

COMPLAINTS AND APPEALS BY SERVICE USERS

Policy number: P013		Date adopted: <i>20 April, 2010</i>	Version: 2
Authorised by: <i>Management Committee</i>			
Date last reviewed: <i>20.04.10</i>	Reviewed by: <i>Jarrah Finn</i> <i>Julie Shuttleworth</i>	Date of next review: <i>April 2011</i>	

Policy context: This policy relates to:	
Queensland Standards for Community Services	Standard 5 (Feedback and Complaints)
Other standards	
Legislation or other requirements	Community Services Act 2007

1. Purpose:

Dealing well with disputes, complaints and appeals helps the staff and management of Mackay Youth Support Services (MYSS) to maintain and improve service quality and ensure service users have their issues resolved. Complaints and appeals processes give service users a way of expressing any dissatisfaction with the service and of having their concern dealt with quickly and effectively. It also provides the opportunity to improve service delivery at MYSS. The procedures guide MYSS in responding appropriately, openly, transparently, ethically and fairly to all complaints and appeals by service users.

It is the intent of MYSS at all times to attempt resolution of disputes raised by service users before the situation escalates into a formal complaint.

For the purpose of this policy a “**dispute**” will refer to a disagreement, argument or difference of opinion about a situation or process, and a “**complaint**” will refer to a direct objection, grievance or accusation against a person(s) or process.

2. Scope

This policy will apply to all paid and unpaid staff, including students and Management Committee members, and all service users who use MYSS. Where a complaint occurs that involves a staff member or volunteer from another organisation while working on joint ventures with MYSS service users, the complaint shall be lodged with MYSS but referred to the responsible organisation for resolution.

All attempts will be made to resolve complaints within MYSS; however, all service users have the right to lodge a complaint or appeal with an external body if required for any reason. If a service user remains dissatisfied with the outcome of the complaints process, they have the right to appeal any decision they believe to be incorrect.

3. Policy statement: Our commitment

MYSS is committed to facilitating our service user’s right to make a complaint about the service, to appeal a decision that has been made that directly concerns them, and to ensure that their complaint or appeal is fairly assessed and responded to promptly.

Specifically, we will:

- *inform service users about the process involved in making a complaint, using either internal or external mechanisms*
- *ensure information is provided to service users about their right to have a support person or advocate available throughout the complaints process.*
- *ensure procedural fairness and that service users are not disadvantaged by making a complaint or appeal.*
- *deal with complaints or appeals in a timely and culturally appropriate way*
- *provide formal notification to the service user of the outcome of their complaint or appeal.*
- *consider documented outcomes of complaints or appeals when planning service improvements*
- *advise service users about their options for appealing a decision about the service they receive, taking into account all of the procedural issues required.*
- *ensure that all service users have demonstrated an informed understanding of the complaints and appeals process or engage specialist/culturally appropriate services that can assist.*
- *ensure that MYSS procedures comply with legislative requirements.*

4. Procedures

4.1 Information to Service users

All service users are informed of the MYSS complaints policy and process and their rights and responsibilities at the earliest possible stage of their involvement with our service.

Service users are provided with information about their right to make a complaint or to appeal a decision, and the procedures that will be followed if they do. This information is provided as follows:

- Advice about the right to make a complaint is included in the MYSS information brochure.
- At initial intake, all service users are advised of their rights and responsibilities when making a complaint or appealing a decision. This written information is also provided verbally by each individual staff member.
- This includes the right to make an informed decision about this process and the availability of support and advocate services.
- Where an informed decision is not able to be clearly demonstrated, MYSS will offer to arrange for a specialised or culturally appropriate service to assist.
- This information will be reinforced both in written format and verbally, at the time a service user first voices a complaint or disagrees with a decision that is made while using MYSS services.

4.2 Making a complaint or appeal

Service users may make a complaint by:

- Initial discussion with the staff member involved if this is appropriate, either verbally or in written form.
- If the dispute can be resolved at this time, no further action will be taken and the situation will be documented in the service user's file.
- If the dispute is unable to be resolved by the parties involved, the service user will be referred to the Manager who will attempt resolution at this stage.
- If the dispute is unable to be resolved, the Manager will advise the service user of the process for making a formal complaint.
- Once the complaint is received, either verbally or in written form, the service user is to be referred to the Manager.
- If the complaint is against the Manager, then the service user will be referred to the President or other nominated Management Committee member.
- Once a complaint is made, either verbally or in written form, the content of the complaint must be transferred to the Complaint By Service User Form.
- If the service user does not wish for the complaint to be dealt with internally, then the service user is to be referred to the Mackay Regional Service Centre of the relevant funding body.

Service Users may appeal a decision by:

- Lodging an initial intent to appeal a decision either verbally or in written form with the staff member involved if this is appropriate.
- Once intent to appeal is received, either verbally or in written form, the service user is to be referred to the Manager.
- If the appeal is against a decision made by the Manager, then the service user will be referred to the President or other nominated Management Committee member.

- Once intent to appeal is made, either verbally or in written form, the content of the appeal must be transferred to the Appeal Form.
- If the service user does not wish for the appeal to be dealt with internally, then the service user is referred to the Mackay Regional Service Centre of the relevant funding body.

4.3 *Stages in the internal complaint and appeals process:*

- Initial complaint or intent to appeal received from the service user.
- The Manager or Management Committee representative discusses the matter in detail with the service user and fills in a Complaint by Service Users or Appeal by Service Users Form.
- The Manager or Management Committee representative ascertains the level of informed decision making ability of the service user and may offer assistance from specialist/culturally appropriate services if and where appropriate.
- The Complaint or Appeal by Service Users Form is registered on the Complaints or Appeals by Service Users Register, whichever is appropriate.
- The respondent is notified of formal receipt of the complaint or appeal within three working days by the Manager or the Management Committee representative.
- The Manager or Management Committee representative will advise the service user at this time that the next stage is to bring all parties together to mediate a resolution of the matter.
- The Manager or Management Committee representative will further advise the service user at this time that they have the right to have a support person or advocate with them during this process.
- If a formal advocacy service is required, the Manager or Management Committee representative will assist the service user to access this service.
- The Manager or Management Committee representative will convene the mediation meeting within 10 working days formal notification or as soon as is reasonably possible.
- If the matter is resolved, then the complaint or appeal is closed and the outcome is recorded on the Complaints or Appeal by Service Users Register.
- Within two working days from the closure of the complaint or appeal, all parties are advised of the outcome in writing by the Manager or the Management Committee representative.
- If complaint or appeal is still unresolved, the service user will be offered the choice of a second internal resolution process through the Management Committee or the option of the complaint or appeal to be forwarded to the Mackay Regional Service Centre of the relevant funding body.
- All complaints and appeals received will be tabled at the next scheduled Management Committee meeting.

4.4 *Service Improvement*

MYSS uses information gathered from complaints and appeals to inform decision making and planning processes by:

- Ensuring that all service improvement recommendations resulting from a complaint or appeal is recorded on the appropriate registers.
- Discussion at staff meetings of service improvement recommendations recorded on the Complaints or Appeals by Service Users Registers.
- Tabling service improvement recommendations resulting from complaints or appeals received and/or resolved at each monthly Management Committee meeting.
- Evaluations of service improvements to be included in annual business planning.

5. Other related policies and procedures

Documents related to this policy	
Related policies	
Forms or other organisational documents	Appeals by Service Users Form Appeals by Service Users Register Complaints by Service Users Form Complaints by Service Users Register Dispute by Service Users Form Dispute by Service Users Register

6. Review processes

<p><u>Policy review frequency:</u> At least annually to commence in the month of February of each new calendar year. One standard area will be reviewed each month of this calendar year, excluding January of each year. Critical incidents will automatically initiate a review.</p>	<p><u>Responsibility for review:</u> MYSS Manager and Management Committee</p>
<p><u>Review process:</u> Reviews will be conducted by the Quality Management sub-group which will be comprised of the MYSS Manager and at least one other nominated Management Committee member as nominated when required. The Manager will be responsible for the inclusion of Service User and staff feedback information. The Management Committee representative/s will be responsible for ensuring that review information is presented to the Management Committee at each monthly meeting in a format that ensures expedient adoption of the Quality Management recommendations.</p>	
<p><u>Documentation and communication:</u> Policy decisions and changes will be documented and communicated through emails and memos, at weekly staff meetings and at monthly Management Committee meetings.</p>	