

COMPLAINTS & DISPUTES

Procedure

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Parent Policy: Policy Statement 4 - Feedback and Complaints

Scope: Whole of Organisation

Owner: Executive Manager Safeguarding and Quality

Register of change					
Date	Issue	Amendment Details	Author	Reviewed	Approved
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1. Definitions & Interpretations

Definitions	Interpretations
CIEMS	Critical Incident and Event Management System

2. References

a. Standard, Law, or Regulation

- ✓ National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018
- ✓ NDIS Practice Standards and Quality Indicators
- ✓ Disability Services and Inclusion (Complaints and Incidents Management) Rules 2023
- ✓ NSDS National Standards for Disability Services

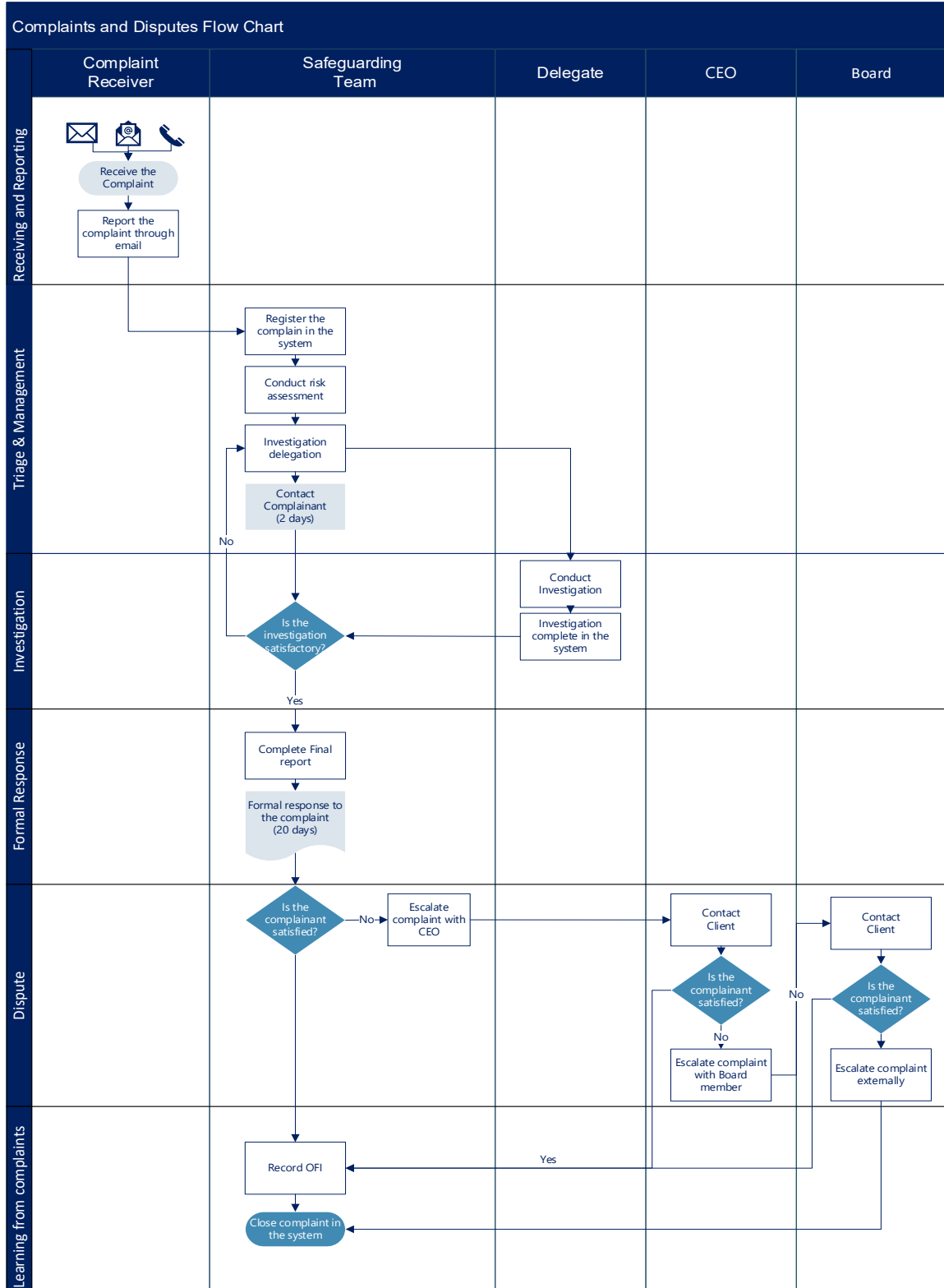
b. Other Procedures, documents, records etc

- ✓ Feedback and Complaints Policy
- ✓ Privacy Statement Policy
- ✓ Complaints - Easy English Procedure
- ✓ Critical Incident and Event Management System Procedure
- ✓ Grievance Procedure

3. Forms/Records

Form #	Record/For/Activity Name
N/A	Critical Incident and Event Management System

4. Complaints and Disputes Flow Chart



5. Purpose

Barkuma are committed to ensuring that complaints and disputes are effectively handled and seen as opportunities for improvement.

The Commercial Services, Client Services team, when requested by a Supported Employee, may enable Supported Employees (Employees who also receive funded supports provided by Barkuma) to determine; what is a complaint and what is an employee grievance (in line with Barkuma policy & procedures).

6. Scope

This procedure extends to clients, advocates, entities, or members of the public.

This procedure does not consider internal employee grievances, where the Barkuma Grievance Procedure is the guiding document.

This process is available to all clients of Barkuma including those who are employed directly by Barkuma in the Commercial Services Business unit as well as in other business units across the organisation.

7. Roles and Responsibilities

<u>Role</u>	<u>Responsibility</u>
CEO	Ensures that complaints and disputes are effectively handled and seen as opportunities for improvement.
Executive Safeguarding & Quality	<p>Triages & Manages complaints including;</p> <p>Report monthly to the CEO, the status of all complaints.</p> <p>Provide external reports when they are required.</p> <p>Liaise with the NDIS Commission on any complaints raised</p>
Senior Practitioner	In consultation with the Executive Safeguarding & Quality, Triages & Manages Complaints
Delegate	Facilitate the investigation of complaints.

Client Services BCS	Propose and implement possible solutions or improvement actions. Client Services may then support the appropriate process to be used in registering a complaint or grievance. The Clients Service Team may act as internal advocates to ensure the Supported Employee is enabled throughout the complaints process to resolution where appropriate.
Staff	Encourage participants to give their views on how the support are being delivered. Receive complaints and feedback and report them following internal procedures. Cooperate fully with any external or internal investigation, notwithstanding any legal directives.

8. Definitions

Complaint:	A complaint is anything which a participant thinks is unsatisfactory or unfair or which makes them unhappy with your service. 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 expected or legally required
Complainant:	Is a client, advocate, entity, or member of the public who expresses their dissatisfaction about an organisation to either the organisation itself or an external body
Escalation:	Is the process of providing details of an internal officer where escalation is appropriate or providing information to a complainant regarding external bodies, they may escalate a complaint to.

9. Principles

- Maintain confidentiality of parties involved, keeping any information private to those directly involved in the complaint and its resolution. Information will only be disclosed

if required by law, or if otherwise necessary.

- Ensure support and advocacy is available to clients who make a complaint and require support.
- Resolve complaints, where possible, to the satisfaction of the complainant
- Clients, families, and advocates have access to the organisation's complaints management procedure.
- Make all efforts to deal with all complaints in a timely manner and aim to provide a formal response to the complainant within 20 working days of the complaint being received.
- Keep parties to the complaint appropriately involved and informed of progress of the complaint.
- Ensure that staff members, volunteers, and board members, are given information about the complaint's procedure as part of their induction and are aware of procedures for managing client feedback and complaints.
- Ensure all service users, stakeholders and members are aware of the complaints policy and procedures.
- Ensure that all complainants are aware of and understand how to escalate their complaint.
- Ensure that a complainant is not penalised in any way or prevented from use of services during the progress of an issue.
- Ensure that feedback data (both positive and negative) is considered in organisational reviews and in planning service improvements.
- Review and evaluate the accessibility and effectiveness of the complaints management system and continually improve its processes.

10. Procedure

Barkuma will provide an 'Easy English' complaints and feedback document that will be available to any members of the Barkuma community or the public. This will provide information on:

- how to make a complaint, including an anonymous complaint
- contact person for lodging a complaint.
- how the organisation will deal with the complaint, the steps involved and the timelines
- the rights of the complainant to an advocate, support person or interpreter
- how the Complainant will be informed about the outcome of their complaint

11. Making a complaint

A person wishing to make a complaint may do so in writing or verbally to any Barkuma staff member, volunteer, or Board Member, or by mail, email, website, or telephone. The Complainant has the right to remain anonymous if they wish.

Mailing address: Level 3, 151b South Terrace, Adelaide 5000

Phone: (08) 8414 7000

Email: complaints@barkuma.com.au

Website: [Complaint Form | Barkuma](#)

12. Receiving and reporting a complaint.

Any Barkuma staff member, volunteer, or Board member can receive a complaint in any form. The receiver of the complaint should listen to the complainant and advise the complainant that all information provided will remain confidential.

If the complaint is minor and can be easily resolved, the complaint receiver should support a solution i.e. I need to make a phone call and I do not have a phone - Solution, support the person to access a Barkuma phone in an office.

If the complaint is not about Barkuma i.e. They have changed the bus times, and no bus

came at the right time – Solution, support the person with information on the transport SA website for complaints or alternate schedules, or if the complaint is not related to a role Barkuma Plays for the person member i.e. I need support to attend a community event and my support worker won't help me, Barkuma do support coordination for me – Solution, who is your Support Coordinator, I will send them an email.

For the purposes of recording complaints, and in meeting the definitions set down in this procedure, these examples do not meet the criteria for recording as complaints.

If, however, the complaint is of a serious nature and it relates to Barkuma's services or staff, the receiver of the complaint should:

- Inform the complainant that the complaint will be registered in our complaints system and that the Safeguarding Team will contact them within 2 working days.
- Advise that if they are not contacted within 2 days, they should raise the matter with the complaint receiver again.
- Report the complaint by emailing the information to complaints@barkuma.com.au to as soon as possible, providing all the information given by the complainant, including the date the complaint was received and the complainant's contact information.
- Alternatively, a complainant can be directed to the Barkuma internet site, www.barkuma.com.au where a link to a complaint form is accessible.
- If the complaint is raised again with the complaint receiver and the complainant has not had contact regarding their complaint, the complaint receiver should contact the Executive Manager, Safeguarding & Quality.
- Advise the complainant that they have the right to contact the NDIS Q&SC for NDIS participants, the CRRS for Disability Employment Services for DES participants, or to seek support from advocacy services. Provide contact information if required.

13. Triage & Management of Complaints

The Executive Manager Safeguarding & Quality/Senior Practitioner will:

- ✓ Acknowledge the complaint within 2 working days of receipt by contacting the complainant directly where possible.
- ✓ Create an investigation process within the complaint systems.
- ✓ Risk assesses the complaint-Appendix A
- ✓ Evaluate the complaint and determine:
 - The most appropriate person to manage the complaint,
 - Delegate the investigation.
 - Request the delegate to respond and report on the complaint specifying timeframes.
- ✓ The Executive Manager, Safeguarding & Quality/Senior Practitioner may elect to investigate a complaint personally, or delegate the investigation to another suitable member of Barkuma staff.
- ✓ Where a complaint specifically refers to a member of the Board, the CEO, or an Executive Manager as the subject of the complaint, an investigation is to be commissioned by an external party, by a senior staff member, who is not the subject of complaints, or in any way related to the complaint.
- ✓ Where a complainant alleges activities which may be illegal, advice to the complainant should include a recommendation to contact police.
- ✓ Barkuma employees, volunteers or contractors will cooperate fully with any external investigation, notwithstanding any legal directives.
- ✓ All contacts with the complainant should be made by the Executive Manager, Safeguarding & Quality/Senior Practitioner, excepting where contact is necessary from the investigator of a complaint to further the investigation.
- ✓ The Executive Manager Safeguarding & Quality/senior Practitioner will assess complaints in their entirety, prior to closing the complaint and will only do so where there is satisfaction that the complaint has been managed. This will be achieved through electronic sign off in the complaints system.
- ✓ At the conclusion of a complaint a letter should be forwarded to the complainant outlining the findings of the complaint, notwithstanding privacy and legal considerations.

14. Investigating the complaint

All Complaints should be investigated in a timely manner; however, timeliness should not overrule a systematic and thorough investigation.

On direction to Investigate, respond & report regarding a complaint, the Investigating Barkuma staff member (Delegate) will commence using the Complaints investigation template in the Complaint Systems.

In the first instance the investigator of the complaint should be in contact with the complainant to establish a timetable of communications and give contact details pertinent to the investigation. Any responses from the complainant, should be recorded against the complaint in the Complaint System.

At any point in an investigation, if reliable substantive information relating to any significant criminal activity, by any Barkuma employee, volunteer or contractor is identified, a report should be made to police. This action should only be taken in consultation with the Executive Manager, Safeguarding & Quality/Senior Practitioner. And if required, the CEO.

15. Responding to a complaint.

Complaints should be responded to in a timely manner and aim to provide a formal response to the complainant within 20 working days of the complaint being received. However, timeliness should not compromise the need for a systematic and thorough investigation.

On completion of investigation or review of any complaint, the complainant should be communicated the outcomes of the investigation and any potential undertakings. Any responses from the complainant, should be recorded against the complaint in the Complaint System.

16. Disputes

If the complainant has expressed dissatisfaction with the response, and this cannot be resolved, this should be escalated to the CEO.

Complainants can also be advised they have access to the Health & Community Services Complaints Commissioner.

The CEO may review either or both the initial complaint and or the investigation of the complaint. In general, this will be done where there is supported concern from the complainant, that the complaint has been potentially misunderstood, investigated inappropriately or not fully investigated, there is significant additional information that has not been considered, or that the circumstances warrant review.

The CEO may consult the Board of Barkuma or individual Board Members, should the CEO feel it is warranted. The CEO may seek external advice relating to the complaint, where the CEO determines that it is warranted.

The CEO may determine that a complaint requires an external/independent investigation and may commission that at their discretion, at any point in the process.

17. Learning from complaints.

Complaints can serve as a continuous learning tool; this should be considered in the response to any complaint and in the undertakings based on complaints. Where continuous improvements are identified from complaints, they should be logged as such.

Where Barkuma Commercial Services clients have registered a complaint, the Commercial Services Client Services team will work with Commercial Services management team to ensure that any actions from complaint resolution process are implemented.

18. Review cycle.

The review cycle will be completed within thirty-Six months of the release date.

19. Appendix

19.1. Risk Matrix

		Consequence				
		Not significant	Minor	Moderate	Major	Severe
L i k e l i h o o d	Almost certain	Medium	High	Very High	Very High	Very High
	Likely	Medium	High	High	Very High	Very High
	Possible	Low	Medium	High	High	Very High
	Unlikely	Low	Low	Medium	Medium	High
	Rare	Low	Low	Low	Low	Medium

Likelihood	
Almost Certain	Record, information or evidence showing that the situation occurs more than 1 time per week
Likely	Record, information or evidence showing that the situation occurs more than 1 time per month
Possible	Record, information or evidence showing that the situation occurs more than 1 time per year
Unlikely	Record, information or evidence showing that the situation occurs more than 1 year ago
Rare	There is discussion or inuendo that the situation occurred in the past but no records, evidence or reliable information is available

Consequence*			
Level	Harm	Cost	Reputation
Not significant	No Support required	Not exceed \$1.000	W.O.M
Minor	First AID required	Not exceed \$10.000	Social media attention
Moderate	Admission to Hospital	Not exceed \$100.000	Significant Public Scrutiny
Major	Significant Permanent Disability	Not exceed \$1.000.000	External Sanction
severe	Death	Shutdown Cost	Shut Down

19.2. Complaints and Dispute – Easy read



Barkuma will always do our best to provide quality supports and services. But if something goes wrong, or you are not happy you have the right to complain.



Complaints are important—they can help Barkuma understand your needs and improve the quality of supports and services we provide.



Who to talk to about your complaint:

If you feel comfortable, you should first talk to your key worker / case manager or support worker.



Otherwise, you can speak to any Barkuma staff or board member.



If you are still worried or not satisfied, talk to the Senior Practitioner on 8414 7100 or Chief Executive Officer of Barkuma on 8414 7100.



How to make a complaint:

You can tell someone in person or over the phone on 8414 7100



You may write your complaint down and send it to us by:



Post: ATT: Senior Practitioner, Level 3, 151 B South Tce. Adelaide

Email: complaints@barkuma.com.au



Website: <https://www.barkuma.com.au/complaint-form/>



You can choose whether to tell us your name and details or make the complaint anonymously (not tell us who you are)



Your complaint will be kept **PRIVATE** and **TREATED SERIOUSLY**

You will be contacted within 2 business days of receiving your complaint by someone at Barkuma.



Barkuma will log the complaint and allocate an appropriate staff to investigate, respond and report on the issue. You will be contacted to be informed of the outcome of your complaint.



You may also wish to contact:

Disability Advocacy & Complaints
Service of South Australia

☎ call: 08 71226030

TTY: 1800 555630

Interpreter Service – National
Interpreting & Translating Centre

☎ call: 131450

TTY: 1800280203

Independent Advocacy
(Free call)

☎ call: 8232 6200

☎ call: 1800 999 884

Commonwealth Government Complaints
Resolution and Referral Service (CRRS)

☎ call: 1800 880 052

TTY: 1800 301 130

National Relay Service

☎ call: 1800 555 677

(To register call 1800555660)

Health & Community Services
Complaints Commissioner (HCSCC)

☎ call: 8226 8666

Country SA callers 1800 232 007

NDIS Quality & Safeguards Commission

☎ call: 1800 035544

Central Community Legal Service

☎ call: 8342 1800