

Purpose

This Procedure provides guidance on how Family Spirit implements our Complaint Management System, and the procedures to follow when a formal complaint is made against us. This Procedure also specifies the responsibilities of Executive members, Managers, Employees and Complainants.

This Procedure reflects the size and scale of our organisation.

Scope

This Procedure applies to all Family Spirit workers, including contractors, Risk Related Roles and volunteers and must be read in conjunction with all other relevant Family Spirit policies, quality documents and guidelines i.e. Family Spirit Code of Code of Conduct and Ethics.

All workers and stakeholders must be provided access to this Policy and related Procedure.

COMPLIANCE WITH THIS DOCUMENT IS MANDATORY

Definitions

TERM	DEFINITION
Complaint Management System	<p>“A complaint handling system is an organised way of responding to, recording, reporting and using Complaint to improve service to customers.”</p> <p>Source: NSW Ombudsman</p>
Local Level	<p>Section 3(1)(c) states that one of the principles of the Act is:</p> <p><i>“...to encourage, wherever reasonable and practicable, the resolution of Complaint at a local level.”</i></p> <p>For the purposes of our Complaint Management System, “Local Level” means within Family Spirit (only).</p> <p>Source: Community Services (Complaint, Reviews and Monitoring) Act 1993 No 2</p>
Feedback	<p>Relates to opinions, comments and expressions of interest that can be positive or negative regarding services provided by Family Spirit or its contracted service providers. Information may be documented for consideration in service</p>

	<p>enhancement, and in some instances a response may not be deemed necessary by Family Spirit</p> <p>Source: DCJ Complaint and Feedback Policy 2024</p>
<p>Allegation</p>	<p>A claim or assertion that someone has done something wrong.</p> <p>Source: Workplace Investigations -4th Edition (Worklogic)</p>
<p>Complaint</p>	<p>A complaint is made whenever a person expresses dissatisfaction – usually about an organisation’s services, or how they have been treated by staff – in circumstances where they (implicitly or explicitly) expect or are entitled to expect a response to their concerns.</p> <p>Complaint can range from very informal to the very formal. For example, they can be an oral complaint about a decision or action of frontline staff which those staff may be able to address and resolve immediately. They can also be a written complaint about an organisation to an external oversight body.</p> <p>A statement (verbal or written) containing allegations of behaviour, which in some workplaces is described as a “grievance”.</p> <p>A complaint or feedback may be related to:</p> <ul style="list-style-type: none"> a) Services provided by Family Spirit b) Conduct of employees, volunteers, foster carers or any contractor or contracted worker working for Family Spirit c) Policies and procedures of Family Spirit d) Facilities in which Family Spirit operates <p>“Any expression of dissatisfaction made to an organisation related to its product, service or the Complaint handling process itself, where a response or resolution is explicitly or implicitly expected.”</p> <p>Source: AS/NZS 10002:2014 Standards Australia</p> <p>Source: FS POL18.17.01 / 1 COMPLAINT AND FEEDBACK POLICY AND PROCEDURE</p> <p>Source: Effective Complaint Management Guidelines: A practical guide to developing a Complaint management system and handling Complaint NSW Ombudsman November 2024</p> <p>Source: Workplace Investigations - 4th Edition (Worklogic)</p>

<p>What is not a Complaint</p>	<p>It is generally not a complaint when a customer:</p> <ul style="list-style-type: none"> • asks for services. However, a repeat request for service may be a complaint about inaction or delay. • asks for an update. However, some repeat requests for updates may be Complaint about inaction or delay. • asks for information about, or an explanation of, policies or procedures. • provides feedback or expresses an opinion and doesn't explicitly or implicitly expect a resolution or outcome. • applies for an internal review of an administratively reviewable decision. If no legislated review or appeal rights exist, an expression of dissatisfaction with a decision or a decision-making process would be a complaint. Some organisations may choose to combine their recording and reporting on Complaint and legislated internal review requests. <p>You can build a clearer picture of what your customers like and don't like by recording suggestions, inquiries and compliments separately to Complaint. This creates a more balanced view of how they perceive and experience your programs and services than if you were to only record Complaint.</p> <p>Source: Effective Complaint Management Guidelines: A practical guide to developing a Complaint management system and handling Complaint NSW Ombudsman November 2024</p>
<p>Complainant</p>	<p>A person who has made allegations, whether orally or in writing, about misconduct in the workplace. There may be more than one complainant in an investigation. We acknowledge that people who have experienced illegal conduct such as sexual harassment may refer to themselves as a discloser, report, victim, survivor, or impacted person</p> <p>Source: Workplace Investigations - 4th Edition (Worklogic)</p>
<p>Respondent</p>	<p>The person identified by the complainant as having engaged in the alleged misconduct. There may be more than one respondent. Other terms for "Respondent" may include "Alleged Person" or "the Person Subject of the Complaint".</p> <p>Source: Workplace Investigations - 4th Edition (Worklogic)</p>
<p>Witness</p>	<p>A person who may have observed or have relevant knowledge about the alleged wrongdoing.</p> <p>Source: Workplace Investigations -4th Edition (Worklogic)</p>

Instructor	<p>The individual who determines the scope of the investigation, directs the investigator on procedural issues, informs clients in the investigation about it, and manages clients who may be reluctant or obstructive.</p> <p>Source: Workplace Investigations - 4th Edition (Worklogic)</p>
Parties	<p>Both the complainant(s) and the respondent(s).</p> <p>Source: Workplace Investigations - 4th Edition (Worklogic)</p>
Partially substantiated or partially proven	<p>These terms are used interchangeably. These terms are used when the investigator has found that some but not all of the particulars or alleged conduct in the complaint have been proven.</p> <p>Source: Workplace Investigations -4th Edition (Worklogic)</p>
Substantiated or Proven	<p>These terms are used interchangeably in relation to making findings of fact. These terms are used when the investigator has found that it was more likely than not that the conduct occurred.</p> <p>Source: Workplace Investigations -4th Edition (Worklogic)</p>
Not substantiated or unsubstantiated or not proven	<p>These terms are used interchangeably in relation to making findings of fact. These terms are used when the investigator has found it was more likely than not that the conduct did not occur, or there is insufficient evidence available to determine whether the alleged conduct occurred or not.</p> <p>Source: Workplace Investigations -4th Edition (Worklogic)</p>
Conclusion, finding of fact or decision	<p>These terms are used interchangeably in relation to the conclusions you draw in your investigation.</p> <p>You will also note that in the book we sometimes refer to specific legal terms or principles. Within your organisation, when describing your work, you can use the language that best works for you in the context of your own investigation. Given that many people are not familiar or comfortable with legal terms, we recommend that you use plain English.</p> <p>Source: Workplace Investigations -4th Edition (Worklogic)</p>
Consequence	<p>Outcome of an event affecting objectives.</p>
Open Disclosure	<p>Open disclosure is the open discussion that a service provider has with a consumer when something goes wrong and has harmed or had the potential to cause harm to the service user.</p>

Service Provider	Also known as services, providers, organisations, approved providers, businesses. The term refers to an entity that receives Government funding to provide community and care services.
Service User	Also known as a care recipient, client, consumer, or customer. The term refers to a person receiving Government funded community or care services. Service user also refers collectively to the service user and their nominated and legal representative/s (i.e family).
Formal Resolution	Where informal resolution of a complaint is not possible the complainant may lodge a formal complaint with FS where an Investigation will be undertaken by the service provider.
Informal Resolution	Informal resolution means the resolution of a feedback or complaint to the satisfaction of the Complainant and the Respondent, without an Investigation being undertaken.
External Resolution	Where resolution cannot be found within the service provider, the complainant is referred to the relevant regulator and / or agency i.e. Police
Remedial Action	Remedial action attempts to correct the behaviour through a variety of means that may include counselling, training and/or issuing a warning (verbally or in writing). It may be appropriate in circumstances such as the first instance of poor performance or an isolated instance of misconduct.
Disciplinary Action	Disciplinary action may include a caution (verbally or in writing), suspension, demotion, transfer and dismissal from employment. It may be appropriate where remedial action has been unsuccessful or where the performance or conduct concern warrants it.
Underperformance	Underperformance, unsatisfactory or poor performance can include: <ul style="list-style-type: none"> • not performing duties, or not performing them to the required standard • displaying negative or disruptive behaviour in the workplace • failing to comply with workplace policies, rules or procedures • Unsatisfactory work, in terms of quantity, quality and timeliness, and not meeting expectations of the role as specified • Breaches of work practices, procedures and guidelines, or refusal to follow lawful and reasonable direction • Breaches of policies, expectations and/or codes of conduct that do not immediately warrant a misconduct investigation, such as absenteeism and lateness

	<ul style="list-style-type: none"> • Inappropriate behaviour, such as poor interactions and communication problems with work colleagues, supervisor/managers, patients or clients • Non-achievement of standards of professional development • A series/pattern of minor issues that when taken together show a lack of cooperation, engagement or ability • Other deficits in work performance. <p>Underperformance doesn't just affect the output of an individual employee – it can also impact co-workers, financial risks, customers, stakeholders and business productivity.</p> <p>There are many reasons why an employee might perform poorly. Some common reasons include:</p> <ul style="list-style-type: none"> • the employee doesn't know what's expected of them because goals and standards are unclear • the employee may not have the knowledge or skills to do the job • the employee is unsure if they are meeting requirements • low personal motivation or confidence • personal issues such as family stress, physical and/or mental health problems, or problems with drugs or alcohol • low morale in the workplace and/or a poor work environment • interpersonal differences or cultural misunderstandings • workplace bullying. <p>Source: Fair Work Ombudsman Managing underperformance best practice guide March 2025</p>
<p>Serious Misconduct</p>	<p>Serious misconduct includes deliberately and / or intentional or reckless unprofessional, dangerous or unlawful behaviour, such as theft, fraud, sexual harassment or assault, which may warrant instant dismissal.</p> <p>Source: Fair Work Ombudsman Managing underperformance best practice guide March 2025</p>
<p>Unlawful Conduct</p>	<p>Unlawful Conduct is any conduct which breaches a law, regulation and / or any other statutory obligation</p>
<p>Reportable Conduct</p>	<ul style="list-style-type: none"> • a sexual offence • sexual misconduct • ill-treatment of a child • neglect of a child • an assault against a child

	<ul style="list-style-type: none"> • an offence under s 43B (failure to protect) or s 316A (failure to report) of the Crimes Act 1900; and • behaviour that causes significant emotional or psychological harm to a child. <p>Source: NSW Children’s Guardian Act 2019</p>
Neglect	<p>Neglect is defined as conduct towards a child that is:</p> <ul style="list-style-type: none"> • The Act defines neglect to mean a significant failure – by a person with parental responsibility for the child, or an authorised carer or an employee if the child is in the employee’s care – to provide adequate and proper food, supervision, nursing, clothing, medical aid or lodging for the child that causes or is likely to cause harm to the child. • Neglect can be an ongoing situation of repeated failure by a caregiver to meet a child’s physical or psychological needs, or a single significant incident where a caregiver fails to fulfil a duty or obligation, resulting in actual harm to a child or where there is the potential for significant harm to a child. • Mandatory considerations • The Act provides that in assessing whether conduct amounts to Reportable Conduct, the following mandatory considerations should be considered: <ul style="list-style-type: none"> - professional standards. - codes of conduct, including any professional or ethical codes. - accepted community standards <p>When evaluating whether the substantiated conduct constitutes neglect, the investigator considered whether a reasonable person in the same situation would have reported their child missing. The investigator also assessed whether conduct qualifies as neglect.</p> <p>Source: NSW Children’s Guardian Act 2019</p>
actus reus	<p>physical element / result of a decision</p> <p>Source: Australian Law Reform Commission</p>
mens rea	<p>mental element of a decision</p> <p>Source: Australian Law Reform Commission</p>

Client – Incident	<p><i>Broadly speaking, incidents can be defined as any event or allegation of an event that had potential to or has resulted in actual or perceived impact to a person or organisation. This includes any event that may be categorised as near misses due to proactive strategies to remove to mitigate impact.</i></p> <p>Source: FS CLIENT INCIDENT MANAGEMENT PROCEDURE Safeguarding FS P18.17.7 / 0</p>
Control	A measure (treatment or strategy) that is modifying a risk.
CTARS	Family Spirit’s electronic client and incident management system accessible by authorised users
Inherent Risk	Risk that exists before treatments.
Likelihood	The chance of something happening.
Residual Risk	The level of severity of the risk remaining after treatment/control.
Risk	Risk is defined as the effect of uncertainty on objectives.
Risk analysis	The process to comprehend the nature of risk and to determine the level of risk.
Risk appetite	The level of risk the organisation is prepared to accept.
Risk assessment	The overall process of Risk identification; Risk analysis and Risk evaluation.
Risk attitude	Organisation's approach to assess and eventually pursue, retain, take or turn away from risk.
Risk criteria	Terms of reference against which the significance of a risk is evaluated.
Risk evaluation	The process of comparing the results of risk analysis with risk criteria to determine whether the risk and/or its magnitude is acceptable or tolerable.
Risk identification	The process of finding, recognising and describing risk.
Risk management	Coordinated activities to direct and control an organisation with regard to risk.
	Risk management involves the systematic application of management policies, practices, and procedures to the task of identifying, analysing, assessing, treating, monitoring and communicating risk i.e. “what could happen” and “what should we do about it”.
Risk Owner	A person with the accountability for and authority to manage risk.
Risk treatment	The process to modify risk which can include:

	<ul style="list-style-type: none"> • avoiding the risk by deciding not to start or continue with the activity that gives rise to the risk • taking or increasing risk in order to pursue an opportunity • removing the risk source • changing the likelihood • changing the consequences • sharing the risk with another party or parties retaining the risk by informed decision.
Insufficiency	Update staff raising with decision making rationale and outcomes via email and archiving records in ConnX
Corrective Action	Action taken to eliminate the cause of an existing non-conformance or deficiency and to prevent its reoccurrence.
Preventive Action	Action taken to eliminate a 'potential cause' of a potential non-conformity or deficiency that has not occurred.
Non-Conformance (NCR)	<p>A failure to comply with requirements or an observation that indicates practice contrary to the requirements of documented procedures or applicable standards.</p> <p>These requirements include quality, customer, management, product / service and legal requirements.</p>
Risk-Related Role	<p>A person employed or otherwise engaged by a registered NDIS provider will require worker screening if:</p> <ul style="list-style-type: none"> • They are in a role for which the normal duties are likely to require more than incidental contact with people with disability (as defined in s6 of the NDIS Rules (Practice Standards – Worker Screening) Rules 2018) • They are in a role for which the normal duties include the direct delivery of specified supports or specified services to a person with disability • They are Key Personnel. "Key Personnel" means individuals who hold key executive, management or operational positions in an organisation, such as directors, managers, board members, chief executive officer or chairperson. You must disclose the requested information for all key personnel.

Roles and Responsibilities

All Family Spirit Workers and Risk-Related Roles

Must demonstrate exemplary feedback and complaint handling practices:

- Treat all people with respect and dignity, including people who make Complaint
- Be aware of Family Spirit's complaint handling policies and procedures
- Assist people who wish to make Complaint access the Family Spirit Complaint process
- Be alert to Complaint and assist staff handling Complaint to resolve matters promptly
- Provide feedback to management on issues arising from Complaint
- Implement changes arising from individual Complaint and from the analysis and evaluation of complaint data as directed by management.
- Assist people make a complaint, if needed.
- Comply with this policy and its associated procedures.
- Keep informed about best practice in complaint handling
- Attend all relevant meetings and / or training opportunities relating to Complaint management
- Provide suggestions to management on ways to improve the organisation's Complaint management system
- Transparently communicate and cooperate in complaint handling processes
- Promptly inform the Complaint Handling Manager, by email, about actual or potential Complaint within 1 business day of becoming aware of the information.
- Contribute to the resolution to and positive outcomes from Complaint

Where the staff member who manages the complaint is able to take immediate action within the scope of their duties and authority to resolve a complaint, they should do so and clearly document the action(s) taken on the relevant Client Management System.

Complaint Handling Manager

Family Spirit must maintain a delegated Complaint Handling Manager, who will be responsible for receiving, managing and resolving Complaint, by conducting initial assessments and investigations (where suitable and capable to) on how Family Spirit will respond – within 5 business days.

The Complaint Handling Manager is delegated discretionary decision-making responsibility for coordinating and handling Complaint and feedback and ensuring the complaint or feedback is properly and promptly managed and recorded in the Family Spirit Feedback and Complaint Register on CTARS.

The Complaint Handling Manager will ensure the complainant can access all relevant correspondence to make and have the complaint resolved. This includes communicating in the mode of communication which best suits them.

Is responsible for Complaint Handling Reporting.

Must demonstrate exemplary complaint handling practices:

- Treat all people with respect and dignity, including people who make Complaint
- Be aware of Family Spirit's complaint handling policies and procedures
- Assist people who wish to make Complaint access the Family Spirit Complaint process
- Be alert to Complaint and assist staff handling Complaint to resolve matters promptly
- Provide feedback to management on issues arising from Complaint
- Implement changes arising from individual Complaint and from the analysis and evaluation of complaint data as directed by management.
- Assist people make a complaint, if needed.
- Comply with this policy and its associated procedures.
- Keep informed about best practice in complaint handling
- Attend all relevant meetings and / or training opportunities relating to Complaint management
- Provide suggestions to management on ways to improve the organisation's Complaint management system
- Transparently communicate and cooperate in complaint handling processes
- Promptly inform executive leadership, the PO and CEO about actual or potential Complaint
- Contribute to the resolution to and positive outcomes from Complaint

Executive Managers (ELT)

Executive and Senior Managers are responsible for ensuring that Complaint are reported to relevant regulatory bodies where required in accordance with contractual and legislative requirements.

Where the complexity or nature of the complaint requires a more formal response, the ELT Member/s may delegate the response to a senior manager or other appropriate employee. Where the complexity or nature of the complaint requires an investigation, including relating to Reportable Allegations, the ELT Member is to confer with Complaint Handling Manager, who will manage the investigation or allocation of the investigation for the complaint. Investigations will be conducted in line with accepted best practice in workplace investigations, ensuring procedural fairness and transparency as far as reasonably practicable, for all involved parties.

Must demonstrate exemplary complaint handling practices:

- Treat all people with respect and dignity, including people who make Complaint
- Be aware of Family Spirit's complaint handling policies and procedures
- Assist people who wish to make Complaint access the Family Spirit Complaint process
- Be alert to Complaint and assist staff handling Complaint to resolve matters promptly

- Provide feedback to management on issues arising from Complaint
- Implement changes arising from individual Complaint and from the analysis and evaluation of complaint data as directed by management.
- Assist people make a complaint, if needed.
- Comply with this policy and its associated procedures.
- Keep informed about best practice in complaint handling
- Attend all relevant meetings and / or training opportunities relating to Complaint management
- Provide suggestions to management on ways to improve the organisation's Complaint management system
- Transparently communicate and cooperate in complaint handling processes
- Promptly inform executive leadership, the PO and CEO about actual or potential Complaint
- Contribute to the resolution to and positive outcomes from Complaint

Chief Operating Officer

If a complaint alleges underperformance and / or serious misconduct on behalf of a Family Spirit staff member, volunteer or contractor, the Chief Operating Officer must be informed by the Complaint Handling Officer, in writing by email, within 24 hours of receiving the complaint.

The Chief Operating Officer must notify the Family Spirit Executive Manager, People and Culture, CEO and PO, within 24 hours of receiving this notification.

Must demonstrate exemplary complaint handling practices:

- Treat all people with respect and dignity, including people who make Complaint
- Be aware of Family Spirit's complaint handling policies and procedures
- Assist people who wish to make Complaint access the Family Spirit Complaint process
- Be alert to Complaint and assist staff handling Complaint to resolve matters promptly
- Provide feedback to management on issues arising from Complaint
- Implement changes arising from individual Complaint and from the analysis and evaluation of complaint data as directed by management.
- Assist people make a complaint, if needed.
- Comply with this policy and its associated procedures.
- Keep informed about best practice in complaint handling
- Attend all relevant meetings and / or training opportunities relating to Complaint management
- Provide suggestions to management on ways to improve the organisation's Complaint management system
- Transparently communicate and cooperate in complaint handling processes
- Promptly inform executive leadership, the PO and CEO about actual or potential Complaint
- Contribute to the resolution to and positive outcomes from Complaint

CEO and PO

If a complaint alleges conduct or behaviour that may be 'Reportable Conduct' under the NSW Children's Guardian Act, the complaint is to be referred to the CEO and Principal Officer and is to be managed in accordance with the Agency Procedures – Child Protection and Child Safety and Allegations against Employees and other Individuals.

Must demonstrate exemplary complaint handling practices:

- Treat all people with respect and dignity, including people who make Complaint
- Be aware of Family Spirit's complaint handling policies and procedures
- Assist people who wish to make Complaint access the Family Spirit Complaint process
- Be alert to Complaint and assist staff handling Complaint to resolve matters promptly
- Provide feedback to management on issues arising from Complaint
- Implement changes arising from individual Complaint and from the analysis and evaluation of complaint data as directed by management.
- Assist people make a complaint, if needed.
- Comply with this policy and its associated procedures.
- Keep informed about best practice in complaint handling
- Attend all relevant meetings and / or training opportunities relating to Complaint management
- Ensure training and development opportunities in Complaint handling are made available to all relevant staff and stakeholders
- Make decisions on ways to improve the organisation's Complaint management system
- Transparently communicate and cooperate in complaint handling processes
- Promptly inform the Board about actual or potential Complaint
- Contribute to the resolution to and positive outcomes from Complaint

Criminal Offences

It is the responsibility of all employees to immediately notify their supervisor of any complaint of a criminal nature. The supervisor is then to refer the complaint directly to the NSW Police and the complaint is not to be investigated by the organisation. The supervisor is to immediately forward details of the complaint to the Complaint Handling Manager.

Anonymous Complaint

While anonymous Complaint are not encouraged, they are accepted. They may be lodged either in writing or accepted by an employee as a verbal statement. Complainants are encouraged to provide as much information as possible which may be of assistance when assessing the complaint. It should, however, be noted that an anonymous complaint might be more difficult to investigate as, for example, further details of the circumstances relating to the complaint might be difficult to obtain, and it will be difficult to provide feedback on the complaint.

If a complainant maintains that they wish to remain anonymous, the employee receiving the complaint should ask the question “Why”. This is to explore if the complainant may be fearful of reparations or harm to self. If that is the case, considerations should be given to explore with the complainant how they may feel more comfortable.

Providing assistance to the Complainant

Family Spirit will provide all reasonable assistance to those who need help to communicate in relation to the complaint. Assistance may include, for example, access to an interpreter service or agreement to a personal interview during which the details of the complaint can be written down on the complainant’s behalf.

Procedure

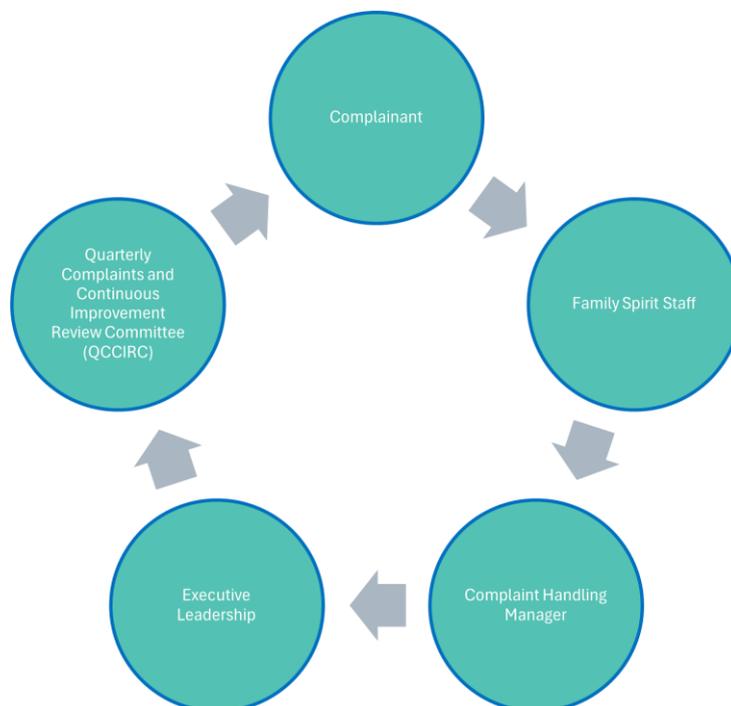
Open Door Policy and Culture

Family Spirit supports an “Open Door” policy, culture and safe workplace, where feedback and Complaint from individual/s, teams and stakeholders are encouraged, to promptly understand their risks and root causes, so that senior leadership and governance (from our Board, Executive Level, PO right through to Senior Management teams), have the oversight and ability to respond to and resolve Complaint in a timely manner – whilst also providing the support needed to complainants and related parties.

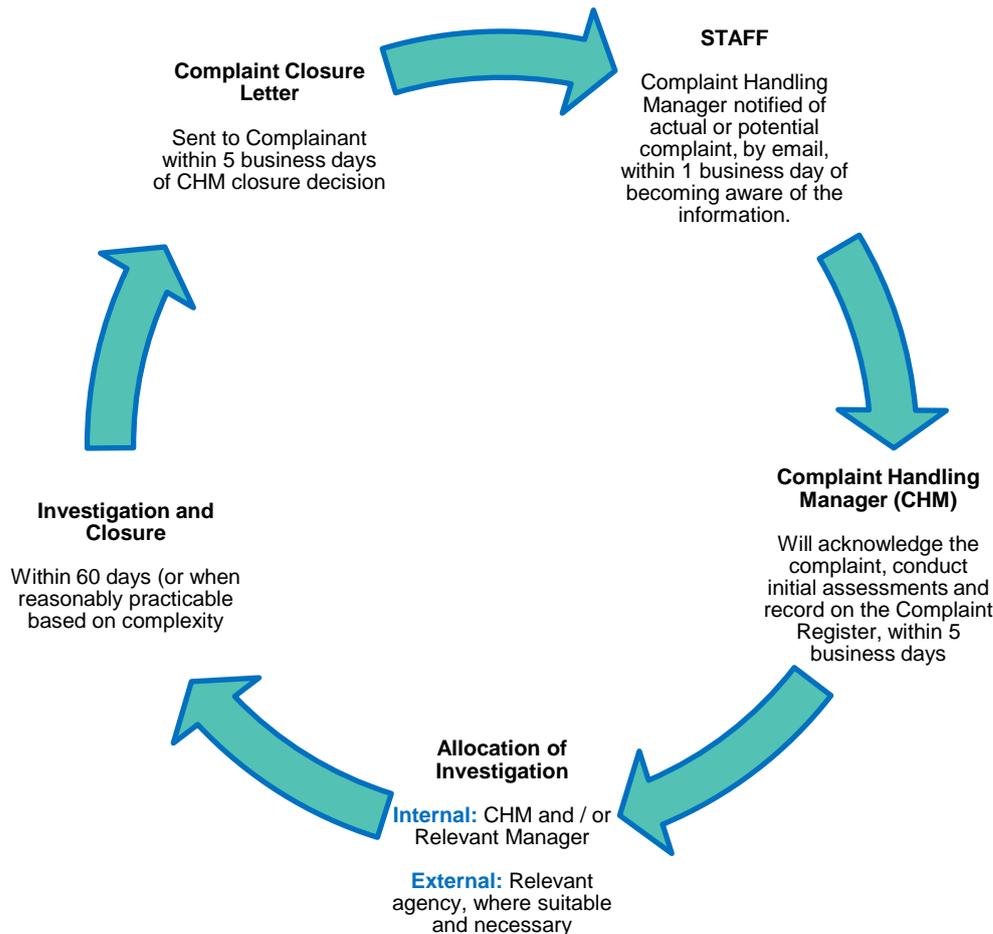
Local Level

Family Spirit workers shall try everything reasonably practicable to resolve informal grievances at the local level before they become formal Complaint.

Family Spirit Complaint Procedure Flowchart



Family Spirit Complaint Procedure Timeframes



Step 1: Lodging a Complaint

Complaint can be received either verbally, in writing and / or the mode of communication which best suits the complainant. Wherever possible, Complaint should be submitted formally in writing so that all aspects of the complaint can be accurately assessed, validated, investigated and resolved.

The following Family Spirit forms provide an effective way for complainants to lodge a formal complaint with Family Spirit:

- FS F18.17.09 Complaint Form
- FS F18.1.4-1 - Complaint Form for Children and Young People 7-12 Years Old
- FS F18.1.5-1 - Complaint Form for Children and Young People 13-17 Years Old
- FS F18.17.05-0 Child and Young Person Complaint Form (Staff Use only)
- FS F18.17.4-0 Anonymous Complaint and Feedback Form

Written Complaint can also be lodged on the Complaint Form online at www.familyspirit.org or the Complaint Form can be provided by staff directly to the complainant.

Written Complaint can also be mailed to:

Email: ceo@familyspirit.org

Post: Attn: Complaint Handling Manager
Family Spirit
Suite 301, 2-14 Meredith Street
Bankstown NSW 2200

Verbal Complaint may be made by speaking directly to a Family Spirit employee or phoning Family Spirit reception on 13 18 19 or directly to the **Complaint Handling Manager on 0451 094 163**.

Family Spirit employees will record basic contact and complaint details before referring the complaint to the Complaint Handling Manager.

Step 2: Initial assessment of validity of complaint and any available evidence

The Complaint Handling Manager shall, within 5 business days:

- Contact the complainant and assess if the complaint can be resolved at the local level within 5 business days
- if the initial complaint can't be resolved, the Complaint Handling Manager will take the formal complaint and record all relevant details
- provide further information about the complaint management procedures i.e. timeframes, follow-up, to the complainant and relevant advocacy services
- copy of the complaint to be recorded on Family Spirit's Complaint Register with an allocated reference number
- advise relevant internal executive management and leadership, including the PO and CEO

Non-investigation Complaint Process

Non-investigation complaint process

All Complaint, where possible, will be managed directly and quickly at the point of service unless the complaint requires investigation. The non-investigation complaint process is as follows:

1. Issue reviewed by Complaint Handling Manager
2. The complainant will be consulted and discussed to determine the actions required to resolve the issue.
3. During this process, Family Spirit will offer the complainant support from an independent advocate to reduce stress and anxiety.
4. All available options will be discussed with the complainant and their advocate.
5. Where possible, a collaborative decision is finalised (i.e., acknowledgement, answer, action, or apology).
6. The complainant is informed of the decision and the reasons for the outcome.

7. The complainant can review the decision if they are unhappy with the resolution, implementing the complaint investigation process.
8. If a complainant seeks a review, a review of the decisions may be resolved quickly

Step 3: Registering, allocating, and acknowledging a formal complaint

Registering a formal complaint

All Complaint must be recorded in the Family Spirit Complaint Register on CTARS which is held centrally by Family Spirit. See FS P18.17.07-0 Feedback and Complaint Management CTARS Register Procedure.

The delegated Complaint Handling Manager will be responsible for maintaining the Family Spirit Complaint Register. Other delegates may be provided access, as required and as approved by the Family Spirit CEO.

The register must contain the following information:

- complaint reference number
- Complainant's contact information, if provided
- type of complaint i.e. related to employee, service, policy or procedure
- name of investigating officer/division/program assigned to manage the complaint
- time taken to investigate complaint
- outcome of complaint
- action recommended to address systemic issues (if any)
- complainant satisfaction with the outcome.

To maintain confidentiality, access to the Complaint Register and all associated documents (both electronic and paper based) will be restricted to the Senior Manager Quality and Practice, the investigating officers and other officers approved by the Senior Manager Quality and Practice.

Allocating a complaint

Once a complaint is lodged with the Complaint Handling Manager, or approved delegate, they will undertake a review to ensure the complaint:

- a) has not been previously dealt with or finalised
- b) is within the agency's jurisdiction
- c) is not vexatious or frivolous
- d) identification of any mandatory and regulatory reporting requirements and timeframes

The Complaint Handling Manager will then consider how to allocate or investigate the complaint, and will either:

- a) refer the complaint to the appropriate senior manager of Family Spirit to investigate and report back on

- b) refer the complaint to another member of the Family Spirit Executive if it is not appropriate to allocate the complaint to the Senior Manager of the same division as the member involved, for example:
- there may be a potential conflict of interest
 - the complaint relates to the Family Spirit Executive member, or
 - the complainant requests it; or
- c) engage an external party to investigate the complaint.

The Complaint Handling Manager will be responsible for:

- a) nominating the investigating officer within the organisation and
- b) ensuring the complaint is managed fairly, reasonably and completed as soon as reasonably practicable

In all cases the Complaint Handling Manager will be responsible for the resourcing of the complaint investigation and is responsible for the monitoring of the progress and ensuring the complainant receives a response/decision **within 60 days** or as soon as reasonably practicable - otherwise receives an explanation as to when a response will be provided.

Acknowledging a complaint

Complaint shall be acknowledged, by the Complaint Handling Manager within five (5) business days of receipt of the complaint via a FS T18.17.07-2 Complaint Acknowledgement Letter Template.

The acknowledgment should:

- reassure the complainant that the complaint is valued.
- Request any further information that is considered necessary to investigate the complaint.
- outline how the complaint will be managed, including an estimated timeframe for resolution.
- establish how progress reports will be provided, if necessary.
- provide contact details for the investigating officer.

A FS T18.17.7-1 Complaint Acknowledgement Letter Template, shall be used to formally acknowledge the complaint and advise the complainant.

Step 4: Investigating a complaint

Conducting an investigation

The investigation process must be objective, reasonable, procedurally fair and conducted in good faith.

Decisions must be made on the weight of evidence, with the sufficiency of evidence being on “the balance of probabilities.” Investigating a complaint will include:

- requesting by return email, all involve parties read, understand and sign a confidentiality agreement relating to the complaint using a FS F18.1.14-0 Confidentiality Agreement (Fact Finding, Complaint & Investigations) within 5 business days of the investigation starting
- clarifying the details provided in a complaint
- Identifying actions taken to resolve the issue before the complaint was lodged
- analysing information from relevant file notes, correspondence and/or other sources
- reviewing details of the complaint
- reviewing documentation submitted by the complainant
- reviewing previous administrative decisions or actions
- Interviewing complainants, employees and/or other individuals involved in the complaint
- reviewing relevant policies, procedures, practices and/or legislation
- reviewing previous Complaint about the same issue.

A FS F18.17 / 2 Complaint Investigation Case Management Form is available to be downloaded from the F Drive, to assist internal Family Spirit investigators. This can be used to record and track the complaint process.

Resolution timeframes

Complaint will be investigated and resolved as soon as reasonably practicable and procedurally fair.

Complaint shall normally be resolved within 60 days. However, Family Spirit recognises that Complaint can be sensitive and complex and may require detailed investigation. Therefore, the complexity of, and the resources available for, an investigation into a more complex issue will result in more time being taken to finalise a complaint.

In these circumstances, the rationale for the extended time for resolving the complaint must be explained to the Complaint Handling Manager, as well as communicated to the complainant, who will be kept informed on a regular basis of progress on the resolution of the complaint.

Record Keeping

The Complaint Handling Manager will be responsible for all record keeping, reporting and archiving.

The investigating officer will be responsible for ensuring complete and accurate recording of all material relating to an investigation into a complaint. Details of each investigation should be contained within a discrete confidential complaint file in the Family Spirit CTARS Complaint Register, which should contain all correspondence, file notes of telephone conversations, interviews and findings from investigations, recommendations and internal approvals.

The file should also contain evidence of the steps taken to investigate the complaint including a summary of actions in respect of recommendations (if any) made. To maintain confidentiality, access to information filed about a complaint (both electronic and paper based) should be restricted to the Senior Manager Quality and Practice, the investigating officers and other officers approved by the Senior Manager Quality and Practice.

Procedural Fairness

A decision that directly affects the rights or interests of a person or organisation must be made in accordance with the principles of procedural fairness. A decision maker is required to follow a fair decision-making process, complying with two rules:

- the rule against bias, which is that a decision-maker should have no personal interest in the matter to be decided, have no bias as to the outcome and act in good faith throughout the process. Care should also be exercised to exclude perceived bias from the process.
- the hearing rule, which is that the decision-maker must ensure the affected person is notified that a decision may be made and is given a reasonable opportunity to express their views before that occurs.

Family Spirit will apply procedural fairness in its handling of Complaint made in accordance with the Complaint Management Policy and these procedures.

As set out in Step 3, Family Spirit will take steps to identify and manage conflicts of interest when allocating the investigating officer. The decision-maker on the complaint (which includes the investigating officer in consultation with the Senior Manager Quality and Practice) will approach each decision with an open mind and act in good faith throughout the complaint handling process.

Family Spirit will observe the hearing rule through the following steps:

- it will acknowledge the complaint received from a complainant
- the investigating officer will present preliminary findings to the complainant and provide the complainant with a reasonable opportunity to respond before making a decision
- the decision maker will consider any response by the complainant before making a decision
- the decision maker will provide the complainant with reasons for their decision
- if a complainant is not satisfied with the outcome of a complaint, the complainant will be advised of their right to seek external review.

Outcomes of an investigation

Following consideration of the complaint and any investigation into the issues raised, the investigating officer will provide the Family Spirit Complaint Handling Manager with a written report, detailing the findings and making recommendations regarding appropriate action and/or system improvements, as appropriate.

Outcomes that may result from an investigation may include, but are not limited to:

- varying a decision
- a written/verbal apology
- an explanation
- changes to a service provided by Family Spirit
- a review of policies/procedures/practices and changes to those policies/procedures/practices
- staff training

- disciplinary action.

In some circumstances, no further action on a complaint may be recommended. The rationale for this course of action may include:

- the matter has been investigated by Family Spirit and it is considered that all actions to address the complaint have been satisfactorily completed
- the matter is currently being managed by an external agency
- the matter has already been adequately managed by an external agency

Step 5: Review and improvement

Family Spirit takes a systematic approach to incorporate a review of all issues raised by a complaint to identify and address any possible systemic issues and determine any continuous improvement actions identified during the Complaint process.

Family Spirit Quarterly Complaint and Continuous Improvement Review Committee (QCCIRC)

Scope

- Review Complaint, compliments, feedback, and incident data received in the quarter.
- Ensures all relevant documentation, systems and registers are up to date and maintained
- Perceived and actual conflicts of interest are proactively managed and documented, including through development and maintenance of organisational policies and procedures
- Identify emerging systemic issues and patterns of concern.
- Provide recommendations for targeted quality improvement and risk mitigation.
- Monitor and report on the implementation and impact of improvement strategies.
- Enhance organisational accountability to carers, families, children, external stakeholders, and funding bodies.
- Support the requirements of the NSW Child Safe Standards for Permanent Care and the Family Spirit Governance Framework.
- Provide recommendations on outcomes i.e. Continuous Improvement strategies, approval of external legal advice for complex complaint matters and / or suitable disciplinary action
- Demonstrated continuous improvement in Complaint and feedback management by regular review of complaint and feedback policies and procedures, seeking of client and NDIS participant views on the

accessibility of the Complaint management and resolution system, and incorporation of feedback throughout the provider's organisation.

- Ensures each client and NDIS participant accesses supports that promote, uphold and respect their legal and human rights and is enabled to exercise informed choice and control. The provision of supports promotes, upholds and respects individual rights to freedom of expression, self-determination and decision-making.
- Ensures each client and NDIS participant has knowledge of and access to our Complaint management and resolution system. Complaint and other feedback made by all parties are welcomed, acknowledged, respected and well-managed.
- Ensures Complaint are dealt with in a timely manner, as soon as reasonably practicable

Membership

The Committee will consist of the following members:

Position	Role
Chief Executive Officer (Chair)	Provides organisational leadership, ensures alignment with strategic / legislative obligations, and ensures the efficient and professional facilitation of meetings
Executive Manager, Permanency Support Program (PSP)	Provides SME operational oversight of PSP services and practice reforms.
PSP Manager or Practice Manager	Brings SME operational practice perspective and case management insights.
Carer Representative (from the Carer Reference Group)	Brings the voice and lived experience of foster and kinship carers and the Clients and NDIS Participants they care for. Ensures opportunities are provided by the governing body for people with disability to contribute to the governance of the organisation and have input into the development of organisational policy and processes relevant to the provision of supports and the protection of participant rights.
DCJ Permanency Casework or Contract Officer	Provides external funding body perspective and SME. Ensures alignment with contract expectations.

Position	Role
Independent External Representative (suggested: David Coyne or equivalent)	Provides independent SME safeguarding and practice oversight (e.g., external consultant or child protection practitioner independent from Family Spirit operations).
Scribe / Secretariat	Ensures meeting minutes are recorded and archived accurately and as soon as reasonably practicable
Lead Investigator/s (Internal / External)	Provide SME updates on ongoing investigations, barriers to investigations / outcomes and opportunity to request approval for and justifications of investigative enquiries i.e. extensions, travel and / or accommodation etc

Meeting Frequency

- Meetings shall be held **quarterly** (every three months).
- Additionally, meetings shall be convened to be briefed on and respond to matters of significant risk, that require immediate agency attention and response, as soon as reasonably practicable (within days, not weeks).

Administrative Support

- Secretariat / Scribe support will be provided by the Corporate Services team and shall be responsible for preparing meeting agenda, recording meeting minutes, tracking actions, maintaining the Continuous Improvement Register and archiving all relevant documentation in its relevant system.

Review

- The Committee's structure, membership, and effectiveness will be reviewed annually to ensure relevance and effectiveness.

The review and improvement process includes:

- ascertaining preventative actions and continuous improvement
- considering if any systemic issues require addressing.
- recording the information regarding the complaint in the Complaint Register
- recording the details of the improvement stemming from a complaint in the Continuous Improvement Register (if required)
- training staff in any new systems or actions
- adjusting policies and procedures
- monitoring the complaint resolution according to the internal audit schedule
- providing feedback to the complainant personally to inform them of the outcomes and influences their issue raised within our organisation.

Step 6: Advising the complainant

At the conclusion of the investigation, written correspondence, via a FS T18.17.06-2 Complaint Outcome Letterhead must be provided to the complainant outlining the preliminary key findings and/or recommendations made concerning the complaint and offering the complainant an option to respond.

Following this process, a written response setting out the final outcome must be drafted by the Complaint Handling Manager before forwarding to the complainant.

The written response should:

- provide the outcome of the complaint and any action to be taken arising out of the complaint
- the reasons for any decisions that have been made
- any remedy or resolution that has been offered, and
- any options for review that may be available to the complainant, such as an external review.

Responding to unreasonable conduct by a complainant

There can be times where the complainant is not satisfied with the outcome of a complaint investigation. This can occur for a number of reasons and should be expected in some instances. There can be Complaint where the desired outcome is not achieved due to limitations in evidence. While dissatisfaction can be a part of the complaint outcome, there may be occasions where complainants engaged in conduct that is unreasonable in order to express that dissatisfaction.

There may also be occasions where during the process of a complaint investigation, the conduct by the complainant may also be viewed as inappropriate or threatening.

Any form of unreasonable conduct is deemed inappropriate or unacceptable should not be tolerated.

This can include behaviour such as, but not limited to:

- Contacting the Agency repeatedly
- Providing false information
- Demanding outcomes
- Being unwilling to accept the complaint handler's decision
- Becoming abusive and / or violent
- Threatening to harm themselves or others

Managing expectations of complainants

It is important to identify the nature of the misconduct that is occurring. This allows for a tailored response to the management of such misconduct. By identifying the nature of the misconduct, this will allow the agency to remain fair in their approach by focusing on the conduct, rather than treating the complainant as problematic.

There are five (5) areas of misconduct that have been identified by the ombudsman in relation to complaint management.

1) Unreasonable persistence

- Refusing to accept that a complaint is closed, re-framing an old complaint, persevering obstinately with an argument, continuing to phone or contact an agency after a matter is closed.

How to respond –

Ombudsman recommends that the agency should be ready to discontinue communication in relation to the complaint. The following strategies may be considered;

- Advising a complaint will no longer be investigated.
- Unproductive telephone calls will be terminated.
- Only one internal review will occur.
- In the case where an internal review cannot occur due to procedural reasons, advising of external stakeholders who can be reported to.
- Advising that no further correspondence will be responded too.

2) Unreasonable demands

- Raising issues beyond an agency's responsibility, asking for a remedy that is impractical or disproportionate, insisting that more time be spent on a complaint than is warranted, insisting on speaking to the head of an agency, directing an agency on how to handle the complaint.

How to respond –

Ombudsman recommends that the agency in the beginning of a complaint process establish the parameters and stakeholders in the complaint process. The complainant should be advising in writing of the process and an attempt should be made to ensure understanding. It is important to advise to the complainant that should there being any delays, while the cause may not be able to be communicated, the anticipated delay in an outcome will be advised.

The following strategies may be considered;

- What is being investigated
- Who will investigate it
- How will it be investigated
- The possible outcomes
- How communication is to occur between the complainant and the agency
- Frequency of communication.

3) Unreasonable lack of cooperation

- Poor or confused definition of a complaint, unnecessary presentation of a large quantity of material, failing to provide key documents, constantly re-defining a complaint, dishonestly presenting the facts.

How to respond –

Ombudsman recommends that the agency is clear with the complainant as to the set conditions for lodging a complaint. Identify the things that a complainant needs to provide in order to allow the agency to act on a complaint. The following strategies may be considered prior to the commencement of a complaint assessment;

- Clearly detailing the requirements from the complaint to provide all relevant evidence, correspondence or documents with the lodgement of the complaint, or soon after the fact.
- Expectation about being truthful with the agency.

4) Unreasonable arguments

- Exaggerating issues, holding irrational beliefs, being obsessed with irrelevancies or trivialities, refusing to consider counter-arguments, being guided by conspiracy theories.

How to respond –

Ombudsman recommends that the agency is responsible for identifying if they are being drawn into unreasonable arguments. It is the agency responsibility to identify and set-aside all unreasonable arguments. The agency should ensure a clear communication guide for all staff about the expectation of communication. The following strategies may be considered:

- Reminder of expectations around communication.
- Disengaging with communication. The agency should not engage with any form of unreasonable arguments with complainants.

5) Unreasonable behaviour

- Threatening violence, abusing investigation staff, being rude or aggressive, threatening self-harm.

How to respond –

Ombudsman recommends that the agency should not tolerate any form of violence, abuse, aggressive by the complainant. The following strategies may be considered:

- If the misconduct is via a phone call, the complainant should be advised that the call will be terminated unless more moderate language is used. If the language continues, the call should be terminated and a record made detailing concerns.

- If the misconduct is in person, the complainant should be advised that their behaviour is unacceptable and the meeting should end.
- All threats are to be treated as unacceptable, and where necessary contact with NSW Police will be made.
- Any rude or intemperate correspondence may not be answered or may be returned, or alternative contact arrangements with the complainant to be implemented (e.g redirection of emails).

Step 7: Closing the complaint

At the time of closing the Complaint Handling Manager will update the Complaint Register and record the following:

- steps taken to address the complaint
- the outcome of the complaint, and
- any undertakings or follow up action required.

Documentation

All employees are provided training regarding the Complaint process during orientation and given the Staff Handbook, which includes information on the Complaint process.

The Complaint process is available for participants, families, carers, and advocates via the information provided in our Participant Handbook and through the provision of Easy Read documents (as required).

Documentation of the complaint process is as follows:

All Complaint will be recorded in the Family Spirit CTARS Complaint Register, and information in the register will include the following:

- complaint details
- identified issues.
- actions are undertaken to resolve the complaint.
- the outcome of the complaint.
- All documents, including the Complaint and Feedback Forms, are uploaded into the computer system.
- Copies of any information provided to the complainant are stored in their relevant file.
- All documents are confidential, and access is only permitted to employees relevant to the complaint. The Complaint Manager determines who is relevant.
- A copy of all complaint documents will be retained in the file for seven years from the record date. If the documents relate to a participant under 18 years of age, the documents will be retained until the participant turns 25.
- Statistical and other information will be collected to:
- review issues raised.

- identify and address systemic issues.
- report information to the any relevant external parties, such as the NSW Ombudsman, OCG, DCJ and NDIS.
- A policy review will occur if there are legislative changes or when determined by a regular or annual internal audit review.

External review

If a complainant is not satisfied with the outcome of the investigation by Family Spirit, they can seek an external review of their complaint by, for example, the NSW Ombudsman, the Anti-Discrimination Board of NSW, the NSW Office of the Children’s Guardian, NDIS Quality & Safeguarding Commissioner, Aged Care Quality Commissioner.

Family Spirit staff shall cooperate with all external agencies and lawful requests and / or directions.

Staff Orientation and Training

Family Spirit workers and risk-related roles will be trained in Feedback and Complaint handling best practices regularly.

The staff orientation process includes training all employees on the Complaint and feedback, including the NDIS Commission requirements. Our in-house training includes:

- NDIS reporting requirements and contacts details.
- providing information regarding Family Spirit’s complaint and feedback process and procedures (e.g., forms to complete and how to assist participants wishing to make a complaint)
- identifying our Complaint Manager
- encouraging employees to have a positive attitude towards complainants and a commitment to resolving all Complaint.
- creating an understanding of how feedback and Complaint inform and guide our continuous improvement cycle.
- understanding timeframes for reporting and resolving Complaint.

Additional training will occur when practices and policies are changed due to a complaint or if staff are still unsure how to handle a complaint upon commencing work at Family Spirit.

Complaint Withdrawal

A complainant may withdraw a complaint at any time unless:

- The nature of the complaint requires action to be taken as mandated by legislation (for example: 'Reportable Conduct' under the Children's Guardian Act 2019).
- The nature of the complaint requires action to be taken in relation to a breach of Family Spirit's 'Code of Ethics and Conduct'.

Complaint and Feedback Advocacy Contact Information

REGULATOR	COMPLAINT AND FEEDBACK CONTACT INFORMATION
Family and Community Services	<p>Email: Complaint@community.nsw.gov.au</p> <p>Facsimile: 02 9633 6192</p> <p>Mail: Reply Paid 63437</p> <p>Enquiry, Feedback and Complaint Unit</p> <p>Community Services</p> <p>Locked Bag 4028</p> <p>ASHFIELD NSW 2131</p>
NDIS Commission	<ul style="list-style-type: none"> • Phone: 1800 035 544 (free call from landlines) or TTY 133 677 • National Relay Service and ask for 1800 035 544 • Complete a complaint contact form
Aged Care Quality and Safety Commission	<ul style="list-style-type: none"> • Complete a Complaint contact form • Write a letter to: <p style="text-align: center;">Aged Care Quality and Safety Commission GPO Box 9819, in your capital city</p>
NSW Ombudsman	<p>The NSW Ombudsman can be contacted in various ways:</p> <ul style="list-style-type: none"> • In Person: Level 24, 580 George Street, Sydney NSW • By phone: 02 9286 1000 • By email: nswombo@ombo.nsw.gov.au • Online: www.ombo.nsw.gov.au • https://www.ombo.nsw.gov.au/ • Make a Complaint • Call us: 1800 451 524 <p>Monday to Friday between 9am to 4pm</p>

REGULATOR	COMPLAINT AND FEEDBACK CONTACT INFORMATION
	<p>(This is a free call in Australia. However, if you use your mobile phone then your provider may charge for the call.)</p> <ul style="list-style-type: none"> • Our online complaint form is available 24 hours a day. • Telephone Interpreter Service (TIS) • If you need language help, we can arrange an interpreter for you. Or you can contact the Telephone Interpreter Service (TIS): <ul style="list-style-type: none"> ▪ Call TIS 131 450 ▪ Ask to speak to the NSW Ombudsman on 9286 1000 • Telephone support for people with disability • National Relay Service • If you are d/Deaf, hard of hearing, or have a speech/communication difficulty please contact us by: • Step 1: Contact us through your preferred NRS call channel detailed on NRS call numbers and links • Step 2: Provide the NRS with our phone number <ul style="list-style-type: none"> ○ 1800 451 524 • For more information visit: <ul style="list-style-type: none"> ○ About the National Relay Service • Visit us: <ul style="list-style-type: none"> ○ Level 24, 80 George Street Sydney NSW 2000
Disability Advocacy Finder	<u>Disability Advocacy Finder</u>

Related Quality Management Documents

- FS POL 18.17.01-1 Complaint Management Policy
- FS P18.17.06-1 Complaint Management Procedure
- FS P18.17.07-0 Feedback and Complaint Management CTARS Register Procedure
- FS G18.17.1-0 CHILD AND YOUNG PERSON COMPLAINT HANDLING GUIDELINES
- FS G18.17.2-1 Complaint Process Checklist
- FS G18.17.3-0 How to Make a Complaint
- FS G18.17.4-0 FAMILY SPIRIT COMPLAINT MANAGEMENT TRAINING

- FS F18.17.04-1 Anonymous Complaint and Feedback Form
- FS F18.17.05-0 Child and Young Person Complaint Form (Staff Use Only)
- FS F18.17.09-1 Complaint Form
- FS F18.17.10-2 Complaint Investigation Case Management Form
- FS T18.17.06-2 Complaint Outcome Letterhead
- FS T18.17.07-2 Complaint Acknowledgement Letter Template
- FS F18.1.14-1 Confidentiality Agreement - Fact Finding, Complaint & Investigations
- FS F18.1.4-1 Complaint Form for Children and Young People 7-12 Years Old
- FS F18.1.5-1 Complaint Form for Children and Young People 13-17 Years Old
- FS F18.3.04-1 Client and Service Complaint
- FS F18.3.05-1 Complaint Management Register

Related External Documents

Legislation/Regulations

- The Community Services (Complaint, Reviews and Monitoring) Act 1993 No 2
- Privacy and Personal Information Protection Act 1998
- Public Interest Disclosures Act 1994
- Health Records and Information Privacy Act 2002
- Independent Commission Against Corruption Act 1988
- NSW Office of the Children's Guardian: Child Safe Standards
- National Standards for Disability Services
- National Disability Insurance Scheme (Complaint Management & Resolution) Rules 2018
- Aged Care Act 1997
- Charter of Aged Care Rights
- Aged Care Quality Standards
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of the Child
- United Nations Convention on The Rights of Persons with Disabilities
- *Ombudsman Act 1974 (NSW)*
- Fair Work Act 2009
- Fair Work Regulations 2009
- NDIS Act 2013
- NDIS Practice Standards
- NDIS Code of Conduct
- National Disability Insurance Scheme (Complaint Management & Resolution) Rules 2018
- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulation 2017 (NSW)

- Workers Compensation Act 1987 (1987 Act) (NSW)
- Workplace Injury Management and Workers Compensation Act 1998 (NSW)
- Workers Compensation Regulation 2016 (NSW)

References

- Guidelines for Complaint Handling in Organisations, AS/NZS AS10002:2022
- Complaint Handling Framework and Model Policy DRAFT 2015, Ombudsman NSW
- Effective Complaint Management Guidelines: A practical guide to developing a complaint management system and handling Complaint | NSW Ombudsman | November 2024
- Public Service Commission, NSW Government
- Better practice guide to Complaint handling in aged care services, Aged Care Quality Commission
- NSW Child Safe Standards
- SCHADS Award 2010
- Fair Work Ombudsman | Managing underperformance best practice guide | March 2025
- NDIS Practice Standards
- NSW Health Policy Directive PD2016_040 - Managing for Performance
- NSW Public Sector Performance Development Framework
- SESLHDPD/328 - Framework for Managing Allied Health Staff with Identified Clinical Practice Issues
- National Safety and Quality Health Service Standards: Standard 1 – Clinical Governance
- ISO 45001 – Occupational Health and Safety Management Systems
- ISO 45003 - ISO 45003:2021 Occupational health and safety management — Psychological health and safety at work — Guidelines for managing psychosocial risks
- ISO 9001 Quality Management Systems
- CODE OF PRACTICE MANAGING PSYCHOSOCIAL HAZARDS AT WORK SAFEWORK NSW MAY 2021 (This code of practice on how to manage psychosocial hazards at work is an approved code of practice under section 274 of the New South Wales Work Health and Safety Act 2011 (WHS Act))
- SIRA – Guidelines for workplace return to work programs – March 2021

Approval and Version History

Document Owner	: Family Spirit
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#	APPROVING AUTHORITY	APPROVAL DATE	KEY CHANGES
0	Chief Executive Officer, Family Spirit	Feb 2024	Foundational Document
1	A/Chief Operating Officer	May 2025	Updates, corrections and reformatting.