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Complaints Policy & Procedures



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SECTION 1

COTA NSW COMPLAINTS POLICY

STATEMENT

COTA NSW exists to promote and protect the wellbeing, rights and interests of all older people in New South Wales, irrespective of their socio- economic, ethnic or religious background, in order to maximise the individual's involvement in and contribution to society. As such it has a responsibility to provide a standard of service that satisfies its clients. If however it does not, the client has the right to make a complaint.

In our line of work, it is inevitable that we will receive complaints and compliments. They tell us where we have gone wrong and what we are doing well.

Through this policy we show our commitment to actively seek and use feedback to improve the way we do things. This policy and set of procedures will ensure that complaints to COTA NSW from the public are dealt with in a positive, responsive and professional way.

The principles inherent in COTA NSW's complaint policy are;

- Procedural fairness - The complaint processes are fair, just and applied equally to all parties
- Speed - A commitment to appropriate resolution of complaints in a timely and cost effective manner
- Confidentiality - The privacy of all parties is safeguarded
- Meticulous record keeping - Documents recording a complaint, reasons given for decisions made and all documents are securely stored.

RESPONSIBILITY

This policy applies to all staff of COTA NSW whether by way of appointment, contract, temporary arrangement or volunteer and any individual having employee functions or acting in an employee capacity is a member of staff.

BENEFITS

When used properly, an internal feedback / compliments / complaints system:

- Creates a second chance to provide service and satisfaction to dissatisfied people
- Helps to identify areas that need improvement
- Improves our accountability to our members and Board
- Assists in planning and allocation of resources
- Compliments identifies areas and staff of good practice and raises morale for a job well done

DEFINITIONS

A Complaint

A complaint can be a reproach, accusation, objection, charge, protest or suggestion.

Complaints may for example allege that COTA NSW has acted unreasonably:

- By not providing a service
- In the manner of providing a service
- In the quality of the service provided
- In the way decisions are made
- In the reasons given for a decision
- By providing a service that should not be provided
- By withdrawing or varying the service without explanation
- By acting inappropriately or unlawfully
- By acting in a discriminatory way toward persons of a certain sex, age, ethnic or religious background, colour, race or religion
- The design, administration or delivery of the overall service.

A Complainant

A person who makes a complaint or grievance, either formally or informally is the complainant.

For example:

- Current and past clients of COTA NSW
- Potential clients
- Members of the general public
- Carers and advocates of the aggrieved person

** Please note that a separate internal grievance policy and procedure is used for staff and volunteers of COTA NSW.*

Complainants rights

Persons making a complaint have the right to:

- Have their complaint or grievance handled in accordance with the Complaint Policy
- Make a complaint without fear of intimidation or discrimination
- Bring comments or complaints to any member of COTA NSW staff with whom they feel most comfortable
- Use an interpreter or translator of their choice
- Use an advocate to speak and act on behalf of the client, but to not mediate in the dispute
- That disciplinary action will be taken against any staff found to have breached this policy.

AIMS OF THE COMPLAINTS POLICY

The purpose of this policy is to affirm and support the rights of members of the public to give positive and negative feedback, and to have any dissatisfaction dealt with appropriately.

It aims to:

- Provide an accessible system, one that is easy for consumers/ clients to use
- Provide a standardised system for resolving complaints about COTA NSW's services and programmes
- Inform clients of their right to complain and empower people to make legitimate comments and complaints about COTA NSW
- Provide complainants with clear information on how COTA NSW handles complaints
- Encourage the resolution of complaints in a conciliatory and helpful manner by both parties
- Provide independent, accessible and fair conflict resolution mechanisms for staff to use
- Keep records and regularly review and improve COTA NSW's system of handling complaints

PENALTIES

In accordance with COTA NSW's grievance and disciplinary procedures, staff found to be unable to comply to this policy and carry out the procedures as required, will be counselled, offered more training or coaching and given time to improve their service. If this fails, the disciplinary procedure will be invoked.

SECTION 2 PROCEDURES

People make complaints because they are unhappy with a decision, level of service or behaviour of staff. Many complaints are as a result of poor communication. Finding out what precisely is making the complainant dissatisfied can be helpful in resolving the complaint.

A complaint may be in writing or verbal, in person or over the telephone or internet. If the complainant so wishes, their complaint may be anonymous in the first instance.

IMPLEMENTATION

In dealing with complaints, staff should follow these guidelines....

It is useful to consider how complainants want to be treated when they complain, particularly considering the age and ability of COTA NSW's constituents.

People generally want 5 things:

1. they want to be heard
2. they want to be understood
3. they want an explanation
4. they want an apology
5. they want action taken as soon as possible.

Even if our staff member is unable to do what the client wants exactly, they will usually be reasonably happy if we can satisfy some of their needs.

Communication

COTA NSW will publicise the complaints procedure via:

- all its published material, print and website
- government departments and other appropriate organisations
- public meetings, forums and information days
- in the office on the staff noticeboard

COTA NSW will ensure that clients of non-English speaking background are not disadvantaged in that:

- appropriate documents will be translated into the main community languages
- a copy given to clients on request
- the procedures explained to clients in the language of their choice with the help of interpreters where necessary
- staff will be trained in dealing with a multicultural society and conflict / dispute resolution skills as well as the COTA NSW process.

Records

All compliments and complaints must be recorded in accordance with the procedures. A closed file will be kept (either in writing or on computer) to store complaints.

Records must clearly indicate:

- the process followed to resolve the complaint
- the outcomes of the process
- any follow up action required and taken
- the complainant's responses to the action taken to resolve the complaint

Time-frame for dealing with complaints

Generally a speedy response to the complaint will be more open to resolution, however sometimes more time for alternatives, advice and investigating is necessary.

Use your discretion, but the following timelines should be used as guidance:

- frontline complaints received by telephone or in person should be dealt with immediately and whenever possible, finalised on the same day, but otherwise within 2 days.
- matters referred to a supervisor should be dealt with as soon as possible, usually within 5 days of receiving the complaint
- written complaints should be inquired into and dealt with within 2 weeks.

Suggestions and Compliments

Feedback is valuable in that it lets us know how well we do our job as well as how we could do things better. Feedback also helps us evaluate how effective our systems, processes, service and behaviours are. Compliments let us know that the client is satisfied and that COTA NSW is doing a good job, and suggestions let us know that we can perhaps incorporate other ideas, practices etc. that will assist the client even more. Compliments and suggestions are to be recorded.

The Administration Manager will review compliments for inclusion of suitable quotes in the annual report.

Monitoring

The complaints file shall be reviewed every three months. Information compiled will be used to notice any emerging patterns of dissatisfaction and steps taken to modify and improve the process, procedures, staff service etc. In addition, "Complaints" as a regular item on the agenda of the management committee will ensure notice is paid to any areas needing attention.

STEPS IN HANDLING COMPLAINTS

All complaints should be handled in accordance with the procedures supporting this policy. COTA NSW staff should seek to resolve difficulties or disputes by discussion, negotiation or mediation. The following steps should be adhered to:

Stage 1:

Responding to a complaint

- All complaints must be recorded (use the attached form-3.)
- Be courteous, tell them your own name and ask how you can assist them
- Thank the person for their comments and explain that complaints are valuable feedbacks that will help improve service. Actively listen to them and seek clarification by using open-ended non-judgmental questions
- Re-assure the person that all complaints are treated confidentially and they will suffer no loss of service or discrimination as a result of having made a complaint
- Clarify the application of any relevant policies, procedures governing that which pertains to their matter. Provide explanations and give reasons for decisions
- Remind them that they have the right to use an advocate and an interpreter if necessary

If the complaint is about the conduct of a specific staff member, the supervisor should get both sides of the story before deciding further action. The supervisor must inform both the complainant and the staff person the outcome of the complaint. COTA NSW's internal Grievance and Disciplinary Policy would then apply.

Stage 2:

Attempt at resolution by front line staff

- Ask the client how they would like the complaint to be handled
- Acknowledge their sense of grievance (justified or not)
- Show them and explain the Complaints Procedures Form- 4.
- A sincere attempt is made at resolution. Take action to resolve the grievance
- Agree on appropriate course to adopt. If you cannot, discuss the matter with your supervisor and explore further options. You can refer it immediately or after investigating other resolution options, preferably within 24 hours.
- Refer the matter to a supervisor if :-
 - the complaint is about your own conduct,
 - if the complainant requests that someone else deals with the complaint,
 - if the matter is clearly out of your area of expertise,
 - if the complainant is from a public sector agency or Member of Parliament.
- Invite them to call again if they do not hear further from the person to whom you referred the complaint within an agreed time limit
- Take action to prevent similar complaints in the future

- Advise them that can seek additional information or resolution for the grievance from an external body such as;
 - NSW Community Services Commission, Level 3, 128 Chalmers St., Surry Hills NSW 2010. Telephone: 9384 4999; 1800 060 409 (NSW Country); Fax: 9384 4948
 - Community Justice Centres, Telephone 1800 990 777; Fax: 02 8688 9616; Email: cjc@justice.nsw.gov.au
 - Anti- Discrimination Board - Level 7/10 Valentine Avenue, Parramatta NSW 2150. PO Box W213, Parramatta Westfield NSW 2150 Telephone (02) 9268 5555; Fax (02) 9268 5500
 - The NSW Ombudsman, Level 24, 580 George St., Sydney. Telephone: 9286 1000; 1800 451 524 (outside Sydney Metro); Fax: 9283 2911

If this doesn't work proceed to stage 3.

Stage 3:

Attempt at resolution by the Chief Executive Officer

- If further resolution is required (e.g. a system change requiring referral to the CEO or Board) inform the client of this requirement
- Send the client reasons in writing, decisions made about their complaint so far while advising that these decisions are not final
- Set an approximate time limit with the client for action to be taken
- Inform the client regularly of the progress of their complaint
- The CEO ensures the complaint is finalised

If the problem remains unsolved, proceed to stage 4.

Stage 4:

Where the complaint cannot be resolved within COTA NSW, the client should be referred to an outside agency, as above.

* *Note- the client maintains the right to seek resolution for the grievance with an external body at any stage of the procedure.*

REVISED AND APPROVED

Signature:

NamePosition..... Date

NamePosition..... Date

SECTION 3

COTA NSW COMPLAINTS FORM

This form is to be completed by staff to document a client complaint or compliment. It is to be used before, during or after speaking to the client. Please follow the steps outlined in the Procedures, Section 2.

Date: _____ Staff person handling complaint: _____

Name of person making the complaint: _____

Address: _____

Telephone: _____

Aggrieved person's details if different from the person making the complaint (i.e. if the complaint is being made by an advocate)

Advocates relationship to the aggrieved person

- Complaint via
- in person
 - telephone
 - letter (attached)
 - e-mail- internet (attached)
 - other

Brief description of complaint/ situation/ compliment (what, who, where, how, why)

Possible solution (what the client wants to happen) to be negotiated with client.

Solution chosen/agreed

Outcome

Follow up

The Complainant is

satisfied / happy with the result

unsatisfied / unhappy with the result

Comments:

The Complainant wishes to take the matter further YES NO

Comments: _____

Next step: _____

Reviewed: Chief Executive Officer

Signed _____ Date _____

SECTION 4

COTA NSW COMPLAINTS FORM

*This form is to be completed by persons making a complaint or compliment.
It can be used before, during or after speaking to our staff.*

-
- Thank you for your feedback which will help improve the service provided by COTA NSW. All comments are treated confidentially and you will suffer no loss of service or discrimination as a result of having made this complaint.
 - The following procedures will be followed in dealing with your complaint.
 - Stage 1- registration of complaint and response by staff
 - Stage 2- attempt at resolution by staff
 - Stage 3- attempt at resolution by the Chief Executive Officer
 - Stage 4- referral to an external body
 -
 - You have the right to seek resolution from an external body at any time during the process
 - You have the right to an interpreter if you feel more comfortable using a language other than English
 - You have the right to be represented by a friend, family member or consumer advocate.

Some consumer advocates are;

- NSW Community Services Commission, Level 3, 128 Chalmers St., Surry Hills NSW 2010.
Telephone: 9384 4999; 1800 060 409 (NSW Country); Fax: 9384 4948
 - Community Justice Centres, Telephone 1800 990 777; Fax: 02 8688 9616;
Email: cjc@justice.nsw.gov.au
 - Anti- Discrimination Board, Level 7/10 Valentine Avenue, Parramatta NSW
PO Box W213, Parramatta Westfield NSW 2150
Telephone (02) 9268 5555; Fax (02) 9268 5500
 - The NSW Ombudsman, Level 24, 580 George St., Sydney.
Telephone: 9286 1000; 1800 451 524 (outside Sydney Metro); Fax: 9283 2911
-

Date: _____

Name of person making the complaint: _____

Address: _____

Telephone: _____

Aggrieved person's details if different from the person making the complaint (i.e. if the complaint is being made by an advocate)

Advocates relationship to the aggrieved person

1. BEFORE RESOLUTION

Brief description of complaint/ situation/ compliment (what, who, where, how, why)

Preferred solution

2. AFTER RESOLUTION

Outcome

The Complainant is now satisfied / happy with the result

unsatisfied / unhappy with the result

Comments:

Signature: _____ Date: _____



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1. CENTRAL REGISTER OF COMPLAINTS RECEIVED

File No.	Complainant Name	Where from- area/ organisation	Staff member subject of complaint	Complaint	Date received	Refer to	Issue No. for yr.	Action required	Date, outcome	Finding	Remedial action

2. CENTRAL REGISTER OF COMPLIMENTS RECEIVED

File/ reference No.	Who gave the compliment	Where from	Staff member complimented	Date	Details