

GRIEVANCE, COMPLAINTS, DISPUTES AND APPEALS**1.0 PURPOSE**

- 1.1 The purpose of this procedure is to establish a mechanism for clients, their families, carers and/advocates, or members of the Spinal Injuries Association (Association) to contribute feedback or who have a grievance or dispute and wish to lodge a complaint, against the Association regarding its policies, procedures, employees, agents, quality of services or products supplied. It aims to ensure feedback and complaints are recorded appropriately and actioned in a fair, timely, transparent, equitable and accountable manner.

2.0 OBJECTIVE

- 2.1 The Association considers all feedback, compliments, complaints, grievances and disputes as opportunities for continuous improvement under the quality management system framework, which strives for a fair and reasonable outcome for all parties. The Association adopts guiding principles for complaints handling based on Australian and International Standards.

3.0 SCOPE

- 3.1 All Association services client feedback, complaints, grievances and disputes.

Employee grievances against the Association are not part of this process but are handled under the Employee Grievance procedure.

4.0 DEFINITIONS**4.1 Grievance**

A Grievance is considered a real or imaginary wrong causing resentment and regarded as grounds for providing feedback about an issue to be addressed, or formally lodging a complaint.

4.2 Issue

An Issue is considered any expression of dissatisfaction with the organisation's quality of service provided, process, decision or action taken. It may relate to any aspect of the service provided, made by clients that are not typical of regular communication or feedback regarding the person receiving a service, and for which a remedy is sought to resolve the problem.

Issues may be raised verbally or written and are documented in the Client Management System (CMS).

An Issue is Actioned by the person with the direct client relationship and responsibility towards the client, within their normal scope of duties to achieve a positive and fair result.

If a positive result cannot be achieved under an employee's normal scope of responsibility towards the client, for what ever reason, it will be escalated as a Formal Complaint to involve suitable management intervention to resolve the problem.

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A Formal Complaint is considered an expression of dissatisfaction with any of the organisation's policies, procedures, employees, agents, quality of service/s or products.

It may relate to any aspect of the service provided, made by clients, their families, carers and/or advocates, members, or relevant stakeholder that are not typical of regular communication or feedback regarding the person receiving a service and for which a remedy is sought that needs the immediate involvement of a higher level of Management staff to achieve.

A Formal Complaint may be a matter raised which is Sensitive in nature; or a matter raised by a Complainant as a Formal Complaint; or may result from an escalation of an unresolved client service relationship Issue. Each of which require management action through a formal Quality Improvement Request (QIR) process.

Formal Complaints may be raised verbally or written and are documented following standard QIR process.

- Incidents of a Sensitive in nature may include, but are not limited to, sexual harassment, abuse, neglect, bullying or harassment, discrimination, assault, breach of privacy and confidentiality, or other allegations of criminal activity and are taken as a Formal Complaint. Incidents are assessed and if required managed according to the Critical Incident Reporting procedure.
- A client, a member of their family, carer and/or advocate, Association member or relevant stakeholder may raise a Formal Complaint.
- Incidents where a staff member assisting to resolve an Issue is unable to solve the problem because it is outside the scope of their authority, the complaint will be escalated to Management and recorded as a Formal Complaint.

A Formal Complaint is Actioned by a nominated higher level of Management.

4.4 Critical Incident

Critical Incidents are handled according to the Association's Critical Incident Reporting procedure and may require reporting to relevant external parties (e.g., relevant Department, police, etc) by the Association. Critical Incidents may refer to the following:

- theft of a client's property
- abuse, neglect or exploitation, or risk thereof
- death, or risk of thereof
- abandonment, or risk thereof
- serious harm or injury, or risk thereof

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- other incidents, for example, alleged criminal activity, inappropriate sexual behaviour, property damage resulting in closure of a service, such as destruction of premises by fire, and emergency situations.

A person who wishes to notify the Association of a Critical Incident should immediately contact the Toll Free number: 1800 810 513, or their immediate client relationship support person.

For immediate Emergency Assistance contact: 000

5.0 GENERAL POLICY INFORMATION

- 5.1 Spinal Injuries Association ensures that a grievance is acknowledged within 48 working hours (two working days). Grievances are treated with respect and dignity, fairly and equitably. Feedback on the resolution, investigation process, expected duration and the outcome of the complaint is provided.
- 5.2 Staff can assist with details on how to lodge a complaint.
- 5.3 A person may raise a complaint to their funding body Department should they choose to do so, if they are unable to get resolve of a problem with the Association. A list of Departments is provided in Appendix A.
- 5.4 A person is able to express their grievances to be pursued about services without fear of the services being discontinued and without fear of recrimination.
- 5.5 A proactive approach to grievance management is taken that safeguards people from retributive action when raising grievances. The Association upholds all relevant regulatory and legislative requirements.
- 5.6 A person who wishes to raise a grievance may do so to a representative of the Association and feel comfortable with disclosing details to assist in the resolution process. All employees are bound by the Privacy Act and Association Privacy and Confidentiality Policies.
- 5.7 Staff who come into knowledge about a Critical Incident occurring has a Duty of Care towards staff and clients to report the matter to management as soon as practicable.
- 5.8 Feedback about the way a grievance was handled at conclusion of the process is encouraged.
- 5.9 Individuals have the right to engage an independent person, or advocate to assist them raise a grievance and/or act on their behalf through out the process.
- 5.10 A risk management approach is taken upon the receipt of a grievance and action is taken to minimise risk and ensure the client's needs are assessed in the order of Highest Priority.
- 5.11 Strategies are taken to resolve grievances in a timely and appropriate manner which may include discussion, problem solving activities, investigation and mediation; matters may be referred to a complaints agency, if deemed appropriate. The Association strives to achieve a fair and reasonable outcome from initial notification immediately or within one month.

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- 5.12 Service support plans will be updated with remedial or preventive action following a substantiated complaint, where applicable.
- 5.13 The Association's quality process monitors and reviews the grievance management process and client satisfaction in order to identify and consider continuous improvements strategies towards client services. The Association responds positively to constructive feedback about performance and suggestions made to enable improvements.
- 5.14 The Association provides for an Appeals process where a person is unsatisfied with the outcome of a formal complaint.
- 5.15 The Association applies principles of natural justice.

6.0 PROCEDURE – GRIEVANCE NOTIFICATION

A person who seeks to provide feedback, raise an Issue or lodge a Formal Complaint, may do so in following ways:

1. Raise the matter in writing or verbally via face-to-face or technology, such as email, letter, phone, SMS, or via the website feedback facility.
 - a. Toll Free number – 1800 810 513
 - b. The person directly
 - c. Website feedback facility: <http://www.spinal.com.au/>
 - d. Head Office:

109 Logan Road, Woolloongabba Qld 4102

PO Box 5651 West End Qld 4101
 - e. The Quality Manager - qmscoordinator@spinal.com.au
2. In the first instance the person should discuss the Issue with the person(s) directly involved in order to resolve the problem on the frontline and achieve a reasonable and positive outcome.
3. If the Issue is not resolved, or if the person feels uncomfortable about raising the Issue with those directly involved, they should raise the matter to the attention of the Quality Manager or Department Manager and it will be addressed as a Formal Complaint. The matter will normally be referred to the appropriate department Manager to Action.
4. Acknowledgement receipt will be confirmed by the represented member of Management and contact made with the Complainant within 48 hours (two working days) from when the Complaint is received, to investigate the problem and work on a solution. The process and anticipated timeframes for completion will be explained.

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5. Complainants who are unsatisfied with the outcome of the complaint process maintain their right of Appeal to a decision made by the Association's representative.

7.0 APPEALS

All applications for Appeals must be made in writing and provide reasons for the appeal, feedback, or additional evidence to support the appeal being made.

In the first instance the Executive Manager reviews Appeals made by Complainants, investigates the complaint and looks at new evidence to support the appeal and makes a decision.

In the second instance the Chief Executive Officer (CEO) reviews Appeals made by Complainants, investigates the complaint and looks at new evidence to support the appeal and makes a final decision. The CEO at their discretion may refer the matter to an agreed external agency to assist in mediation process. A list of external complaints resolution agencies is detailed in Appendix A.

8.0 MANAGEMENT REVIEW

- 8.1 The Department Manager reviews Issues and Complaints and contributes to the Quality Improvement Process.
- 8.2 The Executive Management Team (EMT) is informed of each complaint lodged in their department.
- 8.3 The Quality Manager collates and reports data about Issues and Complaints for review at the Management Review meetings.
- 8.4 The Quality Manager reports relevant data about complaints to the Board.

9.0 REFERENCES

Document and Data Procedure
Record Control Procedure
Continual Improvement Procedure
Complaints and Disputes Policy
Privacy and Confidentiality Policy and Procedure
Risk Management Procedure
Critical Incidents Reporting Procedure
Workplace Harassment Procedure
Employee Grievance Procedure
Quality Improvement Request form
Complaints Flowchart Office Use Only and General

GRIEVANCE, COMPLAINTS, DISPUTES AND APPEALS

Grievance, Complaints, Disputes and Appeals – Office Procedure

Code of Conduct

Privacy Act 1988 and Privacy Principles

Whistleblowers Protection Act 1994

Disability Services Act 2006 (Qld)

Disability Services Regulation 2006 (Qld)

Disability Services Act 1986 (Commonwealth)

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APPENDIX A – LIST OF EXTERNAL COMPLAINTS RESOLUTION AGENCIES

Queensland Ombudsman's Advice and Communications Unit	Telephone: 07 3005 7000
Disability and Communities Complaints Unit Department of Communities	Disability Services Telephone: 3224 7179 TTY: 3224 8021 Email: complain@disability.qld.gov.au for more information or to receive a brochure about the Disability Services Complaints Service.
Veterans' Standards and Complaints Management (VSCM) team Department of Veteran Affairs	To call DVA ring 133 254 or from regional Australia Telephone: 1800 555 254. Veterans' Services & Complaints Management Team (Level 1) GPO Box 9998 SYDNEY NSW 2001 Email: feedback@dva.gov.au
Department of Education, Employment and Workplace Relations (DEEWR) Customer Service Line Complaint Resolution and Referral Service	Customer Service Line: 1800 805 260 (freecall) Fax: 02 9318 1372 Email: crrs@pwd.org.au
Legal Aid QLD	1300 651 188
Complaints Resolution and Referral Service (for services funded by the Commonwealth Department of Family and Community Services) National Disability Service Abuse and Neglect Hotline contact points	CRRS Telephone: 1800 880 052 (toll-free within Australia) TTY: 1800 301 130 (toll-free within Australia) National Relay Service: 1800 555 677 (toll-free within Australia) Telephone Interpreter Service: 131 450 (cost of a local call)
Office of the Adult Guardian	(07) 3234 0870 or 1300 653 187
Public Trustee (Brisbane)	(07) 3213 9288
QLD POLICE (Headquarters Brisbane)	(07) 3364 6464
Queensland Anti-Discrimination Commission	Level 17, 53 Albert Street BRISBANE QLD 4000 Tel 1300 130 670 TTY: 1300 130 680
Queensland Victims Counselling & Support Line	1300 139 703
Regional Dispute Resolution Centre	179 North Quay BRISBANE QLD 4000 Tel 3239 6007 Free Call: 1800 017 288
Sexual Assault Services	Statewide Sexual Assault Help Line (24 hrs day): Tel 1800 010 120 (free call)