

1 Purpose

National Disability Services (NDS) is committed to ensuring that any person or organisation using services provided by NDS or affected by its operations has the right to lodge a complaint and to have their concerns addressed in ways that ensure access and equity, fairness, accountability and transparency.

Properly handled complaints result in improved organisational reputation.

This policy should be read in conjunction with the Whistleblower Policy.

2 Scope

This policy applies to all Board directors, Committee members, staff and contractors employed by National Disability Services.

3 Relevant legislation and related standards

None.

4 Constitutional provisions

None.

5 Policy Statement

The organisation will provide a complaints management procedure that:

- is simple and easy to use;
- is available to all members, clients and stakeholders via the NDS website;
- ensures complaints are fairly assessed and responded to promptly;
- is procedurally fair and follows principles of natural justice;
- establishes a standard approach to manage complaints in a consistent, systematic and responsive manner;
- identify trends, eliminates causes of complaints and improves NDS's operational effectiveness;
- complies with legislative requirements.

6 Definitions

Term	Definition
Complainant	Person who makes a complaint
President	NDS Board President

7 Policy

7.1 Our Commitment

If a complaint is received, NDS will:

- treat the complainant with respect;
- tell the complainant what to expect while the matter is being looked into;
- carry out the complaint handling process in a fair and open way;
- provide reasons for decisions that are made;
- protect privacy.

7.2 What can a complaint be made about?

A complaint can be made to NDS about the delivery of NDS services or the behaviour of personnel. From time to time, NDS consults with the sector to determine a policy position or to gauge views about an issue. A person may lodge a complaint if a consultation process was not followed or if the process was flawed; but not simply because the outcome of the consultation disagrees with their position.

NDS's members are service providers that operate disability support services. NDS does not have the authority to investigate complaints about service providers. A complaint regarding an NDS member should be discussed with the organisation directly or referred to the NDIS Quality and Safeguards Commission (NDIS Commission).

8 Procedures

8.1 Making a complaint

A complaint can be made in writing or verbally to:

- the staff member involved;
- the relevant Executive Manager;
- the Chief Executive Officer;
- the President.

If the complaint is anonymous NDS will be limited in the extent to which NDS can investigate the complaint without the ability to obtain further information or make further inquiries from the complainant.

Where appropriate, complainants are encouraged to raise the matter with the staff member involved or to that person's Executive Manager. Contact details of Executive Managers (which includes State and Territory Managers) can be found on the NDS Website.

The person responsible for managing the complaint in the first instance will be determined as follows.

If the complaint is about:

- a product or service delivered by NDS, the complaint will normally be dealt with by the relevant manager;
- a staff member, the complaint will normally be dealt with by the relevant manager;
- an Executive Manager, the complaint will normally be dealt with by the Chief Executive Officer;
- the Chief Executive Officer, the complaint will normally be dealt with by the President of NDS.

Where an NDS staff member makes a complaint concerning another staff member, it will be dealt with in accordance with NDS's Grievance Policy and Procedures.

Any officer of NDS who receives a written complaint is responsible for managing the complaint or directing it to the appropriate person.

8.2 Complaints Management

The person managing the complaint is responsible for:

- a) Registering the complaint:
 - registering the complaint in the NDS complaints register
 - informing the complainant that their complaint has been received and providing them with information about the process and timeframe.
- b) Investigating the complaint:
 - examining the complaint within 5 working days of the complaint being received.
 - if the matter may have immediate risk to safety or security, the response will be immediate.
 - determining if the complaint relates to NDS.

- informing the complainant by letter within 10 working days of the complaint being received of the action to investigate and resolve it and the expected timeframe for resolution.
- c) Resolving the complaint:
- As far as possible, complaints or appeals will be investigated and resolved within 20 working days of being received. If this timeframe cannot be met, the complainant will be informed of the reasons and of the alternative timeframe for resolution.
 - Informing the complainant of the outcome, the reason (s) for the decision, remedies proposed or already applied and any options for further action if required.
- d) Dissatisfaction with the resolution
- If the complainant is not happy with the outcome, the matter can be escalated to the Chief Executive Officer or President of NDS, if it has not already. If they remain dissatisfied, they may be able to lodge a complaint with the Ombudsman provided that this does not breach privacy protection determined by the Ombudsman in that state or territory. The Ombudsman's office will determine if it has the power to investigate the complaint.

8.3 Record-Keeping

A register of complaints will be kept by NDS. The register will be maintained by the Chief Financial Officer and will record the following for each complaint:

- Details of the complainant and the nature of the complaint
- The outcome, if any, the complainant is seeking
- Date lodged
- Action taken
- Date of resolution and reason for decision
- Indication of complainant being notified of outcome
- Complainant response and any further action
- Lessons arising from the complaint.

Copies of all correspondence and other materials received by NDS in connection with complaints will be kept for 7 years.

The complaints register and files will be confidential and access is restricted to the Chief Financial Officer, the Chief Executive Officer and the President.

A summary of complaints and appeals will be kept by National Disability Services and maintained by the Chief Financial Officer. The Chief Financial Officer will be responsible for preparing reports on complaints to the Chief Executive Officer and the NDS Board, and maintaining records (including on complaints against the Chief Executive Officer).

9 Document Information

9.1 References or related documents

Description	Location
Grievance Policy and Procedures	[refer to Policy Library on intranet]
Unsatisfactory Performance and/or Unacceptable Behaviours Policy & Procedures	[refer to Policy Library on intranet]
Whistleblower Policy	[refer to Policy Library on intranet]

9.2 Approval and Review

Lead Author	Human Resources Manager
Approver	NDS Board
Date Endorsed	February 2018
Date Reviewed	July 2020
Timeframe for next renewal	3 years

9.3 Version History

Version No.	Date	Summary of amendment(s)
1	February 2018	Created
2	July 2020	Reviewed and amendments included: <ul style="list-style-type: none"> • Policy reviewed by the Associations Forum in May 2020; • Final draft reviewed by the Governance Committee in June 2020 for recommendation to the Board in July 2020; • Insertion of 3 year timeframe for next review following advice from the Associations Forum.