



## Complaints and Investigations Procedure Guideline

### **Policy Statement**

To outline the process by which complaints will be managed to resolution

### **Roles & Responsibilities** (including Scope):

- This procedure covers all complaints received in relation to the activities of East Health Trust PHO or any of the entities East Health enters into contracts with (including contracted providers)
- All employees are to follow this procedure
- All employees are to endeavour to make it as comfortable as possible for consumers to make a complaint
- The person receiving the complaint is responsible for entering the complaint on an Organisational Improvement Form
- The person receiving the complaint is responsible for advising the Complaints Officer that a complaint has been received
- The Complaints Officer is responsible for coordinating the processes around a complaint
- The person designated to investigate a complaint is responsible for developing recommendations for system improvement.

### **Associated Documents:**

Organisational Improvement Form

## **Implementing a Complaints Procedure**

### **Background**

It is a requirement of East Health Trust PHO contracts that we have a formal process for addressing any complaints that may be raised about any East Health provider and/or service. Complaints should be dealt with at the appropriate level and as quickly as possible.

The Complaints process has several purposes:

1. Quality Assurance and Improvement
2. Improving Customer Satisfaction
3. Impetus for education, policy and protocol development
4. Disciplinary Action

East Health Trust PHO has an important quality assurance and education role, and seeks to learn from any concern or complaint raised. East Health develops protocols, and initiates education opportunities as the need arises. East Health could withdraw a PHO contract from a provider, but cannot stop them practicing.

**Procedure:**

A complaint may be made in any form appropriate to the complainant (it does not need to be made in writing).

Guidelines upon receipt of a complaint:

- Thank the complainant for contacting us about their issue/experience
- Do not be judgemental about the person's experience
- Do not provide a personal opinion
- Avoid comments that invoke defence of either party
- Do not attempt to resolve
- Details in recording the complaint should include:
  - a) The name and contact details of the complainant
  - b) The person, the service, or the practice to which the complaint refers
  - c) The general nature of the complaint
  - d) The sort of outcome the complainant seeks
  - e) The date of the cause for the complaint (when did it happen?)
  - f) The date of the letter (if it is a written complaint) or the date the complaint is made and recorded on their behalf.

**Who may lodge a complaint?**

Any person(s) receiving a service or their advocate may lodge a complaint. Any person(s) employed in a service may lodge a complaint.

**How is a complaint made?**

A complaint may be made in writing, by phone or face to face depending on what is most comfortable and appropriate for the complainant.

They may choose to have a support person present when making a complaint or may use an independent advocate to make the complaint on their behalf.

All complaints must be recorded in writing.

If a verbal complaint is made the person receiving the complaint must accurately record the complaint as given without interpretation or alteration to the content or intent of the complaint.

**A Verbal Complaint**

Upon receiving a verbal complaint, the employee will:

- Inform the complainant that they will document the complaint. This must record the complaint as verbalised without interpretation or alteration of the complaint or its intent by the recorder.
- After documenting the complaint, the employee will ask the complainant to read/listen to the documented account and will ask the complainant to verify its accuracy.
- Gather details as above (under Guidelines for receipt of a complaint)
- Inform the complainant that the complaint will be entered into the complaints system and ask their permission for their personal details to be included, so that we can continue to communicate with them until we are able to let them know what the resolution is.
- The employee receiving the complaint will enter the complaint on the Organisational Improvement Form and will notify the Complaints Officer that a complaint has been received within 1 working day.

**A Written Complaint:**

Upon receiving a written complaint, the employee will document the complaint on the Organisational Improvement Form and will notify the Complaints Officer that a complaint has been received within 1 working day.

**Acknowledging the Complaint:**

Within 5 working days of East Health staff receiving a complaint, the Complaints Officer will:

- Notify the parties involved in the complaint that a complaint has been received
- Determine whether the complaint falls under East Health Trust PHO jurisdiction
- Acknowledge in writing the receipt of the complaint (unless it has been resolved to the satisfaction of the complainant within that period). Advise the complainant if the complaint falls outside East Health Trust PHO jurisdiction and give information on other avenues for resolving it. East Health Trust PHO does not have a formal role in investigating complaints about a contracted provider (e.g. general practice) and if such a complaint is received, the Complaints Officer will refer the complainant directly to the contracted provider concerned and/or to the Health and Disability Advocacy service or relevant statutory body.
- Send information of the East Health Trust PHO Complaints procedure to the complainant
- Send information to the complainant on the Health and Disability Commissioner and the independent advocates provided under the Health and Disability Commissioner Act 1994.

If the complaint does not fall under East Health Trust PHO jurisdiction, the Complaints Officer will document any actions taken.

**First Steps**

- The complainant will be encouraged to address the complaint to the individual concerned to be handled directly through their personal complaints procedure.
- In the first instance every endeavour should be made to resolve the issues raised to everyone's satisfaction by informal means.
- If this step does not achieve a satisfactory result, or if the complainant wishes to take the complaint further, it will be put in writing and addressed to the East Health Trust PHO Chief Executive Officer, who will act as the Complaints Officer. The person referring the complaint on to the Complaints Officer may still continue to work through the complaint resolution process but will be supported by the Complaints Officer to reach a mutually satisfactory conclusion for all parties if possible.
- All complaints must be recorded in a Complaints Register.
- The Complaints Officer will immediately acknowledge receipt of the complaint by notifying the complainant, and any provider involved. The Complaints Officer will notify both parties of the process for considering the complaint.
- The complainant will be encouraged to involve a support person or independent advocate if they would like to have this additional sponsorship.
- In some circumstances East Health may recommend immediate referral to the Office of the Health and Disability Commissioner or the relevant professional body.
- The CEO, the Chair of East Health Trust Complaints Committee or the Complaints Officer

may attempt to resolve the complaint by discussing the issues informally with the complainant and the provider, and by seeing whether an agreed solution can be found.

- If after pursuing all avenues of early resolution the complaint has not been resolved, the formal complaints process will be implemented.

### **The Investigation Process:**

In the first instance, the complainant and the person/agency about whom the complaint is made will be encouraged to resolve the complaint directly and a full investigation may not be warranted. When resolution is achieved, close the file as outlined below.

### **If the complaint is not resolved directly:**

- Gather information from the complainant and any other persons involved in the complaint
- Ascertain what the complainant would like East Health Trust PHO to achieve with the complaint
- Review all documentation
- In consultation with the Complaints Officer, progress towards resolution or decision that the complaint is not justified
- The investigator will, within 10 working days of receipt of the complaint do one of the following:
  - a) advise the complainant in writing of the outcomes of the investigation and close the file as outlined belowOr
  - b) If the investigation requires more time, the investigator will advise the complainant in writing how much additional time is required and the reasons for this and will send written reports at least monthly on the progress and state of the investigation and an expected resolution date.

### **Completing the Investigation and closing the complaint file**

At the completion of the investigation, the investigator will advise the complainant in writing of the outcomes of the investigation and will include:

- A summary of the complaint
- A summary of findings (including whether or not the complaint is accepted as justified)
- A conclusion, noting if any further action is to be taken
- Advice to the complainant of further options available to him/her if dissatisfied with the outcomes.

### **Confidentiality:**

- The process must remain confidential
- All documentation relating to the complaint will be held in a secure file East Health Trust PHO.

### **Anonymous Complaints:**

- There will be no barrier to receiving anonymous complaints
- These complaints will be entered on the Organisational Improvement Form and referred to the Complaints Officer
- An investigation will be undertaken according to the extent that is possible.

**Timeframe for contact with complainant and complaint process:**



