

Purpose

The Victorian Disability Worker Commission, Victorian Disability Worker Commissioner and the Disability Worker Registration Board of Victoria are committed to building a culture that is open to feedback. We will listen to community members and treat them with respect when providing feedback about our services, decisions, and actions. We aim to learn from complaints, to help improve the services we provide.

This document outlines our policy and processes relating to external complaints received about the Commission, the Commissioner, and the Board.

This policy aims to:

- outline an open and transparent complaint handling system
- establish timeframes for resolving complaints
- clarify the roles and responsibilities of staff
- ensure complaints are handled fairly and objectively
- set out how we use complaint 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 Board, 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.

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 policy applies to the:

- Victorian Disability Worker Commission (including contractors and volunteers)
- Victorian Disability Worker Commissioner
- Disability Worker Registration Board of Victoria

The policy deals with complaints about the Commission's and Board's services.

It does not deal with receiving complaints under the *Disability Service Safeguards Act 2018* (Vic).

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 accessibility needs can 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 found here: <https://www.vdwc.vic.gov.au/privacy>. 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 data helps us identify problems and improve services.

Accessibility and inclusion

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

- ensure the complaint process is inclusive and accessible for all individuals and organisations
- provide reasonable adjustments so that people with disability can access our service, including to make a complaint about our services. This may include providing assistance to make a complaint, facilitating someone else to lodge a complaint on their behalf such as an advocate, facilitating an Auslan interpreter or use of the National Relay Service
- provide interpreting services if it is evident that the complainant's preferred language is one other than English, or if they request interpreting assistance
- provide a culturally safe, respectful, and welcoming environment in which people feel listened to and understood when providing feedback. In particular, Aboriginal peoples 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
- Mail: Level 20, 570 Bourke Street, Melbourne 3000

- Telephone: 1800 497 132. Our telephone line is open 9.30am- 4.30pm weekdays.
- Telephone with the assistance of the national translating and interpreting service: 131 450
- With the assistance of the national relay service: www.relayservice.gov.au

Roles and responsibilities of staff

- Any staff member can be the initial contact point for complaints and can resolve informal (non-investigative) complaints. Staff will assess the complaint and where required escalate it
- Managers are responsible for overseeing complaints escalated by frontline staff, and complaints being investigated
- The Director of Scheme Performance is responsible for confirming the outcome of complaint investigations by managers, handling complaints escalated by managers, and handling complaints about managers
- Contractors should report complaints to relevant managers.

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 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 or investigation, they can request an internal review
4. **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

All complaints will be acknowledged within five business days of receipt.

The Commission aims to resolve complaints within 28 calendar days of receipt of the complaint. If it takes longer than 28 calendar days to resolve a complaint, the Commission will contact the complainant and explain why the matter cannot be resolved within that time.

Internal review

A complainant may seek an internal review of any outcome arising from a complaint.

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

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/>

Specific complaints

Some complaints need to be handled in particular ways.

Complaints about allegations of corrupt conduct

If a complaint involves allegations of corrupt conduct, please report it to the Independent Broad-based Anti-corruption Commission (IBAC). The Victorian Disability Worker 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 a complaint is about the Commission's or Board'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.

Complaint outcomes

If we find that there has been an error, we will take steps to remedy that situation. If appropriate, we will consider offering a genuine apology, in addition to any other remedies deemed applicable to the circumstances.

Privacy and recording complaints

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

When gathering personal 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 are recorded in our internal complaint database.

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

We record the following information for each complaint:

- the complainant's details
- when the complaint was received
- 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 our services
- any recommendations for improvement, and who is responsible for implementing them.

Any queries regarding the recording of complaints should be directed to the Commission's privacy officer, at info@vdwc.vic.gov.au.

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

References and related documents

Policies and guidelines

- VPS Code of Conduct
- Public interest disclosure policy
- Conflict of interest policy
- 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 every three years from the last approved date, or when there is a significant change in the intent of the policy, relevant VPS policy or legislation.

Version history

Release notice			
Version	Date of effect	Amendment details	Amended by
1.0	25.08.2020	Initial release	
2.0	12.12.2023	Reviewed due to passage of time	Legal
Record no.:	VDWC/D/23/1185		
Commission policy owner:	General Counsel		
Approved by:	Commissioner	Approved on:	12/12/2023
Board policy owner:	Chair		
Approved by:	Chair	Approved on	13/02/2024
Next Review Due:	01/2027		