comment will notify the CEO as soon as possible ie before day end. ie Level from 1-4
- and immediately for Level 3 & 4  
The will then report on an ongoing basis to the regarding feedback outcomes.

The CEO will review feedback records with Team Leaders and identify any action required.

Positive feedback is encouraged, valued, and acknowledged and will be shared.

Information will be provided to children, families and stakeholders directly in varied formats via social media, online and in publications delivered from the beginning of connection with EarlyEd, through services until exit. Children and families will be supported to give feedback in whatever medium they prefer.

All staff and volunteers working with children, their family and community services are responsible for ensuring they are familiar with the procedures for all of the people to provide feedback, and for:

- accepting and reporting informal feedback

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- offering clients an opportunity to provide formal feedback when appropriate.
- EarlyEd families and agencies that EarlyEd staff are involved with are able to provide feedback and complaints to staff knowing that it is welcomed, is valued, is confidential, and that they can feel safe to do so.
- EarlyEd families will be encouraged and be able to be involved in developing and reviewing the policies and practices that guide the service they receive through their feedback. They will be informed how it will be used as part of the feedback to them about our actions.
- EarlyEd families and agencies that EarlyEd is involved with will be able to have a say in how the services are delivered, and will be encouraged to pass information back to the organisation, giving their comments and outlining any concerns they may have. Such input will be used constructively to monitor and improve the service. They will be informed how it will be used as part of the feedback to them about our actions.

Supporting families or participants to complain:

Children, families and others involved in the organisation will be offered an independent mediator and advocacy when making a complaint appropriate to their situation e.g. Family Advocacy, Employment support.

They will be made aware of other places they can go to complain.

They can provide feedback or complain

- to NDIS:

<https://www.ndis.gov.au/contact/feedback-and-complaints>

- about a provider or the Commission:

<https://www.ndiscommission.gov.au/about/making-complaint>

<https://www.ombudsman.gov.au/>

Whistleblower protection policies are in place.

## REFERENCES:

NDIS Quality and Safeguards Commission Effective Complaint Handling Guidelines for NDIS Providers: <https://www.ndiscommission.gov.au/complaints-management-and-resolution-guidance>

National Disability Insurance Scheme (Procedural Fairness) Guidelines 2018

<https://www.legislation.gov.au/F2018N00155/latest/downloads>

## DOCUMENTATION

Documents related to this policy	
Related policies	POL_Grievance_dispute_settling Policy (HR) POL_Performance_Management Policy EarlyEd (HR)



	<p>POL_ Code of Ethics&amp;Conduct  POL_ Information and Records Management  PROC_ Information and Records Management  PROC_ Incident Response  POL_ QUALITY  POL_ Risk Management  POL_ Financial Management  POL_ Human Resource Management  POL_ Continuity_of_Supports  POL_ Child Safety, Security and Child Protection  POL_ Work Health &amp; Safety  POL_ IndepenceandInformedChoice_ Person Centred Supports  PROC_ IndepenceandInformedChoice_ Person Centred Supports  POLICY_ Individual Values and Beliefs  POL_ Child Safety, Security and Child Protection  PROC_ EarlyEd Complaints Procedure  POL_ Privacy_ Confidentiality &amp; Dignity  POL_ PROC:Access,Entry,Transition&amp;Exit  POL_ RISK MANAGEMENT including Emergency and Disaster Management Conflict of Interest and Succession Planning  POL_ Whistleblower</p>
<p>Forms, record keeping or other organisational documents</p>	<p>EarlyEd Code of Conduct  NQ&amp;S Commission Worker Capability Framework  Client Record Management system  Service Agreement  EarlyEd Feedback and Complaints Log  EarlyEd Feedback and Complaints Procedure Flowchart  EarlyEd Feedback and Complaints Forms as required  Exit and Termination Procedure (HR)  Performance Management - info for current EarlyEd staff  Performance Management - info for Managers  Performance Management - info for new EarlyEd staff  Pre First Reflective Practice Supervision Questionnaire  Reflective Practice and Supervision Actions Outcomes  Reflective Practice and Supervision form Level 1  Reflective Practice and Supervision form Level 2  Reflective Practice and Supervision form Team Leaders  Admin Finance Reflective Practice and Supervision form  Orientation training</p>

	Risk Management Plan
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Reviewing and approving this policy		
Frequency	Person responsible	Approval
Every 2 years unless changes in funding occurs	CEO	Board

Policy review and version tracking			
Review	Date Approved	Signed	Next Review Due
1	26/03/2015	Senior Executive	26/03/2016
2	21/11/2017	Senior Executive	21/11/2018
3	16.11.20	Rhia Fenech – Team Leader	
	20.11.20	Jane Georgiades – Business Coordinator	20/11/22
4	21.09.22	Kerry Dominish - CEO	21.09.24
	22.09.22	Jane Georgiades – Business Coordinator	21.09.24
5	29.01.24	Kerry Dominish - CEO	29.01.26
7	29.01.24	Jane Georgiades	29.01.26