

COMPLAINTS AND FEEDBACK

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations values complaints and feedback from people with disability, families, carers, service providers, staff, contractors, volunteers and regulators to ensure people are treated fairly when they use our services, or work for Mypower Foundations.

Complaints and feedback are an important source of information and are used to improve our services wherever possible.

This policy supports Mypower Foundations applying the National Standards for Disability Services, in particular Standard 4: Feedback and Complaints, and complies with the requirements under the National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018

This policy applies to all staff and managers. This policy is owned by the Director.

Definitions

Allegation – a claim that an illegal act has occurred. Allegations are always investigated and sometimes an external authority undertakes the investigation such as the police.

Concern – a notification that a person is worried that something is not working, has gone wrong or is otherwise not as it should be.

Complaint – formal advice that an incident has occurred, something is not working the way it should, something is inappropriate, or someone is at risk. A serious incident process is required for legal and contractual purposes when a complaint is about a serious incident.

Participant – A person with disability who wishes to participate in the NDIS, and who has been first be assessed against the access requirements. NDIS participants should be aware of how to access information about the planning process, supported to actively make decisions about their supports and to work with providers to successfully manage their plan.

Procedure

- In line with the NSW Disability Services Standards, Mypower Foundations promotes and respects the legal and human right that is exercised with Feedback and Complaints. Mypower Foundations endeavours to provide support that upholds and respects the freedom of expression, self-determination and decision-making.
- This procedure supports Mypower Foundations management, staff and contractors to practice and uphold the NDIS Practice Standard 1: Rights and Responsibilities.
- Complaints can be received verbally, in writing (by completing the Feedback Form) or in other way that suits the person making the complaint. Families, carers and advocates can also complain on behalf of the person with disability that they support.
- The Director, or person the Director delegates will be notified about the complaint and will be provided with the Feedback Form (if it has been completed).
- The Director, or person the Director delegates will contact the person lodging the complaint within two working days to discuss the matter. Details of the complaint and any response will be documented. The Director and relevant staff will work with the person lodging the complaint to identify desirable outcomes in an effort to resolve the complaint within three weeks.
- If the complaint is against a staff member, contractor or volunteer, that person will not have contact with the complainant while the complaint is resolved if that is the client's or the family's preference. A person making a complaint will not be disadvantaged for doing so. Their supports will continue where possible. If they choose to engage a different provider all reasonable steps will be taken to ensure that another appropriate provider is identified and support to transition services will be provided if requested.
- Clients, staff, contractors and volunteers will be informed of their right to complain and how to complain when they first engage this service.
- The utmost confidentiality regarding all complaints and the details of complainants will be upheld. Mypower Foundations will respect and protect privacy, ensuring that any information shared in the context of a complaint will remain private and confidential, and will be retained by periods required in line with any legal requirements and for internal review purposes. We prioritize creating a secure environment where individuals feel safe and supported in coming forward with their concerns.
- Clients, staff, contractors and volunteers will be regularly invited to provide feedback about the supports they are receiving.
- Clients, staff, contractors and volunteers will be informed as to how to make a complaint anonymously.
- Anonymous complaints will be valued as crucial feedback. While anonymity may limit Mypower Foundation's ability to investigate or respond directly to the individual, all anonymous complaints will be thoroughly assessed, and appropriate actions based on the information

provided. Findings will be incorporated our ongoing improvement efforts. Every complaint is an opportunity for growth, and anonymity will never diminish our commitment to enhancing our services.

- All complaints will be received and treated with respect.
- Every effort to resolve the complaint will be undertaken.
- The Complainant or their representative will be appropriately involved in the resolution of the complaint.
- Complaints will be managed in a timely way.
- The Complainant or their representative will be kept informed of progress of the complaint and proposed resolution.
- Clients will be provided with the contact details of the NDIS Commission.
- In the instance a complaint cannot be resolved internally, an external mediator or ombudsman will be nominated to assist with the resolution with the complainants permission.
- The Complainant or their representative will be supported to make a complaint wherever needed.
- Supports will not be discontinued if a client makes a complaint unless at the request of the client.
- Support will be provided to a client who wishes to find an alternative provider.
- Everyone has the right to complain and provide feedback.
- Complaints processes should be sensitive to any cultural requirements.
- Robust complaints processes and systems are an important part of quality service management and help safeguard people with disability.
- Complaints identify risks to people with disability but also visitors and staff and support Mypower Foundations meet its occupational health and safety obligations.
- Complaints identify opportunities for Mypower Foundations to continuously improve its services.
- All team members will collect feedback as they complete their duties and deliver this information to the Director.
- All team members will be informed of the expectations of the NDIS complaints, management and resolution rules.
- All team members will follow the processes when managing or making complaints.
- Management is responsible for ensuring any and all staff, contractors and volunteers are trained as to the relevant Complaints Management System.
- Where there is an incident or accident involving a child, the parent will be notified immediately by the worker and all due processes will be followed.
- The manager will contact police where there is an allegation of a criminal offence, and/or in the matter of mandatory reporting regarding a child, all relevant authorities.
- At least twice a year the Director will analyse complaints data to determine service gaps, issues or trends in practice, procedures or

policies that need to be amended to better safeguard people accessing services and improve services.

Responsibility

All staff, contractors and volunteers are responsible for the implementation of the complaints procedure. This includes encouraging and supporting people accessing Mypower Foundation's services to raise any concerns or complaints they have on any issue.

Management is responsible for ensuring complaints are recorded and actioned.

Management is responsible for communicating with people with disability, family, carers and other key stakeholders during a complaints process.

Relevant Legislation and Policies

- Carers' Recognition Act 2010
- Privacy Act 1988
- Privacy and Personal Information Protection Act 1998 (NSW)
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- NSW Anti-Discrimination Act 1977
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities