



GP15 – COMPLAINTS MANAGEMENT SYSTEM

MSQ has implemented a system to manage and resolve complaints about all activities, supports and services provided by or on behalf of MSQ. MSQ recognises that feedback from customers and stakeholders is essential to provide quality services and to support continuous improvement in service delivery. MSQ is committed to the fair, efficient and timely resolution of complaints.

Procedure

1. Scope

This procedure applies to complaints about MSQ, staff and volunteers, contractors and partners, and services delivered by and on behalf of MSQ. The procedure applies to all MSQ services/supports supplied in any location including Fundraising activities, events and business processes and, as a non-government service provider of disability services to fee for service customers and customers under the *NDIS Act 2013* and the *Disability Services Act 2006*. Complaints by staff/volunteers about workplace incidents or situations that do not relate to customers, and any internal staff grievances will be dealt with under the MSQ Grievances Procedure (EP8).

Where a complaint is about an allegation of violence, abuse, assault, neglect or exploitation of a customer, refer to Services Procedures SP6 Abuse, Neglect or Exploitation and SP7 Reportable & Major Incidents.

2. Definitions -

- **Advocate** – a person who raises a complaint on behalf of a care customer or supports them during the process – may be a family member, friend or agency advocate
- **CEO** – MSQ Chief Executive Officer
- **Complaint** – a formal expression of dissatisfaction with a support, service, product or outcome (or lack of), decision that has been made or not made, the behaviour of our staff, incident or experience which may include how a previous complaint was handled. Complaints are usually unsolicited – and not submitted as part of a survey or post-event feedback
- **Complainant** – the person making the complaint
- **EGM** – MSQ Department Executive General Manager
- **Feedback** - information and advice provided to MSQ about a service, product, activity, facility, outcome (or lack of), decision, staff behaviour – which does not constitute a complaint, or that the person providing this does not want this managed as a complaint under this procedure. Feedback, positive or negative, or an issue raised that is not a complaint, will be used by MSQ for continuous improvement purposes
- **Grievance** – any type of problem, concern or issue related to MS Queensland, a work process(es), an employee or volunteer that does not involve customer treatment or outcomes. Grievances typically relate to the internal workplace and workplace participants and resolution is guided and co-ordinated by the P&C team. Refer EP8 Grievance Procedure
- **Incident** – an unplanned MSQ-related event (including an accident) resulting in, or having the potential for illness, injury, death or damage to property or equipment. In connection with

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NDIS, this includes an incident that may cause harm to a person with disability receiving supports

- **Issue** – a concern or worry by a customer (or their carer) regarding MSQ products, services or staff that can be managed routinely
- **NDIA** – National Disability Insurance Agency
- **NDIS** – National Disability Insurance Scheme
- **P&C team** – People and Culture team, MS Queensland
- **Recipient** – the MSQ staff member who initially receives the feedback, issue or complaint
- **SDA** – specialist disability accommodation (NDIS)
- **Service delivery customers** – refers to the recipients or potential recipient of care and/or support services from MSQ
- **Stakeholder** – any other person or organisation who engages with MSQ e.g. supplier, partner, fundraising customer, donor
- **TCM** – The Care Manager – MSQ database for recording all customer information

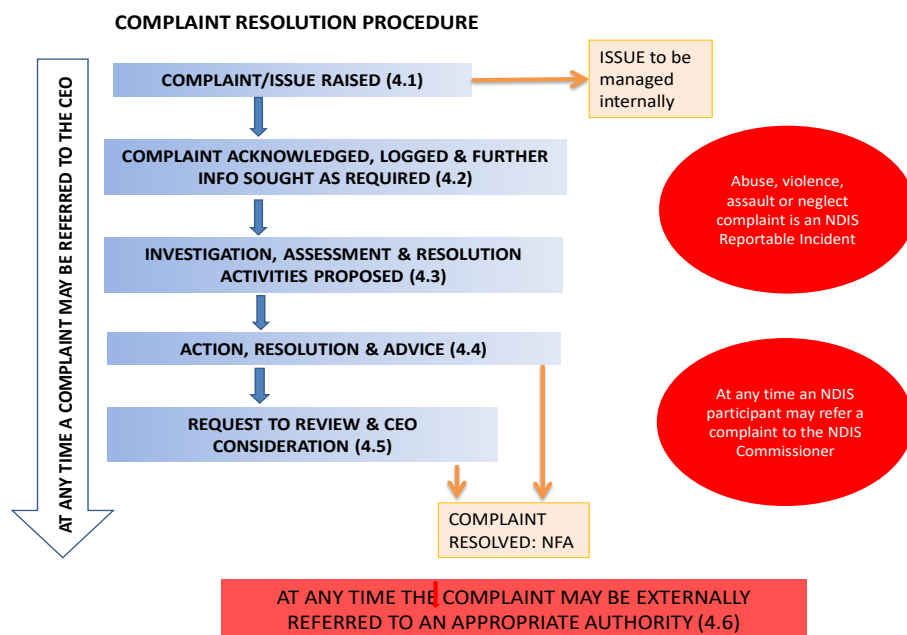
3. General principles

The over-riding MSQ principles in implementing a fair complaints management system to manage, record and resolve complaints are to ensure:

- procedural fairness, natural justice and a simple system
- no customer is disadvantaged by making a complaint
- all complaints are dealt with in a timely and culturally appropriate manner
- feedback and complaints are used as part of continuous improvement processes and to improve service delivery in all departments

4. Complaint Management & Resolution process

This Complaint Management & Resolution Procedure is summarised in an information sheet for all stakeholders based on the following flowchart.



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4.1. Making a Complaint

a) Direct to MSQ

Under this procedure MSQ may receive a complaint from any person (including staff, volunteers, contractors, supporters, customers, donors or the general public) about any MSQ service, facility or experience. A complaint may be made in many ways:

- direct to an MSQ staff member at the time of service delivery,
- by phoning MSQ on 3840 0888, or NeuroAssist on 1800 177 591,
- by email to complaints@msqld.org.au,
- via the MSQ website, Online Enquiry page (“Contact Us”),
- in writing to Locked Bag 7, Milton QLD 4064, or
- via one of our Event or Fundraising websites, via email response or telephone

Sufficient information will be required to ensure that the complaint can be managed reasonably. In the interests of natural justice verbal complaints will be documented.

At the time of making the complaint the customer will be asked to confirm that they wish that their complaint is managed under the MSQ Complaint Management System, then advise the process, timeframe and notification of outcomes.

Any submission which is deemed to be a staff grievance (as defined) shall be referred to the People & Culture team for guidance and coordination according to EP8 Grievance Procedure

Whilst the complainant may withdraw the complaint at any time, if the matters raised are systemic and/or believed to require investigation for the improvement of MSQ’s operations, a broad investigation will continue.

b) Whistleblowers hotline

Complaints and disclosures may also be received via the **Whistleblowers hotline** – an independent, confidential service that receives information (complaints, reports, incident notifications) from disclosers who may wish to be anonymous. Stopline manages this service for MSQ: <https://msqld.stoplinereport.com>. This site can also be accessed from the MSQ website.

All disclosures are referred from Stopline to the designated MS Queensland Disclosure Officer (NDIS Compliance & Operations Manager) who will triage the complaint and manage the process according to the attachments.

4.2. Complaint registration, acknowledgement & definition

a) Categories of complaints

Complaints and incidents at MSQ are categorised into 3 groups: minor, medium, and serious according to MSQ Triage Categories for Customer Related Complaints, Incidents & Disclosures document.

b) Process

The complaint recipient will give initial, general consideration to the matter to determine whether it is an ‘issue’, a ‘complaint’, ‘disclosure’ or feedback (as defined) and to determine the seriousness of the matter raised.

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Once established as a complaint, according to the definitions, the matter will be referred to the relevant supervisor/manager according to the MSQ triage categories.

Medium and Serious complaints will be registered in the MSQ Complaints Register by the Quality & Risk Team and a formal acknowledgement sent within 24 (business) hours of receipt at MS Queensland.

Minor complaints will be registered and managed by the local manager and reported in a manner that is appropriate to ensure progress can be tracked, trends are monitored and regular and meaningful reports generated. For more serious matters the MSQ Quality & Risk team will assess the scope of the matter to determine the next steps. Further information about the complaint may be sought before identifying the appropriate level of investigation to commence (see 4.3).

An NDIS customer, their advocate and any person with a disability affected by a complaint, will also be advised of their right to refer a complaint to the NDIS Commissioner or other relevant external authority

<https://www.ndiscommission.gov.au/participants/complaints>

Where immediate workforce action is required regarding staff a result of the complaint (e.g. the nature, risk to customers, MSQ or service delivery) the relevant manager and EGM will work with the People & Culture team to determine the appropriate course of action prior to and during investigation.

4.3. Investigation & Assessment of the Complaint

Based on the complexity, scope, sensitivity and risk of the allegations, appropriate investigative and assessment action will be taken in relation to the details of the complaint, including consideration of the outcome of any attempts to directly resolve the complaint. Medium complaints will be formally investigated by skilled internal investigators whilst the investigation of serious complaints may be outsourced to professional workplace consultants.

Investigation of the complaint will result in a report with recommendations for resolution. Claims made will be assessed using a variety of methods including investigation, meetings and discussion, conciliation, training or direct action as appropriate. If serious, as defined by the triage categories, the matter will be referred to an external investigation body.

In addition, the Quality & Risk team, and CEO or delegate, may inform external authorities and/or the Board of the complaint, investigation progress and results. MSQ partners will be informed by the EGM, Service Delivery (or delegate) of any serious complaint that may have an effect on them. A serious complaint regarding the social housing units at ACA will be formally notified to the Department of Housing by the Quality & Risk team.

4.4. Action & Resolution

The relevant department EGM shall consider all of the information available, as well as any reasonable options for resolution and MSQ's policies and procedures and operational requirements. A decision shall be made as quickly as possible (but **no later than 7 calendar days after the conclusion of any formally convened meetings**) taking into account the gravity/urgency of the complaint, resources required to resolve, and any sensitivities.

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Persons making a complaint shall be appropriately involved in the resolution of the complaint and, with due regard to privacy considerations of other parties, will be kept informed of progress including action taken, the reasons for the decisions made and options for a review of decisions in relation to the complaint.

The complaint resolution procedure shall be managed as expeditiously as possible by the EGM, keeping in mind customer and staff availability, and access to resources. The issue will be managed within the timeframes specified in MSQ triage Categories for Customer-related Complaints, Incidents and Disclosures.

The parties, including the complainant, shall be informed of the resolution as it relates to them including: actions taken, reasons for the decision, options for review. Details of the complaint and resolution shall be kept confidential.

4.5. Review

Where a complainant is not satisfied with the outcome of their complaint, they may refer the matter directly to the CEO MSQ, **within 7 calendar days** of the complainant being notified of the outcome. The CEO will consider information received as part of the earlier process and any new information required. The CEO's decision is final and all correspondence relating to the matter is to be kept confidential. Information that may be released is limited to notification of outcome, which may be required by other parties for their ongoing operational responsibilities.

4.6. Formal external reporting

A number of other, external bodies may be used to refer a complaint to and MSQ is bound to refer complaints to other bodies in accordance with state and Commonwealth legislation. MSQ has partnership arrangements which require the reporting of serious complaints (as defined in various joint and service agreements) to the third party as per the agreement.

Customers who are NDIS participants (or advocate) may refer a complaint about any aspect of their service delivery, at any time, to the NDIS Commissioner on <https://www.ndiscommission.gov.au/participants/complaints>

MSQ will offer appropriate support and assistance to customers in contacting the Commissioner. Staff can also refer any suspicions to NDIS at any time – refer the Fraud & Whistle-blowers Procedure. MSQ and staff will fully participate in any investigation arising.

The EGM or CEO may request an external investigation of any complaint, at any time, or may refer the matter to an external agency, including another provider or MSQ partner, if appropriate, including:

- Queensland Police - contact Policelink on 131 444
- Office of the Public Guardian - <https://www.publicguardian.qld.gov.au/>
- NDIS Quality & Safeguards Commission – in Queensland from 1 July 2019: <https://www.ndiscommission.gov.au/participants/complaints>

4.7. Complaint closure

MSQ will deem a complaint closed when:

- it has been demonstrated that procedural fairness and natural justice has been followed
- It is referred to another agency or complaints body

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- The complainant does not continue, or withdraws, the complaint
- It is determined that the information supplied was not given in good faith, or
- The complaint has been investigated and appropriate action taken (close out form completed satisfactorily).

4.8. Service Delivery customers

Complaints regarding services delivered to customers by or on behalf of MSQ (including NDIS participants), or whilst on MSQ property may be subject to further particular consideration:

- A service delivery customer who wishes to make, or has made, a complaint, will be supported through the process and this may be done by MSQ or by referral to an advocacy service.
- Service delivery customers are advised about the complaints system in the Welcome Guide and in conversation with their support provider as well as in their NDIS Service Agreement.
- NDIS customers may make a complaint about MSQ service delivery externally at any time, including to the NDIS Quality & Safeguards Commission
- For NDIS participants, MSQ will provide appropriate support and assistance in contacting the NDIS Quality & Safeguards Commission for the person making the complaint and each person with a disability affected by an issue raised in a complaint
- A person with a disability affected by an issue raised in a complaint will be kept informed of the progress of the complaint, including any action taken, the reasons for any decisions made and options for review of a decision and will be kept appropriately involved in the resolution of the complaint
- A customer shall be invited to have a support person or their advocate in attendance to assist with the resolution
- A service delivery customer may make an anonymous complaint, however complainants are encouraged to identify themselves, to ensure effective investigation and resolution
- Details of feedback, issues raised or complaints lodged by service delivery customers may also be stored in TCM.

5. Complaints regarding accommodation (managed by an accommodation partner)

Complaints lodged by customers regarding accommodation (including SDA) or any tenancy matters, will be directed to the tenancy manager or SDA provider for urgent review. MSQ Quality & Risk team will register the complaint and monitor the satisfactory resolution of any issues raised.

The tenancy manager or building owner may refer complaints to MSQ for management (e.g. about care service delivery). Complaints made directly to MSQ about tenancy issues or the social housing units at Albany Creek Apartments will be referred to Horizon Housing (the tenancy manager) for immediate investigation, response and report back to the EGM, Corporate Services.

6. Reporting & Record-keeping

Complaints (deemed to be Medium or Serious) will be recorded on a register which will be maintained by the MSQ Risk & Quality Team, updated and used for monitoring and reporting purposes. Information gathered from complaints and feedback may be used to inform service planning, continuous improvement and decision-making.

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Minor complaints managed locally will be recorded by managers in a system appropriate to the work unit.

Information may also be held on a customer or stakeholder's file (e.g. TCM) where relevant to ongoing or future service delivery, and where it does not breach any privacy principles.

All records regarding NDIS customer complaints shall be kept for 7 years.

7. Confidentiality & Protections

Any person making a complaint or a disclosure will be protected under this Procedure and under the MS Queensland Fraud & Whistleblowers Procedure.

- A person who raises a complaint, or a person affected by a complaint shall not be adversely affected as the result of making a complaint and the complaint will be kept confidential. MSQ will not tolerate victimisation, recrimination or harassment of anyone raising a concern.
- To the best of MSQ's ability a complainant's identity shall be kept confidential, however it may not be practical to do so. The complainant will be advised when the matter has been resolved, but will not be informed of the outcome if such a disclosure breaches another person's rights to confidentiality.
- Information provided in a complaint, or as part of the investigation or complaint management process, shall be kept confidential and only disclosed if required by law or if the disclosure is otherwise appropriate
- All information will be stored securely, within Australia and according the MSQ Privacy Procedure

8. Appeals

The resolution of a complaint may be reviewed under section 4.5 above. If a complainant remains aggrieved, they can refer the complaint to an outside authority and MSQ will participate in their investigation and assessment.

9. Roles & Responsibilities

9.1 CEO

- Oversees the complaint management and resolution system
- Reports to the Board as required, and
- Reviews any complaint formally referred.

9.2 Executive General Manager

- Receives the complaint and ensures it has been registered appropriately
- acknowledged with the complainant
- Liaises with the CEO and Quality & Risk team as required
- Determines the scope of the complaint and investigation required
- Manages the investigation and resolution process
- Ensures that all improvements derived from the complaint and general learnings are reviewed and embedded in future practice, and
- Ensures departmental staff are trained in these Procedures.

9.3 Manager/Supervisor

- Receives the complaint and ensures it has been registered internally and acknowledged with the complainant

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- Maintains a Department or site register of all minor complaints
- Liaises with the EGM and the Quality & Risk team
- Determines the scope of the complaint and may assist with investigation required
- Manages the investigation and resolution process of minor complaints,
- Ensures staff are aware of their roles in the process, and
- Assists NDIS customers with complaints to the NDIS.

9.4 Trained investigator

This person is appropriately trained to manage the level of investigation and is responsible for conducting an investigation and acting as directed by the Manager, EGM or CEO - as independent of the complaint or appeal as possible.

9.5 MSQ Quality & Risk Team

- Receives complaints & disclosures from the Whistleblower hotline and triages
- Maintains a secure Complaints Register for medium and serious complaints,
- Manages a secure drive for storage of complaints data,
- Monitors progress and timelines
- Reports on progress to CEO,
- Liaises with the NDIS Quality & Safeguards Commission and other agencies, and
- Ensures staff are aware of these procedures.

9.6 Staff member

- Participates in the complaints resolution process as required
- Supports a service delivery customer or advocate with a complaint as appropriate.

9.7 Complainant

- Provides sufficient information to MSQ to investigate a complaint
- Participates fully in the management and resolution of the complaint, as required

10. Additional information

SUPPORTING DOCUMENTS

- Making a Complaint – MSQ brochure (MSQ website)
- Checklist (for managers) – steps involved in managing a complaint (MSQ intranet)

MSQ [POLICIES](#):

S1 Managing Customer Services

S3 Managing Incidents

G6 Quality & Continuous Improvement

G7 Privacy

E2 Performance

MSQ [PROCEDURES](#)

GP7 Privacy

SP3 Customer Records & Privacy

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SP6 Abuse, Neglect or Exploitation and

SP7 Reportable & Major Incidents.

EP8 Grievance

Counselling & Disciplinary Action

GP11 Fraud & Whistleblowers

MSQ DOCUMENTS

MSQ Triage Categories for Customer Related Complaints, Incidents & Disclosures

Internal Flowchart for Managing reported Complaints, Disclosures & Incidents

[NATIONAL DISABILITY INSURANCE SCHEME & NDIS QUALITY & SAFEGUARDS COMMISSION](#)

NDIS (Complaints Management & Resolution) [Rules](#) 2018

NDIS (Quality Indicators) [Guidelines](#) 2018

LEGISLATION:

- [National Disability Insurance Scheme Act 2013](#)
- [Housing Act 2003](#)

WEBSITES:

- MSQ website: www.msqld.org.au
- NDIS website: www.ndis.gov.au

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