

## Purpose

The Victorian Disability Worker Commission (the Commission) is committed to building a culture that is open and receptive to feedback. We will listen to community members and treat them with respect when providing feedback about our services, decisions and actions. The Commission aims to learn from complaints it receives to help improve the services it provides.

This policy outlines the Commission's policy and processes relating to external complaints and feedback received regarding the Commission.

This policy:

- puts in place an open and transparent complaint handling system
- establishes our timeframes for resolving complaints
- clarifies the roles and responsibilities of Commission staff regarding complaints and other feedback
- ensures staff handle complaints fairly and objectively
- sets out how staff record and analyse complaint and other feedback data to identify where we can improve our services.

## Definitions

**Complaint:** an expression of dissatisfaction with the quality of an action taken, decision made, or service provided by the Commission or its contractor, or a delay or failure in providing a service, taking an action, or making a decision by the Commission or its contractors.

**Feedback:** includes suggestions and compliments about actions, decisions or services provided by the Commission, but does not include a complaint.

**Formal complaint:** a complaint that requires investigation.

**Informal complaint:** a complaint that can be resolved without an investigation.

**Managers:** includes staff of VPS6 level who have responsibility for supervision of Commission staff members.

## Application

This complaints and feedback policy applies to all Commission staff, including contractors and volunteers, who carry out services for the Commission.

The policy deals with complaints and feedback about the Commission's services. It does not deal with receiving complaints under the *Disability Service Safeguards Act 2018*.

# Key principles

This policy is based on seven principles.

## 1. Commitment

We are committed to resolving complaints and have a culture that recognises an individual's right to complain. We value complaints and recognise them as being part of our business of serving our communities and improving service delivery.

## 2. Accessibility

People with a range of needs can easily complain and staff actively assist them to navigate the complaints process.

## 3. Transparency

We make it clear how to complain, where to complain and how the complaint will be handled. The steps taken to respond to a complaint are recorded and will stand up to scrutiny.

## 4. Objectivity and fairness

Complaints are dealt with courteously, impartially, within established timeframes and are assessed on merit.

## 5. Privacy

Complaint information is handled according to privacy laws and other relevant legislation. We provide clear information about how we handle personal information. Complaint data is de-identified if reported on more widely.

## 6. Accountability

We are accountable internally and externally for our decision making and complaint handling performance. We provide explanations and reasons for decisions, and ensure that our decisions are subject to appropriate review processes.

## 7. Continuous improvement

Acting on, learning from and using complaint and feedback data helps us identify problems and improve services.

# Accessibility and inclusion

To support our commitment to accessibility (see Principle 2), we commit to:

- ensuring the complaint and feedback process is inclusive and accessible for all individuals and organisations
- providing reasonable adjustments so that people with disability can access our service, including to make a complaint about our service. This may include providing assistance so that a complaint can be made, facilitating someone else to lodge a complaint on their behalf such as an advocate, providing assistance through an Auslan interpreter or use of the National Relay Service
- providing interpreting services if it is evident that the complainant's preferred language is one other than English, or if they request interpreting assistance.
- providing a culturally safe, respectful and welcoming environment in which people feel listened to and understood when providing feedback. In particular, Aboriginal people should feel safe to identify as Aboriginal and not face barriers when providing feedback.
- accept and respond to anonymous complaints, provided we have received enough information to do so.

# How to make a complaint

A person can make a complaint by contacting the Commission in the following ways:

- Email: [info@vdwc.vic.gov.au](mailto:info@vdwc.vic.gov.au)

- Mail: Level 20, 570 Bourke Street, Melbourne 3000
- Telephone: 1800 497 132. Our telephone line is open 9.30am- 4.30pm weekdays.

For assistance from an interpreter, call us through the national translating and interpreting service on 131 450.

Deaf, hard of hearing or speech impaired? Please contact us through the national relay service website, at [www.relayservice.gov.au](http://www.relayservice.gov.au)

## Complaint resolution

### Roles and responsibilities of staff

- All staff: any staff member can be the initial contact point for complaints and feedback and can resolve informal (non-investigative) complaints.
- Managers: managers are responsible for confirming the outcomes of informal complaints dealt with by frontline staff. Managers also manage complaints that have been escalated by frontline staff and/or require an investigation, and action other feedback.
- Director: confirms the outcomes of complaint investigations by Managers, or, deals with complaints that have been escalated by Managers, or are about Managers.
- Contractors: contractors should report complaints to relevant Managers to handle these complaints.

### Responding to a complaint

The Commission takes a four-tiered approach to complaint handling.

1. Frontline resolution: frontline staff receive the complaint, assess it, and resolve it immediately, if possible
2. Investigation, if required: if frontline staff cannot resolve the complaint, they will refer it to a Manager for investigation.
3. Internal review: if the complainant is not satisfied with the process or outcome of the frontline resolution/investigation, they can request an internal review
4. Access to external review: if the complainant is not satisfied with the process or outcome of the internal review, we inform them of any available external review options.

### Timelines

The Commission will acknowledge all complaints within five business days of receipt.

Complaint handling staff will aim to resolve all complaints within 28 days. If it takes longer than 28 days to resolve a complaint, the Commission will contact the complainant and explain why the matter cannot be resolved within that time.

When a complaint is resolved through internal review, the Commission will write to a complainant and advise them of the outcome.

### Internal review

A complainant may seek an internal review by the Commission of any outcome to a complaint.

The internal review will be completed within 28 days. If the Commission will take longer than 28 days to resolve a complaint, the Commission will contact the complainant and explain why the matter cannot be resolved within that time, and the estimated timeframe.

An outcome letter signed by the senior officer responsible for the internal review will be provided to the complainant at the conclusion of every internal review.

## External review

A complainant will also be informed of any avenues of external review available in relation to the matter, such as the Victorian Ombudsman.

The Victorian Ombudsman can be contacted at:

Level 2  
570 Bourke Street  
Melbourne VIC 3000

Phone (03) 9613 6222 or 1800 806 314 (regional only)  
Telephone Interpreter 131 450  
Deaf or hearing impaired users 133 677 then 03 9613 6222

<https://www.ombudsman.vic.gov.au/complaints/make-complaint/>

## Particular types of complaints

Some complaints need to be handled in particular ways.

### Complaints about allegations of corrupt conduct

If your complaint involves allegations of corrupt conduct, please report it to the Independent Broad-based Anti-corruption Commission (IBAC). The Commission cannot receive complaints of corrupt conduct.

IBAC can be contacted by:

- phone: 1300 735 135 or
- making a complaint online at <https://www.ibac.vic.gov.au/reporting-corruption/report/complaints-form>.

### Complaints about use of personal or health information

If your complaint is about the Commission's collection, use, or disclosure of your personal information, please refer to our [Privacy policy](#). You can still make a complaint using the contact details set out above.

### Complaints about contractors

We recognise that we retain a level of responsibility for services carried out by contractors on our behalf.

Please tell us if you have a complaint or other feedback about a contractor. Complaints about contractors are handled by the relevant Commission manager.

If a complainant is not satisfied with the outcome of the complaint, he or she can ask the Commission to review the decision.

## Complaint outcomes

Where we have found that we have made an error, we will take steps to redress that situation. Where we identify an error, we will consider offering a genuine apology to the complainant, in addition to any other remedies offered, irrespective of whether the complainant specifically requests this.

## Responding to feedback

The Commission appreciates receiving other feedback, including suggestions for improvement and compliments.

Any Commission staff member can receive feedback. We pass on feedback to our Managers and senior staff so that it too can assist us to continuously improve.

# Privacy and recording complaints

The Commission collects and uses personal information in accordance with our [Privacy policy](#).

When gathering information to respond to a complaint, the Commission will only:

- use it to deal with the complaint or to address systemic issues arising from the complaint
- disclose it in a de-identified format when disclosing data to the public, if required
- share it with staff on a need to know basis.

## Recording complaints

All complaints and feedback are recorded in our internal complaint database.

We use our complaint and feedback data to understand how we can reduce complaints and improve our services.

We record the following information for each complaint:

- the complainant's details
- how the complaint was received
- a description of the complaint
- the complainant's desired outcome (if known)
- the Commission staff member responsible for handling the complaint
- any action taken, including contact with the complainant, response times and the outcome
- when the complaint was finalised
- relevant demographic information that could help improve services
- any recommendations for improvement, and who is responsible for implementing them.

We record the same information (where possible) about other feedback.

Any queries regarding the recording of complaints and feedback should be directed to the Commission's privacy officer, at [info@vdbc.vic.gov.au](mailto:info@vdbc.vic.gov.au).

We will report against our complaint and feedback data in our annual report, where we will also detail any service improvements made as a result of complaints and feedback received.

# References and related documents

## Policies and guidelines

- VPS Code of Conduct
- Public interest disclosure policy
- Conflict of interest policy
- Feedback and complaints procedure

## Compliance

This policy complies with relevant legislation and policies, in particular

- *Charter of Human Rights and Responsibilities Act 2006* (Vic)
- *Freedom of Information Act 1982* (Vic)
- *Independent Broad-based Anti-corruption Commission Act 2011* (Vic)
- *Privacy and Data Protection Act 2014* (Vic)
- *Public Interest Disclosure Act 2012* (Vic)
- Victorian Ombudsman *Good practice guide to handling complaints* (2016)

## Policy review and currency

This policy will be reviewed annually from the last approved date, or when there is a significant change in the intent of the policy.

### Version history

Release notice			
Version	Date of effect	Amendment details	Amended by
1.0	25.08.2020	Initial release	
Record no.:	VDWC/D/20/305		
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Approved by:	Commissioner	Approved on:	25.08.2020
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