

 <p>ACCESS 2 PLACE HOUSING</p>	COMPLAINTS, APPEALS & COMPLIMENTS MANAGEMENT AND RESOLUTION POLICY		Policy Number	QA09
			Version	1
			Date	July 2023
			Review Date	July 2025

1. Purpose

The aim of the Complaints, Appeals & Compliments Management and Resolution Policy is to ensure that Access 2 Place Housing (A2P) has a complaints management system (refer to definition) that manages and resolves complaints and appeals fairly, efficiently and effectively.

This policy will support A2P to investigate and resolve complaints and appeals in a manner that facilitates:

- Engaging with complainants/appellants in a consistent, respectful and supportive manner.
- Having an accessible, consistent, equitable and timely complaint handling and resolution system,
- Taking all reasonable steps to investigate and resolve complaints within 30 days,
- Effective management of a complaints and appeals register,
- Using information provided through complaints and appeals to deliver quality improvements.

This policy will also support A2P to acknowledge and communicate compliments in a timely and congratulatory manner.

2. Context

A2P believes that people have a right to complain about A2P services; and antisocial behaviour at A2P properties. A2P believes that complaints and appeals provide valuable feedback. In addition, as a disability community housing provider A2P has complaint management regulatory and legislative requirements it must align to, in particular as a National Disability Insurance Scheme (NDIS) Registered Provider; and a National Regulatory System Community Housing (NRSCH) Tier 2 Provider (refer to section 5.1 of this policy for more detail).

3. Scope

This policy applies to:

1. Complaints about A2P services
2. Antisocial behaviour
3. Appeals
4. Compliments

See Section 7 for definitions of the above.

This policy provides the overarching direction for managing and resolving complaints and appeals. For operational procedure and practice, refer to the Complaints about A2P Services Procedure (in development) and the Complaints about Antisocial Behaviour Procedure (in development).

This policy does not apply to disputes or complaints between staff or management, refer to the *A2P Internal Complaints and Grievances Policy*.

This policy does not apply to complaints or concerns about Violence, Abuse, Neglect and Exploitation (VANE). Staff are required to refer to the *A2P Tenant Wellbeing Policy* and the *A2P Incident Management & Reporting Policy*.

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4. Risk

The absence of an A2P *Complaints, Appeals & Compliments Management and Resolution Policy* could mean that A2P is placed at greater risk of

- not acknowledging and upholding the rights of people assessing and/or using A2P services; and not complying with disability community housing provider compliance and legislative responsibilities; or
- not engaging with early intervention and prevention strategies to:
 - mitigate the risk of antisocial behaviour on neighbours and the community; and
 - help tenants maintain their tenancy whenever possible.

5. Policy Detail

5.1. Compliance

A2P's Complaints, Appeals & Compliments Management and Resolution Policy will meet NRSCH Evidence Guidelines 1(f) and NDIS Complaints Management and Resolution Rules (2018) compliance requirements.

Refer to the [NDIS Complaints Management Guide](#), [NDIS Complaints Management and Resolution Rules \(2018\)](#) or [NRSCH Evidence Guidelines](#) for more information.

5.2. General Policy

5.2.1. What is a Complaint?

A complaint is either

1. an expression of dissatisfaction made to or about A2P, related to A2P products, services, staff or the handling of a complaint (where a response or resolution is explicitly or implicitly expected or legally required); or
2. disputes or complaints between A2P tenants or a complaint by an individual about an A2P tenant.

5.2.2. What is an Appeal?

An appeal is a formal request for A2P to reconsider and/or change a decision.

5.2.3. How A Complaint or Appeal Can Be Made?

A complaint or appeal can be made by the person concerned (complainant/appellant) or by a representative or advocate (with consent) in the following ways:

- Using the A2P complaint form (available on our website or by email)
- In person at the A2P office;
- Emailing the A2P general email address or A2P staff member directly; or
- By telephoning the A2P office.

Where A2P staff assist a complainant/appellant to record a complaint/appeal in writing, a copy must be given to the complainant/appellant and confirmation of the accuracy of the information recorded must be given.

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5.2.4. When A Complaint or Appeal is Made

A2P treats complaints and appeals seriously and welcomes the opportunity to hear any issue so that it can be investigated and resolved.

A2P acknowledges that making a complaint or appeal can be difficult and will support complainants/appellants to make their concern or issue known and understood. When making a complaint or appeal, people will be:

- Listened to and treated with respect;
- Actively involved in the complaint process where possible and appropriate;
- Provided with information about the complaint handling process;
- Provided with multiple and accessible ways to make complaints including accessing relevant external authorities (see section 5.5 of this policy);
- Provided with information to advocacy and support services as required; and
- Provided with reason(s) for decisions made by A2P and any options for review.

5.2.5. Anonymous Complaints

A2P accepts anonymous complaints and will carry out an investigation when there is enough information provided to do so.

5.2.6. Withdrawing Complaints

Complaints can be withdrawn at any time. A2P will investigate to ensure the withdrawal is not due to the complainant experiencing victimisation.

5.2.7. Accessible Communication

A2P will ensure that A2P complaints and appeals policy and procedure is easily understood and accessible.

A2P will ensure complainants/appellants are provided with information on how to make a complaint or appeal.

A2P will ensure that information on how to make a complaint or appeal, to and about, A2P is available on the A2P website and advertised at least once a year in the tenant newsletter.

This policy, and an easy English version (to be developed) and the accompanying procedures (to be developed) will be publicly accessible on the A2P website.

5.2.8. Representation

Complainants/Appellants can choose to have a representative to represent or assist them in the making and/or resolution of their complaint (e.g. advocate, family member, legal or community representative, translator, or another organisation).

The complainant/appellant must consent in writing to having a representative.

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5.3. Responding to Complaints and Appeals

5.3.1. General

A2P is committed to ensuring that making a complaint or appeal will not result in discrimination or detriment to complainants/appellants or those impacted by the issues raised.

A2P will inform complainants/appellants, as soon as possible, of the following:

- The option of an informal or formal complaints and appeals resolution process;
- The expected timeframes for actions being undertaken;
- The progress of the complaint and reasons for any delay.

5.3.2. Informal Resolution Process

Complainants are encouraged to raise awareness of concerns and/or issues at the time they occur with an A2P staff member to support the opportunity for discussion and timely resolution, where possible. Any decisions or actions related to informal resolutions will be recorded by the A2P staff member involved.

Seeking an informal resolution does not void the right of complainants make a formal complaint or appeal.

While complainants are encouraged to seek an informal resolution, there may be situations where an informal approach is not appropriate or wanted by the complainant. There is no need for complainants to try an informal resolution process prior to accessing the A2P Formal Complaint and Appeal Resolution Process, identified in section 5.3.3 of this policy.

5.3.3. Formal Complaint and Appeal Resolution

Management or an appropriate staff member will lead the investigation of all complaints or appeals. A2P will engage appropriate internal supports to ensure that fair, objective and reasonable principles were applied; and an impartial decision is reached.

All formal complaints or appeals will be managed and resolved through the six stage complaints and appeals process to ensure a consistent and equitable approach is applied to all complaints and appeals. The six stages of the process are:

1. Listen,
2. Acknowledge,
3. Review,
4. Collaborate,
5. Act,
6. Communicate.

Refer to the Complaints about A2P Services Procedure (in development) and the Antisocial Behaviour Procedure for greater detail on the specific process for each of these areas.

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5.3.4. Appeal Specific Policy

Whilst appeals follow the same process as complaints, appellants may be requested to provide further detail and any correspondence relating to the original complaint to accurately pinpoint any errors in the complaint resolution process.

To ensure thorough records are maintained, appeals will be recorded in the complaint register and linked to the initial complaint.

5.3.5. Procedural Fairness

A2P will address each complaint and appeal with integrity and in accordance with procedural fairness through:

- Ensuring the person handling the complaint or appeal is different from any staff member who conduct, or service is involved in the issue,
- Assessing each complaint and appeal on its merits and involving people making complaints and/or their representative in the process as far as possible,
- Managing responsibly any actual or perceived conflicts of interest,
- Conducting internal reviews of how a complaint was managed by a person other than the original decision maker.

5.3.6. Privacy, Confidentiality and Information Management

A2P will protect the identity of people making complaints and appeals, where practical and appropriate, and accordance with the *A2P Privacy, Confidentiality & Information Management Policy*.

5.3.7. Complaints Involving Multiple Organisations

Where a complaint/appeal involves multiple organisations, A2P staff will work with the other organisation(s) where possible to ensure that communication with the person (and/or their representative) making the complaint/appeal is clear and coordinated.

Subject to privacy and confidentiality considerations, information sharing between parties will also be organised to facilitate a timely response to the complaint/appeal. Refer to the *A2P Privacy, Confidentiality & Information Management Policy* and *A2P the Information Sharing Guidelines Appendix* for further information and guidance.

Complainants will be informed when external authorities are required. The following complaint types require reporting to external authorities:

- Privacy breach;
- Reportable incident;
- Criminal activity.

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5.3.8. Managing Unreasonable Conduct

A2P is committed to being accessible and responsive to all people who approach us with complaints or appeals. A2P will not accept abusive behaviour.

A2P will take proactive and decisive action to manage any unreasonable conduct that places others at risk of harm and/or significantly affects the progress and efficiency of the complaints process.

5.4. Monitoring and Reporting on Complaints and Appeals

System information will be collated and analysed annually by the Management to determine trends and issues in complaints/appeals. This information will then be used when reviewing work practices and strategic plans.

- The OM will monitor the complaints and appeals system.
- The OM will provide reports to the CEO quarterly on the complaints and appeals system.
- The CEO will report to the Board quarterly on the outcomes of the complaints and appeals system.

5.5. External Authorities

A2P will ensure that people making complaints or appeals are aware of the following external authorities:

- The South Australian Civil and Administrative Tribunal (SACAT) can review many decisions made by community housing providers under the *Community Housing Providers (National Law) (SA) Act 2013*. Refer to the [SACAT website](#) for what community housing provider decisions SACAT can review.
- The National Regulatory System for Community Housing (NRSCH) investigates complaints that raise concerns about a registered community housing providers compliance with the regulatory code. Complaints can be made using the [NRSCH online complaint form](#).
- The National Disability Insurance Scheme (NDIS) Quality and Safeguards Commission are responsible for regulating NDIS providers. Staff can give the complainant a [NDIS complaints fact sheet](#) and advise that a complaint can be made to the NDIS Commission by:
 - Phoning: 1800 035 544 (free call from landlines) or TTY 133 677. Interpreters can be arranged.
 - National Relay Service and ask for 1800 035 544.
 - Completing an [NDIS complaint contact form](#).
- [Health and Community Services Complaints Commissioner](#). Phone Monday to Friday 9.00 am to 5.00 pm on (08) 8226 8666 ☎
- [Ombudsman SA](#). Phone Monday to Friday 9.00 am to 5.00 pm on (08) 8226 8699 ☎
- [Tenants Information and Advocacy Service](#).

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5.6. Compliments

Compliments help A2P to know that we are on the right track and to recognise staff who provide a great service. Compliments will be managed through the following process:

- Compliments can be made in the same ways outlined in 5.2.3 'How a complaint or appeal can be made'.
- Receipt of all compliments will be acknowledged by the relevant manager.
- The manager will forward the compliment onto the appropriate employee.
- Where appropriate the manager will share the compliment with the rest of the A2P team, either by email or at a staff meeting.

5.7. Responsibilities

5.7.1. Staff

All staff will:

- Be aware of, and act in accordance, with this policy.
- Recognise a complaint and facilitate the making of the complaint in a supportive way.
- Not attempt to dissuade potential complainants from making a formal complaint or appeal.
- Seek management support for any work, health and safety concerns should they arise during the complaints/appeals process.
- Participate in complaints training, when it is offered.

5.7.2. Managers

Managers will:

- Ensure that all staff are appropriately trained and aware of complaints and appeals policy and procedure.
- Support staff to be aware of, and act in accordance, with this policy.
- Assist and provide supervision to investigate, review, resolve and respond to complaints and appeals.
- Provide support to staff with any work, health and safety concerns should they arise during the complaints/appeals process.
- Contribute to the reviewing and development of complaint/appeal policy, procedure, practice and administrative requirements.
- Identify complaint and appeal trends and systemic issues and report them to the CEO.

5.7.3. CEO

The CEO will:

- Leading the complaints/appeals process for any complaints/appeals against managers.
- Report to the Board regularly on complaint and appeal trends and systemic issues.

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6. Procedure

Refer to the Complaints about A2P Services Procedure (in development) and the Complaints about Antisocial Behaviour Procedure (in development).

7. Definitions

Antisocial behaviour: refer to the Complaints about Antisocial Behaviour Procedure (in development).

Appeal: refer to the definition in section 5.2.2 of this policy.

Complaint: refer to the definition in section 5.2.1 of this policy.

Complaints management system: refers to all policies, procedures, practices, staff, hardware and software used by A2P in the management of complaints and appeals.

Compliment: refers to an expression of praise, encouragement or gratitude about A2P services, the A2P team and/or how an individual A2P staff member responded to a particular matter.

Violence, Abuse, Neglect & Exploitation (VANE): Refer to the [Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability Key Terms webpage](#).

8. Reference Documents and Links

8.1. Directive Documents

- Human Rights Act 2006
- Privacy Act 1988
- National Disability Insurance Scheme (NDIS) (Complaints Management and Resolution) Rules 2018. Other relevant NDIS policy: Quality & Safeguarding Framework, Rules, Practice Standards and Quality Indicators.
- National Regulatory System for Community Housing Evidence Guidelines (1)
- Residential Tenancies Act (SA) 1995
- The Community Housing Providers (National Law) (South Australia) Act 2013
- Competition and Consumer Act (National Law) 2010
- A2P Code of Conduct Policy and Cultural Charter
- A2P Tenant Wellbeing Policy
- A2P Incident Management & Reporting Policy.
- A2P Privacy, Confidentiality & Information Management Policy
- A2P Information Sharing Guidelines Appendix
- NDIS Code of Conduct

8.2. Supporting Documents

- Appeals Form
- Complaints Form (to be developed)
- Complaints and Appeals Register
- Continuous Improvement Register
- Complaints about A2P Services Procedure (in development)
- Complaints about Antisocial Behaviour Procedure (in development)
- Complaints and Appeals Fact Sheet (to be developed)

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9. Flowchart (N/A)

10. Policy Approval

Content Author:	Delegated Authority: CEO
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