



Mental Illness Fellowship of WA (Inc)

*Policy Title: Complaints and Appeals Handling Policy
(Consumers, Participants, Members, Carers, External Parties)*

Policy Number: M21

Document Control

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Review

Reviewed By	Date
Staff Members	01/2024
Consumer	04/03/2021
Carer	07/04/2021

Record of Issue

Date	Reason and Comment
01/04/2019	Reviewed
01/04/2021	Standards updated; minor text changes to include carers
25/01/2022	All sections of the policy now include information about contacting the NDIS Quality and Safeguards Commission (if the matter relates to a NDIS service).
29/03/2022	Complaints form separated from policy to assist with version control – can be accessed via MIFWA website
25/01/2023	The website link for NDIS Advocacy has been updated in the section on Making a Complaint.
10/02/2023	Definition of advocacy and consumer added to Definitions section. Support for advocacy added to Policy Statement and Making a Complaint sections
29/02/2024	Full review of Complaints Handling in MIFWA

Contact for enquiries and proposed changes

All queries and changes regarding this document should be directed to:	
Name	Monique Williamson
Position	CEO
Name	Cornelia Robbette
Position	Risk, Quality and Compliance Lead

1. PURPOSE AND SCOPE

This policy is intended to ensure that we handle complaints fairly, efficiently and effectively.

Our complaint management system is intended to:

- enable us to respond to issues raised by people making complaints in a timely and cost-effective way;
- boost public confidence in our administrative process, and
- provide information that can be used by us to deliver quality improvements in our services, staff and complaint handling.

This policy provides guidance to a person/organisation who wish to make a complaint about a staff member or the services MIFWA is providing.

NOTE: If a staff member has a complaint or wants to raise a formal grievance, please follow the process as per MIFWA's M28 Staff Complaints and Formal Grievance Policy. If staff wish to make a report in relation to Reportable Conduct (see Definitions), please refer to M57 Whistleblowing Policy.

2. RESPONSIBILITY FOR IMPLEMENTATION

Board, Chief Executive Officer (CEO), General Manager, Relevant Program Managers/Coordinators/Service Team Leaders, Employees, Volunteers, Students. The following table outlines the nature of the commitment expected from staff and the way that commitment should be implemented.

Who	Commitment	How
BOARD & CEO MIFWA	Promote a culture that values complaints and their effective resolution	<p>Provide adequate support and direction to key staff responsible for handling complaints.</p> <p>Regularly review reports about complaint trends and issues arising from complaints.</p> <p>Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly.</p> <p>Encourage staff to make recommendations for system improvements.</p> <p>Recognise and reward good complaint handling by staff.</p> <p>Support recommendations for service, staff and complaint handling improvements arising from the analysis of complaint data.</p> <p>Recruit, train and empower staff to resolve complaints promptly and in accordance with MIFWA's policies and procedures.</p>

All staff, volunteers and students	Understand and comply with MIFWA's complaint handling practices.	<p>Treat all people and relevant parties with respect..</p> <p>Be aware of all MIFWA's complaint handling policies and procedures.</p> <p>Provide consumers with information on how to provide feedback or make a complaint, including avenues external to MIFWA.</p> <p>Assist people who wish to submit a complaint.</p> <p>Support consumers in their right to access an advocate, including providing information on advocacy and local contact details, if required</p> <p>Be alert Pay attention to complaints and assist staff handling complaints to resolve matters promptly.</p> <p>Provide feedback to management on issues arising from complaints.</p> <p>Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.</p>
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3. REFERENCES

Australian Commission on Safety and Quality in Health Care (2022), National Safety and Quality Mental Health Standards for Community Managed Organisations.

Australian Government (2014), National Standards for Disability Services 2014, Service Standards 1, 2, 5 & 6

Australian Government (2010), National Standards for Mental Health Services 2010 Service Standards 1, 2, 5, 7, 8 & 10

Australian Government, NDIS Quality and Safeguards Commission (2021), NDIS Practice Standards and Quality Indicators November 2021, Version

Privacy Act 1988

4. DEFINITIONS

Advocacy means the process that supports a consumer's voice.

Advocate or support person means a person nominated by the consumer or carer to promote the rights of the consumer and communicate their views and preferences. An advocate may attend meetings with the consumer and help them to raise issues or complaints with a service provider. The advocate or support person takes direction from the consumer and does not override their choices or decisions.

Appeal means a formal request for a higher authority to review and change a decision made by a lower authority. This may be any decision made by MIFWA, not just the outcome of a complaint.

Complaint means an expression of dissatisfaction made to or about an organisation regarding its staff, services or products/outcomes that warrants response or resolution.

Complainant means a consumer, carer, advocate, entity or member of the public who expresses their dissatisfaction about MIFWA to either the organisation itself or an external body.

Consumer for the purposes of this document, means all people accessing MIFWA services, including consumers of non-NDIS programs, NDIS participants and carers.

Escalation means the process of reporting complaints to higher Authorities, if the complainant is not satisfied with the outcome of their complaint by MIFWA.

Reportable Conduct involves any possible breaches of general law, organisational policy, or generally recognised principles of ethics, and may include the following matters:

- Alleged breaches of the MIFWA Code of Conduct;
- Allegations of bribery or corruption;
- Allegations of fraud, theft or misconduct; or
- Alleged bullying, harassment or discrimination.

5. POLICY STATEMENT

MIFWA is committed to fair, effective and efficient complaint handling. Anonymous complaints will be investigated as far as possible and issues that can be addressed will be addressed.

Principles

MIFWA will:

- ensure that all consumers, families and advocates are encouraged and supported to raise any concerns they have about the service, staff or organisation;
- review and consider every complaint it receives;
- treat all complainants with respect and recognise that the issue raised is important;
- keep accurate and up-to-date records of all complaint information;
- maintain the confidentiality of the matter and protect the privacy of all the parties involved;
- resolve complaints, where possible, to the satisfaction of the complainant;
- deal with all complaints in a timely manner, and aim to provide a formal response to the complainant within 15 business days of the complaint being received;
- keep parties to the complaint appropriately involved and informed of the progress of the complaint;
- ensure that MIFWA Board members, staff, volunteers, carers and students are given information about the complaints procedure as part of their induction and are aware of procedures for managing consumer feedback, complaints and appeals;
- ensure easy access to MIFWA's complaints policy and procedures;
- ensure all consumers, families and stakeholders are informed and supported to understand and have access to independent advocacy, particularly where allegations of violence, abuse, neglect, exploitation or discrimination have been made;
- ensure that all complainants are aware of and understand how to escalate their complaint to higher authorities (as appropriate);
- ensure that a complainant is not penalised in any way or prevented from the use of services during the progress of an issue;
- take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf;
- accept anonymous complaints and carry out an investigation of the issues raised, where there is enough information provided to progress with the complaint;
- review all complaints for opportunities to make quality improvements and add systemic issues to the Quality Improvement Register.

6. PROCEDURE

6.1 Information for consumers and stakeholders

The MIFWA Complaints and Appeals procedure is documented for consumers and stakeholders in a service welcome pack and/or when choosing MIFWA as a service provider. The policy is available on the MIFWA website in the feedback section.

MIFWA will adapt the information to the communication needs of each consumer by using interpreters and developing alternative formats as requested or as appropriate.

6.2 Training of the Complaints Handling Procedures

Staff will be trained on the complaints handling procedures during their induction, and as part of ongoing refresher training within team meetings.

Managers and relevant staff will receive ongoing awareness training on how to report complaints and how MIFWA is managing complaints and appeals. The Risk, Quality and Compliance Lead is responsible for keeping staff and stakeholders informed of the process.

6.3 Objectivity and fairness

MIFWA will address each complaint and appeal with integrity and in an equitable, objective and unbiased manner. MIFWA will ensure that the person handling the matter is different from any staff member whose conduct or service is being raised.

Conflicts of interests, whether actual, potential or perceived, will be managed effectively and in accordance with the M38 Conflict of Interest Policy.

6.4 Manage the parties to a complaint

Where a complaint involves multiple organisations, MIFWA will work with all relevant parties, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within MIFWA, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

Where our services are contracted out, we expect contracted service providers to have an accessible and comprehensive complaint management system. We consider complaints not only about the actions of our staff, but also the actions of service providers connected with MIFWA operations.

When similar complaints are made by related parties MIFWA will endeavour to communicate with a single representative of the group, as far as practicable possible.

6.5 Vexations Complainants

We are committed to being accessible and responsive to all people who approach us with feedback, appeals or complaints. At the same time our success depends on:

- our ability to do our work and perform our functions in the most effective and efficient way possible
- the health, safety and security of our staff, and
- our ability to allocate our resources fairly across all the complaints we receive.

When people behave unreasonably in their dealings with MIFWA, their conduct can significantly affect the progress, quality and efficiency of MIFWA's operations. MIFWA will take proactive and decisive action to manage any conduct that negatively and unreasonably affects MIFWA's operations and MIFWA will support its staff to do the same in accordance with this policy.

6.6 How to Submit a Complaint or Raise an Appeal to a Decision

Feedback, complaints and appeals can be made in the following ways:

- Submitting a completed form into the Suggestion Box located at Lorikeet Centre and MIFWA office in Midland. The Compliments, Appeals, Complaints and Suggestions form is available in hard copy at these locations.
- Sending written complaints/Appeals to PO Box 1947 Midland Delivery Centre 6936 and/or info@mifwa.org.au. The Risk, Quality and Compliance Lead is responsible for receiving all Complaints/Appeals correspondence and will commence with the investigation.
- Calling MIFWA on (08) 9237 8900 and a MIFWA staff member will scribe your complaint/feedback/appeal and forward it to the info@mifwa.org.au inbox for management to action;
- Making a complaint/appeal using the feedback form on the MIFWA website: <https://www.mifwa.org.au/contact/feedback-complaint-form>.

Complaints or Appeals can be made anonymously, but MIFWA strongly encourages the complainant/appellant to be identified as it will assist with a more effective investigation.

MIFWA is committed to protect the autonomy of the appellant/complainant and all complaints/appeals are managed by the Risk, Quality and Compliance Lead.

Privacy and Confidentiality of all parties involved are of the outmost importance to MIFWA and MIFWA is committed to only disclose information to relevant stakeholders on a need-to-know basis. MIFWA is committed to de-identify information as far as practically possible.

If you require additional assistance in making a complaint/appeal, here are some useful contacts:

- Interpreter: tisonational.gov.au - 131 450
- Accessible: [National Relay Service](http://NationalRelayService.gov.au) - 1800 555 660

6.7 Making a complaint about NDIS services and supports

If you have a concern about your current NDIS supports or services, it is important that you talk about your concern.

If you feel comfortable, you are encouraged to raise your concern or complaint with us at MIFWA first (as per the process outlined above). This is often the best way to have your issue resolved effectively and timely and it will allow MIFWA to improve its operations.

If you find that MIFWA is unable to resolve your concern or complaint, you can seek further support from the NDIS Quality and Safeguards Commission by:

- phoning 1800 035 544 (free call from landlines) or TTY 133 677. Interpreters can be arranged.
- [National Relay Service](http://NationalRelayService.gov.au) and ask for 1800 035 544.
- completing an online [complaint contact form](https://www.ndiscommission.gov.au/participants/how-advocate-can-help-you).

You may seek support from family, a friend or an independent advocate in making a complaint <https://www.ndiscommission.gov.au/participants/how-advocate-can-help-you>

6.8 Making a complaint about non-NDIS services and supports via HaDSCO

The Health and Disability Services Complaints Office (HaDSCO) deals with complaints about non-NDIS health, disability and mental health services in Western Australia and the Indian Ocean Territories. If MIFWA cannot resolve your complaint or issue, you can make a complaint directly to HaDSCO by:

- Calling (08) 6551 7600 or 1800 813 583 (free from Landlines)
- Emailing mail@hadsco.wa.gov.au
- Downloading a form or completing an online complaint form from <https://www.hadsco.wa.gov.au/Complaints/Complaint-Form>

6.9 Complaints and Appeals handling process

Receiving the complaint or appeal:

Any employee, volunteer or student may be a recipient of a complaint or appeal, and is responsible for:

- listening to the complainant, acknowledging the concern raised, and explaining the next steps to the complainant;
- all complaints must be documented and sent to info@mifwa.org.au for the review and consideration by the Risk Quality and Compliance Lead.

If a person prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, MIFWA will communicate with them through their representative. With the complainant's/appellant's consent, anyone may represent them in making a complaint/appeal (e.g. advocate, family member, legal or community representative, member of Parliament, another organisation or authorities)

Processing the complaint or appeal:

- 6.9.1 Where possible, complaints and appeals will be resolved at first contact with MIFWA. If appropriate, an informal complaint could be resolved by providing the complainant with additional information or discussing appropriate actions to be taken within a time frame.
- 6.9.2 The person receiving the complaint will be responsible for registering the complaint or appeal by sending it to info@mifwa.org.au;
- 6.9.3 The Senior Administrator will note/register the complaint/appeal on the Complaints and Appeals register and forward the complaint to the Risk, Quality and Compliance Lead (copy the CEO) for consideration;
- 6.9.4 Where the complaint cannot be resolved informally, the Risk, Quality and Compliance Lead will work with the CEO and/or the relevant managers to respond to the complaint or appeal;
- 6.9.5 As soon as is practicable after receiving a complaint, the Senior Administrator will inform the complainant/appellant that their complaint or appeal has been received and provide them with information about the process and timeframe;
- 6.9.6 Initial Assessment
 - After acknowledging receipt of the complaint, MIFWA will confirm whether the issue/s raised in the complaint is/are within our control. We will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

- When determining how a complaint/appeal will be managed, we will consider:
 - How serious, complicated or urgent the complaint is;
 - Whether the complaint/appeal; raises concerns about people's health and safety;
 - How the person making the complaint/appeal is being affected
 - The risks involved if resolution of the complaint/appeal is delayed, and
 - Whether a resolution requires the involvement of other organisations or external complaints bodies, such as HADSCO, the Ombudsman, and the NDIS Quality and Safeguards Commission).

Note: If a matter concerns an immediate risk to safety or security the matter will be escalated to the CEO/Board immediately.

6.9.7 To manage a complaint/appeal, MIFWA may:

- Give the person making a complaint information or an explanation;
- Gather information from the service, person or area that the complaint is about, or
- Investigate the claims made in the complaint.

6.9.8 We will keep the person making the complaint/appeal up to date on our progress, particularly if there are any delays. We will also communicate the outcome of the complaint using the most appropriate medium. The actions we decide to take will be tailored to each case and consideration will be given to any statutory requirements.

6.9.9 Complaints Management, Investigation and response:

- All complaints/Appeals are managed in a centralised way. The Risk, Quality and Compliance Lead will receive, review, and investigate all complaints/appeals. All complaints/appeals will be noted on the MIFWA Complaints and Appeals Register.
- The Risk Quality and Compliance Lead will escalate Complaints/Appeals to the MIFWA Executive Team, CEO / Board as appropriate.
- The Risk Quality and Compliance Lead will also regularly report on complaints/appeals to the Executive Team especially on systemic complaints/appeals to ensure quality improvement, as appropriate.
- The Risk Quality and Compliance Lead will:
 - In consultation with the CEO and relevant managers investigate the matter.
 - Respond to the complainant or appellant within 15 business days (or as agreed upon) regarding the outcomes of their issues raised, by confirming whether the matter has been upheld and what will be done to resolve it or resolve it and confirm how it was achieved;
 - If the matter cannot be investigated within 15 business days, inform the complainant/appellant and confirm an alternative date for conclusion;
 - If no further action can be taken, provide the reasons for this outcome;
 - Inform the complainant/appellant of any options for further action if required;
 - If an apology is in order, ensuring that the appropriate person makes the apology and informs the complainant/appellant what MIFWA intends to do to avoid further grievance; and
 - Ensure that outcomes are properly implemented, monitored and reported to the complaint handling manager and/or senior management.

6.9.10 Escalation of the Appeal/Complaint

- The Appellant/Complainant must inform the Risk Quality and Compliance Lead within 15 business days from receiving the outcome if they want to escalate the matter.
- If the complainant/appellant is not satisfied with the investigation and proposed resolution of their complaint, they can seek a further review of the matter. The Risk,

Quality and Compliance Lead will escalate the matter to the Executive Team for consideration or where the complaint involves CEO, the Board Chairperson.

6.9.11 Referral to external procedure:

A formal external complaints procedure may follow Step 6.9.10 if the complainant/appellant is still not satisfied with the outcome. The complainant will be referred to the relevant External Authority to assist with the escalated matter.

6.10 General Principles

6.10.1 Complaints involving the CEO will be managed by the Board Chairperson;

6.10.2 Complaints can involve organisation members or Board members;

6.10.3 Complaints made against a member or Board member will be referred to the Board Chair;

6.10.4 The Chair, or their delegate, will:

- notify the person about whom a complaint is being made of the complaint and its nature
- investigate the complaint and provide the member with an opportunity to respond to any issues raised
- attempt to mediate the dispute (if appropriate) and/or attempt to resolve the matter to the satisfaction of the outside party

6.10.5 Where the Chair is the subject of a complaint, the complaint should be referred to the Treasurer or Vice President.

6.10.6 If the matter remains unresolved, the Chair will raise the matter at the next Board meeting. Depending on the seriousness of the complaint, the Board may:

- deal with the matter at its meeting, or
- refer the matter to the disputes process outlined in the constitution.

6.10.7 Cooperation in external investigations

If any person makes a complaint about MIFWA to an external body (including police, HaDSCO, Ombudsman, the NDIS Quality and Safeguards Commission), the CEO or their delegate will be responsible for liaising with the body responsible for investigating the issue. MIFWA will fully cooperate in any investigation which may take place. This includes participating in early resolution, conciliation, and/or reporting to the body about resolution and corrective actions if required.

6.11 Record-keeping

The Risk, Quality and Compliance Lead is responsible to maintain a register of complaints and appeals for a minimum of seven years after the complaint has been made. The register will contain the following details:

- Details of the complainant and the nature of the complaint;
- Date the complaint was submitted;
- Action taken to investigate the matter;
- Date of resolution;
- Reason for decision;
- Indication of complainant being notified of outcome and if not why; and
- Complainant response and any further actions, as applicable.

Copies of all correspondence will be recorded in MIFWA's SharePoint system. The complaints register and files will be confidential, and access is restricted to the CEO and delegated staff.

6.12 Reporting

The Risk, Quality and Compliance Lead will report on a bi-monthly basis to the Executive team on all submitted appeals and complaints. The report will be deidentified and systemic issues will be noted on the Quality Improvement Register.

The Risk, Quality and Compliance Lead will be responsible for preparing a report on complaints/appeals (on a risk-based approach) to each Audit, Risk and Finance Committee meeting.

Results from this report will be reviewed by the Executive Team every six months and used to:

- inform service planning by including a review of complaints and appeals in all service planning, monitoring and evaluation activities
- inform decision making by including a report on complaints and appeals as a standard item on staff and management meeting agendas

6.13 Continuous improvement of the complaints management system

Review of the Complaints and Appeals Handling Policy will occur every 3 years and the review will include:

- review of all complaint and feedback policies, procedures and supporting documentation
- consumer and staff feedback about the accessibility and effectiveness of the complaints management system; and
- implementation of a continuous improvement plan based on the review and feedback received.

7. STANDARDS MONITORING

MIFWA monitors its standards in relation to its policy and will review it, with consumer input, at regular intervals.

8. REVIEW OF POLICY

This policy will be reviewed in line with the provisions of the Policy Development Policy (M62).

9. RELATED DOCUMENTS

- M26 Privacy Policy
- M24 Confidentiality Policy
- M27 Consumer and Carer Rights and Responsibilities Policy
- M76 Advocacy and Support Policy
- M57 Whistleblowing Policy
- Making a Complaint/Appeal Information Sheet
- Complaints, Appeals, Feedback Form