



BIRIPI ACMC  
PP HR 013

# BIRIPI ABORIGINAL CORPORATION MEDICAL CENTRE

## Management of External Complaints Procedure

### Procedure for a Person (You) to Express a Complaint

1. If you have a problem, concern or complaint related to a decision or action taken by Biripi ACMC or you are dissatisfied about any aspect of the work of Biripi ACMC, we encourage you to tell us about your concerns. You may:
  - 1) Raise your concern in person with any member of Biripi ACMC's staff
  - 2) Lodge your complaint in writing using Biripi ACMC's Complaint Form (**Appendix 1**)
  - 3) Write a letter or an email to the CEO or any member of staff
  - 4) Email your complaint to [info@biripi.org.au](mailto:info@biripi.org.au)
2. You may ask someone else to lodge a complaint on your behalf.
3. Biripi ACMC would prefer that you raise your concerns directly with the staff involved so that the matter can be dealt with promptly; however, in some cases we recommend a different course of action. For example:
  - 1) If it is difficult for you to speak to the staff involved for any reason, we encourage you to ask to speak to the manager of the service concerned or to put your complaint in writing to the CEO.
  - 2) If you wish to complain about a particular staff member's decisions or actions, we ask that you submit your complaint to the employee's manager.
  - 3) If you wish to complain about a manager's decisions or actions, we ask that you submit your complaint to the CEO.
  - 4) If you wish to complain about the CEO's decisions or actions, we ask that you submit your complaint to the Chair of the Board of Biripi ACMC via the External Complaints Process available on Biripi Website or refer to the External Agencies listed on Page 7.
  - 5) If you are a staff member with concern(s), you will not lodge a complaint in accordance with this policy. Instead you will apply the Incident Management Procedures and/or the Workplace Grievance Procedures.
4. Where appropriate, the staff member or manager will attempt to resolve your concerns informally and immediately, by discussing the matters with you and working out an acceptable resolution.
5. If the matter cannot be resolved immediately, you may be asked to complete a complaint form or a staff member may do this on your behalf.
6. Your complaint will then be acknowledged in writing and steps will be taken to look into the issues and resolve your concerns. You will be kept informed of progress and ultimately advised of results.
7. If you have made allegations of a serious nature, then a formal process of investigation may be required. In this case a longer time period will be required to resolve the matters.
8. If you are dissatisfied with how your complaint is handled or with the result of your complaint you can appeal to the Chief Executive Officer. If the Chief Executive Officer is already involved you can appeal to the Chair of the Board. The complaints process and/or the outcome will then be reviewed by the Board. The Board's decision resulting from the review will be final.
9. Biripi ACMC's goal is to resolve concerns and complaints promptly "in-house" wherever possible. However, you may seek the assistance of an external agency at any time. Contacts for some relevant external agencies are set out on page 7.



# **BIRIPI**

## **ABORIGINAL CORPORATION MEDICAL CENTRE**

### **Procedure for an Employee or Manager (You) to Resolve a Complaint**

Refer to the Checklist at **Appendix 2** and the flow chart at **Appendix 3 Biripi's Complaints Process** while reading these notes.

#### **1. Client or community member wishes to complain**

If a client, client advocate or community member expresses concerns to you face to face or on the telephone:

- Ensure privacy
- Ask what happened
- Listen carefully, with respect and without interruption, making notes as necessary
- When the person finishes expressing their concerns, listen again, asking questions to clarify the facts without arguing or challenging what has been said
- Clarify what the main concern(s) is (are) and confirm this with the complainant
- Ask what the anticipated or desired outcome is. It is important to establish what the complainant wants to achieve from the process.
- Advise the complainant that any person(s) complained about will be informed of the details of the complaint and invited to respond.
- Explain the process to the client and say what will happen next.

#### **2. Escalation of the complaint to your supervisor or manager**

You should refer the following matters to your supervisor or manager or CEO:

- Complaints about you
- Complaints of a serious nature and / or matters which may result in disciplinary action
- Complaints that may have to be referred to an external agency including complaints alleging criminal or corrupt conduct

You should also refer a complaint to your supervisor if:

- The complainant is very agitated or is not accepting your responses / proposals
- The complainant requests that someone other than you deals with the matter
- The matter is outside your delegation or area of expertise
- You have tried to resolve a matter, the complainant is still dissatisfied and you do not know what else to do

Tell the complainant that you are referring the matter and who you are referring it to.

#### **3. Handling anonymous complaints**

While complaints may be made anonymously, we would generally only review it if the matter was relatively serious and there is sufficient information in the complaint to enable an investigation to be conducted. You should advise any anonymous complainants that you will not be able to resolve their specific concerns or tell them how the organisation has responded to the complaint.

#### **4. Immediate resolution**

Consider if you or someone else can resolve the matter immediately and if so initiate action.

For example, if a client complains that he/she was not given certain information and you are able to supply the information or arrange for someone else to supply it, then you can do so and the complaint will be resolved.



BIRIPI ACMC

# **BIRIPI**

## **ABORIGINAL CORPORATION MEDICAL CENTRE**

### **5. Documenting complaints**

If the complaint cannot be immediately resolved, ensure adequate documentation, either in the form of a letter from the complainant or a completed Complaint Form (**Appendix 1**).

- The form may be completed by the complainant, his/her advocate or you but must be signed by the complainant.

### **6. Dealing with complaints about Biripi ACMC employees**

If a person's complaint makes allegations against an employee of Biripi ACMC, ensure that the complaint is *documented immediately, usually by that employee's supervisor*. This may often mean completing the complaint form on behalf of the complainant. If the complainant refuses to sign the complaint, the supervisor should advise him/her that it may not be possible to look into and resolve the matter if the complaint is lodged anonymously.

The supervisor should also explain that, consistent with the principles of procedural fairness, their identity as complainant will usually be disclosed to the respondent along with the substance of the concerns so that he/she is in a position to put his/her own case.

If appropriate, the supervisor may immediately discuss the complaint with the respondent in private to gather additional information while memories are still fresh and discuss resolution options. The supervisor must write down the main points and ask the respondent to sign as a correct record. A sincere apology at any early stage will often resolve issues and avoid long drawn out investigation processes.

### **7. Complaints Register**

You must advise details of the complaint to the Complaints Coordinator for entry in the Complaints Register.

The electronic Complaints Register will summarise:

- Type of complainant (e.g. client, community member) – names omitted
- Nature of complaint
- Date lodged, date acknowledged, and date resolved
- Form of complaint (e.g. written, oral)
- Name of person managing the complaint
- Action Taken (e.g. conference, Internal Review)
- Progress / obstacles and dates

Generally, the Complaints Coordinator will update this information in liaison with you (or the employee managing the matter).

### **8. Acknowledgement**

When you receive a complaint that is not resolved immediately, acknowledge it in writing within 3 days.

### **9. Advice to external body**

If it appears that the matter may need to be advised or referred to an external body, you must submit it immediately to the CEO with a brief covering memo providing the essential context of the complaint, the known facts and the recommended referral action.

### **10. Deciding a course of Action**

# BIRIPI

## ABORIGINAL CORPORATION MEDICAL CENTRE

The Complaints Coordinator can provide you with advice about the options for resolving a complaint and a recommended course of action. In some cases your supervisor, manager and/or the CEO will be involved in deciding how to resolve the matter.

For increasing levels of complexity and seriousness of the matters raised, the main options are (in increasing order of formality):

- i. Immediate informal resolution (see # 4 above)
- ii. Internal Review which may take one or more of 3 possible pathways:
  1. Informal conference or discussion facilitated by a manager to provide a hearing and to achieve a mutually acceptable resolution
  2. Mediation between parties involved, facilitated by a suitable qualified independent mediator to achieve a mutually acceptable resolution
  3. Independent investigation either by an internal but disinterested party or by an external investigator
- iii. Referral to an external body, possibly in conjunction with an Internal Review (see # 9 above)

You must ensure that decisions about the action to be taken are documented and signed.

### 11. Internal Review

The process for Internal Review is set out in the Flow Chart in **Appendix 4**.

#### i. Reviewer Appointed

A person with appropriate expertise is appointed by the CEO to review the matter.

#### ii. Evaluation

In consultation with the Complaints Coordinator, the Reviewer assesses the apparent validity of the complaint, evaluates the issues and or allegations, conducts a risk assessment if applicable and recommends any risk mitigation action considered necessary.

Biripi ACMC may decline to deal with a complaint if it appears to be vexatious or frivolous. If the complaint is assessed as valid, a course of action will be decided to resolve the matter. As noted above there are 3 main methods of resolution, each discussed in turn below.

#### iii. Resolution by informal discussion

The Reviewer may approach the complainant for an informal conference to negotiate a resolution of his/her concerns.

If the matter can be resolved in this manner, considerable time, expense and distress may be saved

#### iv. Resolution by Mediation

In certain circumstances mediation (internal or external expert facilitator) may be considered as a way of negotiating a mutually acceptable resolution.

#### v. Resolution by Investigation

Investigation is a formal process undertaken by a disinterested party involving:

- Gathering evidence from the complainant, and if applicable, respondent(s) and witness(es) through written statements or interviews
- Weighing up evidence to arrive at facts (findings)
- Drawing conclusions
- Making recommendations to the authorised decision maker
- Affording procedural fairness to all parties and documenting the process at each stage
- Observing other relevant policies and procedures such as Code of Conduct and Discipline (in consultation with the Human Resources Coordinator) and legislation such as Privacy and Anti-Discrimination.
- Appropriate feedback to both the complainant and the respondent during the process.





# BIRIPI

## ABORIGINAL CORPORATION MEDICAL CENTRE

### Report to decision maker

The written report of the outcomes of discussion, mediation or investigation including recommendations is submitted to the manager authorised to make decisions about the matter.

#### vii. Decisions made and communicated

The decision maker must document decisions on all the recommendations of the report and clear expectations about the action to be taken, the responsibilities for implementation and time frames for action to be taken.

These decisions and expectations must be communicated to all parties and a process adopted for follow through and accountability.

In general it is expected that an Internal Review would be completed within 21 days however in certain cases, where the issues are complex and/or the required processes of investigation are time consuming and/or external agencies are involved, a longer period will be required. In these cases the CEO or his/her delegate must be kept informed of progress at least monthly.

### 12. Improving systems and processes

Consideration of the complaint may have highlighted limitations of existing systems and processes and you should make every effort to identify and implement ways of improving these so that problems will not recur.

Here are some examples:

Limitations	Remedies / Recommendations
<ul style="list-style-type: none"> <li>• Inadequate training of staff to implement a particular service</li> <li>• Imbalanced workloads across a team</li> <li>• Appointment systems that don't take account of clients' needs</li> <li>• Computer failures or outdated equipment</li> <li>• Safety of facilities or poor access to buildings</li> <li>• Inadequate transport to get to appointments</li> <li>• Lack of information for clients about eligibility criteria for a program</li> <li>• Insufficient clinical supervision of staff</li> <li>• Unclear expectations of staff in how they are to treat clients and infrequent feedback</li> </ul>	<ul style="list-style-type: none"> <li>• Increased on the job training, training courses, coaching or clinical supervision</li> <li>• Review work planning, work allocation and work roles in the team</li> <li>• Review the appointment system to introduce a triage process</li> <li>• Review asset acquisition plans and budgets</li> <li>• Review OHS processes and capital acquisition plans</li> <li>• Provide better information to clients about transport available or liaise with community transport organisations to improve access</li> <li>• Provide better information in routine consultations</li> <li>• Improve training of and access to clinical supervisors in the organisation and externally</li> <li>• Improve training of supervisors so that expectations are clarified in orientation and performance review processes</li> </ul>

### 13. Resolution

Whether or not the complainant is satisfied with the outcomes, the complaint is deemed to be resolved when it has been managed in accordance with these procedures and the parties have been advised of the results.

### 14. Advice to complainant

when the matter is resolved, the decision maker must inform the complainant of the outcomes of the process, as fully as confidentiality and privacy will allow.

### 15. Documentation

Any documentation must be finalised and stored as appropriate, in a locked cabinet. Appropriate notes must be made on the client record.

### 16. Implementation

The decision maker is to ensure that it is clear who is responsible for implementing the decisions made. You are encouraged to develop an implementation plan to ensure that you follow through on all of the outcomes of the complaint process. Any changes affecting work practices must be communicated to all relevant employees.

### 17. Evaluation

The relevant manager should monitor the results of action taken to resolve a complaint. This will ascertain if the outcome of measures adopted is what was intended or if further action is required. This may include a formal review with the parties involved on a pre-arranged date.

Monitoring includes ensuring clients and employees are not victimised following their involvement in a complaint.

### Implementation of this Policy

The following actions will need to be undertaken to implement this policy:

1. Appoint a Complaints Coordinator
2. Establish an electronic Complaints Register
3. Produce a handout / brochure explaining the complaints process for clients and community
4. Educate staff about the process and the expectations of them, including skills training in the interpersonal aspects of simple complaint resolution
5. Empower and support staff to resolve client concerns and complaints



## BIRIPI ABORIGINAL CORPORATION MEDICAL CENTRE

### Contacts for External Agencies

- **Health Care Complaints Commission**
  - Tel: 1800 043 159
- **Human Rights and Equal opportunity Commission**
  - Toll Free: 1800 021 199
- **Anti-Discrimination Board (NSW)**
  - Toll Free: 1800 670 812
- **Department of Families, Housing, Community Services & Indigenous Affairs**
  - Toll Free: 1300 653 227
- **Aboriginal Health and Medical Research Council**
  - 02 9212 4777
  - [ahmrc@ahmrc.org.au](mailto:ahmrc@ahmrc.org.au)
- **Independent Commission Against Corruption NSW**
  - Tel: 02 8281 5999
  - Email: [icac@icac.nsw.gov.au](mailto:icac@icac.nsw.gov.au)
- **NSW Ombudsman**
  - Tel: 1800 451 524
  - Email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)

Policy Version and Revision Information	
<b>Policy Endorsed by:</b>  Lisa Ogolo <b>Chief Executive Officer</b>	<b>Current Version: 2</b>
<b>Policy Maintained</b>  Carole Faugeras <b>Human Resources &amp; Corporate Manager</b>	Review Date: 31/08/2020  Next Review date: 31/08/2022



**BIRIPI**  
**ABORIGINAL CORPORATION MEDICAL CENTRE**

**Appendix 1**

**COMPLAINT FORM**

**Part A: For completion by person making complaint or another person on their behalf**

**DATE:** \_\_\_\_\_

**PERSON MAKING COMPLAINT:**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Mobile:** \_\_\_\_\_

**PERSON COMPLETING THIS FORM (if different from person making the complaint):**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Mobile:** \_\_\_\_\_

**Relationship to person making complaint::** \_\_\_\_\_

**DETAILS OF COMPLAINT**

**If applicable, please include the following:**

**Date(s) of incident(s):** \_\_\_\_\_

**Location of incident:** \_\_\_\_\_

**Name(s) of employee(s) involved:** \_\_\_\_\_

**Name of anyone else present at the time:** \_\_\_\_\_

**Please summarise what you are concerned about (attach additional pages if necessary):**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





# **BIRIPI**

## **ABORIGINAL CORPORATION MEDICAL CENTRE**

**Signature of Person Making Complaint:** \_\_\_\_\_

### **Part B: OFFICE USE ONLY – RECEIPT OF COMPLAINT**

**DATE COMPLAINT RECEIVED:** \_\_\_\_\_

#### **EMPLOYEE RECEIVING COMPLAINT:**

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Contact No: \_\_\_\_\_

#### **MANAGER / EMPLOYEE TO WHOM COMPLAINT REFERRED (if applicable):**

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Contact No: \_\_\_\_\_

Date referred: \_\_\_\_\_

#### **ACTIONS / OUTCOMES DESIRED BY COMPLAINANT:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### **IMMEDIATE RESOLUTION ACTION TAKEN (if applicable):**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### **REGISTRATION OF COMPLAINT:**

Sequential Number: *(Generated when manually entered into the complaints register by Complaints Coordinator)*

\_\_\_\_\_

Date acknowledged in writing: \_\_\_\_\_

#### **INVOLVEMENT OF EXTERNAL AGENCY (if applicable):**

External Agency / Agencies: \_\_\_\_\_

\_\_\_\_\_

Details of Action Taken (e.g. agency informed, advice sought, complaint referred):

\_\_\_\_\_



# BIRIPI

## ABORIGINAL CORPORATION MEDICAL CENTRE

By (Employee Name): \_\_\_\_\_ Date: \_\_\_\_\_

### Part C: OFFICE USE ONLY – ACTION TO RESOLVE COMPLAINT

#### INTERNAL REVIEW (if applicable):

Reviewer's Name: \_\_\_\_\_

Reviewer's Position: \_\_\_\_\_

Review commenced date: \_\_\_\_\_

Review completed date: \_\_\_\_\_

**SUMMARY OF DECISIONS** of action to be taken to resolve complaint and address issues (e.g. mediation, changes to procedures, apology, staff education, disciplinary action etc):

---



---



---

Decision Maker Name: \_\_\_\_\_

Decision Maker Position: \_\_\_\_\_

Decision Maker Signature: \_\_\_\_\_ Date: \_\_\_\_\_

#### IMPLEMENTATION OF DECISIONS:

Action	Responsible Person	Due Date	Completed Date

#### COMPLAINANT AND RELEVANT EMPLOYEES ADVISED OF OUTCOMES:

Person Advised	Form of advice:	Date of advice:	By (Employee Name):

# BIRIPI

## ABORIGINAL CORPORATION MEDICAL CENTRE


### Appendix 2

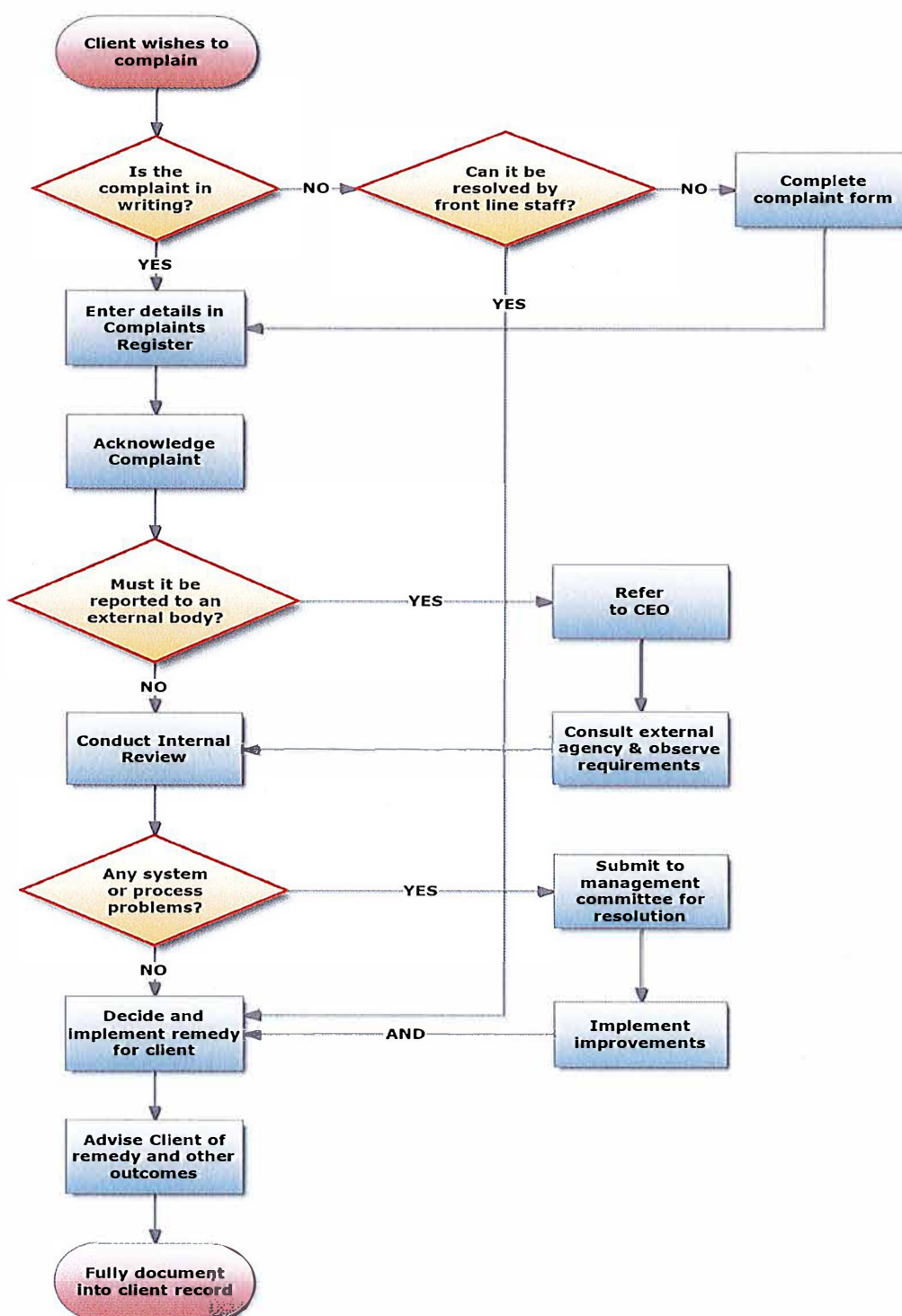
### COMPLAINT RESOLUTION CHECKLIST FOR EMPLOYEES / MANAGERS

ACTION	COMPLETED	COMMENTS
1. Receive complaint. Discuss with complainant and establish facts and desired resolution process and outcome. Complete Complaint Form and ask complainant to sign as a correct record. Discuss resolution options.		
2. If appropriate, discuss complaint with respondent and gather any additional information. Write down the main points and ask respondent to sign as a correct record. Discuss resolution options.		
3. Clearly identify and document what has happened; the grounds of the complaint; who or what might be responsible; what steps, if any, have already been taken to attempt to resolve the matter; and what the anticipated or desired outcome is.		
4. Select appropriate resolution process and develop a plan and timetable to implement.		
5. If more formal resolution is required such as professional mediation, investigation, performance improvement planning or disciplinary processes, refer to other relevant Human Resources policies and / or seek advice from the Human Resources Coordinator		
6. Advise parties of intended method(s) of resolution (in writing if formal) and implement.		
7. Document the result of the resolution process and arrange a review date with the parties involved if appropriate.		
8. Where relevant, communicate any changes of administrative or work practices to other relevant staff, implement training or other measures to address the issues.		
9. Monitor and evaluate the situation		
10. Undertake review on planned date		

11. Finalise and safely store documentation

### Biripi's Complaints Process

### Appendix 3



## Internal Review of Complaints

