

- (c) by post to: Level 2, World Knowledge Centre, Education City, Sinnathamby Boulevard, Springfield, QLD. 4300; or
- (d) verbally by telephone to 0421902760.

The Principal will be responsible for receiving any email and postal correspondence and managing the receipt and resolution of complaints in accordance with section 6.

For all verbal and written complaints received in a form other than the Feedback and Complaints Form, the recipient of the complaint will request the complainant to provide their complaint in the form of the Feedback and Complaints Form.

5.2 How to make a complaint to the NDIS Commission

A complaint can be made to the NDIS Commission by:

- (a) Phoning: 1800 035 544 (free call from landlines) or TTY 133 677. Interpreters can be arranged.
- (b) National Relay Service and ask for 1800 035 544.
- (c) Visiting <https://www.ndiscommission.gov.au/about/complaints> and completing a complaint contact form.

The NDIS Commission can take complaints about:

- (a) services or supports that were not provided in a safe and respectful way
- (b) services and supports that were not delivered to an appropriate standard

You can make a complaint to the NDIS Commission on an anonymous basis.

5.3 Support and assistance in relation to making complaints

All Workers shall be responsible for ensuring appropriate support and assistance is provided to any person in connection with this Complaints Management System including any person who wishes to make, or has made, a complaint by:

- (a) providing accessible information to complainants (including the Feedback and Complaints Summary and this Complaints Management System) in relation to how to make a complaint;
- (b) providing a safe environment for a complainant to make a complaint or provide negative feedback without fear of adverse consequences, retribution or loss of service as a result of making a complaint;
- (c) treating all complainants with respect, recognising that the complaint is important to the complainant;
- (d) maintaining the confidentiality of parties involved in the complaint in accordance with section 8 below;
- (e) facilitating the participation of an advocate or other representative or support person in connection with the discussion and resolution of a complaint, if required;
- (f) providing Clients, families, carers and advocates with access to this Complaints Management System and the Feedback and Complaints Summary;
- (g) complying with this Complaints Management System and the Feedback and Complaints Summary;

Approved By:	The board of Inclusive Solutions Australia Group	Version	1
Approval Date:	June 2023	Next Scheduled Review	June 2025

- (h) advising complainants and potential complainants in relation to how a complaint or issue may be raised with the NDIS Commission and giving appropriate support and assistance to people affected by an issue raised in a complaint to contact the NDIS Commission;
- (i) appropriately responding to complaints, acknowledging, assessing and resolving the matter in a fair, efficient and timely manner with as little formality as a proper consideration of the complaint allows;
- (j) taking action in relation to issues raised in complaints;
- (k) if a serious risk is identified, taking corrective action;
- (l) keeping parties to the complaint appropriately involved and informed of the progress of the complaint;
- (m) ensuring that feedback and complaints data (both positive and negative) is considered in training and in planning service and support delivery;
- (n) ensuring the complaints process is procedurally fair and follows the principles of natural justice as set out in the *NDIS (Procedural Fairness) Guidelines 2018*; and
- (o) reviewing and evaluating the accessibility and effectiveness of the Complaints Management System and continually improving its processes.

5.4 Protection for worker disclosures

Workers are supported by the Principal and Key Management Personnel to report incidents and complaints. There are no negative consequences for Workers in doing so. All Workers are advised that they can make a complaint on behalf of a person, parent/guardian or child to Inclusive Solutions Australia Group or to the NDIS Commission. All Workers are required to comply with this Complaints Management System and be aware of their roles and responsibilities in receiving, supporting, managing and resolving incidents and complaints.

6. Persons who will manage the receipt and resolution of complaints

If the complaint is about:

- (a) a person other than the Principal, the complaint will normally be managed and dealt with by the Principal unless the Principal determines that an External Complaint Manager should manage and deal with the complaint; and
- (b) the Principal, the complaint will normally be managed and dealt with by another Senior Staff Member at Inclusive Solutions Australia Group, however, if no such person exists or if it is otherwise inappropriate given the nature of the complaint for the Senior Staff Manager to manage the complaint, an External Complaint Manager will manage and deal with the complaint,

(Complaint Manager).

- (c) More than one person may act as Complaint Manager for organisational reasons or to avoid conflicts of interest or the appearance of bias.
- (d) More than one person may act as Complaint Manager for complaints involving multiple persons if required in order to avoid conflicts of interest or the appearance of bias.
- (e) If the complainant is not satisfied with the investigation and proposed resolution of their complaint in accordance with section 7, they can seek a further review of the complaint by an External Complaint Manager (that has not previously acted as Complaint Manager in relation to the complaint). When undertaking their review of the complaint, the External Complaint Manager must follow the same process in resolving the complaint as the Complaint Manager and as otherwise set out in section 7.

Approved By:	The board of Inclusive Solutions Australia Group	Version	1
Approval Date:	June 2023	Next Scheduled Review	June 2025

7. Procedure for resolving complaints

The Policy is supported by the following Procedures which are intended to clarify the responsibilities of the board, Principal, Key Management Personnel, Workers and other persons and make explicit the underlying principles of the Policy.

Procedure	Responsibility
<p>7.1 Overview</p> <p>(a) Any Worker at Inclusive Solutions Australia Group may be a recipient of a complaint. However, in all cases, the Complaint Manager is primarily responsible for managing the process and resolution of complaints in accordance with this section.</p> <p>(b) The Complaint Manager will use all reasonable endeavours to complete the following process (Complaints Process) within 21 days. The Complaint Manager will keep the complainant up-to-date on progress of the Complaints Process, particularly if there are any delays. It may be appropriate for the Complaints Process to be extended to ensure relevant parties are afforded procedural fairness.</p> <p>(c) The Complaints Process is to be applied in receiving and resolving all complaints at Inclusive Solutions Australia Group but the individual elements and actions the Complaint Manager decides to take may be tailored to each complaint (subject to any legislative requirements).</p> <p>(d) As part of the handling of a complaint under the Complaints Process, procedural fairness must be afforded to a person (including a Worker) if their rights or interests may be adversely or detrimentally affected.</p>	<p>Recipient of Complaint, Principal, Key Management Personnel and Complaint Manager</p>
<p>7.2 Receive complaint</p> <p>(a) In the case of a verbal complaint, the recipient of a complaint should:</p> <ol style="list-style-type: none"> (1) genuinely listen to the complainant, their support person or advocate; (2) make sure the complainant feels comfortable; (3) acknowledge how the situation has affected the person; (4) thank the complainant for making the complaint; (5) take detailed notes of the complainant and the complaint including whether the complaint is specifically about the conduct of identifiable Workers or about the provision of supports and services that incidentally identify Workers; (6) encourage and offer support to the complainant to confirm their verbal complaint in writing by filling out a Feedback and Complaint Form; <p>(b) At the time of acknowledging the complaint, the recipient of the complaint should also ask the complainant if they would like any additional support or assistance in relation to making, discussing and resolving the complaint</p>	<p>Recipient of Complaint, Principal, Key Management Personnel and Complaint Manager</p>

Approved By:	The board of Inclusive Solutions Australia Group	Version	1
Approval Date:	June 2023	Next Scheduled Review	June 2025

<p>or if they would like any family member, carer or advocate to be involved in the discussion and the Complaints Process.</p> <p>(c) If a Worker at Inclusive Solutions Australia Group other than the Principal receives a complaint, they must immediately notify and provide to the Principal all information known to the Worker about the complainant and the complaint including any notes regarding a verbal complaint taken by the recipient or the written complaint itself.</p> <p>(d) If the complaint is in respect of the Principal, the Principal shall coordinate, notify and provide all information provided to or known to them and the recipient to the Complaint Manager that will be managing the complaint.</p>	
<p>7.3 Record the complaint</p> <p>(a) The Complaint Manager shall register the complaint in the complaints register maintained in accordance with section 9.</p> <p>(b) The Complaint Manager shall update the complaint record in the complaints register at each material step of this Complaints Process.</p>	<p>Principal, Key Management Personnel and Complaint Manager</p>
<p>7.4 Acknowledgement of complaint</p> <p>(a) The Complaint Manager shall acknowledge the complaint within 3 days of it being received. Consideration will be given to the most appropriate medium (e.g. email, letter, and phone) for acknowledgement and all further communications with the complainant.</p> <p>(b) To the extent that the Complaint Manager acknowledges a complaint verbally, they should also provide written acknowledgement.</p> <p>(c) When acknowledging the complaint, the Complaint Manager shall also indicate to the complainant a time frame for discussion, investigation (if required) and resolution.</p> <p>(d) If the complainant had previously indicated to Inclusive Solutions Australia Group that they require an advocate or representative to be involved in their dealings with Inclusive Solutions Australia Group, the Complaint Manager will:</p> <p>(1) enquire as to whether an advocate (including an independent advocate) or representative will be included in the Complaints Process; and</p> <p>(2) if an advocate or representative is to be involved, offer to facilitate arrangements for such an advocate (including an independent advocate) or other representative to be included in the Complaints Process.</p> <p>(e) If a person with disability affected by an issue raised in a complaint has a decision maker advocate or substituted or informal decision maker, these people should be included and recognised and raised as potential support persons or interested parties in any discussion and resolution of the complaint.</p>	<p>Principal, Key Management Personnel and Complaint Manager</p>
<p>7.5 Initial Assessment</p>	<p>Principal, Key Management</p>

<p>Approved By:</p>	<p>The board of Inclusive Solutions Australia Group</p>	<p>Version</p>	<p>1</p>
<p>Approval Date:</p>	<p>June 2023</p>	<p>Next Scheduled Review</p>	<p>June 2025</p>

<p>(a) The Complaint Manager will confirm whether the issue(s) raised in the complaint are within Inclusive Solutions Australia Group’s control. The Complaint Manager will also consider the potential outcome(s) that may be sought by the complainant (if not known) and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.</p> <p>(b) When determining how a complaint will be managed, the Complaint Manager will consider:</p> <ol style="list-style-type: none"> (1) the nature of the matter being dealt with; (2) how serious, complicated or urgent the complaint is; (3) whether the complaint is specifically about the conduct of an identifiable Worker(s) or about the provision of supports and services that incidentally identify Workers; (4) if about the conduct of identifiable Worker(s): <ol style="list-style-type: none"> (A) whether confidentiality can be maintained consistently while affording procedural fairness to the Worker(s); and (B) which (if not all) of the procedural fairness considerations set out in the Inclusive Solutions Australia Group Procedural Fairness Considerations document should be afforded to the Worker(s); (5) whether the complaint raises concerns about people’s health and safety; (6) how the complainant or person with disability is being affected; (7) the risks involved if the resolution of the complaint is delayed; (8) whether facts in issue are in dispute and investigations are required; (9) the options for resolving the matter; (10) the gravity of possible findings that may be reached; (11) the sanctions that could be imposed based on those findings; (12) whether a resolution requires the involvement of other organisations; and (13) the Inclusive Solutions Australia Group Assessment, Investigation and Resolution considerations document. 	<p>Personnel and Complaint Manager</p>
<p>7.6 Discuss the complaint</p> <p>(a) The Complaint Manager shall organise a time to discuss the complaint with the complainant (and any advocate or support person). Depending on the severity of the complaint, the Complaint Manager has the discretion to determine to undertake an investigation of the complaint prior to discussing the complaint.</p>	<p>Principal, Key Management Personnel and Complaint Manager</p>

Approved By:	The board of Inclusive Solutions Australia Group	Version	1
Approval Date:	June 2023	Next Scheduled Review	June 2025

<p>(b) Consideration should be given to the most appropriate medium for the discussion (in person, via video chat or on the telephone).</p> <p>(c) During this discussion, the Complaint Manager should:</p> <ol style="list-style-type: none"> (1) genuinely listen to the complainant, their support person or advocate and provide the complainant with a reasonable opportunity to present their complaint, without interrupting; (2) make sure the complainant feels comfortable; (3) acknowledge how the situation has affected the complainant and any person with disability; (4) ask the complainant what a good outcome to the complaint would look like for them; (5) not dismiss the complaint on a view of the facts that is not raised with or apparent to the complainant; and (6) identify any material information relevant to the complaint provided by the complainant or any other person which was shared on a confidential basis (or may be confidential in nature). If it would be difficult to maintain confidentiality while resolving the complaint, for procedural fairness reasons, inform the complainant of this difficulty and ascertain if the complainant wishes for the Complaints Process to continue. <p>The Complaint Manager shall explain to the complainant and any family member, carer, representative or advocate that the complainant wishes to be involved in the Complaints Process, the next steps that will be taken in response to the complaint.</p> <p>(d) Depending on the type and severity of the complaint, the Complaint Manager shall either:</p> <ol style="list-style-type: none"> (1) discuss with the complainant an immediate resolution to the complaint (for smaller matters); or (2) conduct further investigations in relation to the complaint. <p>(e) If the complaint is specifically about the conduct of identifiable Worker(s) or any other person where adverse action could be taken in relation to the person, the Complaint Manager shall organise a time to discuss the complaint with the Worker(s) or other person.</p> <p>(f) In such circumstances, the Worker(s) or such other person:</p> <ol style="list-style-type: none"> (1) must be given a reasonable opportunity to be heard and to put forward information and submissions in support of an outcome that is favourable to their interests; and (2) should be afforded procedural fairness by the Complaint Manager, who should adopt some or all of the considerations set out in the Inclusive Solutions Australia Group Procedural Fairness considerations document. 	
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Approved By:	The board of Inclusive Solutions Australia Group	Version	1
Approval Date:	June 2023	Next Scheduled Review	June 2025

<p>7.7 Investigate the complaint</p> <p>(a) After assessing the complaint (and potentially, discussing the complaint with the complainant) the Complaint Manager will consider whether an investigation is required in which case, the Complaint Manager may (among other things):</p> <ol style="list-style-type: none"> (1) give the complainant an explanation as to whether an investigation will occur; (2) gather information about the issue, person or area that the complaint is about (or request an external investigator to do so at the direction of the Complaint Manager); and/or (3) investigate the claims made in the complaint (or request an external investigator to do so at the direction of the Complaint Manager). <p>(b) If the complaint is about the conduct of an identifiable Worker(s) or may involve a person’s rights or interests being adversely or detrimentally affected in a direct and specific way as a result of or in connection with the complaint:</p> <ol style="list-style-type: none"> (1) an investigation must occur as part of the Complaints Process; (2) the Worker(s) or such other person must be given a reasonable opportunity in a fair and impartial manner to be heard on those matters before adverse action is taken, and to put forward information and submissions in support of an outcome that is favourable to their interests; and (3) the Worker(s) or such other person should be afforded procedural fairness including by the Complaint Manager adopting some or all of the considerations set out in the Inclusive Solutions Australia Group Procedural Fairness Considerations document. <p>(c) The Complaint Manager shall inform the complainant in writing within 10 days of the complaint being received of what is being done to investigate and resolve it, and the expected time frame for resolution.</p> <p>(d) The Complaint Manager or an external investigator should have regard to the Inclusive Solutions Australia Group Assessment, Investigation and Resolution considerations document when conducting an investigation.</p> <p>(e) Depending on the findings from the investigations, the Complaint Manager may have further discussions with the complainant, Workers and other interested parties.</p>	<p>Principal, Key Management Personnel and Complaint Manager</p>
<p>7.8 Take appropriate action in relation to the complaint</p> <p>(a) The Complaint Manager shall make a decision in respect of the complaint. The Complaint Manager or an external investigator should have regard to the Inclusive Solutions Australia Group Assessment, Investigation and Resolution considerations document when making a decision.</p> <p>(b) Prior to making any adverse finding, the Complaint Manager should provide any Worker against whom an adverse finding may be made:</p>	<p>Principal, Key Management Personnel and Complaint Manager</p>

Approved By:	The board of Inclusive Solutions Australia Group	Version	1
Approval Date:	June 2023	Next Scheduled Review	June 2025

<p>(1) with a reasonable opportunity to comment on the proposed adverse finding; and</p> <p>(2) with procedural fairness including by the Complaint Manager adopting some or all of the considerations set out in the Inclusive Solutions Australia Group Procedural Fairness Considerations document.</p> <p>(c) Any adverse finding should be soundly based on the facts and issues that were raised during the Complaints Process.</p> <p>(d) The Complaint Manager shall inform the complainant of the outcome and the reasons for any decisions made including:</p> <p>(1) the outcome of the complaint and any action taken;</p> <p>(2) the reason(s) for the decision; and</p> <p>(3) the remedy or resolution(s) proposed or put in place.</p> <p>(e) If an apology is in order, the Complaint Manager shall ensure that the appropriate person makes the apology and informs the complainant what the organisation intends to do to avoid further grievance in respect of the subject matter of the complaint.</p>	
<p>7.9 Rights to the review of complaints</p> <p>(a) The complainant and any affected person with a disability should be notified that if they are not satisfied with the investigation and proposed resolution of the complaint, they can seek a further review of the matter by an External Complaint Manager.</p> <p>(b) The External Complaint Manager must follow the same Complaints Process in resolving the complaint as the Complaint Manager.</p>	<p>Principal, Key Management Personnel and External Complaint Manager</p>
<p>7.10 Referral to NDIS Commission</p> <p>(a) If the complainant is still not satisfied with the outcome after a review of the complaint has been completed, the complainant should be referred to the NDIS Commission and provided information and support to make the complaint externally if necessary including whether they would like such information to be provided to any family member, carer, representative or advocate.</p> <p>(b) In this regard, Inclusive Solutions Australia Group shall take reasonable steps to ensure that the complainant and each person with disability affected by an issue raised in the complaint, is advised how that complaint or issue may be raised with the NDIS Commission by:</p> <p>(1) referring them to the Feedback and Complaints Summary previously provided to them and explaining to them that such document includes information about how complaints may be raised with the NDIS Commission;</p> <p>(2) directing them to NDIS Commission Complaints Website; and</p> <p>(3) asking the complainant if they require any support or assistance in raising the complaint with the NDIS Commission including whether</p>	<p>Principal and Key Management Personnel</p>

Approved By:	The board of Inclusive Solutions Australia Group	Version	1
Approval Date:	June 2023	Next Scheduled Review	June 2025

<p>they would like the Feedback and Complaints Summary, this Policy or any other information to be provided to any family member, carer, representative or advocate.</p>	
<p>7.11 Training Procedures</p> <p>(a) All Workers will be trained in receiving complaints, the NDIS Code of Conduct requirements and the NDIS Worker Orientation Module.</p> <p>(b) All Workers will be trained on the Complaints Management System during their induction, and as part of ongoing refresher training and/or when processes change.</p> <p>(c) Training will include open communication strategies such as acknowledging the grievance without being defensive and making apologies while accepting responsibility for what occurred.</p> <p>(d) A Complaint Manager will be trained in complaints management and resolution and in supporting clients throughout the Complaints Process and appropriately responding to complaints in an empathetic manner.</p> <p>(e) A Complaint Manager will be trained in conducting serious incident investigations, including investigating incidents that may involve a criminal element and in applying Procedural Fairness, which is detailed in the <i>NDIS (Procedural Fairness) Guidelines 2018</i> and the Inclusive Solutions Australia Group Procedural Fairness considerations.</p>	<p>Principal and Key Management Personnel</p>

8. Privacy and Confidentiality

Inclusive Solutions Australia Group will take reasonable steps to ensure that information provided in a complaint and during the Complaints Process is kept confidential and only disclosed if required by law or if the disclosure is otherwise appropriate in the circumstances. Without limiting the generality of the above, Inclusive Solutions Australia Group considers that it would be appropriate to disclose such confidential information in the following circumstances:

- (a) the disclosure of the complaint related information is to the Principal, Key Management Personnel, Complaint Manager, an employee, contractor or other Worker who is directly or indirectly involved in the Complaints Process;
- (b) the disclosure of the complaint related information is to a lawyer or other advisor of Inclusive Solutions Australia Group;
- (c) the disclosure of the complaint related information is reasonably required to enable a complaint is to be properly investigated; or
- (d) the disclosure of the complaint related information is to the NDIS Commission, the police or otherwise required by law.

9. Record keeping

- (a) A register of complaints will be kept in a complaint register for a minimum of seven years after the complaint has been made. The register will be maintained by the Principal or Key Management Personnel and will record the following for each complaint or appeal:

Approved By:	The board of Inclusive Solutions Australia Group	Version	1
Approval Date:	June 2023	Next Scheduled Review	June 2025

- (1) details of the complainant and the nature of the complaint;
 - (2) date lodged;
 - (3) action taken (and in the event of adverse action, any facts and issues that were raised during the Complaints Process and upon which the adverse action was based);
 - (4) date of resolution and reason for decision;
 - (5) indication of the complainant being notified of the outcome; and
 - (6) complainant response and any further action.
- (b) Copies of all correspondence will be kept on the relevant Client's file.
- (c) The complaints register and files will be confidential, and access will be restricted to the Principal, Key Management Personnel and any Complaint Manager.
- (d) A statistical summary of complaints will also be kept in and maintained by the Principal or Key Management Personnel and reviewed annually. The Principal will be responsible for reporting complaints to the board at least annually.
- (e) Results from this report will be reviewed by the Principal and Key Management Personnel and used to:
- (1) inform training by including a review of complaints (on an anonymous basis) in complaints handling training activities; and
 - (2) inform service delivery by taking the learnings from training activities.

10. Continuous improvement of the complaints management system

This Policy, the Complaints Management System, the Complaints Process and the complaints register will be reviewed and evaluated by the Principal and Key Management Personnel at least annually. This will include:

- (a) a review of all complaint and feedback policies and procedures;
- (b) a review of Client and Worker feedback about the accessibility and effectiveness of the Complaints Management System; and
- (c) implementation of a continuous improvement plan based on the review and feedback received.

11. General

11.1 Relevant Legislation, Regulations, Rules and Guidelines

Legislation, Rules, Guidelines and Policies apply to this Policy and Related Documentation as set out in the Legislation Register.

11.2 Inconsistency

If and to the extent that the terms of this Policy are or would be inconsistent with the requirements of any applicable law, this Policy is deemed to be amended but only to the extent required to comply with the applicable law.

11.3 Policy Details

Approved By:	The board of Inclusive Solutions Australia Group	Version	1
Approval Date:	June 2023	Next Scheduled Review	June 2025

Approved By: The board of Inclusive Solutions Australia Group
Approval Date: June 2023
Next Scheduled Review: June 2025
Version: 1

Approved By:	The board of Inclusive Solutions Australia Group	Version	1
Approval Date:	June 2023	Next Scheduled Review	June 2025