

Complaints and Feedback | Policy and Procedure

Document name	Complaints and Feedback	CEO approved	
Category	Organisational Governance		
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Purpose

To provide all participants, their support networks, workers, and the wider community with the opportunity to offer feedback and make complaints to the organisation. This Policy and Procedure also describes the way in which Identitywa Disability Services Limited (Identitywa) acknowledges and manages feedback and complaints received by the organisation.

This Policy and Procedure does not include the internal complaints process where a worker may have a grievance with the organisation (refer to Worker Grievance Policy and Procedure).

Who is the Policy and Procedure for?

It is for participants, their support networks, workers and the wider community.

Policy Statement

Identitywa encourages feedback and complaints from participants and others as an opportunity to get a better understanding of people's experience with its services. It is valuable information to learn from and improve safe and effective services to participants.

It is important that workers, participants, their families and/or carers, advocates, and members of the wider community, are free to discuss their concerns and lodge a complaint without discrimination and/or fear of retribution.

Identitywa acknowledges that people with a disability:

- Have the same right as other members of Australian society, to pursue any grievance.
- Are respected for their worth and dignity and to live free from abuse, neglect, and exploitation.
- Can determine their own best interests including the right to exercise choice and control in relation to decisions that affect their life.
- Are engaged as equal partners in decisions that affect their lives to the full extent of their capacity.
- Must have their privacy and dignity respected.
- Shall have the role of families, carers and other significant persons in their lives acknowledged and respected.

The complaints process is undertaken with consideration of protection of the complainants and their rights. It includes timely action, procedural fairness and addressing of any conflict of interest. Privacy and confidentiality guidelines are adhered to, and information is only provided to people on a need-to-know basis.

Procedure

Who can provide feedback and/or make a complaint?

Anyone can give feedback or make a complaint about an Identitywa service, contact or situation.

Feedback

Feedback can be given by anyone about things that Identitywa has done well or could improve. It may be about services Identitywa offers to participants and its workers. It helps Identitywa to know what works well and how to improve its services.

Anonymous feedback/complaints

If a person who lodges a complaint wants to remain anonymous, Identitywa will consider their feedback and/or review and investigate their complaint. The complainant will be asked if and how they would like to be advised of the outcome of the review or investigation.

Vexatious complaints and unreasonable complainants

A vexatious complaint is one which is raised, regardless of its merits, to harass, annoy or subdue. Fair consideration must be given to any complaint even if it is perceived as vexatious.

How to give feedback or make a formal complaint

People can give feedback or raise a complaint in a variety of ways, including:

- Telephone: 08 9474 3303 (interpreter services can be arranged if required)
- Email: Quality.Feedback@identitywa.com.au
- Writing: PO Box 278, Leederville, WA, 6902
- Identitywa Website: Feedback - [click here](#)
- People can download the Complaints & Feedback Easy Read form to provide feedback or make a complaint.

It is recommended to have the details of who is making the complaint. However, a complaint can be lodged anonymously - it is the persons choice.

Complaints investigation and resolution process

1. A complaint is submitted to the Feedback and Complaints Officer/ Office of the CEO.
2. The complaint is lodged in the Complaints Register and the CEO is advised.
3. A letter acknowledging the complaint is sent to the complainant within 2 business days of receiving the complaint. The letter outlines the expected duration for the completion of the complaint, which is usually 14 days, and could be accompanied by information about the complaints process, including copies of the:
 - Advocacy Policy and Procedure
 - Complaint and Feedback Policy and Procedure
 - A list of advocacy services if required.
4. Information provided to the complainant is made in an appropriate format, including Easy Read format, if preferred.
5. The complainant is supported to identify and access an advocate, if needed. Identitywa will work with the decision makers identified for the participant. -> The Advocacy Policy and Procedure provides further information.

6. Any potential conflicts of interest are identified prior to the complaint's investigation commencing.
7. Once the complaint is lodged, an investigation is conducted by an appointed internal or external investigator.
8. Complaints are handled with the highest of confidentiality, and only those directly involved in the resolution of the complaint, have access to records, unless disclosure is required by law.
9. The investigation may include interviews and document reviews and is conducted as per Internal Investigation Policy and Procedure.
10. Any correspondence, meeting minutes and verbal discussion notes including telephone discussions with persons involved are documented.
11. A Complaint Investigation Report is drafted with recommendations if appropriate and discussed with the CEO and/or Executive Team.
12. The CEO or relevant Executive Manager discusses the outcome of the investigation and/or resolution options with the participant/complainant/family.

Should a person lodge a complaint about the CEO, the Feedback and Complaint Officer will send the complaint directly to the **Chairperson of the Board**.

Complaint outcome

Once the complaint investigation has been completed and an outcome established, the complainant is contacted and presented with the outcome in a meeting or in writing, subject to their preference. If the complainant is satisfied with the outcome, the complaint is closed, and a formal letter is sent to the complainant to inform about the closure. The resolved complaint is closed in the Complaints Register.

The complainant is invited to attend a meeting, where they can provide information about their experience about the complaints process and their level of satisfaction with the outcome. Participants who have complained are supported to talk about the process.

Options for further escalation by complainant with Identitywa → if you are unhappy with the outcome

If the complainant is not satisfied with the outcome and/or the process, an appeal can be lodged and escalated to the CEO. If no satisfactory outcome is agreed on and the complaint remains unresolved, the matter can be escalated to the Identitywa Board. If a complainant is still dissatisfied, they are advised of external agencies who can help further with the resolution of the complaint.

Options for external complaint or further escalation by complainant

A complainant can address their grievance at any stage directly with the **NDIS Commission**. Records relating to complaints are provided to those when requested. Contact details are as follows:

NDIS Commission

Ph: 1800 035 544 (free call from landlines) or TTY 133 677

Interpreters can be arranged

National Relay Service – ask for 1800 035 544

Complete a [complaint contact form available online](#)

Reportable Incidents

If a complaint is identified as a **reportable incident under the NDIS**, the complaint is handled as per the Participant Incident and Accident Policy and Procedure and the Internal Investigation Policy and Procedure. Complaints identifying illegal activities are reported to the authorities e.g. WA Police.

Key responsibilities

All workers must adhere to the NDIS Practice Standards and Identitywa Code of Conduct and Policies and Procedures.

Executive Management responsibilities:

- Promote a culture which values complaints and effective resolutions.
- Information on feedback and complaints management is provided in internal/external newsletters.
- Ensure effective complaint management system is in place which empowers, supports, and protects people who report.
- Ensure effectiveness of system is evaluated and monitored
- Complaints are responded to promptly and thoroughly.
- Workers understand their legal and organisational responsibilities and are trained in handling complaints.
- Handle complaints or provide adequate support to workers who are delegated to for handle complaints.
- Communication with complainant, participant, family on outcomes and resolutions.
- Encourage workers to recommend service improvements.
- Ensure mandatory reporting requirements are met (NDIS Reportable Incidents etc.).
- CEO report to the Board.

Manager and Supervisor responsibilities:

- Encourage workers to make recommendations for service improvements.
- Ensure reporting requirements are followed and report completed in a timely manner.

Worker's responsibilities:

- Inform participants about their rights, including their right to complain and how to do it at time of initial engagement with Identitywa services and ongoing as appropriate.
- Feedback forms in Easy Read are made available in Shared Living and Respite houses.
- Engage, encourage, and support participants to provide feedback or make a complaint.
- Support access to information regarding advocacy services as required.
- Report any safeguarding concerns or other issues, feedback, and complaints.
- Make recommendations for service improvements.

How do we know we are getting it right?

- Participants and their support networks are informed about and can easily access Identitywa's complaints management and resolution system.
- Complaints and feedback are recorded, investigated, and responded to in a timely, respectful, and transparent manner.
- Participants feel safe and supported when raising concerns, with assurance that their rights are protected and there are no negative consequences for speaking up.
- Feedback and complaints are used to identify opportunities for service improvement, including the review and enhancement of relevant policies and procedures.
- Workers are equipped with the knowledge and skills to manage complaints effectively, in alignment with NDIS Practice Standards and organisational values.

Definitions

Complaint

A complaint is anything that a person think is unsatisfactory or unfair or makes them unhappy with Identitywa's service. It is an expression of dissatisfaction made to or about Identitywa, related to its services, workers, or the handling of a complaint, where a response or resolution is expected or legally required.

Complainant

The person who is raising a complaint. This may be a participant, worker, family member, community or other service provider.

Feedback

Feedback can be given by anyone about things that Identitywa has done well or badly. It may be about anything that Identitywa offers to participants and its workers. It helps Identitywa to improve its services.

Participant

A person supported by Identitywa, such as a client, resident, or other recipient of services.

Procedural fairness

All people involved in a complaint or incident are given a fair hearing before a decision is made. Corrective action is based on relevant facts and circumstances. The investigation is impartial and even-handed.

Reportable incidents

Specific types of serious incidents that have, or alleged to have, occurred in connection with the provision of supports and services by registered NDIS providers. This includes death of a person with disability; serious injury of a person with disability; abuse or neglect of a person with disability; unlawful sexual or physical contact with, or assault of, a person with disability; sexual misconduct, committed against, or in the presence of a person with disability, including grooming for sexual activity; use of restrictive practice where the use is not in accordance with an authorisation.

Support network

Family, friends, carers, guardian, advocate, and other people who have a supportive relationship with a participant.

Worker

A person who carries out work in any capacity for a person conducting a business, including work as:

An employee or member of the board

A contractor or sub-contractor/sole trader

An employee of a contractor or sub-contractor or sole trader

A student, trainee, apprentice, volunteer, or host.

The legal and regulatory requirements we have to follow

[Guardianship and Administration Act 1990](#)

[National Catholic Safeguarding Standards](#)

[National Disability Insurance Scheme \(NDIS\) Act 2013](#)

[NDIS Code of Conduct](#)

[NDIS \(Complaints Management and Resolution\) Rules 2018](#)

[NDIS \(Incident Management and Reportable Incidents\) Rules 2018](#)

[NDIS Practice Standards and Quality Indicators](#)

[NDIS \(Provider Registration and Practice Standards\) Rules 2018](#)

[Privacy Act 1988](#)

Other related documents

Advocacy Policy – Easy Read

Advocacy Policy and Procedure

Complaints and Feedback – Easy Read

Conflicts of Interest in Service Delivery Policy and Procedure

Conflict of Interest in Service Delivery Guidance

Feedback and Complaints Poster

Internal Investigation Policy and Procedure

Privacy Policy and Procedure (& Easy Read)

Responding to Misconduct Procedure

Rights Policy (& Easy Read)

Worker Grievance Policy and Procedure

External Resources:

- [Fact Sheet: How to make a complaint](#) – NDIS Quality and Safeguards Commission
- [Getting Help from an Advocate - Developmental Disability WA \(DDWA\)](#)
- [NDIS Handling complaints and fixing problems – Easy Read](#)
- [Speak up resources](#) - NDIS Quality and Safeguards Commission
- [Tips for talking with your provider](#)- Health and Disability Services Complaints Office, WA Government

Do you need to know more?

If you have any questions regarding policies, procedures, and reviews or if you would like to be involved in our policy development program, please contact the Quality and Compliance Team on (08) 9474 3303.