

## Complaints Policy

At Endeavour Foundation, our purpose is to make possibilities a reality for our customers and our people through having a professional, engaged, and flexible workforce that partners with people to aspire for more.



### 1.0 Purpose

Endeavour Foundation is committed to promptly acting on any complaints raised regarding the provisions of supports and services to people with disability.

To meet expectations around complaints management, staff should read this policy in conjunction with the **Complaints Management Procedure (QP 5402)**.

Endeavour Foundation will provide and maintain a complaints management system which enables any person to lodge a complaint without fear of retribution and facilitates a consistent and fair approach to complaint management and resolution. The complaints policy and procedure supports the protection of the rights and interests of any person with disability affected by issues raised in a complaint and ensuring Endeavour Foundation meets mandatory reporting obligations.

For the purposes of this policy, a '**complaint**' means an expression of dissatisfaction regarding Endeavour Foundation's supports, services, products or staff where a response or resolution is explicitly or implicitly expected, or legally required.

### 2.0 Scope

The Complaints Policy applies to all Endeavour Foundation employees, volunteers, contractors and Board members. Endeavour Foundation requires that each person employed or otherwise engaged by the organisation must comply with this policy and corresponding procedure where relevant.

Any person may submit a complaint to Endeavour Foundation regarding its provision of supports or services.

This procedure does not apply to grievances and disputes between staff, in those situations please refer to the **Grievance and Dispute Policy (QD 5274)**.

### 3.0 Policy Elements

#### 3.1 Staff Obligation

All staff must abide by Endeavour Foundation's complaints policy and procedure and must conduct themselves in a way which reflects the organisation's commitment to fostering a workplace culture that welcomes complaints and concerns regarding the provision of supports and services without reprisal. Staff must read and follow relevant procedures, including the **Complaints Management Procedure (QP 5402)** which sets out how a complaint (and any issues raised by the complaint) will be received and handled by the organisation.

Staff must pay attention to responsibilities designated to specific roles, as well as obligations owed in general. Staff will ensure they remain informed about Endeavour Foundations complaints management system- including how an individual may submit a complaint about Endeavour Foundation services and/or supports. All staff must ensure they are up to date with any training relating to this area.

All staff must make this policy and the **Complaints Management Procedure** available to any requesting party. Staff must also aid any person seeking assistance in submitting a complaint through

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Endeavour Foundations complaints management system and the NDIS Quality and Safeguards Commission.

Staff will refer to the ***Customer Safeguarding Incident Management Policy (QD 8001)*** and related procedures where the complaint includes any confirmed or suspected customer safeguarding incidents, e.g. abuse, neglect or exploitation of a customer with disability.

### 3.2 Accessibility and supporting individuals involved in a complaint

Endeavour Foundation is committed to maintaining an effective and easy to use complaints system that is accessible to any individual wishing to submit a complaint. The organisation requires that submissions are acknowledged, assessed and resolved in a fair, efficient and timely manner.

Staff will support individuals by welcoming feedback and assisting those who have raised issues to make a formal complaint. This extends to ensuring they inform the complainant of their right to make a submission to the NDIS Quality and Safeguards Commission.

Any customers with disability involved in or affected by a complaint will be supported through the process and offered referrals to advocacy services if necessary.

### 3.3 Frivolous or vexatious complaints

Endeavour Foundation recognises there may be instances where frivolous or vexatious complaints are made to the organisation. These complaints will not be dismissed without due consideration to ensure genuine issues are not overlooked. Determining whether a complaint is frivolous or vexatious will be made after assessment and collaboration with senior management from the point of service delivery. If necessary, advice will be provided to the complainant regarding this determination.

### 3.4 Best practice and continuous improvement

Endeavour Foundation is committed to providing best practice supports and services to customers and embracing an organisational culture of continuous improvements. The organisation will support and encourage customers, staff and any other persons, to raise concerns about customer safety and wellbeing, using both internal and external platforms.

Endeavour Foundation will utilise the complaints management system to help identify any reoccurring or systemic issues in the provision of supports or services. The complaints system will be used to respond to any gaps in safeguarding practices and help strengthen the effectiveness, transparency, accessibility and accountability of Endeavour Foundation systems.

The organisation will provide periodic reviews of this system as required by law.

### 3.5 Confidentiality

When dealing with complaints, information provided will be kept confidential and only disclosed if required by law or if disclosure is appropriate in the circumstances. Staff will not discuss details outside of the proper settings and will take care to ensure that any involved individual's right to privacy is upheld and respected. Staff will refer to the ***Privacy Policy (QD 5013)*** where needed.

### 3.6 Procedural Fairness

Throughout the complaints management process, Endeavour Foundation will work to ensure procedural fairness is upheld for any persons directly affected by or involved in the complaint. The obligation to ensure procedural fairness will be balanced against the need to ensure the safety of all those involved. What is required will be determined by the circumstances and the needs of any individuals affected. Where the incident involves a criminal matter, the directions of the police or any other lawful authority will override the requirements of this section.

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### 3.7 Protection provisions

Endeavour Foundation is committed to ensuring that complainants and any person(s) with disability affected by an issue raised in a complaint, are not adversely affected as a result of the complaint being made. Staff will never tolerate or engage in any form of retaliation, including harassment, discrimination, threats or victimisation against any party who has raised a complaint or a person with disability affected by the issues raised in a complaint. Any confirmed or suspected adverse treatment should be reported immediately.

Staff will refer to the **Code of Conduct (QD 5001)**, **Workplace Harassment & Bullying Prevention Policy (QD 5257)** and/or the **Whistleblower Policy (QD 5017)** where necessary.

### 3.8 Mandatory reporting

Staff interacting with the complaints management system or staff delegated mandatory reporting duties, will adhere to the duty to refer complaints to relevant authorities where necessary. This includes referring the matter to the police, NDIS Quality and Safeguards Commission or child protection agencies etc.

### 3.9 Record keeping and training

Staff will ensure relevant record keeping requirements per state and national regulations are upheld. Records of complaints received, actions taken in response to the complaint and the outcome of these actions must kept for a minimum of 7 years from the date the record is made.

Endeavour Foundation maintains an electronic complaints management system, the organisation and all relevant staff will ensure that complaints submitted are documented and kept in accordance with state and national requirements.

All staff will ensure they are up to date with any training relating to complaints reporting and complaints management relevant to their position.

### 3.10 Governance of Complaints

Endeavour Foundation has established a dedicated Customer Practice and Safeguarding Team which is independent of Service Delivery to monitor and govern customer related complaints (including mandatory reporting to external authorities).

The Client Services Committee (Endeavour Foundation Board sub-committee) takes an active role in reviewing customer complaint data and the quality control of customer complaint management at a local and systemic level. Refer to the **Client Services Committee Charter**.

## 4.0 Failure to comply with requirements

Endeavour Foundation recognises that maintaining an effective complaints management system is an important part of meeting the conditions of NDIS registration, and of ensuring the organisation consistently provides high-quality supports and services to people with disability. Breaching or failing to adhere to the provisions and expectations of the complaints policy and procedure- whether by act or omission- may result in disciplinary actions. Such actions could include termination of employment per the **Code of Conduct (QD 5001)**, **Managing Unsatisfactory Performance Disciplinary Procedure (QP 5249)** and **Termination Procedure (QP 5249)**.

In addition, engaging in or tolerating certain acts may result in the conduct being reported to external authorities, including the NDIS Quality and Safeguards Commission.

Where there is any confusion over how to meet the obligations contained in organisational policy and procedure, Staff should contact their local area manager or the Endeavour Foundation Hotline (Ph: 1300 730 003).

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### 5.0 Related policies and references

#### Policies

- Code of Conduct (QD 5001)
- Customer Safeguarding Incident Policy (QD 8001)
- Grievance and Dispute Policy (QD 5274)
- Privacy Policy (QD 5013)
- Termination Policy (QD 5275)
- Whistleblower Policy (QD 5017)
- Workplace Harassment & Bullying Prevention Policy (QD 5257)

#### Procedures

- Customer Safeguarding Incident Procedure (QP 8001)
- Complaints Management Procedure (QP 5402)
- Managing Unsatisfactory or Substandard Performance and Disciplinary Procedure (QP 5249)
- Termination Procedure (QP 5275)

#### Other

- Complaints Form (QF 5402.01)
- Customer Complaint Management Tool (QF 2200.01)
- Client Services Committee Charter

#### External Documents

- Effective Complaint Handling Guidelines for NDIS Providers, *NDIS Quality and Safeguards Commission* (2018)
- National Disability Insurance Scheme Act 2013 (Cth)
- National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018
- National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018
- National Disability Insurance Scheme (Procedural Fairness) Guidelines 2018

### 6.0 Definitions

See *Complaints Procedure (QP 5402)* for definitions

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### 7.0 Document History

Custodian	Head of Customer Practice & Safeguarding
Department	People & Culture
Risk Rating	TBA
Compliance evaluation and audit	This document will be reviewed for compliance as needed per any legislative and/or policy changes, or at the discretion of Endeavour Foundation authorities.
Replaces document/s	Existing Document
Previous issue date/s	December 2016
Key Stakeholders	<p>Endeavour Foundation Board</p> <p>Risk and Audit Committee</p> <p>Executive General-Manager People and Culture</p> <p>Executive General-Manager Service Delivery</p> <p>Head of People Experience</p> <p>Senior People Experience Partners</p> <p>Customer Practice and Safeguarding Lead</p> <p>Workplace Health and Safety Lead</p> <p>Internal Communications Lead</p> <p>Internal Auditor</p>
Communication Strategy	Operations Update
Key Words	complaints; concerns; NDIS Commission; quality; safeguarding; safeguards; abuse; neglect; exploitation; feedback; complaints management system; mandatory reporting.