



NSW Ombudsman

Family Support Services
Complaints Handling Review

April 2008

1 Introduction

The Ombudsman is the independent and impartial watchdog for community services in NSW. We encourage the awareness of the rights and obligations of consumers and service providers under community welfare legislation. In part we do this by reviewing complaint handling systems across the community services sector and by assisting service providers to improve their complaint handling practices and procedures. Complaint handling reviews are conducted under section 14 of the *Community Services (Complaints, Reviews and Monitoring) Act 1993 (CR-CRAMA)*. This report details observations and recommendations arising from our review of the complaint handling practices of a sample of family support services.

2 Family support services

Family support services provide a range of supports to families with dependent children. Supports may include practical assistance and training in areas such as house management skills, support with parenting, supported playgroups, and personal support to parents. Some family services provide activities that are offered universally to all families; some target families that are stressed because, for example, they have toddlers or teenagers or because they have a child with a disability; and some target families with specific problems, for example, there is an imminent risk that a child may be removed from a family's care.

Family services are mainly concerned with *'encouraging and developing positive relationships within families and promoting environments which value, nurture and protect children'*. Operating within communities, family support services are well positioned to provide flexible services tailored to meet the changing needs of individual families and communities.

Our review strongly indicated that, in practice, family support services are demonstrating an ability to tailor their services to meet the current and emerging needs of the communities they serve.

In many cases, we noted strong support provided by family support services for very vulnerable children and families with complex needs.

It was also pleasing to note a range of services which reach specific groups with significant levels of disadvantage, such as those targeting CALD and Aboriginal communities.

Innovative programs working with men and kinship carers also reflect the capacity of family support services to work with groups who, in the past, have been either excluded from services or unwilling to engage with services.

Many families accessing family support services experience socio-economic disadvantage because of unemployment, housing difficulties, family break-up, or because of issues arising from substance abuse, domestic violence, or a family member experiencing mental health issues.

Family services receive funding from a range of funding bodies, and for different purposes. The 20 services we reviewed all received some level of funding through The Department of Community Services Community Services Grants Program (CSGP). This program *'assists people in NSW to live in a just society and to participate in strong communities that cope effectively with change and promote safety, welfare and wellbeing'*.² This program is currently under review.

3 Why review complaints handling?

Effective complaint handling can afford opportunities for improving service quality by assisting service providers to:

- resolve individual complaints;
- identify service deficiencies and inform and promote service improvements; and, hopefully,
- provide services that better meet client needs.

CS-CRAMA promotes and encourages community services within NSW to deal with complaints fairly, informally and quickly.

4 Our reviews

Using a modified version of the *Australian Standard for Complaint Handling*³, we examined the complaint handling systems in place in 20 family support services across NSW. Services ranged in size, the programs they offered, and the populations they targeted.

Each review involved an examination of: service policies and procedures for complaint handling; complaint records; and interviews with service management, a staff member and a member of the management committee.

¹ www.nswfamilyservices.asn.au

² www.nswfamilyservices.asn.au

³ The Australian Standard for Complaint Handling [AS ISO 10002–2006](https://www.asn.au/standards/AS-ISO-10002-2006)

The reviews did not involve discussions with service users, nor focus on individual complaint outcomes. We provided a report, including recommendations aimed at improving complaint handling, to each service.

Broadly, the reviews considered seven key areas essential for effective complaint handling in the community services arena. Complaint resolution and service improvement are more likely to be achieved when the following elements are in place:

1. The service is *committed* to the efficient and fair resolution of complaints. The service has an established, documented system for dealing with consumer complaints. The policy outlines safeguards against retribution, as well as confidentiality and communication requirements.
2. The complaint process is *visible*. Information about the right to complain, how to complain, where to complain and how the complaint will be handled, is well publicised.
3. The complaint handling process is *accessible* to all service users. The complaints process is made easy for service users, including those with special needs, and there is no need for complaints to be in writing. All complaints are acted on by the service.
4. The complaint process is *responsive*. The process is quick and courteous and all staff are delegated to deal with complaints. The delegations should operate in such a way as to provide for a tiered system, which allows for more serious complaints to be dealt with at more senior levels within the service.
5. The complaint process has the capacity to implement a range of *remedies* depending on the type of complaint. Services record the complainant's desired outcome and there are processes for preventing problems happening again.
6. Complaints are used to inform *service improvement*. The service has a system for collecting complaints data and uses this information to inform the service's policy, planning and practice.
7. The agency has an appropriate culture of *accountability* around complaint handling. The complaints handling process is regularly reviewed for efficiency and effectiveness.

5 What we found

The following observations are based on the findings of the 20 complaint handling reviews of family support services that we conducted in 2007.

5.1 Commitment: the service is committed to the fair resolution of complaints

Despite there being no requirement for services receiving CSGP funding to have complaint procedures in place, it was pleasing to see that all the services we reviewed had a consumer complaint policy of some kind.

- Most of the services' complaint policies made a statement that indicated the reasons for the policy and included a statement of aims and objects.
- Over half included a definition of a complaint and gave some indication of who could complain.
- A quarter of the services combined their consumer complaint and staff grievance policies.
- Almost all included confidentiality requirements and over half included some mention of protection from retribution.
- Most of the services' policies included directions on the steps service users could take when making a complaint. However, only a quarter included decision-making delegations for staff handling complaints.
- Just under half the policies included some indication of the communication consumers could expect from the service in relation to their complaint.
- While most of the services provided services to people with special needs, only four services made reference to special needs in their complaint policies.
- Very few of the policies we reviewed made reference to reporting requirements on complaint trends.

From our reviews it is apparent that a generally strong focus on direct service delivery — and small staff numbers in some services — has impacted on policy development in the area of complaint handling.

While a small number of the complaint handling policies we reviewed were well established and comprehensive, a number were either in the early stages of development or were not adequate.

5.2 Visibility: the complaints handling process is well publicised to service users

It was pleasing to see that over half the services we reviewed had developed a brochure providing service users with information about how the service handles complaints. Two services even took the measure of reading the brochure to new service users.

Most of the brochures included messages of reassurance and encouragement about the value of complaints in relation to improving services.

In some instances, where services did not have a brochure to provide to service users, they provided new users with a copy of their complaint policy.

A number of the staff in the services we reviewed evidenced a good appreciation of how hard it might be for some service users to complain. Often families and individuals will be reliant on support provided by family services — and may have no other support — and therefore will be reluctant to complain. An easy to read brochure, outlining information about the right to complain, how to complain, where to complain and how the complaint will be handled by the family support service, is a good first step in breaking down any fear of complaining.

5.3 Accessibility: the complaints handling process is accessible to all consumers

All the family support services we reviewed reported that they accept complaints in any form - verbal, written or by phone. A small number required complaints made to the management committee to be in writing.

While these flexible arrangements minimise the risk of people deciding not to complain because of a process that is too demanding, we were concerned that most of the services do not record oral complaints, tending to treat them as 'feedback'.

Given the nature of the family support services consumer group, it is probable that most of the complaints these services handle will be oral. This highlights the need for a clear definition of what constitutes a complaint.

5.4 Responsiveness: the complaints handling process is quick and courteous

Services told us that front line staff are encouraged to resolve simple complaints. Generally this practice was reflected in the services' complaints handling policies. Three services provided guidance to their staff about those complaints, which should be immediately referred to a manager, senior manager, or directly to the management committee.

Most of the written complaints policies that we reviewed made reference to service receivers being supported by an advocate. Services told us they advise complainants that they can have a support person when making a complaint. However, written complaint handling documentation did not generally mention this.

A small number of the services' policies adopted a conflict resolution approach when responding to complaints. While this 'resolution' based approach should be appropriate for most complaints, serious matter may require a thorough investigation.

Most of the services did not provide written advice to complainants on the outcome of their complaints.

5.5 Remedies: the complaints handling process has the capacity to determine outcomes

While all the services we reviewed told us that staff are delegated to remedy problems, only five of the 20 services' complaint handling policies require staff to record a complainant's desired outcome.

5.6 Service Improvement: Complaints are used to identify and fix problems

Generally family support services staff evidenced an understanding of the link between consumer complaints and service improvement. For example, one service received complaints from parents about safety risks posed to children arising from a poorly maintained fence. The service acted on these complaints.

However, while it was apparent that many of the services we reviewed made genuine attempts to address consumer dissatisfaction and to resolve complaints, these complaints were often not recorded. This may impact on a service's capacity to use complaint data for service improvement purposes or to ensure management committees are appropriately informed of relevant matters.

5.7 Accountability:

Very few of the family support services' complaint handling policies dealt adequately with the issue of accountability. Most of the services do not report publicly on complaints handled by the service and most do not have systems in place to ensure staff handle complaints in accordance with practice requirements. Few of the services provide reports to their management committees on complaints received and handled by the service. External monitoring of complaint systems does not generally occur.

6 Concluding comments and recommendations

From our review of the twenty family support services we were impressed with the service delivery provided across a broad range of areas to many vulnerable and marginalised members of our community. We also noted a high level of innovation by many services in responding to the specific needs of their client group. In this regard, we also observed that these innovative practices are taking place notwithstanding often very limited resources.

It is particularly pleasing to note that most of the services we reviewed demonstrated a commitment to developing and refining their complaint handling systems. As a result of our reviews, we would encourage all family support services to consider the following recommendations:

1) Commitment

Ensure your consumer complaints policy and staff grievance policy are two separate policies.

Ensure that your consumer complaints policy includes sufficient detail to clearly inform staff about all key aspects of good complaints handling:

- Reasons for the policy
- Statement of aims and objectives
- Definition of a complaint
- Description of who can complain
- Statement about how to make a complaint
- Delegations/responsibilities
- Privacy, confidentiality, fairness, equity requirements
- Requirements for communicating with parties to a complaint
- Safeguards against retribution
- Documentation requirements

Your policy should emphasise that retribution against those who make complaints is an offence under the *Community Services (Complaints, Reviews & Monitoring) Act 1993*. The policy should also alert staff to the often subtle ways in which retribution can occur and include practical guidelines for staff to minimise the potential for retribution — for example; a requirement that complaints not discussed with anyone not directly involved; complaint records to be stored securely; and a code of conduct for staff related to complaint matters.

Your policy should clearly link complaints with service improvement by providing for the collection, analysis and reporting of complaints data. This enables service management to objectively identify trends in complaints, and to take action to address any systemic or recurring problems.

Ensure that your complaints policy explicitly caters for groups with special needs and accurately reflects best practice in this regard. The policy should:

- provide for use of interpreters (including sign language interpreters) and translation of correspondence and other complaint documents; and
- use language and promote complaint resolution strategies, which are culturally appropriate.

Ensure that staff comply with the complaints policy by providing them with a structured induction program and regular supervision, plus relevant training.

Your complaints policy should clearly identify the person responsible for overseeing the complaints system, and clearly define what this role entails.

2 Visibility

Make sure your service has a brochure or leaflet about the service's complaints handling policy.

3 Accessibility

Ensure that all complaints are recorded, and that this is done in a standardised way (for example, on a complaint form or in a complaints database) to ensure consistency and to facilitate review of individual matters. Note that this applies to verbal, as well as written complaints.

Do not stipulate that complaints must be in writing. This can be a significant barrier to clients and also tends to discourage people from raising complaints at an early stage, when matters are more likely to be able to be resolved locally.

Ensure that all staff have access to training in complaint handling. Consider linking up with other services in your area and/or conducting training 'in house' to minimise costs.

4 Responsiveness

Include contact details for external complaint bodies such as the Ombudsman's Office in your service's complaint brochure, and in the consumer complaint policy. Ensure that staff and clients are aware that these external agencies can be contacted at any stage of the complaints process, not just as a 'last resort'.

Ensure that clients are provided with written reasons for any significant decisions arising from a complaint, as required by the CRAMA legislation.

5 Remedies

Always establish the complainant's desired outcome at the start of the complaint process, and make a record of this. A complaint form that specifically requires staff to document this information may be useful.

6 Service Improvement

Establish a central system for recording or 'logging' complaints, such as a complaint register or database. The system should be designed to capture key information about each complaint, such as:

- the program from which the complaint emanated;
- main issues;
- steps and time taken to deal with the complaint; and
- outcome.

Use the same data collection system for *all* complaints, including verbal complaints.

Ensure that service management regularly reviews the data you collect, in order to identify systemic and/or recurring issues in complaints.

If the complaint data identifies deficiencies or gaps in your service's policies or practices, take timely and appropriate action to address these.

7 Accountability

Identify specific performance indicators by which to gauge the effectiveness of your service's client complaint handling. Relevant performance indicators could include:

- number and types of complaints received;
- time taken at each stage of the complaints process;
- resolution rates; and
- level of client/complainant satisfaction with the process and outcome.

Keep your management committee or other relevant governing body informed about complaints.

Ensure that your complaint handling policy and practices are regularly reviewed, both internally and externally where available. Endeavour to include input from clients and other stakeholders in any review process.

Consider ways of reporting publicly about your service's complaint handling, such as via a periodic newsletter, or in the context of your Annual Report. In addition to statistical information, you may wish to include identity-protected case studies, which illustrate that your service takes complaints seriously and uses them to improve services to clients.

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Contact us for more information

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If you wish to visit us, we prefer you make an appointment. Please call us first to ensure your complaint is within our jurisdiction and our staff are available to see you.

Our business hours are:
Monday to Friday, 9am–5pm
(Inquiries section closes at 4pm)

Telephone Interpreter Service (TIS): 131 450
We can arrange an interpreter through TIS or you can contact TIS yourself before speaking to us.

General inquiries: 02 9286 1000

Toll free (outside Sydney metro): 1800 451 524

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Feedback is welcome.  ISBN 0-7313-1334-8 04/2008

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