

Purpose

This Policy outlines the overarching principles of the complaint management process used by Mercy Connect. The Policy provides guidance on key concepts to be considered when addressing complaints and feedback from a service user, volunteer, family member, community member or stakeholder (or their representative/advocate). Mercy Connect values feedback and complaints from people with disability, families, carers, service providers, general public and regulators to ensure people are treated fairly when they use Mercy Connect services.

At Mercy Connect, we are dedicated to addressing complaints with fairness, efficiency, and effectiveness. We value all feedback, including compliments, as integral to maintaining an inclusive, professional, and procedurally fair environment. Such feedback serves as crucial sources of information, enabling us to continually enhance our services wherever possible.

Scope

This policy applies to the Board of Mercy Connect, all Mercy Connect employees, individuals who use or are in contact with Mercy Connect services – encompassing participants of all ages, families, carers, workers, volunteers and the broader community.

This Policy does not apply to:

- Management of complaints about work or employment conditions at Mercy Connect: Complainants should handle these matters in accordance with Mercy Connects Worker Grievance and Complaint Guideline, or industrial agreements; or
- Management of whistleblower complaints: These complaints or disclosures must be addressed in accordance with whistleblower legislation and Mercy Connects Whistleblower Policy.

Definitions

Term	Definition
Complaint	An expression of dissatisfaction to or about Mercy Connect, its services, staff, or handling of a complaint where a response or a resolution is explicitly or implicitly expected or legally required. A complaint may also be regarding the condition of equipment and or facilities provided as part of the service.
Complainant	Any individual raising a complaint.
Feedback	Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly, or implicitly, to or about Mercy Connect, about its services or management of a complaint where a response may not be explicitly or implicitly expected or legally required.
Compliment	An expression of praise.
Complaint Management System	All staff, policies, procedures, practices, hardware and software used by Mercy Connect in the management of complaints.
Whistleblower	A director, employee or a contractor performing work or providing goods for Mercy Connect, or an associate, relative or dependant of such a director, employee or contractor, who makes a disclosure.

Guiding Principles

Accessibility

- Mercy Connect acknowledges and respects the rights of individuals, including children, to raise complaints and provide feedback without fear of reprisal. Access barriers, such as communication difficulties or abuse, will be recognised and addressed to ensure all individuals can effectively utilise Mercy Connect's complaint procedures.
- Complaint procedures will be easily accessible and well publicised both internally and externally, feedback can be provided in writing, by email, in person, via telephone, and through the feedback form available on the Mercy Connect website.
- Mercy Connect is committed to ensuring that our complaint policies and procedures are readily accessible to service users and the community, without any charge for submission. These processes should be understandable and explained clearly and appropriately to all service users.
- Complaints processes will be sensitive to any cultural requirements, recognising and respecting the diversity of backgrounds and perspectives among service users. Mercy Connect will strive to provide culturally appropriate support and communication throughout the complaint resolution process.

Confidentiality

- Mercy Connect prioritises maintaining confidentiality in handling complaints and feedback. Personal information will be handled in accordance with relevant privacy policies and laws, disclosing or using it only as permitted.
- Appropriate levels of confidentiality will be adhered to at all times, ensuring that personal information identifying individuals is not disclosed or used inappropriately.
- All complaints records are maintained and retained in accordance with Mercy Connects Record Management policy.

Procedural Fairness

- Mercy Connect commits to addressing each complaint in an equitable, objective, and unbiased manner, ensuring procedural fairness throughout the process. Conflicts of interest, whether actual or perceived, will be managed appropriately.
- Each stage of a complaint will be conducted with transparency and in accordance with the NDIS Procedural Fairness Guidelines 2018.

Process and Timeframes

- Every complaint received by Mercy Connect will be managed through a structured procedure, and generally include the following stages: receive, acknowledgment, assessment, investigation, outcome, and closure.
- Mercy Connect aims to handle all complaints efficiently and timely, acknowledging complaints promptly and providing clear timeframes for resolution. If there are any delays in the complaint management process, the reasons for such delays will be communicated to the complainant.
- Mercy Connect will ensure that complainants are informed of the progress of their complaint or feedback within 2 business working days when reasonably practicable as required, with a resolution provided within 30 days. Any necessary support or care will be arranged for complainants who have experienced or alleged abuse.

Support Person

- Complainants and respondents have the right to have a support person (for example family member, friend, community member, union representative, or staff member) as a support during the Complaint management process.

Counselling, Wellbeing and Support

- In every situation, ensuring the safety and well-being of the person making the complaint will be the top priority in how we handle and respond to feedback and complaints. For any complaint involving neglect or abuse, each party involved will undergo an initial risk assessment to identify and mitigate any risks associated with the nature of the complaint.
- Where required, Mercy Connect will identify and arrange the provision of trauma informed and victim centred support and care to any complainant who has experienced or alleges abuse (including other affected parties).
- Where a participant has been affected as a result of a complaint, the Participant will be made aware of advocacy services and supports that are available to support their wellbeing.
- A Complainant or respondent may wish to seek counselling or assistance from someone independent. There is a range of organisation's external to Mercy Connect who can assist with this, including employer Employee Assistance Programs (EAPs) and other appropriate external organisations.
- We recognise that a power imbalance between the complainant and respondent may inherently exist and will provide options to complainants to request another respondent to their complaint.

Complaints relating to the Chief Executive Officer and Senior Management

- Complaints relating to the Chief Executive Officer must be referred to Mercy Community Services Australia Limited (MCSAL) and managed by the Boards Chair or their delegate in accordance with Mercy Connects complaint policy and/or procedure.
- Complaints relating to senior management should be referred to and managed by the Chief Executive Officer.

Anonymous Complaints

- Complaints may be submitted anonymously, however, in such instances Mercy Connect may be limited in the extent to which it is able to progress the matter.

False, Vexations or Malicious Complaints

- Individuals should not instigate Complaints that are frivolous, vexatious or malicious. All individuals are expected to participate in the complaint management process in good faith.

External Investigations

- Internal and external mechanisms exist for review and appeal regarding the organisation's response to feedback.
- If a complaint is made about Mercy Connect to an authorised external body, Mercy Connect will fully cooperate in any investigation which may take place.

Worker Training

- All workers involved in Complaint Management processes and systems are required to be appropriately trained to effectively exercise their roles and responsibilities relating to Complaint Management.

Lodging Feedback or Complaints

Receive

Mercy Connect has a formal mechanism for managing all feedback and complaints received, including recording, assessing, investigating and providing outcomes for all complaints received.

Individuals may submit feedback or a complaint verbally or in writing to the Mercy Connect using the following means:

In Person	<u>Albury/Wodonga</u> 30 Bottlebrush St, Thurgoona, NSW, 2640	<u>Orange</u> 10 Illamatta Way, Orange, NSW, 2800
Post	PO Box 440 Lavington, NSW, 2641	Po Box 8473 Orange, NSW, 2800
Phone	(02) 6043 3500	(02) 6360 2948
Email	enquiries@mercyconnect.org.au	
Website	mercyconnect.org.au	

Feedback, complaints, or compliments submitted directly to Mercy Connect will be promptly recorded in our risk management system and treated with utmost confidentiality.

The feedback, complaint or compliment will be delegated for review and action by the Executive Leader Operations or the Executive Leader People and Culture to the relevant Manager or Executive Leader who leads the appropriate department, depending on the nature of the feedback or complaint. Which may include:

- Operations
 - People and Culture
 - Clinical Services including Quality Risk and Safeguarding
 - Financial Services
- If there is a real or perceived conflict of interest due to the nature of the complaint, staff must declare the real or perceived conflict and responsibility will be transferred to an alternate executive member or the CEO where appropriate.
 - Managers that are delegated complaints for review and action, must manage the complaint in accordance with Mercy Connects Feedback and Complaints Procedure.

Acknowledge

Should contact details be provided, the individual submitting feedback, complaint, or compliment can expect to be contacted within 2 business days by the responsible party, confirming receipt and outlining the subsequent steps and timelines for follow-up actions.

Assess

All feedback will be categorised based on their severity to facilitate correct management as per the Mercy Connects Feedback and Complaints Procedure. The responsible Executive Leader or Manager will review the complaint and consider:

- a. whether the matter raised within the complaint are within the control of Mercy Connect;
- b. whether the matter is currently being dealt with by another authority;
- c. how serious, complicated or urgent the complaint is;
- d. whether the complaint raises concerns about people's health and safety;
- e. how the person making the complaint is being affected;
- f. the risks involved if resolution of the complaint is delayed; and
- g. whether a resolution requires involvement of other organisations.

For complaints indicating issues causing lasting harm warranting investigation, such as those concerning standards, quality of care, or rights, as well as issues involving serious adverse events or long-term damage necessitating formal inquiry, immediate notification to the Chief Executive Officer and the respective Executive Leader responsible is mandatory.

Investigation

Following assessment of the complaint, the responsible Executive Leader or Manager may:

- a. Provide the Complainant with further information, including a copy of *Mercy Connects Feedback and Complaints Policy*;
- b. Collect information about the matter that the complaint is about; and/or
- c. Investigate the allegations outlined in the complaint.

Throughout the investigation of the complaint, the responsible Executive Leader or Manager will ensure that the complainant is regularly updated on the progress of the investigation.

Outcome

Following consideration and investigation of the Complaint (if applicable), the responsible Executive Leader or Manager will notify the complainant either in person or in writing within 30 calendar days of the feedback being lodged. The outcome should include:

- a. the outcome of the complaint, including action(s) taken
- b. the rationale for the decision of Mercy Connect
- c. the remedy or resolution proposed by Mercy Connect; and
- d. any options for review (if deemed appropriate).

Closure

The responsible Executive Leader or Manager will ensure that all required details relating to the

Complaint are recorded in the risk management system. They will ensure that all associated documentation, including any responses from the complainant, is properly attached within the record. Additionally, any outstanding actions will be recorded and assigned for completion within agreed-upon time frames in the risk management system. Once all corrective/preventative actions have been successfully executed, the complaint can then be closed off.

Lodging External Feedback and Complaints

“Your Call” Whistleblower Service

A person wishing to lodge feedback may wish to do so in a confidential manner and can do this by contacting an external independent whistleblower service “Your Call” (refer to Whistleblower Policy).

Phone	1300 790 228 (toll free)
Online	www.yourcall.com.au/report
“Your Call” reporting may require you to provide an Organisation ID: MERCYC	

NDIS Commission

If you feel comfortable, you are encouraged to raise your concern or complaint with Mercy Connect first, as this is often the best way to have your issue resolved quickly.

The NDIS Commission can take complaints from anyone about:

- NDIS services or supports that were not provided in a safe and respectful way
- NDIS services and supports that were not delivered to an appropriate standard
- how an NDIS provider has managed a complaint about services or supports provided to an NDIS participant

Online	Completing a contact form (www.ndiscommission.gov.au/participants/complaints)
Phone	1800 035 544 (free call from landlines)
If you are deaf or hard of hearing, contact:	
Text Telephone TTY	133 677
National Relay Service	1800 555 727 and ask for 1800 035 544
Interpreting Services	
TIS National direct	131 450

Monitoring and Reporting

Analysis and Reporting

Complaints for Mercy Connect must be recorded in an effective manner in confidential complaints register within the risk management system. At a minimum, complaints will record the following

Approved By: Interim Chief Executive Officer: Caroline Cummins	Ver: 9	Page 6 of 9
Authorised Date: 13 May 2024		

information:

- a. date complaint was received.
- b. date complaint was acknowledged.
- c. details of the complainant (if available).
- d. details of the respondent.
- e. nature of the complaint.
- f. action(s) taken.
- g. complaint outcome and date of notification; and
- h. any response received from the complainant to the complaint outcome.

Copies of all correspondence relating to the complaint must only be securely stored in the corresponding complaint record within the risk management system.

Where an incident is identified during the course of a complaint review or investigation, the incident must be lodged and recorded in accordance with Mercy Connects Incident Management Policy and corresponding procedures.

Feedback is reviewed at the highest level of governance in the organisation to ensure comprehensive oversight. Mercy Connect will regularly produce and provide a report of all received complaints to the Quality, Risk, and Safeguarding Committee on a quarterly basis for review. At a minimum, the report(s) must include the following for the time period in question:

- a. the number of complaints received.
- b. the outcome of complaints.
- c. issues arising from complaints.
- d. systemic issues identified (if any); and
- e. the number of requests received for internal and/or external review of complaint handling.

Continuous Improvement

Complaints highlight opportunities for service enhancement and better outcomes for participants and children and serve as a fundamental driver of ongoing improvement efforts within Mercy Connect. Mercy Connect is committed to the continuous improvement of the organisation, including an effective Complaint Management System.

The Executive Leader Operations (or delegate) is responsible for reviewing the complaint management processes and system on an annual basis to identify opportunities to improve the complainant experience and internal procedures relating to complaints. Outcomes from this review are communicated to the Quality, Risk & Safeguarding Committee. Review and evaluation of complaint management systems will include:

- a. regular review of all relevant complaint policies and procedures;
- b. supporting the making and appropriate resolution of complaints;
- c. implementing best practices in complaint handling;
- d. the review of feedback from individuals regarding the accessibility of the system;
- e. regular review of the complaint management system and complaint data; and
- f. implementation of appropriate system changes arising out of analysis of complaints data, feedback received, and continual monitoring of the system.


Relevant Legislation and Policy

- NDIS Practice Standards 2018.
- NDIS Quality and Safeguarding Commission 2018.
- National Disability Insurance Scheme (Procedural Fairness) Guidelines 2018
- United Nations Convention on The Rights of Persons with Disabilities.
- Work Health and Safety Act NSW 2011.
- NSW Ombudsman.
- Disability Services Commissioner.
- National Standards for Disability Services 2013.
- NSW Disability Inclusion Act 2014.
- Child Protection (Working with Children) Act 2012.
- Children and Young Person (Care & Protection) 1998.
- Children Youth and Family Act 2005 (Vic).
- Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015.
- Victorian Child Safe Standards 2021

Relevant documentation

- Quality Assurance and Continuous Improvement Policy.
- Code of Conduct
- Safeguarding Policy
- Whistleblower Policy
- Record Management policy

Approvals

Action		Signature
Reviewed by	Quality and Risk Manager – Kate Henderson Quality Risk and Safeguarding Committee	
Review date	13 May 2024	
Next scheduled review	November 2024	
Authorised By	Interim Chief Executive Officer – Caroline Cummins	

Issue Status

Issue #	Description of change	Date
001	Initial Publication.	20 June 2019
002	Included reference to children and updated policy reference numbers.	19 July 2019
003	Updated to include how to lodge a complaint and broaden scope to include participants and the general public.	27 July 2020

004	Scheduled Review - Updated to include categorisation table.	30 November 2020
005	Updated to reflect new policy document format.	May 2021
006	Updated guiding principles to support National Catholic Safeguarding Standards and NDIS contact information	23 May 2022
007	Updated to include references to NDIS Procedural Fairness guidelines, Complaints records, Worker Training and participant advocacy services.	16 June 2022
008	Scheduled review - Update references to risk management system to align with new complaint system implementation	8 November 2022
009	Ad hoc review - Update to align to Mercy Community Services Australia Limited (MCSAL) Complaints Policy. Acknowledgement timeframes altered from ten business days to two business days.	3 May 2024