



SHAR-SERV-POL-03

COMPLAINTS AND APPEALS POLICY

1. Introduction

- 1.1. The Complaints and Appeals Policy of Northside Community Service Ltd (Northside) ensures that relevant parties understand their rights and responsibilities when making complaints or appeals at Northside.
- 1.2. This policy ensures that employees and other stakeholders understand their roles and responsibilities when dealing with complaints or appeals at Northside.

2. Purpose

- 2.1. This policy aims to ensure that all complaints and appeals are investigated in a thorough, transparent, fair, sensitive, and objective manner.

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- 2.2. This policy outlines the processes and principles that Northside hold when dealing with complaints and appeals.

3. Scope

- 3.1. This policy applies to all Northside stakeholders including volunteers, employees, contractors, sub-contractors and consultants employed by Northside, apprentices or trainees, students gaining work experience, and volunteers, whilst they are on Northside property or engaged in Northside business.
- 3.2. This policy applies to all service users, including clients, family members, carers and authorised contacts nominated by the client or legally appointed Enduring Power of Attorney (EPOA). This procedure also extends to their visitors and/or guests.

4. Policy Statements

4.1. Complaints and Appeals

- 4.1.1. A complaint focuses on the way that Northside delivers its services, while appeals are concerned with decisions that Northside makes in the delivery of those services. Both can be informal or formal.
- 4.1.2. To ensure the right to a fair process Northside will ensure:
- 4.1.2.1. Complaints about employees will not be reviewed by the employee who is the subject of the complaint, but will be reviewed by a more senior employee; and
 - 4.1.2.2. Appeals are reviewed and responded to by employees that are senior to, and separate from, the employee involved in the decision being appealed.
- 4.1.3. To promote each individual's rights and best practices in complaint handling, complaints can be escalated to an external body. For more information see section 4.6 of this policy.

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4.1.4. Unreasonable or vexatious complaints will be managed as per the guidelines outlined in this **Policy** and may be referred to a Third Legal Party for management.

4.2. Open Disclosure and other principles in managing complaints

4.2.1. Northside adopts the Australian Open Disclosure Framework principles in managing complaints. This includes the following:

- 4.2.1.1.1. Being open and timely in responding;
- 4.2.1.1.2. Acknowledge complainant;
- 4.2.1.1.3. Assess the complaint;
- 4.2.1.1.4. Respond to the complaint;
- 4.2.1.1.5. Follow up after the resolution is determined;
- 4.2.1.1.6. Consider and evaluate the outcomes.

4.2.2. In the event things go wrong in the provision of care and services to a client (including adverse events or incidents) Northside will communicate and provide information in a timely, open and honest manner. Northside provide ongoing information until the complaint or issue is resolved.

4.3. How to lodge a complaint or appeal

4.3.1. Complaints or appeals can be:

- 4.3.1.1. Submitted by clients, representatives, support services, and other stakeholders.
Anonymous complaints will be accepted and investigated, although only complaints with contact details can be responded to;
- 4.3.1.2. Submitted in writing;
- 4.3.1.3. Received by all Northside employees.

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- 4.3.2. On receipt of a complaint, employees will discuss the issue with the complainant in a respectful manner and make an effort to address the complainant’s concerns at the time, depending on the nature of the complaint.
- 4.3.3. All complaints and appeals will be logged internally via Northside’s’ incident notification form.
- 4.3.4. Not all decisions are appealable. When an appeal is lodged, the appellant will receive a written notice from Northside regarding the appealability.
- 4.3.5. If the complainant is not satisfied with the outcome at this point, or if they prefer to make a formal complaint in the first instance, the employee will escalate the complaint to a Northside senior employee. The nature of the complaint will then be assessed, and a manager will be assigned to:
 - 4.3.5.1. Acknowledge the complaint or appeal in writing by a Northside representative.
 - 4.3.5.2. Investigate the issue thoroughly and impartially;
 - 4.3.5.3. Meet as required with the complainant and any witnesses or third parties; and
 - 4.3.5.4. Communicate with the complainant to advise of the outcome.

4.4. Responding to a complaint or appeal

- 4.4.1. The complaint or appeal will be escalated to a Northside Manager/ Supervisor and the General Manager of Compliance & Quality for review and advice.
- 4.4.2. The complainant will be offered an opportunity to meet with a Northside representative in person to discuss the details of their complaint or appeal. The complainant will be encouraged to have a support person present throughout the duration of the meeting.
- 4.4.3. A response and/or outcome regarding the complaint or appeal will be communicated to the complainant by a Northside representative.

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- 4.4.4. The response and/or outcome of the complaint or appeal will be documented and stored securely.
- 4.4.5. If the complainant/appellant is still dissatisfied at the end of the formal Northside complaint/appeals process, Northside will advise them on the options available to have the appeal reviewed externally. **For more information, see section 4.6**

4.5. Notifiable Events

- 4.5.1. Under the Regulatory requirements, Northside is required to report certain types of complaints to relevant regulatory authorities. Northside will determine whether the complaint or appeal is a notifiable event and report accordingly. For more information please see:
- 4.5.1.1. **Early Childhood Notifiable Events Procedure**
 - 4.5.1.2. **Client Services Notifiable Events Procedure**
 - 4.5.1.3. **Aged Care Notifiable Events Procedure**

4.6. External Supports

- 4.6.1. For some Northside services or types of complaints, you may be able to make a complaint to an external body, if you are not happy with the response or outcome you have received from Northside. Other options for complaints include:
- 4.6.1.1. **Office of the Australian Information Commissioner:** If you think that Northside has mishandled personal information, you can lodge a written complaint with the Office of the Australian Information Commissioner. www.oaic.gov.au/privacy/privacy-complaints/lodge-a-privacy-complaint-with-us/
 - 4.6.1.2. **ACT Human Rights Commission:** The Commission includes the Public Advocate & Children and Young People Commissioner and the Discrimination, Health Services, Disability and Community Services Commissioner. You can contact the Commission by

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phone 6205 2222, email (human.rights@act.gov.au) or through their website www.hrc.act.gov.au.

- 4.6.1.3. **Community Services Directorate:** The Directorate funds a number of organisations to provide services on its behalf. Concerns or complaints should generally be referred to the service provider but can be escalated via mail, phone, email or face-to-face. For more information contact via phone 133472 or visit their website [Compliments, Feedback & Complaints - Community Services \(act.gov.au\)](#)
- 4.6.1.4. **ACT Civil & Administrative Tribunal (ACAT):** An independent body that hears and determines a range of cases and disputes. For more information visit their website [Home - ACAT \(act.gov.au\)](#)
- 4.6.1.5. **Children’s Education and Care Assurance (CECA):** The ACT Regulatory Authority, Children’s Education and Care Assurance (CECA), can receive complaints about education and care services operating in the ACT. You can contact CECA by phone 6207 1114 or email (complaintsCECA@act.gov.au).
- 4.6.1.6. **Aged Care Quality and Safety Commission (ACQSC):** If you have a concern or complaint that you have not been able to resolve by talking with us, the Aged Care Quality and Safety Commission (the Commission) can support you with information and options. You can contact the Commission on 1800 951 822 or via their website: <https://www.agedcarequality.gov.au/making-complaint/complaints-process>
- 4.6.1.7. **National Regulatory System for Community Housing (NRSCH):** If you have a complaint or are dissatisfied with the standard or type of service provided by a registered community housing provider a complaint may be lodged online with the Registrar via [NRSCH Form - Using the online form](#)

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- 4.6.1.8. **Translating and Interpreting Service (TIS National):** People who have difficulty speaking or understanding English can contact Translating and Interpreting Service (TIS National) via 131 450
- 4.6.1.9. **Human Services Registrar:** help community care and protection service providers and disability service providers understand and follow ACT laws. Phone (02) 62075474 or email quality@act.gov.au

4.7. Service Improvement

- 4.7.1. Northside will actively use the knowledge gained through its complaints and appeals process to improve services.
 - 4.7.1.1. Northside will engage in an effective complaint handling process which is fair, accessible, responsive, effective and contributes to ongoing quality improvement in service delivery.
- 4.7.2. Northside is committed to continuous quality improvement, to ensure that high quality services and support are provided to those engaged with Northside. Northside will ensure effective management of complaints and appeals by:
 - 4.7.2.1. Ensuring that the dignity of individuals is recognised and respected throughout complaint and appeal processes.
 - 4.7.2.2. Respecting and upholding the privacy and confidentiality of individuals who wish to complain, or lodge appeals wherever possible.

4.8. Record Keeping

- 4.8.1. All Complaints and Appeals will be lodged internally via the incident reporting system.
- 4.8.2. Complaints and appeals registers will be maintained by a Northside representative to ensure accurate management and record keeping.
- 4.8.3. Northside employees will ensure that accurate records are kept including:

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- 4.8.3.1. The appeal or complaint lodged;
- 4.8.3.2. Information about the complaint or appeal, including notes taken during interviews;
and;
- 4.8.3.3. The response to the complaint or appeal.

4.8.4. If the complainant is receiving a Northside service, all documentation will be kept within their record.

4.9. Privacy and Confidentiality

4.9.1. The complaints and appeals process, including identifying information pertaining to the complaint or appeal, will be managed in accordance with the Northside **Privacy and Confidentiality Policy**.

5. Associated Northside Forms & Documents

5.1. Associated Northside Documents

- 5.1.1. **Feedback Form**
- 5.1.2. **Service User Code of Conduct**
- 5.1.3. **Privacy and Confidentiality Policy**
- 5.1.4. **Grievance Policy**
- 5.1.5. **Early Childhood Notifiable Events Procedure**
- 5.1.6. **Client Services Notifiable Events Procedure**
- 5.1.7. **Aged Care Notifiable Events Procedure**

5.2. Additional Associated Documents

- 5.2.1. [Children’s Education and Care Assurance \(CECA\)](#)
- 5.2.2. [Australian Children’s Education and Care Quality Authority \(ACECQA\);](#)
- 5.2.3. [ACI: Aged Care Quality and Safety Commission \(ACQSC\);](#)
- 5.2.4. [Housing: National Regulatory System Community Housing \(NRSCH\);](#)
- 5.2.5. [Youth and Engagement: ACT Community Services.](#)

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5.2.6. [Open Disclosure Framework](#)

6. Definitions

- 6.1. **Northside:** Northside Community Service, including all Services operated by both Community Services and Children’s Services business units.
- 6.2. **Employee:** means the employees of Northside, and contractors, sub-contractors and consultants employed by Northside, apprentice or trainee, student gaining work experience, and volunteer, whilst they are on Northside property or engaged on Northside business.
- 6.3. **Client/s:** is/are the person receiving Northside services in any program areas, including children’s services, Aged Care and Inclusion, Housing, Youth and Engagement, and other shared program areas.
- 6.4. **Appeal:** is an expression of dissatisfaction requested by a tenant, applicant, or their representative for a review of a decision made by Northside.
- 6.5. **Appellant:** is the person appealing or whom the appeal is being made on behalf of.
- 6.6. **Complaint:** is an expression of dissatisfaction made by tenant, applicant, stakeholder or their representative with the services provided by Northside. Reasons for complaints might include but not limited to:
 - 6.6.1. Inappropriate behaviour by Northside employee;
 - 6.6.2. Northside employee not following the Policy;
 - 6.6.3. Poor delivery of service from Northside employee such as not returning phone calls, not recording changes in circumstances, or not sending out appropriate forms;
 - 6.6.4. Fail to provide a service or an aspect of a service;
 - 6.6.5. Provide an inconsistent or inaccurate service such as responding differently in different circumstances or providing incorrect advice on Northside Policy.
- 6.7. **Complainant:** is the person who makes the complaint.

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- 6.8. **External Appeals and Complaints:** are the appeals or complaints made against Northside decisions to an external agency with powers to review that decision, including referrals to external bodies when complainants are dissatisfied with Northside’s response.
- 6.9. **Formal Appeals and Complaints:** are appeals or complaints made against Northside decisions that require formal investigation and response by Northside.
- 6.10. **Informal Appeals and Complaints:** are minor appeals or complaints that can be managed directly and promptly by suitably trained employee in an informal manner.
- 6.11. **Notifiable Events:** are the certain events or incidents that damage, or have the potential to damage, the reputation of the sector and cause harm to those involved.
- 6.12. **Representative:** is the person assisting an applicant or tenant or acting on behalf of an applicant or tenant, including but not limited to a tenant advocate, a family member, or a friend of the applicant or tenant.
- 6.13. **Vexatious Complaints:** are the complaints initiated without sufficient grounds or evidence with the intention of causing disruption, harm, or damage to a person or Northside.
- 6.14. **Service User:** a person or group of persons who use or access a Northside service.

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