



# KAMELEON GROUP FEEDBACK AND COMPLAINTS POLICY

## Purpose and Scope

The purpose of this policy and procedure is to set out how any person can provide feedback and make complaints about any aspect of Kameleon Group's operations and the process that Kameleon Group will take to address or respond to feedback and complaints.

It applies to all stakeholders of the business, including clients, families, carers, advocates, staff, other service providers, government agencies and members of the community. It meets relevant legislation, regulations and Standards as set out in *Schedule 1, Legislative References*.

Feedback and Complaints raised by Kameleon Group staff will generally be dealt with under Kameleon Group's *Disputes and Grievances Policy and Procedure*, however from time-to-time staff may raise issues or provide feedback that is best dealt with under this policy and procedure.

Kameleon Group also has obligations in relation to incident management systems and reportable incidents that may apply to a complaint. See Kameleon Group's *Incident Management Policies and Procedures*.

Failure to comply with the complaints management requirements of the NDIS legislation and *National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018* may lead to the NDIS Commissioner taking compliance and enforcement action against Kameleon Group.



## Applicable NDIS Practice Standards

### Feedback and Complaints Management

#### Outcome

Each participant has knowledge of and access to the provider's complaints management and resolution system. Complaints and other feedback made by all parties are welcomed, acknowledged, respected and well-managed.

#### Indicators

- A complaints management and resolution system is maintained that is relevant and proportionate to the scope and complexity of supports delivered and the size and scale of the organisation. The system follows principles of procedural fairness and natural justice and complies with the requirements under the *National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018*.
- Each participant is provided with information on how to give feedback or make a complaint, including avenues external to the provider, and their right to access advocates. There is a supportive environment for any person who provides feedback and/or makes complaints.
- Demonstrated continuous improvement in complaints and feedback management by regular review of complaint and feedback policies and procedures, seeking of participant views on the accessibility of the complaints management and resolution system, and incorporation of feedback throughout the provider's organisation.
- All workers are aware of, trained in, and comply with the required procedures in relation to complaints handling.

## Definitions

**Compliment** - an expression of praise, encouragement or gratitude about an individual staff member, a team, or a service.

**Complainant** - a person who makes a complaint, or has a complaint made on their behalf.

**Complaint** - an expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected<sup>1</sup>

**Procedural Fairness** – a principle that requires a fair and proper procedure be used when deciding something.

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<sup>1</sup> AS/NZS 10002:2014 Guidelines for Complaint Management in Organisations



## Policy

Compliments, complaints, and other feedback provide Kameleon Group with valuable information about participant satisfaction and an opportunity to improve upon all aspects of its service.

Feedback is taken seriously by Kameleon Group and is seen as an opportunity for improvement. Kameleon Group's complaints management and resolution system ensures people can easily make a complaint and have them dealt with fairly and quickly.

Kameleon Group makes information available to clients and other stakeholders about how to make a complaint to it, the NDIS Commissioner and any other relevant body and keeps adequate records about complaints received.

Kameleon Group prioritises the safety and wellbeing of children and young people and recognises the role of families and communities in helping them to understand and use this policy and procedure.

## Procedures

### General

Kameleon Group's Executive Team must promote best practice, continuous improvement and an open, respectful culture that encourages and supports staff, clients and other stakeholders to make complaints without fear of retribution. This is assessed in yearly Performance Reviews of Executive Team staff.

As per Kameleon Group's *Human Resources Policy and Procedure*, all staff must undergo Induction, which includes training in Kameleon Group's feedback and complaints processes. Training must also help staff to:

- recognise and respond to neglect, grooming and other forms of harm to children
- understand the different ways children and young people express concerns or distress and disclose harm
- provide appropriate support to children and young people in these instances
- meet their legal requirements with respect to child protection
- respond to different types of incidents and complaints involving children
- understand their privacy obligations
- develop their listening skills
- feel confident drawing attention to breaches of Kameleon Group's Code of Conduct and challenging these behaviours and
- understand how to respond to disclosures of harm and their reporting obligations.



Staff knowledge and application of this policy and procedure, Kameleon Group's feedback and complaints system, and their obligation to protect children from harm are monitored on a day-to-day basis and through annual Performance Reviews. Additional formal and on-the-job training is provided to staff where required.

*Meeting Agendas* for team meetings include a standing item on Continuous Improvement, including a review of feedback and complaints.

Kameleon Group uses its *Client Information Pack* and website to provide clients, families, carers, and all other stakeholders with information about this policy and procedure, in an easy-to-understand format. Information provided includes how to make a complaint to Kameleon Group and to the NDIS Commissioner, to other external bodies, how complaints will be addressed and external advocacy and support services that can assist people in the complaints process.

Staff must provide clients and their supporters with information about Kameleon Group's feedback and complaints processes when they first access the service. Throughout service delivery, staff must remind clients and their supporters of their right to make a complaint without fear of affecting their service. Any person wishing to lodge feedback, or a complaint must also be provided with this information.

To ensure clients understand their right to make a complaint and how to make a complaint, staff must provide information to them and their supporters in ways that suit their individual communication needs. Written information can be provided in Easy English or explained verbally by staff. Staff can also help clients access interpreters or advocates where required.

The Director of Operations must track and review feedback and complaints to identify ongoing issues using Kameleon Group's *Complaints Register* and report feedback and complaints data to the Executive Team at its monthly meetings.

### **Privacy and Information Management**

All personal information Kameleon Group collects to manage feedback or complaints must be handled in accordance with Kameleon Group's *Privacy and Confidentiality Policy and Procedure*.

Staff must keep information about complaints confidential. They may only disclose necessary detail if they are required to do so by law, or if not disclosing is likely to place the safety, health, or well-being of any person at risk. Staff must take all reasonable steps to notify the complainant before deciding not to keep personal information confidential.



Kameleon Group's *Complaints Register* must be used to record information about feedback and complaints, any action taken to resolve complaints and the outcome of any action taken. All information regarding feedback and complaints is kept securely in accordance with Kameleon Group's *Records and Information Management Policy and Procedure*. All records regarding complaints must be retained for at least 7 years from the date they are created.

## **Feedback**

Providing feedback to Kameleon Group is voluntary.

Feedback can be provided at any time, in any way, by any stakeholder, through:

- a staff member
- email, mail, or phone
- Kameleon Group's *Feedback and Complaints Form* on Kameleon Exchange
- Kameleon Group's website
- service delivery planning days (involving clients and other stakeholders)
- executive team meetings (involving clients and other stakeholders)
- staff collection of feedback after a person interacts with the service (e.g., initial assessment and planning, reviews, exit, etc.)
- annual participant satisfaction surveys. All clients or their representatives or families will be asked to complete these surveys
- annual staff and stakeholder satisfaction surveys. All staff will be asked to complete these surveys and stakeholders will be selected on a random basis.

Where feedback is provided verbally, the receiving staff member will transcribe it onto a Kameleon Group *Feedback and Complaints Form*.

## **Complaints**

People can make a complaint about any aspects of Kameleon Group's services, including breaches of its policies and procedures or *Staff Code of Conduct*, or the *NDIS Code of Conduct*. Kameleon Group's complaints management process can be simplified into five steps:

### **Complaint Lodgement**

To lodge a complaint, people are encouraged to speak directly to a staff member first, to try to resolve the matter without recourse to Kameleon Group's complaints procedures.

Staff must:

- listen openly to the concerns being raised by the complainant
- ask the complainant what outcome they are seeking
- inform the complainant of the complaint process and how to formally make a complaint to Kameleon Group, the NDIS Commissioner or other complaints body and the time the process takes
- be empathic towards the person and action all commitments made and
- action situations that pose an immediate threat or danger or require a specialised response.



If the complaint is resolved, it must still be reported to the Clinical Director by completing a *Feedback and Complaints Form* on Kameleon Exchange for inclusion on the *Complaint Register*.

If the complaint cannot be resolved promptly or within 24 hours, it must be referred to the Director of Operations. The Director of Operations will advise the person of their right to lodge a formal complaint if they have not already done so, with the assistance of a support person or advocate if they wish. A *Feedback and Complaints Form* will be made available to the individual to lodge their complaint however, it is not mandatory that they use the form.

Formal complaints can be lodged:

- directly with a staff member, either verbally or by providing a completed *Feedback and Complaints Form*
- by email to [enquire@kameleongroup.com.au](mailto:enquire@kameleongroup.com.au)
- by phone on 1300 1010 69
- in writing to Kingsway Medical Centre, Suite 8 / 729-731 Pittwater Rd, Dee Why 2099 NSW Australia
- Via the [feedback form](#) on the website

Mail and phone submissions as well as the *Feedback and Complaints Form* can be used to make anonymous complaints.

Complaints and feedback can be lodged by a third party on behalf of another person if their consent or the consent of their legal representative has been provided. At any time, people can make a complaint about NDIS service providers or the support they provide to the NDIS Commission or other external complaints bodies (listed below).

Staff must assist people making a complaint, or people with disability affected by a complaint, to contact the NDIS Commission or other complaints body, where this is required.

People making or impacted by a complaint must be encouraged to use an advocate of their choice to act on their behalf if they wish. The advocate may be a family member or friend, or sourced (with assistance from staff if required) through the [National Disability Advocacy Program](#).

If a complaint alleges actual or possible criminal activity or abuse or neglect, it must be referred to the relevant State Clinical Director immediately. The Clinical Director must report and action the complaint as per Kameleon Group's *Incident Management Policies and Procedures*.

Staff must take all reasonable steps to ensure complainants or people with disability affected by complaints are not adversely affected or fear retribution because a complaint has been made by them or on their behalf.



Complaints made to Kameleon Group, the NDIS Commission and other complaints bodies can be withdrawn at any time.

Where a complaint about Kameleon Group is made to the NDIS Commission, all staff must:

- comply with any orders or requests made by the NDIS Commission and
- assist in any resolution process or inquiry undertaken by the NDIS Commission.

## External Complaints Bodies

Outside Kameleon Group, complaints can be made to the following bodies. Staff must support people to make a complaint to these bodies, where this is required.

### NDIS Quality and Safeguards Commission

*At any time, people can make a complaint about NDIS service providers or the support they provide to the NDIS Commission by:*

Phone: 1800 035 544

Phone hours services are currently available Monday to Friday (excluding public holidays) between 9am – 5pm for all States and Territories (except for the Northern Territory, available until 4:30pm)

Online: [Complaint Contact Form](#)

More information is available via the ‘How to make a complaint about a provider’ webpage via the [NDIS Commission’s website](#).

### Australian Human Rights Commission

*Complaints regarding discrimination and breaches of human rights can be lodged with the Australian Human Rights Commission by:*

Phone: 1300 656 419 (National Information Service).

Email: [infoservice@humanrights.gov.au](mailto:infoservice@humanrights.gov.au)

Online: [HRC Complaint Form](#) or [Online Complaint Lodgement](#)

More information is available via the [Australian Human Rights Commission website](#).

### Australian Competition Consumer Commission (ACCC)

*Participants can contact the ACCC regarding obtaining information about consumer rights and can investigate complaints about breaches of these rights by:*

Phone: 1300 302 502

More information is available via the [ACCC’s website](#).



Participants also have rights under the **Australian Consumer Law (ACL)**, including provisions on customer guarantees and unfair contract terms. Information and advice about customer disputes under the ACL are managed by individual State and Territory agencies.

**Contact details for the relevant agency are provided below:**

**ACT Office of Fair Trading (within Access Canberra)**

Phone: 13 22 81

Phone hours services are currently available between 7am – 8pm, Monday to Friday, 8am – 5pm Saturday and 9am – 5pm Sunday and public holidays

Online: Feedback and Complaints Form

**Office of Fair Trading Queensland**

Phone: 13 74 68

Online: Complaints and Compliments Form

**NSW Fair Trading**

Phone: 13 32 20

Phone hours services are currently available between 8:30am – 5pm, Monday to Friday

Online: General Complaint Form

Consumer, Building and Operational Services (CBOS) Tasmania

Phone: 1300 654 499

Phone hours services are currently available between 9am – 5pm, Monday to Friday (excluding public holidays)

Email: [CBOS.info@justice.tas.gov.au](mailto:CBOS.info@justice.tas.gov.au)

Mail: PO Box 56, Rosny Park, Tasmania, 7018

**Consumer Affairs Victoria**

Phone: 1300 558 181

Phone hours services are currently available between 9am – 5pm, Monday to Friday (excluding public holidays)

Online: General Complaint Form

Mail: GPO Box 4567, Melbourne, Victoria, 3001

**Australian Securities and Investments Commission (ASIC)**

*Participants can contact ASIC if they have concerns regarding consumer protect in relation to finances via the [ASIC website](#).*





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## Additional External Complaints Bodies

### Victorian Equal Opportunity and Human Rights Commission

*The Victorian Equal Opportunity and Human Rights Commission investigates complaints relating to human rights and discrimination. Complaints can be lodged by:*

Phone: on 1300 292 153

Online: Online Complaint Form

Email: [complaints@veohrc.vic.gov.au](mailto:complaints@veohrc.vic.gov.au)

### Queensland Ombudsman

*The Queensland Ombudsman investigates complaints relating to Queensland Government departments and agencies. Complaints can be lodged by:*

Phone: 1800 068 908 or (07) 3005 7000

Phone hours services are currently available between 9am – 4pm, Monday to Friday and between 10:30am – 4pm on the last Thursday of each month.

Online: Online Complaint Form

Mail: GPO Box 3314, Brisbane Queensland 4001

More information is available via the Queensland Ombudsman website.

### Queensland Human Rights Commission

*The Queensland Human Rights Commission deals with complaints relating to human rights and discrimination. Complaints can be lodged by:*

Phone: 1300 130 670

Phone hours services are currently available between 9am – 4:30pm, Monday to Friday

Email: [enquiries@qhrc.qld.gov.au](mailto:enquiries@qhrc.qld.gov.au)

Online: Online Complaint Form

More information is available via the QHRC website.

### The New South Wales Ombudsman

*The NSW Ombudsman investigates complaints about New South Wales Government agencies and certain non-government organisations. Complaints can be lodged by:*

Phone: 1800 451 524

Phone hours services are currently available between 9am – 12pm, and 1pm- 3pm Monday to Friday

Online: Online Complaint Form

More information is available via the [NSW Ombudsman website](#).

### The Western Australian Ombudsman

*The Western Australian Ombudsman investigates complaints relating to WA government departments and agencies. Complaints can be lodged by:*

- Phone: 1800 117 000
- Email: [mail@ombudsman.wa.gov.au](mailto:mail@ombudsman.wa.gov.au)

More information is available via the [WA Ombudsman website](#).



### **The Anti-Discrimination Board of NSW**

*The Anti-Discrimination Board of NSW investigates complaints relating to breaches of the Anti-Discrimination Act 1977 (NSW). Complaints can be lodged by:*

Phone: 1800 670 812

Form: Complaints Forms can be submitted via email or mail

Email: [complaintsadb@justice.nsw.gov.au](mailto:complaintsadb@justice.nsw.gov.au)

Mail: PO Box W213, Parramatta Westfield, New South Wales, 2150

More information is available via the [Anti-Discrimination Board of NSW website](#).

### **Ombudsman Tasmania**

*The Ombudsman Tasmania deals with complaints relating to Tasmanian Government departments and agencies. Complaints can be lodged:*

Phone: 1800 001 170

Phone hours services are currently available between 8am – 4:45pm, Monday to Friday

Online: Online Complaint Form

Mail: GPO Box 960, Hobart, Tasmania, 7001

More information is available via the [Ombudsman Tasmania website](#).

### **Equal Opportunity Tasmania**

*Equal Opportunity Tasmania deals with complaints relating to breaches of the Tasmanian Anti-Discrimination Act 1998. Complaints can be lodged by:*

Phone: 1300 305 062

Online: Complaint Form

Email: [complaints@equalopportunity.tas.gov.au](mailto:complaints@equalopportunity.tas.gov.au)

Mail: GPO Box 197, Hobart, Tasmania, 7001

Hand-Delivery: Level 1, 54 Victoria Street, Hobart, Tasmania, 7001

More information is available via the [Equal Opportunity Tasmania website](#).

### **Privacy Complaints**

Complaints about privacy or the handling of personal or health information can be reported to the regulatory bodies listed in Kameleon Group's *Privacy and Confidentiality Policy and Procedure*.

### **Complaints About the NDIA**

Complaints about the NDIA should be directed to the Agency itself or the Commonwealth Ombudsman.

Complaints to the NDIA can be lodged:

- by phone on 1800 800 110 and
- by email to [feedback@ndis.gov.au](mailto:feedback@ndis.gov.au).

Complaints to the Commonwealth Ombudsman about the NDIA can be lodged:

- by phone on 1300 362 072 and
- online at [www.ombudsman.gov.au](http://www.ombudsman.gov.au).



### **1. Record**

The Director of Operations must record all information relevant to complaints, in its original and simplest form, in Kameleon Group's *Complaints Register*. The *Complaints Register* must be stored in a secure file, accessible only to the Executive Team.

### **2. Acknowledge**

The Director of Operations must acknowledge receipt of complaints within 2 working days. However, where a person has requested to remain anonymous, contact may not be possible or expected. In their acknowledgement, the Director of Operations must set realistic expectations regarding complaint resolution and refer the matter to other organisations where they are identified as being more suitable to handle it. Acknowledgements must provide timeframes for resolution where possible.

### **3. Resolve**

Investigation of complaints will not be conducted by a person about whom a complaint has been made, or a person who has a conflict of interest in the matter. If required, the Executive Team will determine the appropriate person to undertake the investigation.

In resolving a complaint, the Director of Operations must involve the complainant and keep them informed of the progress of the complaint. They must discuss any disparities identified with the complainant and may request additional information when required. A timeframe within which further information is to be provided should be clearly communicated with the complainant.

The Director of Operations should consider granting extensions where necessary and always communicate any additional time requirements to the complainant with an explanation of the need.

Complaint investigation must focus on the identified complaint matters only. All parties involved in a complaint must be provided with procedural fairness and with the support and information necessary to participate in the complaints process. All decisions or actions regarding complaint investigation must be recorded by the Director of Operations in Kameleon Group's *Complaints Register*.

### **4. Communicate Resolution**

Kameleon Group will respond to all complaints as soon as possible and within 28 days from acknowledgement. If a complaint cannot be responded to in full within 28 days of acknowledgement, an update must be issued to the complainant. The update must provide the date by which a full response can be expected. The update should be provided verbally in the first instance then confirmed in writing.

The Director of Operations should discuss the outcome of a complaint investigation verbally with the complainant, where possible. This will be followed by written advice that provides the complainant an opportunity to make further contact with the Director of Operations if required.



## Feedback and Complaint Review

Feedback and complaint review includes identifying, monitoring, and acting upon trends and systemic issues identified through the analysis of feedback and complaint information.

The *Complaints Register* will be reviewed at monthly Executive Team meetings. The Director of Compliance is responsible for monitoring the *Complaints Register* to analyse and report on trends.

Where preventative or improvement measures are identified, these must be tracked in the *Continuous Improvement Plan*.

## Supporting Documents

Documents relevant to this policy and procedure include:

- *Privacy and Confidentiality Policy and Procedure*
- *Information Management Policy and Procedure*
- *Feedback and Complaints Form*
- *Complaints Register*
- *Continuous Improvement Plan*
- [\*NDIS Commission Complaints Management and Resolution Guidance\*](#)

## Monitoring and Review

This Policy and Procedure will be reviewed at least every three years by the Executive Team. Reviews will incorporate staff, participant and other stakeholder feedback.

Kameleon Group's feedback collection mechanisms, such as staff and participant satisfaction surveys, will assess:

- satisfaction with Kameleon Group's feedback and complaints processes
- whether stakeholders have received adequate information about making complaints and their awareness of complaints mechanisms
- the extent to which clients and their supporters feel they have been included in the review of feedback and their satisfaction with this process
- whether stakeholders have received adequate information about how the organisation will use feedback, complaints, and appeals information and
- any barriers to lodging complaints and feedback.



Kameleon Group's *Continuous Improvement Plan* will be used to record improvements identified and monitor the progress of their implementation. Where relevant, this information will be considered as part of Kameleon Group's service planning and delivery processes.

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