

<b>Policy Number</b>	4.1
<b>Policy Name</b>	Complaints Handling
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## Policy

LEAP Social Services/Different Abilities Services (LEAP) is committed to the effective, timely and impartial resolution of complaints and the continuous improvement of our work. LEAP recognises the importance and value of feedback from all stakeholders, including Clients, their carers and other Service Providers. Where this feedback is in the form of a Complaint, LEAP will address and resolve the matter in a timely and professional manner; ensuring a response is provided to the Complainant.

This policy should be read in conjunction with LEAP's "Conflict of Interest" Policy.

### Scope:

This policy and associated procedures apply to all employees, Contractors, volunteers and Service Partners associated, either directly or indirectly, with LEAP Services.

## Rationale

LEAP believes that to improve services provided to Clients and their carers, we need to be open to feedback from all stakeholders, both positive and negative. Receiving a complaint is an important way of learning what is needed to improve our work, so in the case of a complaint, timely and appropriate action will be taken in order to improve the quality of our work and develop best practice.

## Procedure

### Definitions

**Child/Children:** For the purposes of this policy the term 'child/ren' is defined in line with The United Nations Convention on the Rights of the Child (UNCRC) definition of a child, which is any person under the age of 18, regardless of whether a nation's laws recognise adulthood earlier.

**Client:** Means any individual receiving services from LEAP.

**Confidentiality:** The victim of the exploitation or abuse is entitled to strict confidentiality. The accused person is also entitled to confidentiality to protect his/her reputation while the assessment and investigative processes are undertaken.

**Contractor:** Means a private contractor that has been contracted for the provision of Services under the Services Agreement. A Contractor is not an employee of LEAP.

**Complaint:** A complaint is any expression of dissatisfaction or concern regarding LEAP, our employees, volunteers, service partners, contracted service providers or anyone else acting on our behalf in relation to the delivery of LEAP work. It is a criticism that requires a response from and/or change by LEAP to improve our work.

A complaint is an action for which LEAP is responsible, or is within our sphere of influence.

Considered a 'Complaint'	NOT Considered a 'Complaint'
<ul style="list-style-type: none"><li>▪ Unfair, inappropriate or incorrect management</li><li>▪ Any breach of LEAP policies</li><li>▪ Any breach of law</li><li>▪ Any breach of LEAP's eleven (11) Client Rights</li><li>▪ Concern over appropriate use of funds</li><li>▪ Concern from a member of the public, a Client or carer about any concerning conduct they witnessed from LEAP Personnel</li><li>▪ Timeliness of responses to queries from the public</li><li>▪ Concern from a client or carer over the quality of program delivery</li><li>▪ Concern in relation to one of our programs</li><li>▪ Behaviour or decisions of Personnel</li><li>▪ Practices, policies or procedures.</li></ul>	<ul style="list-style-type: none"><li>▪ A general query about LEAP's work</li><li>▪ A request for information</li><li>▪ A contractual dispute</li><li>▪ A request to amend records e.g. to correct an address</li></ul>

**Corruption:** The offering, giving, soliciting or acceptance of an inducement or reward which may improperly influence the action of any person.

**Fraud:** 'Dishonestly obtaining a benefit, or causing a loss, by deception or other means' (Cth Fraud Control Framework 2014). This may include the deliberate misappropriation of funds, altering documents, falsifying signatures, misuse of Commonwealth assets, knowingly

providing false information to the Commonwealth, unauthorised disclosure of confidential information, or the theft of project funds or assets.

**Mandatory Reporters:** Are persons required by law to inform child protection authorities that they have reasonable grounds to suspect that a child is at risk of harm. This policy regards all employees, volunteers, contractors and consultants to be mandatory reporters of child exploitation or abuse, or when there is suspicion that a child is at risk of significant harm.

**Personnel:** Means all employees, private contractors, volunteers and Service Partners involved, either directly or indirectly, in the services of LEAP.

**Services:** Means the work required to be provided to the Client on behalf of LEAP.

**Service Partner:** Means any external party who engages with LEAP on the delivery, creation or evaluation of any services.

**Staff:** Employees of LEAP

## General Principles

1. A complaint can be made by any stakeholder connected to LEAP, including a person to whom we deliver services or who is affected by our services, a client, carer, local organisation with which we work, our staff, volunteers, donors or a member of the public.
2. LEAP will encourage stakeholders with a complaint to express this through LEAP's formal complaints procedure. A complaint can be received by LEAP in person, by phone, email, fax or in writing or can be lodged on the LEAP website. The policy and process of how to make a complaint and contact information is communicated on the LEAP website [www.LEAPdifferentabilitiesservices.com.au](http://www.LEAPdifferentabilitiesservices.com.au) and [www.leapsocialservices.com.au](http://www.leapsocialservices.com.au)
3. LEAP will make stakeholders aware of their rights to express a complaint to the Ombudsman about the provision of a service by LEAP under the *Community Services (Complaints ,Review and Monitoring) Act 1993 (NSW)*. The process of how to make a complaint to the Ombudsman and their contact information is communicated on the LEAP website [www.LEAPdifferentabilitiesservices.com.au](http://www.LEAPdifferentabilitiesservices.com.au) and [www.leapsocialservices.com.au](http://www.leapsocialservices.com.au)
4. LEAP will maintain a formal complaints procedure and ensure all complaints are acknowledged/responded to in a timely manner, ideally within 24 hours of receiving the complaint.
5. LEAP will commit to the practice of continuous improvement, ensuring all suggestions for improvement are considered and implemented, where applicable.
6. LEAP will take all reasonable steps for our complaint handling process to be as accessible as we can practically make it to all complainants.
7. LEAP will take all reasonable steps in any investigation to protect the complainant from repercussions and ensure the investigation into a complaint is impartial. LEAP will take all reasonable steps to ensure confidentiality is maintained, in line with LEAP's "Protected Disclosure Policy", and will safeguard against complainant victimisation,. We will not reveal a complainant's name or personal details to anyone outside LEAP without the complainant's permission.

8. In all instances where a complaint relates to LEAP Personnel, that person is not to be responsible for recording the complaint or determining its resolution, in line with LEAP's "Conflict of Interest" Policy.
9. LEAP will make it clear to Clients, their family and carers that complaints can be made. This awareness will be done initially by LEAP Personnel during their commencement with LEAP and then followed up on at regular intervals by LEAP management.

## Procedural Guidelines

### 1. General Complaints Handling

- 1.1. Purpose: The purpose of this Section is to provide clear guidelines regarding the process to be undertaken when a general Complaint is received. A 'general' Complaint is any Complaint that does not fit within an alternative Section of these procedural guidelines.
- 1.2. All Personnel are to listen to the complaint and make all reasonable attempts to address the concern promptly at the initial stage.
- 1.3. The Personnel who receives the Complaint is responsible to complete the LEAP Enquiry/ Feedback/Complaint Form (Appendix A). This is to include:
  - 1.3.1. The date the Complaint was received;
  - 1.3.2. The name of the Personnel taking the Complaint;
  - 1.3.3. The Complainant's name and contact details;
  - 1.3.4. The method in which the Complaint was received (phone, email, in-person, etc);
  - 1.3.5. The nature of the Complaint;
  - 1.3.6. The initial steps taken to address the Complaint when it was received.
- 1.4. After completing cl.1.3, the Personnel is to forward the LEAP Enquiry/Feedback/ Complaint Form to the LEAP Governance & Compliance Manager.
  - 1.4.1. The LEAP Governance & Compliance Manager will determine the appropriate investigation steps to be taken and the Personnel responsible for undertaking these.
    - 1.4.1.1. Where appropriate, the LEAP Governance & Compliance Manager may seek input from the Complainant as to the preferred Personnel they would like to investigate the Complaint.
  - 1.4.2. The Complaint is to be recorded in the Complaints Spreadsheet and stored in a secure folder.
- 1.5. A letter of acknowledgement of the Complaint is to be sent by the LEAP Governance & Compliance Manager, or delegated Staff, to the complainant within five (5) working days of the Complaint being received. The letter is to outline an approximate time frame for the Complaint to be fully resolved.
- 1.6. All Complaints will be investigated by the LEAP Governance & Compliance Manager, or delegated Staff as identified in cl.1.4.01, ensuring all applicable LEAP policies and procedures are followed.
- 1.7. All Complaints will be raised as a standing item on the LEAP Management Meeting Agenda. The purpose for this is to ensure trends are identified and used in shaping LEAP policy and service delivery.

- 1.8.A formal response by the LEAP Governance & Compliance Manager or delegated Staff will be provided to the Complainant either by email or mail within four (4) weeks of the Complaint being received. The response should include information on the resolution, if appropriate.
- 1.8.1. Where the investigation and findings have not been completed within four (4) weeks, the LEAP Governance & Compliance Manager will formally provide the Complainant with a progress update by email or mail, and provide a realistic timeframe for a resolution to be provided.
- 1.9. Where the resolution requires a change to LEAP policies or systems, a review period will be set for a maximum of three (3) months from the change being implemented to ensure the change has minimised and/or eliminated the concern.
- 1.10. All Complaints received qualify as an 'Incident'. These are to be recorded on the LEAP 'Incident Register'.
- 1.11. At no stage in the process is a Personnel with an interest in the Complaint, or outcome of the Complaint, to be involved in the investigation or determination of findings.
- 1.11.1. An example of an 'Interest' in the Complaint would be the LEAP Contractor that the Complaint relates to.

## 2. Complaints regarding a Service Partner

- 2.1. Purpose: The purpose of this Section is to provide clear guidelines regarding the process to be undertaken when a Complaint is received by LEAP regarding a service Partner.
- 2.2. Clauses 1.2 to 1.4 are to be followed.
- 2.3. The LEAP Governance & Compliance Manager is to determine the Service Partner that the Complaint relates to and email a copy of the LEAP Enquiry/Feedback/Complaint Form through the Manager of that Service Partner.
  - 2.3.1. Where the LEAP Governance & Compliance Manager determines that the Complaint relates to a Service Partner, they are to obtain consent from the Complainant prior to emailing the LEAP Enquiry/Feedback/Complaint Form.
  - 2.3.2. Where the Complainant does not consent, they are to be informed that the Complaint cannot be actioned and will be ceased. The Complainant is to be provided with all appropriate support to make a Complaint to either the other Service Partner, or the Ombudsman. This will be the end of cl.2.
- 2.4. A letter of acknowledgement of the Complaint is to be sent by the LEAP Governance & Compliance Manager, or delegated Staff, to the complainant within five (5) working days of the Complaint being received. The letter is to outline that the Complaint relates to a Service Partner and that the Complaint Form has been registered with the Service Partner. The letter is to provide the appropriate contact details for the Complainant to follow-up with the Service Partner and reassurance that LEAP will assist in this process as requested by the Complainant.
- 2.5. A Complaint related to a Service Partner does not qualify as an 'Incident' and so is not to be recorded on the LEAP 'Incident Register'.

### 3. Complaints Regarding LEAP Personnel

- 3.1. Purpose: The purpose of this Section is to provide clear guidelines regarding the process to be undertaken when a Complaint is received regarding a LEAP Personnel.
- 3.2. Where a LEAP Personnel receives a Complaint related to another LEAP Personnel, they are to politely pause the conversation as soon as they realise the Complaint relates to another LEAP Personnel.
- 3.2.1. The Personnel is to inform the LEAP Governance & Compliance Manager immediately that a Complaint has been made regarding a LEAP Personnel and that the Complainant is currently waiting.
- 3.2.2. Where the LEAP Governance & Compliance Manager is unavailable, the Personnel is to take the contact details for the Complainant and explain that the LEAP Governance & Compliance Manager will contact them as soon as possible to discuss the Complaint.
- 3.2.3. The LEAP Governance & Compliance Manager is to contact the Complainant as provided in cl.3.2.02 as soon as practicable.
- 3.3. The LEAP Governance & Compliance Manager is to complete the LEAP Enquiry/Feedback/ Complaint Form (Appendix A). This is to include:
- 3.3.1. The date the Complaint was received;
- 3.3.2. The name of the Personnel taking the Complaint;
- 3.3.3. The Complainant's name and contact details;
- 3.3.4. The method in which the Complaint was received (phone, email, in-person, etc);
- 3.3.5. The nature of the Complaint;
- 3.3.6. The initial steps taken to address the Complaint when it was received.
- 3.4. The LEAP Governance & Compliance Manager is to determine whether it is appropriate for the Complaint to be forwarded to LEAP Human Resources (HR). Where the Complaint relates to a LEAP Coordinator, the LEAP Governance & Compliance Manager is to determine where it is appropriate for the LEAP Manager to be informed.
- 3.5. The LEAP Enquiry/Feedback/Complaint Form is to be recorded in the Complaints Spreadsheet and stored in a secure folder.
- 3.6. All Complaints are to be investigated by the LEAP Governance & Compliance Manager. Where the LEAP Governance & Compliance Manager wishes to delegate investigation to another person, that person must not be connected with LEAP.
- 3.6.1. Where appropriate, the LEAP Governance & Compliance Manager may seek input from the Complainant as to the preferred Personnel they would like as their key contact during the investigation of the Complaint.
- 3.7. Where cl.3.4 has resulted in HR or the LEAP Manager being informed, they are to be consulted and informed of the progress throughout the investigation.
- 3.8. Where the findings from the investigation regarding a LEAP Personnel's conduct confirm the allegation, the LEAP Governance & Compliance Manager is to discuss the actions to be taken with both of the LEAP Directors. The action to be taken with regard to the outcome of the Complaint will be made by a majority vote of the LEAP Directors and LEAP Governance & Compliance Manager.

3.8.1. Where cl.3.4 has resulted in HR or the LEAP Manager being informed, they are to be included in the discussion and determination of the outcome in consultation with the LEAP Directors.

3.9. Where the Personnel identified in cl.3.2 is the LEAP Governance & Compliance Manager, the Personnel is to inform the LEAP Director. Any task allocated to the LEAP Governance & Compliance Manager in clause 3.2 to 3.8 is to be completed or delegated by the LEAP Director. The LEAP Director may delegate these tasks to any Personnel except the LEAP Governance & Compliance Manager.

## 4. Complaints involving Children

4.1. Purpose: The purpose of this Section is to provide clear guidelines regarding the process to be undertaken when a Complaint is received involving conduct with a child.

4.2. Where the LEAP Personnel receiving the Complaint identifies that the Complaint relates to conduct with a Child, they are to consult the LEAP Child Protection policy prior to completing the LEAP Enquiry/Feedback/Complaint Form as outlined in cl.1.3. This is to include mandatory reporting requirements and reporting to the Police.

4.3. The LEAP Governance & Compliance Manager is to consult the LEAP Child Protection Policy for the appropriate actions and notifications to accompany the investigation.

4.4. The applicable process regarding clauses 1, 2 or 3 are to continue from cl.1.4, 2.3 or 3.4 respectively, taking into account the requirements of the LEAP Child Protection Policy.

## 5. Notification of Complaints Processes

5.1. Purpose: The purpose of this Section is to provide clear guidelines regarding the process to be undertaken to advertise, promote and make known the LEAP Complaints process, including the Ombudsman Complaint process.

5.2. LEAP will encourage stakeholders with a Complaint to communicate this through LEAP's formal Complaints procedure. A Complaint can be received by LEAP in person, by phone, email, fax or in writing or can be lodged on the LEAP website.

5.3. The policy and process of how to make a Complaint and the contact information is communicated on the LEAP website ([www.leapdifferentabilitiesservices.com.au](http://www.leapdifferentabilitiesservices.com.au) and [www.leapsocialservices.com.au](http://www.leapsocialservices.com.au)). All Clients and their carers will be informed of the Complaints process during their commencement with LEAP, and then regularly during Feedback Surveys.

5.4. LEAP will ensure that all stakeholders are aware that they may make a Complaint regarding LEAP to the Ombudsman. This will be promoted through the following methods:

5.4.1. On the LEAP website ([www.leapdifferentabilitiesservices.com.au](http://www.leapdifferentabilitiesservices.com.au) and [www.leapsocialservices.com.au](http://www.leapsocialservices.com.au));

5.4.2. By the LEAP Personnel during the Client's commencement with LEAP;

5.4.3. On the Feedback Survey conducted regularly with Clients and their carers and family.

5.5. With reference to cl.5.4, as a minimum, the following contact information will be displayed;

**NSW OMBUDSMAN'S OFFICE CONTACT DETAILS**

Web link: <https://www.ombo.nsw.gov.au/complaints/making-a-complaint>

Email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)

General enquiries: (02) 9286 1000

TTY: (02) 9264 8050

TIS: 131 450

Mail or In-person: Level 24, 580 George Street, Sydney, NSW 2000

# LEAP Enquiry / Feedback / Complaint Form

Date: Personnel: Date logged on Spreadsheet:

Complainant Contact Details:

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Change of Address: Old Address

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New address

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Reason for call: Request Feedback Complaint Donation Sponsorship  
Other

Description:

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Service Satisfaction Rating:	1	2	3	4	5
	Very Satisfied	Satisfied	Don't Know	Dissatisfied	Very Dissatisfied

## COMPLAINT HANDLING

Person Allocated:
Investigation Plan (detail)
Resolution determined

Mandatory Reporter Lodgement reference and details (if applicable)			
Police reference and details (if applicable)			
Follow up with complainant	Yes	No	Date:
Were there changes within LEAP necessary to resolve complaint?	Yes	No	Details
Date changes implemented:			
Date complaint provided in summary to LEAP Management Meeting:			