

## 1. Introduction

### 1.1. Purpose

This Policy is designed to provide clear guidance for handling and managing feedback and complaints in a manner consistent with procedural fairness, natural justice, and the requirements under the National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018.

### 1.2. Scope

This Policy is applicable to all Workers affiliated with Inclusive Community Care. It is the responsibility of every individual, regardless of their employment status, to fully comprehend and comply with the commitments outlined in this policy. All Workers must acknowledge that they have read, understood and will comply with the contents of this Policy.

### 1.3. NDIS Indicators (Objectives)

#### Feedback and Complaints Management

Outcome: Each participant has knowledge of and access to the provider's complaints management and resolution system. Complaints and other feedback made by all parties are welcomed, acknowledged, respected and well-managed. To achieve this outcome, the following indicators should be demonstrated:

- a) A complaints management and resolution system is maintained that is relevant and proportionate to the scope and complexity of supports delivered and the size and scale of the organisation. The system follows principles of procedural fairness and natural justice and complies with the requirements under the National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018.
- b) Each participant is provided with information on how to give feedback or make a complaint, including avenues external to the provider, and their right to access advocates. There is a supportive environment for any person who provides feedback and/or makes complaints.
- c) Demonstrated continuous improvement in complaints and feedback management by regular review of complaint and feedback policies and procedures, seeking of participant views on the accessibility of the complaints management and resolution system, and incorporation of feedback throughout the provider's organisation.
- d) All workers are aware of, trained in, and comply with the required procedures in relation to complaints handling.

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## 2. *Policy Statement*

At Inclusive Community Care, we recognise that complaints are not just an expression of dissatisfaction, but a vital way for individuals to exercise their fundamental rights, express their views, and shape the quality of their NDIS supports. We also appreciate that errors can occur, but it is our response that shapes the experience. We commit to handling all complaints in a manner that underscores our value for the individual's opinion and assures them that their feedback has been taken seriously. This approach, we believe, can enhance the relationship between us and the people we support.

We welcome feedback and complaints from all parties, ensuring each is managed professionally and respectfully. We are dedicated to resolving complaints within a reasonable timeframe, improving our services based on feedback, and fostering an environment where participants and their advocates feel encouraged to express their concerns. We will regularly review our policies and incorporate stakeholder views for continuous improvement. Furthermore, all our workers are trained and adhere to our complaint handling procedures.

### 2.1. **Relevant legislation**

All relevant legislation to this Policy is outlined in the Legislation Register.

### 2.2. **Related documents**

- a) Feedback, Complaint and Incident Considerations
- b) Feedback and Complaints Form
- c) Feedback and Complaints Summary
- a) Feedback and Complaints Register

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## 3. *Responsibilities and Roles*

- a) The Partner(s) of Inclusive Community Care is responsible for the development and review of this policy. It is expected that The Partner(s) of Inclusive Community Care ensures this Policy remains compliant with all applicable laws, regulations and standards.
- b) Key Management Personnel play a vital role in ensuring the effective implementation of this Policy throughout Inclusive Community Care. It is the responsibility of all Key Management Personnel to not only assist Workers in understanding and complying with this policy but also to comply with it themselves. By leading by example, they demonstrate the importance of adherence to the policy and foster a culture of compliance within the organisation.

- c) Workers are responsible for understanding the contents of this policy and complying with all procedures applicable to them.
  - d) The Complaint Manager(s) is responsible for managing all complaints. Tracey Spek is the Complaint Manager. If the Complaint is about Tracey Spek, this role will be delegated to a Key Management Personnel.
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## 4. Definitions

**Inclusive Community Care** means J.M SPEK & T.A SPEK trading as Inclusive Community Care ABN 82 908 264 771.

**Key Management Personnel** means Tracey Spek and other key management personnel involved in Inclusive Community Care from time to time.

**Partner** means Tracey Spek.

**Worker** means a permanent, fixed term or casual member of staff, a contractor or volunteer employed or otherwise engaged by Inclusive Community Care and includes the Partner.

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## 5. Procedures

### 5.1. Complaints management system

The complaints management procedure is designed to encourage all types of feedback, including complaints, and ensure their fair, efficient, and timely resolution. We respect every individual's right to voice their concerns or dissatisfaction about the services provided by our organisation, with full assurance of confidentiality and protection from any potential retaliation.

#### a) Complaint Receipt

- 1) Inclusive Community Care's complaint management system is designed to receive complaints in various ways, including email, phone calls, face-to-face communication, or on our website. This ensures that participants can choose the most convenient and comfortable means for them to voice their concerns. Anonymous complaints are also accepted and treated with the same due diligence.
- 2) When a complaint is made verbally, the recipient must attentively listen to the complainant and their supporter or advocate, ensure their comfort, recognise their feelings, thank them for their complaint, and take detailed notes. They should also help the complainant confirm their complaint in writing via the Feedback and Complaints Form.

## b) **Complaint Registration**

- 1) All complaints received will be formally registered in our Complaint Management Register. This includes capturing details about the complaint such as the date, the nature of the complaint, the person who received it, and the person's information.

## c) **Acknowledgment of Complaint**

- 1) Upon receipt, each complaint will be acknowledged within three days. This acknowledgment, typically via email or phone call, lets the complainant know that their complaint has been received and will be addressed.

## d) **Complaint Investigation**

- 1) An internal assessment will be conducted, and the Complaint Manager will ascertain whether the issues in the complaint are within the control of Inclusive Community Care. The manager will also consider the potential desired outcomes of the complainant and determine whether multiple issues need to be addressed separately. They will decide how the complaint will be managed based on a range of factors including severity, complexity, potential risk, and others.
- 2) If deemed necessary, the complaint will be thoroughly investigated. This involves gathering all necessary information, speaking with relevant parties, and determining the validity and severity of the complaint. The process will be conducted in an unbiased, respectful, and fair manner.
- 3) If the complaint concerns the conduct of a specific worker or might negatively affect a person's rights or interests, an investigation must be carried out, providing the worker or person a fair opportunity to be heard and to present their case.

## e) **Response and Resolution**

- 1) Upon completion of the investigation, the person will be informed of the findings and any actions taken to address the complaint. Where appropriate, a formal apology will be offered. If the person is dissatisfied with the outcome, they will be informed of their rights to escalate the complaint within Inclusive Community Care or to external bodies.

## f) **Persons affected by the complaint**

- 1) Where a person with a disability is affected by an issue raised in a complaint, but not the person making the complaint to the provider, Inclusive Community Care will ensure that both the person involved in the complaint and any affected person with a disability are:
  - (i) Appropriately involved in the resolution of the complaint
  - (ii) Kept informed of the progress of the complaint, including:

- a. Any action taken;
- b. The reasons for the decisions made; and
- c. Options to have decisions reviewed.

**g) Documentation and Record Keeping**

- 1) Each stage of the complaint process, including all communications, findings, actions, and resolutions, will be thoroughly documented and securely stored in the complaints management system. This allows for transparency and accountability and provides a record for future reference.

**h) Systematic Review and Improvement**

- 1) On a regular basis, the data from the complaints management system will be reviewed. This will help identify any trends or recurrent issues, which can then be addressed proactively to improve the services.
- 2) Lessons learned from individual complaints will also be used to improve procedures and prevent similar issues from arising in the future.

## **5.2. Training**

- (a) All Workers will be trained in our feedback and complaints procedures on induction and as part of ongoing refresher training. They will be expected to comply with these procedures and demonstrate respect for the rights of all participants to make complaints.
- (b) The Complaint Manager will undergo specialised training in the fields of complaint management and resolution, aiming to provide comprehensive support to participants throughout the Complaints Process. This training will enable them to address complaints empathetically, fostering a comforting and understanding environment.
- (c) In addition to this, the Complaint Manager will be equipped with the necessary skills to conduct investigations into serious incidents. This includes probing incidents that may involve a crime. The manager will also receive training on applying Procedural Fairness, as outlined in both the NDIS (Procedural Fairness) Guidelines 2018 and the Procedural Fairness considerations of Inclusive Community Care.

## **5.3. Referral to NDIS Commission**

- a) We provide the necessary support to any complainant wishing to escalate their complaint to the Commissioner. This includes guiding them on the complaint process with the Commissioner and assisting with any required documentation.

- b) By adhering to this procedure, we ensure our compliance with the complaints management and resolution system requirements for registered NDIS providers, whilst also emphasising our commitment to providing the highest standard of service to our participants.

## 5.4. Protection and confidentiality

### a) Confidentiality

- 1) Inclusive Community Care ensures that all communication, documents, and records related to a complaint are stored securely and accessed only by authorised personnel involved in the complaint resolution process. The complainant's identity and any other sensitive information are kept confidential and disclosed only if:
  - (i) It is legally mandated: there may be situations where we are legally required to disclose certain information, such as court orders or statutory reporting obligations.
  - (ii) It is deemed necessary for complaint resolution: There could be instances where sharing some information with relevant parties might be crucial for resolving the complaint. In such cases, the minimal necessary information is disclosed, and we seek consent from the complainant where possible.

### b) Protection

- 1) Any person who lodges a complaint, or is involved in the complaint resolution process, will not be adversely affected as a result of their involvement. We take allegations of retaliation very seriously. Any form of such behaviour, including intimidation, threats, or adverse changes in work or service provision, is treated as a separate issue and dealt with strictly.

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## 6. Making a complaint

### 6.1. How to make a complaint

- a) **To Inclusive Community Care:** A person can make a complaint to Inclusive Community Care:
  - 1) In person;
  - 2) By email to [info@inclusivecommunitycare.com.au](mailto:info@inclusivecommunitycare.com.au);
  - 3) Via the telephone at 0429 404 311;
  - 4) At [www.inclusivecommunitycare.com.au](http://www.inclusivecommunitycare.com.au); or
  - 5) By post to PO Box 5265 Cranbourne, VIC, 3977.

## b) **To the NDIS Commission:**

A complaint can be made to the NDIS Commission by:

- 1) Phoning: 1800 035 544 (free call from landlines) or TTY 133 677. Interpreters can be arranged.
- 2) National Relay Service and ask for 1800 035 544.
- 3) Visiting <https://www.ndiscommission.gov.au/about/complaints> and completing a complaint contact form.

The NDIS Commission can take complaints about:

- 1) Services or supports that were not provided in a safe and respectful way.
- 2) Services and supports that were not delivered to an appropriate standard.

## **6.2. Support to make a complaint**

a) Our Workers are committed to ensuring all individuals are provided with the necessary support and assistance in relation to the Complaints Management System. This includes anyone wishing to make a complaint or those who have already done so. Our responsibilities include:

- 1) Providing all necessary and easily understandable information regarding the complaint process. Each Participant receives a Feedback and Complaints Summary outlining the information set out in this Policy and Inclusive Community Care actively encourages Participants to provide feedback.
- 2) Guaranteeing an environment that allows individuals to raise complaints or provide negative feedback without fear of retaliation, negative repercussions, or service loss.
- 3) Treating all complainants with respect and acknowledge the significance of their complaints.
- 4) Preserving the confidentiality of all parties involved in a complaint.
- 5) Facilitating the involvement of advocates, representatives, or support persons in the complaint discussion and resolution process, if required.
- 6) Guiding complainants on how to raise a complaint with the NDIS Commission and offer appropriate support to those affected by issues raised in complaints.
- 7) Ensuring that the complaint process is procedurally fair and adheres to the principles of natural justice outlined in the NDIS (Procedural Fairness) Guidelines 2018.

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## 7. *Policy review and updates*

This Policy is to be amended and updated according to the requirements to comply with the applicable law.

**Approval Authority:** The Partner(s) of Inclusive Community Care

**Version:** 1

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**Review Date:** May 2027