

# Client Complaints & Feedback Policy and Procedure

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## Policy

MCM recognises the rights of past, present and future clients or a third party acting on behalf of the person (such as family, carers, friends, or consumer advocate) to provide feedback or complain about our services and to have them dealt with fully, fairly and within a reasonable time frame.

Complaint management is the responsibility of all MCM staff and must be sensitive towards patient rights, needs and concerns.

Complaints handling must comply with the Victorian Information Privacy Act 2000, Health Records Act 2001, and Acts relating to complaints handling for specific client groups including the Disability Act 2006, Aged Care Act 1997, Retirement Villages Act 1986

Complaints are evaluated and used to provide feedback to identify needs where process improvements can be established.

All formal complaints are managed according to the MCM client complaint management procedure that ensures:

- All clients (or their representative) have the right to complain in person or through a representative;
  - All complaints are managed in a timely and sympathetic manner and treated confidentially;
  - The complaints process is easily accessible to all clients.
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## Purpose

This policy and procedure is designed to:

- Facilitate effective service delivery and ensure MCM continues to offer a quality of service delivery that at minimum meets clients' needs, and encourages clients to register their complaints and ideas for improvements in our service delivery.
  - Support local resolution and ownership of complaints and learning and improvements from these events.
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## Scope

The policy applies to staff, volunteers, contractors and service users.

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## References

Health Records Act 2001(Cth)  
Health Services (Conciliation and Review) Act 1987 (Vic)  
Information Privacy Act 2000 (Vic)  
Disability Act 2006  
Aged Care Act 1997  
Retirement Villages Act 1986 (Vic)  
Health Professions Registration Act 2005

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## Definitions

**Informal Complaint** - an expression of dissatisfaction that usually can be dealt with promptly and to the complainant's satisfaction at the point of services.

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**Formal complaint** – includes all written complaints and any verbal complaints that cannot be dealt with as informal complaints.

## Roles

## Responsibilities

- CEO
- To ensure:
- Client's rights are upheld through the organisation's complaints management practice.
  - Practice complies with relevant legislation and complies with MCM policy.
  - Complaints are used to inform quality improvement.
  - Issues are effectively addressed and reviewed in line with Melbourne Citymission Charter of Client Rights and Code of Staff Conduct.
  - Appropriate action is taken for Client Complaints brought to this level.
- And to:
- Act as the final arbitrator of complaints.
  - Report to the Board at regular intervals regarding complaints made and issues relating to organisational policy, practice and procedures.

## General Managers

- To ensure:
- Local grievance processes are in line with this policy and procedure.
  - Staff are aware of the complaints process and are supported when involved in a complaints process.
  - Client rights to complaint are managed accordingly and that clients have access to the necessary information and services to make a complaint.
  - All formal complaints are recorded in the Complaints Management database.
  - Complaints are reported to the CEO in line with the procedure.

## Managers / Team Leaders

- To ensure:
- This policy and procedure is followed.
  - Client Complaint Forms are accessible to Clients.
  - Summary Information about the Complaints Procedure for Service Users is given to new clients as part of the Client information Kit when they first participate in Melbourne Citymission services.

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Staff	To ensure: <ul style="list-style-type: none"> <li>• Clients are aware of their rights with regards making formal complaints.</li> <li>• Clients are assisted in making complaints are dealt with in a timely and sympathetic manner.</li> </ul>
Manager Quality & Risk	To provide assistance to complaints investigations, quality improvement activities, and tend analysis.
Central Reception Staff	To direct all complaints to the local Reception of the relevant service unless the caller specifically requests to be put through to the Office of the CEO.

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## Procedure

The following procedure details the steps involved in managing and recording complaints. Service areas and programs have local mechanisms for receiving feedback from clients. Programs should use Client Complaint/Feedback Form CO 2.6.1 to collect feedback, where appropriate. The formal follow-up, acknowledgement letters, and recording of action and outcomes can also be used for responding to feedback when this is warranted.

## Client Right to Complain

If past, present and future clients or a third party acting on their behalf wish to provide feedback, or complain and be heard on any issue they have the right to: -

- Discuss their complaint with an employee, and if not resolved
- Refer the complaint to the Manager of the Service and if not resolved
- Refer the complaint to Melbourne Citymission General Manager Service.
- Refer the complaint to Melbourne Citymission Chief Executive Officer.
- Refer the complaint to an appropriate external body.
- At all stages of the process they have the right to have someone present to speak on their behalf, should they so desire.

Melbourne Citymission's Client Complaint Procedure allows complaints to be heard and resolved either as a direct complaint from an individual or as a group concern arising from a service users meeting.

### Direct Complaint

Involves an approach to a worker by an individual to outline a complaint. If the worker is unable to assist with a resolution, or the service user is dissatisfied with the resolution, he/she may be referred to a more senior

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worker. (*Client Complaint/Feedback Form CO 2.6.1 is filled out at this stage*).

### **Service Users Meeting**

Involves Service User meeting /discussion in an information sharing forum dealing with issues which may arise in services. Those with complaints are encouraged to state them and seek resolution at the meeting. If resolution were not possible it would be referred to a senior caseworker. (*Client Complaint/Feedback form is filled out at this stage*).

### **Right to Advocacy Support**

At any point in the Complaint process a client may choose to have advocacy support. The person providing the advocacy may be involved in one or all of the stages of the complaint resolution. The client will determine the role of the advocate in the complaint resolution process, putting forward whatever viewpoint the client wishes to express.

The advocate is expected to take responsibility to assist the client clarify the outcome he or she seeks and to explain to the client possible outcomes of any course of action.

### **Information for clients**

For the Client Complaint/Feedback procedure to be effective, clients must be given information concerning their rights and responsibilities including the procedures for making complaints. Consequently, each service outlet will provide information to clients concerning:

- Their rights and responsibilities as service users
- Policy in relation to the confidentiality of information concerning its clients
- External advocacy support that is available clients.
- Procedures for making complaints

This information will be given and explained to clients at the earliest time that is reasonably appropriate. The client information kit contains information on these points (Refer CO 2.2.1 Client Right & Responsibilities).

A Client Information Sheet - Complaints Procedure, summarizing the MCM complaint process is also available to clients via MCM staff (Refer Infonet 'Forms' section).

A '*Complaints Checklist*' is available on the infonet 'Forms' section to assist staff.

### **Allocation of Criminal Act**

If a client believes a crime has been committed against them they should be advised to report this to the police.

### **Serious Allegation of**

Complaints that include a serious allegation of improper or corrupt conduct might constitute a protected disclosure under the Whistleblowers'

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**Improper Conduct** Protection Act 2001. Any staff member who receives such a complaint has an obligation to maintain strict confidentiality with respect to the nature of the complaint, the identity of the person making the disclosure and the identity of the person who is the subject of the disclosure and refer to information about the Whistleblowers' Protection Act and policy on the infonet.

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**Support for Staff** This policy and procedure emphasise the receptiveness of MCM to receive feedback and complaints and the importance of good communication to avoid concerns or complaints escalating. Staff training and practices such as supervision are provided to support staff implement effective complaints management.

If a staff member is concerned that client feedback may be vicarious in nature they should consult with their manager.

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- Steps in Making a Complaint**
- Staff are encouraged to deal with client complaints as soon as they are aware of the issue, given they have suitable authority to address the issues raised. Where possible, verbal complaints should be resolved at the local level at the time they occur (or within 24hours).
  - Central Reception shall direct all complaints to the local Reception of the relevant service, who shall direct the call to the appropriate Team Leader/Manager, unless the caller specifically requests to be put through to the Office of the CEO.
  - In relation to past clients wishing to make a complaint about their care in Melbourne Citymission residential units for children in out of home care (the Elizabeth Fry Retreat, Swinborn Lodge, Hartnett House and its subsequent family group homes, Southport, the Child and Family Development Unit) the pathway is through the Melbourne Citymission Heritage Service at Hartnett House in the first instance.
  - MCM recognizes additional factors may make an individual or client group (such as children and young persons, or clients from culturally and linguistically diverse backgrounds) reluctant to raise complaints. Local management practices aimed to minimise and address potential barriers of specific client groups should be implemented by MCM services under the direction of the relevant General Manager.
  - When an informal (verbal) complaint cannot be resolved with a staff member a complaint can be officially registered by a client or their advocate completing the Clients Complaint Form, copies of which are available at all service outlets. Any complaint received in writing is also considered a formal complaint and the staff member should complete the Clients Complaint Form as part of the investigation.
  - Anonymous complaints can be examined but an official complaint can only be registered when the complainant provides their name and contact details.
  - When a formal complaint is received, contact the Manager of the Service.

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- The Manager shall advise the General Manager of the Complaint, who is responsible for coordinating and delegating investigation into the complaint.
  - Formal complaints should be acknowledged with a letter within **2 working days** (Refer Infonet 'Complaint Acknowledgement Letter' Form CO 2.6.2).
  - When a complaint is received by e-mail it is best to respond to an email by telephoning the complainant or by sending a letter by mail.
  - A person who is the subject of a formal complaint may not investigate that complaint.
  - The General Manager (or delegate), is responsible for:
    - Ensuring the official complaints record form is completed and informing the General Manager of receipt of the complaint.
    - Ensuring the client is informed of the requirement for action to be taken towards a resolution of the complaint.
    - Facilitating the completion of the form to ensure it is representative of the claimed Complaint.
    - Outlining the process of the complaints resolution procedure.
    - Providing information concerning the availability of advocacy and strongly encouraging the client to bring someone with them to act as their advocate and to discuss their Complaint.
    - Ensuring two (2) employees are present to discuss the Complaint, preferably one a line manager.
    - Investigating the complaint and attempting to resolve the complaint to the client's satisfaction.
    - Obtaining final sign off of the investigation by the General Manager
    - Reporting back to the client on actions taken or on findings to the client in the shortest possible time. Generally this will occur no longer than **10 working days** of the initial lodging of the complaint (or as specified in relevant frameworks or legislation eg 30 days Housing Register) with a copy of the letter provided to the relevant supervisor/manager. Refer example standard letter proforma on Infonet (CO 2.6.3)
    - Checking back regularly to ensure the client is not subject of reprisals from any persons.
  - Where the initial outcome of the investigation has not been to the satisfaction of the client the matter must be referred to the next management level by signing the request clause on the official complaint form.
  - When a complaint reaches the level of the CEO, he/she will decide an appropriate course of action. This may include one or a combination
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of the following:

- The CEO personally investigating the matter,
  - The appointment of a person to investigate the complaint and make recommendations to the CEO. This person may be either from within Melbourne Citymission or external to Melbourne Citymission. The person will be selected on the basis of least conflict of interest balanced against the greatest awareness of the general issues,
  - The appointment of a mediator that is acceptable to all parties.
- **In all cases the CEO will advise the client of, and refer them to, options for having the complaint dealt with external to Melbourne Citymission should they so desire.**
  - The Manager or the CEO will hold all records pertaining to a complaint confidentially, for a period of 7 years or when any possibility of legal action against Melbourne Citymission expires.
  - **The CEO is the final arbitrator of complaints and issues relating to organisational policy, practice and procedures.**

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### External Agencies

Service users may contact their service Manager/Team Leader for further information about making an external complaint and will be provided with contact details for such agencies when requested by the client or their advocate.

The General Managers shall coordinate investigation, coordination and response to complaints received by external agents under direction of the CEO.

Complaints received from external agencies shall be managed in accordance with the conditions laid down by the agencies and MCM shall ensure they are aware of, and make every attempt to comply with, deadlines specified in relevant Acts.

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### Structure of Investigation Meetings

- Meetings held to hear or investigate serious complaints, or where an advocate is involved, should follow the following process: Two employees will attend the meeting. Wherever possible one will be male and one female.
  - The more senior employee will act as chairperson to ensure processes are followed in an orderly fashion.
  - The other employee will be the receiver of the official complaint.
  - The receiver of the complaint will outline his/her understanding of the detail of the complaint, the remedy sought and any previous discussion held pertaining to the complaint. The completed and signed complaint form will be available to all parties.
  - The client or his/her advocate will take the opportunity to confirm or clarify the detail as outlined by the Melbourne Citymission receiver of
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the complaint.

- The chairperson will gain agreement over the issues to be discussed.
- Each issue will be addressed separately. The client or his/her advocate will be given uninterrupted time to put his/her view and similarly the receiver of the complaint will be given uninterrupted time to respond. The chairperson will then ensure time for general discussion of the particular issue. The chairperson will make a written summary of the position reached on each issue and agreed actions prior to proceeding to the next issue. The written summary of points reached pertaining to each issue will be made available to the client within three days of the meeting.
- All meetings of this nature involving Melbourne Citymission clients, employees and representatives of advocacy services will be characterised by courtesy and a respect for all parties involved.

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### **RECORDS & REPORTING**

- *Client Complaint/Feedback Form CO 2.6.1* contains a front page (Section 1) that should be made available to clients to record their concerns/feedback on. The appropriate staff member completes the lower portion of Section 1. Where further action is required to investigate or follow-up the complaint the Complaint/Feedback Follow-up Record (Form CO 2.6.1 Section 2) should be used to record details.
- A Complaints Checklist is also available to assist staff manage complaints (Form CO 2.6.4)
- Record general details of formal complaints in the Complaints Management database. Informal (verbal) complaints considered significant by staff and Team Leaders/ Supervisors may also be recorded in the database to assist quality improvement activities and monitoring trends. Store all hard copy information (letters faxes etc) in secure area at each service area for a minimum of 7 years or as legislated.
- Reporting will be under direction of the CEO:
  - To the Board at regular intervals regarding complaints made and issues relating to organisational policy, practice and procedures.
  - To external authorities in accordance with regulatory frameworks and service obligations such as the Disability Complaints Commission.
  - For quality improvement and risk management purposes.