

COMPLAINTS BY SERVICE USERS

Statement of intent

Oz Child endeavours to offer services that are safe, fair, non-discriminatory and in accordance with its core values of treating people with dignity and respect. Oz Child endorses the principle of empowering service users to participate in decisions that affect them. Oz Child aims to adopt work practices and principles that reduce the likelihood of grievances, complaints or conflict arising. However Oz Child also endorses the right of any individual or service user to express dissatisfaction, make a formal complaint, or appeal against any decision, without fear of reprisal and in the knowledge that a resolution in the interests of both parties will be actively pursued.

Oz Child's objective is to have a formal and fair process in place which is understood by all staff and accessible to any service user. This is also one of the ways service users can provide feedback on how we can improve our performance and quality of service. Service users making a complaint will be dealt with sensitively, objectively, confidentially, promptly and in accordance with relevant legislation. There is no guarantee of a successful resolution of any issue or complaint: the policy and procedure exist as a guide and framework to the process.

Policy

- Service users in all Oz Child programs are to be provided with information about the process at point of service entry. This information must be provided as part of an ongoing process. **The Oz Child Service Standard and Responsibilities** form highlights the process and must be given to all service users upon commencing with the service.
- All Oz Child employees are to be conversant with, and responsive to the complaints/appeal process.
- Any Oz Child employee receiving a complaint must inform the person making the complaint of their right to access the complaints process by providing them with the appropriate form outlining the process and their rights.
- Staff are to take all reasonable steps to ensure that a service user is not adversely affected because he/she made a complaint, or one has been made on their behalf.
- All discussions, decisions and courses of action are to be documented. Any complaint or suggestion shall be recorded and stored in a complaints file by the Program Manager. The date, persons involved, details of the complaint, date of resolution and outcome are to be recorded.
- The procedures are to be implemented fairly and promptly.

Procedures

All new service users and their families will be provided with information about their right to complain and the complaints procedure at time of service entry. As Best Practice, staff should remind service users of this process on an ongoing basis i.e. in general discussion about progress in a service, or if an issue or suggestion arises.

In the first instance

If a service user raises a complaint the staff member will attempt to resolve the matter informally by discussion with the service user.

If there is no resolution, the service user is advised of their right to make a formal complaint and given a copy of the **Complaints** form outlining the procedures, in easy to read language. On this form the names and telephone numbers of the Program Team Leader and Manager must be supplied, so they may be contacted if necessary.

Where literacy and/or intellectual capacity is an issue, all necessary steps will be taken to ensure the information is delivered directly to the service user in a form that is able to be understood, or indirectly through their advocate. Where service users have a CALD or Aboriginal background every effort will be made to ensure that the complaints process is culturally appropriate and that interpreters and/or translators are made available if required.

If the service user is uncomfortable about raising the matter with the staff member concerned, he/she can speak to the program Team Leader or Manager directly. The person contacted will then take responsibility for arranging the first meeting.

As a guide, the timeframe for resolving a complaint is **15 working days (3 weeks)**. Of course, many complaints may be resolved more quickly, and more complex or detailed complaints may take longer than this timeframe.

If a formal complaint is then made, the following process is to be implemented (also please refer to the Complaints flowchart):

Step 1

The staff member will arrange a meeting in a neutral venue for the service user with the program Team Leader or Manager as soon as possible. The service user will be reminded that they have the right to be supported by an interpreter and/or advocate of their choice at this and any subsequent meetings.

Step 2

The Team Leader or Manager will inform all of the people involved in the dispute that a formal complaint has been lodged and obtain their views on the dispute.

Step 3

At the first formal meeting the service user will be provided with every opportunity to state their views, the circumstances leading up to the complaint and their suggested course of action. It is usual for the meeting to include any other people involved, but separate interviews can also be arranged if the service user prefers this. Any support person is there as an observer and is not in a position to direct the flow of the meeting or interrupt unnecessarily. All discussions and aspects of the investigation are to be documented and placed in the service user/carer file.

Step 4

On the basis of all the information, the Team Leader or Manager will negotiate a plan of action to attempt to resolve the matter in a way which is acceptable to everyone involved. The action plan will be documented and circulated to the service user, their case worker/staff member and any other any other involved parties.

Step 5

If the service user is unhappy with the outcome, he/she is advised of their right to take the complaint to the next level manager i.e. General Manager Southern Services and a meeting will be arranged in a neutral venue.

Step 6

The manager will carry out an investigation as described above; documenting all proceedings and information, notifying the service user and involved agency parties of the outcome, and instigate corrective action.

Step 7

If the complaint remains unresolved the issue may be referred to the Chief Executive Officer, who will consider the information and decide on a corrective course of action.

Step 8

If the matter still remains unresolved to the satisfaction of the service user, the matter may be referred to one or more of the following:

Child Safety Commissioner

Level 20
570 Bourke Street
Melbourne Vic 3000
Ph: 8601 5884
Fax: 8601 5877
Email: childsafe@ocsc.vic.gov.au

Children's Services Advisor

Department of Human Services Southern Metropolitan Region
122 Thomas St (P.O. Box 692)
Dandenong 3175
Ph: 9213 2020

Disability Services Commissioner

Level 3 / 456 Lonsdale St
Melbourne 3000
Ph: 1300 728 187 (local call)
TTY: 1300 726 563
Fax: (03) 9603 8310
Web: www.odsc.vic.gov.au

Dispute Settlement Centre Victoria

4/456 Lonsdale St
Melbourne VIC 3000
Tel: 03 9603 8370
Tel: 1800 658 528 (toll free for regional callers)
Email: dscv@justice.vic.gov.au

The service user will be provided with the following list of external bodies which may assist with dispute resolution and/or advocacy on their behalf.

Victorian Civil and Administrative Tribunal

Where the dispute relates to a decision pursuant to any Act of State or Federal Parliament.
55 King Street,
Melbourne, Victoria 3000,
E-mail: vcat@vcat.vic.gov.au
(03) 9628 9900

Victorian Equal Opportunity and Human Rights Commissioner

Level 3, 380 Lonsdale Street, Melbourne VIC 3000
Tel: (03) 9281 7111 or 1800 134 142 (toll free)
Complaints Advice Line: Tel: (03) 9281 7100
Email: complaints@veohrc.vic.gov.au

Office of the Public Advocate

Provides advocacy for people with a disability who are being abused or neglected, or where no other advocacy is available.

5th floor, 436 Lonsdale St

Melbourne 3000

Phone: (03) 9603 9500

Email: publicadvocate@justice.vic.gov.au

Australian National Disability Abuse and Neglect Hotline

Provides advice and support for children with a disability using Government-funded services

Tel: 1800 880 052

TTY: 1800 301 130

NRS: 1800 555 677

TIS: 131 450

Victorian Registration and Qualifications Authority

Provides advice and support for service users wishing to raise an issue or a complaint against an Oz Child trainer or training program

Tel: 9637 2806

Email: vrqa.complaints@edumail.vic.gov.au

Ombudsman Victoria

An independent and impartial officer of the Victorian Parliament who investigates complaints about state government departments, most statutory authorities, community services and local government

Level 9 North Tower

459 Collins St

Melbourne VIC 3000

Ph: 9613 6222

Fax: 9614 0346

Toll free: 1800 806 314

Email: ombudsman@ombudsman.vic.gov.au

Web: www.ombudsman.vic.gov.au

Step 9

Any suggestion or complaint lodged shall be documented and held by each Program Manager. Date, persons involved, summary of the complaint, outcome and date of resolution will be recorded. Copies of this should be offered to all directly affected parties.

Step 10

In situations where a suggestion/complaint is upheld, Oz Child will review relevant service delivery practices, with a view to making improvements in the service.

Step 11

An annual report will be sent to the Disability Commissioner documenting the number of formal complaints, how they dealt with and the outcomes (Disability Services).



HOW TO MAKE A COMPLAINT

The Team Leader responsible for your service area is

Name..... Phone.....

Oz Child has a formal process that you are able to access if you are unhappy about a decision, an event or a process arising from the service we give regarding yourself, or another person for whom you have responsibility or have a relationship. The process allows for you to meet with more senior levels of Oz Child management, if the matter is not resolved to your satisfaction with the staff member/s directly involved. It also assists us in improving our quality of service. There is no guarantee that all issues or complaints can be resolved: however Oz Child aims to follow a fair and consistent process at all times.

All staff are aware of this process, and are to encourage you to access a fair, just and confidential hearing, and to assure you that you will not be viewed differently or judged unfairly because you decide to raise a complaint or issue.

As a guide, the timeframe for resolving a complaint at Oz Child is **15** working days (3 weeks). Of course, many complaints will be resolved quicker, and more complex or detailed complaints may take longer than this timeframe.

Always try and solve the issue directly with the person involved, if you can. If this is not possible, or you wish to proceed to a formal complaint, you or your advocate will need to fill out the **Complaints form** provided by your worker and forward it to your Program Manager. The Manager responsible for your service area is:

Name..... Phone.....

Address.....

Once a formal complaint is made, the following steps will be taken:

Step 1

A meeting will be arranged as soon as possible with the program Team Leader or Manager in a venue which is acceptable and accessible to you. You will be reminded that you have the right to bring an interpreter and/or advocate of your choice at this and to any other meetings to support you.

Step 2

The Team Leader or Manager will inform all of the people involved in the complaint that a formal complaint has been lodged and get their views on the dispute.

Step 3

At the first formal meeting you will be given every opportunity to state your views, talk about the circumstances leading up to the complaint and suggest what you think needs to happen next. It is usual for the meeting to include any other people involved, but separate interviews can also be arranged if you prefer this. All the discussions and information from the investigation will be written down and placed on your file. Remember if you decide to have an advocate or support person with you, their role is to observe and not to interrupt or control the meeting.

Step 4

On the basis of all the information, the Team Leader or Manager will assist in working out a plan of action which is acceptable to everyone involved. The plan of action will then be documented and circulated to you, your case worker and any other people who are involved.

Step 5

If no solution can be reached or you are unhappy with the outcome, you have the right to take your complaint to the relevant service General Manager, and a meeting will be arranged.

Step 6

The General Manager will carry out an investigation and on the basis of discussion with you and any other people involved will negotiate a further course of action.

Step 7

If you are still unhappy with the way the issue has been handled you are entitled to take your complaint to the Chief Executive Officer, who will consider the information and decide what should happen next.

Step 8

If you are unable to find a satisfactory solution to your complaint the following list of external bodies may be able to assist with mediation:

Child Safety Commissioner

Level 20
570 Bourke Street
Melbourne Vic 3000
Tel: 8601 5884
Fax: 8601 5877
email: childsafes@ocsc.vic.gov.au

Disability Services Commissioner

Level 3 / 456 Lonsdale St
Melbourne 3000
Ph: 1300 728 187 (local call)
TTY: 1300 726 563
Fax: (03) 9603 8310
web: www.odsc.vic.gov.au

Children's Services Advisor

Department of Human Services Southern Metropolitan Region
122 Thomas St (P.O. Box 692)
Dandenong 3175
Ph: 9213 2020

Dispute Settlement Centre Victoria

4/456 Lonsdale St
Melbourne VIC 3000
Tel: 03 9603 8370
Tel: 1800 658 528 (toll free for regional callers)
Email: dscv@justice.vic.gov.au

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(03) 9628 9900

Victorian Equal Opportunity and Human Rights Commissioner

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Tel: (03) 9281 7111 or 1800 134 142 (toll free)
Complaints Advice Line: Tel: (03) 9281 7100
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Office of the Public Advocate

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Melbourne 3000
Phone: (03) 9603 9500
Email: publicadvocate@justice.vic.gov.au

Australian National Disability Abuse and Neglect Hotline

(Provides advice and support for children with a disability using Government-funded services)
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Ombudsman Victoria

(An independent and impartial officer of the Victorian Parliament who investigates complaints about state government departments, most statutory authorities, community services and local government)
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Fax: 9614 0346
Toll free: 1800 806 314
Email: ombudsman@ombudsman.vic.gov.au
Web: www.ombudsman.vic.gov.au



COMPLAINTS FORM

To:

Manager, Disability Services/Kinship/Outreach/Home-Based Care/Family Services

Name: Age (if under 18 years):

Phone:..... . Mobile.....

Are you a: service user, friend, caregiver, guardian, member of the public, other (*please circle*)

Today's date:.....

Date of suggestion/complaint:

Has this suggestion or complaint been discussed yet? If yes, who with?

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What is the suggestion or complaint?

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Signature.....