



FACS Community Complaints Policy for Ageing and Disability Direct Services

Summary: This policy is designed to outline the principles FACS uses when handling community complaints for Ageing and Disability Direct Services.



Document approval

The *FACS Community Complaints Policy for Ageing and Disability Direct Services (Revised December 2015)* has been endorsed and approved by:

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1 Purpose of policy

1.1 Purpose

The NSW Department of Family and Community Services (FACS) is committed to providing services which enable people to achieve outcomes that reflect their needs, strengths and goals.

The *FACS Community Complaints Policy for Ageing and Disability Direct Services (Revised December 2015)* (Policy) is designed to ensure that complaints received by FACS are:

- treated in a fair and just manner, and
- managed and finalised with an outcome in line with legislation, other FACS policies and service commitments.

1.2 Background and policy links

This Policy:

- provides guiding principles to help with decision making on how ADHC intends to handle and address incoming community complaints,
- is supported by the *FACS Community Complaints Guidelines for Ageing and Disability Direct Services (Revised December 2015)* (Guidelines) which provides the practical consistent approach to the complaints management process, and
- supports the *FACS Service Charter* (Charter) ensuring we respond to complaints about a breach of the Charter or any other issue.

2 Definitions

The table below is a list of terms and keywords used throughout this document.

Term	Definition
Ageing and disability direct services	Ageing and disability direct services funded and provided by FACS. This includes accommodation, respite, day program services, drop-in services, case management and delivery of other professional services. This excludes services that are not provided directly by FACS e.g. FACS funded but not provided by FACS.
Complaint	A complaint is an expression of dissatisfaction made to ageing and disability direct services that is service related. A complaint can also be about the complaint handling process itself for which a response or resolution is explicitly or implicitly expected and is further described under Section 3.1 of this document.

Term	Definition
Complainant	A person, organisation, its representative, or an advocate making a complaint. A complainant may choose to remain anonymous.
Community	Refers to: <ul style="list-style-type: none"> • people who are in direct receipt of a FACS ageing or disability direct service, • carers, family and friends of a client, • advocates for a person receiving a FACS ageing or disability direct service, • members of the general public, • Minister's Office or members of Parliament, and • external agencies such as NSW Ombudsman, Independent Commission Against Corruption (ICAC) etc.
Concern - does not meet the definition of a complaint.	Relates to a question regarding how FACS ageing or disability direct service might be affecting client/carers, however a response is not sought. A response may not be provided.
Enquiry - does not meet the definition of a complaint.	Relates to requests for service and/or information.
FACS Service Charter	The <i>FACS Service Charter</i> outlines our service commitments to the people we serve and sets out what we need from our clients to be able to provide the best service and helps staff understand our service commitments when working with clients, no matter what area of the department. The Charter applies equally to all staff no matter where you work in FACS.
Feedback - does not meet the definition of a complaint.	Relates to a constructive comment that can be positive or negative regarding services provided by FACS. Information may be documented for consideration in service enhancement, in some instances a response may not be deemed necessary by FACS. Feedback which is considered to be of a serious nature may be investigated, however a response may not be provided.
Outcome	The resolution of a complaint. The resolution may or may not meet the expectations or requirements of the complainant. The outcome should be fair and just, and in line with this Policy.

3 Scope and application

This Policy should be read in conjunction with the associated Guidelines which have been developed to support a structured, consistent and transparent approach.

All relevant FACS employees (ongoing, temporary, casual, contractors and volunteers) are required to respond to community complaints. The response must be in accordance with the principles outlined in this Policy and processes outlined within the Guidelines. For the purposes of this Policy the following are excluded from the scope of this Policy and they have another specific management process, such as:

- staff grievances
- staff concerns about a client's welfare
- appeals¹ against a decision made about eligibility to receive services,
- complaints from funded or licensed service providers regarding its contractual arrangements with FACS or complaints about funded or licensed service providers
- feedback and/or criticism for which a response is not expected
- incident
- fraud and corruption
- abuse and negligence
- protected disclosures and
- requests for service or information.

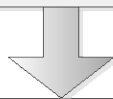
The Guidelines provide an 'additional considerations' section for further information.

3.1 Types of complaints and complainants for the purpose of this Policy

Community Complainants

A complainant can be any of the following members of the community, such as:

- people in receipt of an ageing and disability direct service from FACS,
- carers, family and friends of a client
- advocates for people receiving FACS services
- members of the general public
- Minister's Office or members of Parliament or
- external agencies such as NSW Ombudsman, Independent Commission Against Corruption (ICAC) etc.



Complaint Types

A complaint is an expression of dissatisfaction made to FACS from a member of the community and can be in relation to:

- service delivery
- service access
- privacy
- policy or
- staff issues e.g. performance, behaviour, attitude.

¹ For the purpose of this document, appeals are requests for a review of a decision.

4 Legislation

FACS operates in a legislative and regulatory environment. This Policy has been developed to be used in conjunction with the following legislation and will be used when managing and responding to community complaints:

- *Boarding Houses Act 2012 (NSW)*
- *Carers (Recognition) Act 2010 (NSW)*
- *Community Services (Complaints, Review and Monitoring) Act 1993 (NSW)*
- *Community Welfare Act 1987 (NSW)*
- *Disability Inclusion Act 2014 (NSW)*
- *Health Records and Information Privacy Act 2002 (NSW)*
- *Home Care Service Act 1988 (NSW)*
- *National Disability Agreement 2013*
- *National Disability Insurance Scheme (NSW Enabling) Act 2013 (NSW)*
- *New South Wales Government Disability Policy Framework*
- *Ombudsman Act 1974 (NSW)*
- *Privacy and Personal Information Protection Act 1998 (NSW)*
- *Public Interest Disclosures Act 1994 (NSW)*

5 Policy statement

5.1 Objectives

The Policy ensures:

- complaints received are managed and addressed in a fair and just manner
- the approach supports the principles of FACS's person-centred approach,
- a consistent approach for employees to clearly understand their roles and responsibilities in relation to responding to complaints about ageing and disability direct services as outlined in this Policy
- service delivery is enhanced by utilising complaints data and information gathered across FACS to inform strategic decision making
- for Aboriginal people, it is important staff offer support and advice to find an appropriate service, and/or ascertain whether they would prefer to talk to an Aboriginal person in relation to the complaint
- cultural considerations and understanding is vital and undertaken
- FACS complies with all legislative requirements as outlined in this Policy including external stakeholder bodies (e.g. NSW Ombudsman) and
- both the Policy and Guidelines are aligned with the corporate and district management structure.

5.2 Key Risks

The key risks associated with community complaints include:

- unfair or unjust outcomes received by complainants
- FACS employees are unclear on how to respond to complaints received
- inconsistent approach to recording, responding to and managing complaints
- complaints information and data does not inform decision-making or is not used to improve service delivery and
- non-compliance with legislative, legal and policy requirements.

5.3 Policy Principles

The effective management of complaints is critical to service delivery and improvement. It provides FACS with an opportunity to address the concerns and issues of complainants in a fair and just manner and creates an environment of accountability and transparency in ageing and disability service delivery.

Commitment	Policy Principles
Visibility and Access	Both the Policy and Guidelines are available and accessible to everyone.
Responsiveness	Complaints are managed in a timely manner and are treated fairly.
Service improvement	All management should review complaints to identify any recurring or systemic issues.
Data collection	All complaints should be recorded in a timely manner.
Privacy	<ul style="list-style-type: none"> • For the purposes of addressing the complaint, the complainant should be actively protected from disclosure. • Personal identifiable information concerning the complainant is collected in a way that complies with privacy legislation.
Accountability	Complaints management is part of the everyday role of all staff.
Review processes will be available	Internal and external review processes will be available if complainants are dissatisfied with the initial response to their complaint.
Assistance	Support and assistance is offered to a complainant in the most appropriate format when they make a complaint e.g. interpreters and/or translators, advocates/ support people etc.
Costs	Complainants should be informed if there are any costs involved in any outcome options.
Anonymity	FACS will also accept anonymous complaints and investigate these as far as possible.

6 Roles and responsibilities

The ADHC Deputy Secretary is the sponsor of the FACS Community Complaints Policy for Ageing and Disability Direct Services. In fulfilling these responsibilities the Deputy Secretaries and relevant Executives will seek to delegate some tasks to other FACS employees.

Role	Responsibility under this Policy
<ul style="list-style-type: none"> • ADHC Deputy Secretary • Operations Executives 	<ul style="list-style-type: none"> • Ensures community complaints management objectives and processes are established within FACS for ageing and disability direct services. • Ensures an effective complaint management system is developed and in place for FACS staff to implement. • Promotes and encourages an environment where complaints are handled seriously, thoroughly and confidentially. • Supports and promotes through leadership a commitment to manage complaints to all internal and external stakeholders in line with this Policy and the associated Guidelines. • Where necessary, supports and ensures information about FACS complaints management process is communicated to complainants, and where applicable other parties directly concerned in an easily accessible and culturally appropriate manner. • Supports the training of relevant staff to manage complaints to enhance service delivery across FACS. • Ensures mechanisms are in place for FACS to comply with its legislative and policy requirements in relation to complaints management. • Enforces regular review and reporting on the complaints management reporting, including reviewing trends and sharing ideas/solutions. • Committed to monitoring the effectiveness of the complaints management process and reporting any refinements required.
<ul style="list-style-type: none"> • District Directors • Director Disability and Home Care Services 	<ul style="list-style-type: none"> • Ensures the promotion and awareness of the Policy and complaints management process in their District. • Encourages an environment where complaints are handled seriously, effectively and confidentially. • Ensures relevant FACS employees are aware of their roles and responsibilities in relation to complaints management. • Identifies and allocates the resources needed for an effective complaints management process, including the training of designated staff. • In line with this Policy and the associated Guidelines ensures: <ul style="list-style-type: none"> ○ complaints are managed, and

Role	Responsibility under this Policy
	<ul style="list-style-type: none"> ○ an aligned and appropriate escalation process exists within their area of responsibility. ● Periodically reviews complaints reports to further enhance service delivery and address common themes or systemic issues arising in their district. ● Manages requests for internal reviews from complainants. ● Ensures that relevant FACS employees refer the complainant to external bodies, such as the NSW Ombudsman if the complainant is not satisfied with FACS's response and an internal review (if applicable) has been performed.
<ul style="list-style-type: none"> ● Managers 	<ul style="list-style-type: none"> ● Ensures that the <i>FACS Service Charter</i> is available to the people we support e.g. copies are provided or discussions at client house meetings. ● Ensures that staff are aware of this Policy and the associated Guidelines and encourages an environment where complaints are handled seriously, effectively and confidentially. ● Ensures that complaints are managed within their areas of responsibility which complies with this Policy and the associated Guidelines and specific escalation procedures. ● Has sufficient clarity of roles, responsibilities and accountabilities to enable complaints to be managed effectively and efficiently. ● Undertakes investigations of complaints, assisting in the development of fair and just outcomes and drafting responses as required. ● Ensures that staff are aware of their responsibilities in relation to the complaint management process and where to find further information. ● Escalates and documents complaints in line with this Policy, the associated Guidelines and specific complaint escalation procedures. ● Ensures that complaints and other matters of significance identified during every day activities are reported, captured in the Client Information System (CIS) and escalated on a timely basis.
<ul style="list-style-type: none"> ● Staff 	<ul style="list-style-type: none"> ● Ensures that staff understand and follow this Policy and associated Guidelines. ● Manages complaints received within their designated role, responsibilities and accountabilities. ● Reports and escalates complaints in line with this Policy and the associated Guidelines and specific district escalation procedures. ● Records all complaints in CIS, including complaints which have been resolved at the point of service, in

Role	Responsibility under this Policy
	line with this Policy and associated Guidelines and specific district escalation procedures.

7 Monitoring, evaluation and review

It is the responsibility of the Strategic Change Directorate to monitor and update this Policy and the associated Guidelines as required. At a minimum, these documents should be reviewed annually or when any significant new information, legislative or organisational change warrants amendments.

7.1 Corporate Governance and Performance Directorate

The Corporate Governance and Performance Directorate will be responsible for monitoring the complaints process across FACS. Their main responsibilities include establishing a process for performance monitoring, evaluation and reporting of the complaints management process.

8 Support and advice

A complaint can be received:

- in written form (Complaint Form, letter, email, online, etc.) via:
 - email to servicembx@facs.nsw.gov.au
 - online at www.adhc.nsw.gov.au Home > Contact us > Make a comment, enquiry, complaint or compliment
 - post to Locked Bag 10, Strawberry Hills NSW 2012
- verbally in person or by telephone (02) 9377 6000.

For further information or suggested improvements to this Policy, please contact the Strategic Change Directorate via email at: ADHC.AllocationsOCE@facs.nsw.gov.au.

If you are reviewing a printed version of this document, please refer to the Intranet to confirm that you are reviewing the most recent version of the policy. Following any subsequent reviews and approval this policy will be uploaded to the internet and/or intranet and all previous versions removed.

9 Resources

- [FACS Community Complaints Policy for Ageing and Disability Direct Services \(Revised December 2015\)](#)
- [FACS Community Complaints Guidelines for Ageing and Disability Direct Services \(Revised December 2015\)](#)
- [Self-Paced Learning Pack - FACS Community Complaints Policy for Ageing and Disability Direct Services \(Learning Pack\)](#)
- [Information Sheet - FACS Community Complaints Policy for Ageing and Disability Direct Services](#)
- [FACS Service Charter](#)