

Policy

Document ID 34913



Complaints Management

1. Policy Statement

The South West Hospital and Health Service (HHS) is committed to delivering high quality services to the South West communities and positioning people and local communities at the centre of health planning, design, delivery and improvement. The South West HHS values the benefits of effectively managing feedback.

This Policy confirms our commitment to a culture that is receptive to feedback, proactively seeks it, and is responsive and respectful to all feedback.

2. Intent of this policy

The purpose of this policy is to establish a uniform approach to complaints management across the South West HHS and supports compliance with s219a of the *Public Service Act 2008*. This policy clearly outlines the standards, principles, responsibilities of individuals and the health service in relation to the management of complaints.

3. Scope

This policy applies to, and is mandatory for all South West HHS employees, agency / locum staff, volunteers and contractors. It applies to consumer complaints:

- received from external consumer (eg. public) regarding the quality of their care and other aspects beyond consumer feedback;
- received from internal consumer (eg. employees, contractors, consultants);
- received about products, services or staff of the hospital and health service;
- received about any breaches of public health legislation;
- received anonymously; and
- received via any means where a response or resolution is reasonably expected.

A “consumer” is a person who has used, or may potentially use health services, or who is a carer for a patient using health services. A healthcare consumer may also act as a consumer representative, to provide a consumer perspective, contribute consumer experiences, advocate for the interests of current and potential health service users, and take part in decision-making processes.

Complaints concerning breaches of privacy will be managed in accordance with the *Information Privacy Act 2009* and complaints concerning right to information requests will be managed in accordance with the provisions of the *Right to Information Act 2009*.

Any complaint that may be considered corrupt conduct, professional misconduct, fraud or conduct in breach of the Code of Conduct for the Queensland Public Service and may subsequently require referral to the Office of the Health Ombudsman and/or Crime and Corruption Commission must be referred to SWHHS_HR@health.qld.gov.au or telephone 4505 1518 as per the South West HHS Procedure [32691 - Requirements for Reporting Corrupt Conduct](#).

4. Principles

Guiding Principles:

The following are the guiding principles of the Complaints Management System:

- **Respect, protect and promote** human rights in relation to consumer complaint management
- **A people focus** to ensure everyone has a right to provide feedback
- **Visibility, transparency and access** to information on how to make a complaint
- **Responsiveness** to the complainant and resolving complaints in a timely manner
- **Objectivity and fairness** to all complaints
- **Feedback** and communication with complainants
- **Remedies** to appropriately address complaints
- **Accountability, learning and prevention** of systemic issues identified via complaints
- **Skills development** to ensure staff can effectively manage complaints
- **Dignity and respect** ensuring consumer and family perspectives and choices are listened to; and people's knowledge, values, beliefs and cultural backgrounds are incorporated into the planning and delivery of care.

Our behaviour and the way we deliver health care is also guided by our five service values:

- Quality
- Compassion
- Accountability
- Engagement
- Adaptability.

4.1 Complaints Management Process

The Policy is supported by the following procedures and documents:

South West HHS Procedure [30143 - Consumer Feedback and Experience](#) which provides the framework to enable staff to address, manage and resolve feedback in a compassionate, empathetic, effective and timely manner as close to the point of care as possible. Consumer feedback is key to person-centred care and ensuring safety and quality across our health service. At South West HHS, our community, consumers, carers, advocates and their families are given a voice to confidently and openly provide feedback.

We recognise that feedback is an indicator of safe and quality care and provides an opportunity for improvement.

Consumers can make a complaint or provide a compliment by telephoning, in person, in writing, by email or online via the South West HHS public website or anonymously. Complaints will be acknowledged within five calendar days and our aim is to resolve complaints within 14 days.

South West HHS acknowledges the Department of Health target is to resolve 80% of complaints within 35 days however, in accordance with the South West HHS operating principle of early service recovery internal KPIs of 90% within 14 days and 90% within 35 days for resolution of complaints has been established. This internal target has been set with recognition of the minimum expectations of personalised and responsive complaints management, and person-centred care and would better meet the expectations of our local context and local communities.

South West HHS Procedure [32567 - Employee Complaints](#) which provides the framework for the resolution of complaints of unacceptable behaviour in the workplace, inappropriate work practices and/or poor performance to be managed fairly and appropriately. This procedure also outlines the process for the management of complaints that involve matters of suspected official misconduct or corrupt conduct.

South West HHS Consumer and Community Engagement Strategy which commits to meaningful consumer and community engagement so that together, we can build a resilient, locally responsive and self-determining community that takes ownership of the HHS.

4.1.1 Early Resolution

It is an expectation that complaints be resolved at the point-of-service where concerns are raised by the consumer. Information, explanation, apology or a commitment to take some action can be sufficient to resolve a complaint at the point-of-service.

4.1.2 Internal Review

Where consumer are not satisfied with the outcome of a complaint, or with the complaint process followed, they can request an internal review of the decision from the Office of the Chief Executive. A review of the decision will be undertaken by a Health Service Officer at the next level up from the original respondent, or by the relevant Executive Director.

4.1.3 External Review

Where consumer advise the complaint was not resolved to their satisfaction by the South West HHS, they are able to contact the Office of the Health Ombudsman or Queensland Ombudsman which is able to conduct an external review.

4.1.4 Timeframes for resolution

- Complaints will be acknowledged within 5 days.
- \geq 90% of complaints received within the reporting period were resolved within 35 calendar days'

If a complaint relates to a breach of human rights by the South West HHS, the complaint will be finalised with 45 working days in accordance with legislation.

4.2 Mutual Responsibilities

South West Hospital and Health Service is responsible for:

- Having an appropriate and effective feedback handling system in place for receiving, assessing, handling, recording and reviewing feedback
- Decisions about how all feedback will be dealt with
- Ensuring that all feedback is dealt with professionally, fairly and impartially
- Ensuring that staff treat all parties providing feedback with courtesy and respect
- Ensuring that the assessment and any inquiry into the investigation of a complaint is based on sound reasoning and logically probative information and evidence
- Finalising complaints on the basis of outcomes that the organisation, or its responsible staff, consider to be satisfactory in the circumstances
- Implementing reasonable and appropriate policies / procedures / practices to ensure that anyone who provides feedback is not subjected to any detrimental action in reprisal for making a complaint, including maintaining separate complaint files and other operational files relating to the issues raised by individuals who make complaints.
- Giving adequate consideration to any confidentiality, secrecy and/or privacy obligations or responsibilities that may arise in the handling of complaints and the conduct of investigations.

If someone is not satisfied with the response, or has concerns that the South West HHS is failing in its complaints management responsibilities, the South West HHS supports the decision to lodge a complaint with the Queensland Ombudsman on <https://www.ombudsman.qld.gov.au/make-a-complaint/makecomplaint> or by phoning (07) 3005 7000.

Those providing feedback are responsible for:

- Treating staff of the South West HHS with courtesy and respect
- Clearly identifying to the best of their ability the issues of complaint, or asking for help from the staff of the South West HHS to assist them in doing so
- Providing to the best of their ability all the relevant information available to them at the time of making the complaint
- Being honest in all communications with the Service
- Informing the Service of any other action they have taken in relation to their complaint cooperating with the staff who are assigned to assess / investigate / resolve / determine or otherwise deal with their complaint.

The South West HHS has a zero tolerance policy in relation to any harm, abuse or threats directed towards its staff. Any conduct of this kind may result in a refusal to take any further action on a complaint or to have further dealings with the complainant. Any such conduct of a criminal nature will be reported to police and in certain cases legal action may also be considered.

South West HHS Staff are responsible for:

- Providing reasonable assistance to complainants who need help to make a complaint and, where appropriate, during the complaint process
- Dealing with all complaints, complainants and people or organisations the subject of complaint professionally, fairly and impartially
- Giving complainants or their advocates a reasonable opportunity to explain their complaint, subject to the circumstances of the case and the conduct of the complainant
- Giving people or organisations the subject of complaint a reasonable opportunity to put their case during the course of any investigation and before any final decision is made
- Informing people or organisations the subject of investigation, at an appropriate time, about the substance of the allegations made against them and the substance of any proposed adverse comment or decision that they may need to answer or address
- Keeping complainants informed of the actions taken and the outcome of their complaints
- Giving complainants reasons that are clear and appropriate to their circumstances and adequately explaining the basis of any decisions that affect them
- Treating complainants and any people the subject of complaint with courtesy and respect at all times and in all circumstances
- Taking all reasonable and practical steps to ensure that complainants are not subjected to any detrimental action in reprisal for making their complaint
- Giving adequate warning of the consequences of unacceptable behaviour.

4.3 Review of Complaints Management System

The complaints management system will be reviewed annually to ensure its continued suitability and efficacy. An effective review can identify opportunities for service improvement and inform decisions regarding resource needs. A record of the review will be maintained.

4.4 Unreasonable and / or Unacceptable Complaint Conduct

There may be occasions when a consumer's conduct could be considered unreasonable. These might include:

- Frequent, lengthy, repeated or abusive phone calls, which occupy significant staff time and resources.
- Frequent letters, emails, faxes or visits seeking resolution of issues beyond the scope of the original complaint or before a decision due date
- Seeking information, advice or resolution from a variety of staff about the same issue
- Any contact which involves abusive or threatening language or behaviour

- The consumer continues to contact the service after feedback has been provided regarding the complaint and all avenues of review have been exhausted.

South West HSS will consider the relevant circumstances, including staff welfare and appropriate use of resources and make a decision regarding limiting the complainant's contact with the service, for example

- Restricting the times for and/or frequency of contact
- Designating a single officer with whom the complainant may have contact, such as a manager
- Nominating the acceptable form of contact, for example written communication only.

Decisions regarding limiting contact with the service will be communicated to the complainant in writing. Conduct which involves violence or aggression will also be managed in accordance with relevant human resources policies and/or procedures.

5. Legislative or other Authority

- [Hospital and Health Boards Act 2011](#)
- [Hospital and Health Boards Regulation 2012](#)
- [Health Ombudsman Act 2013](#)
- [Information Privacy Act 2009](#)
- [Public Records Act 2002](#)
- [Public Sector Ethics Act 1994](#)
- [Public Service Act 2008](#)
- [Right to Information Act 2009](#)
- [National Safety and Quality Health Service \(NSQHS\) Standards – Second Edition](#)
- [Charter of Health Care Rights](#)
- [Aged Care Act 1997](#)
- [Anti-Discrimination Act 1991](#)
- [Human Rights Act 2019](#)

6. South West HHS Supporting documents

This document must be read in conjunction with the documents listed below for staff to understand their responsibilities for enterprise wide risk management in South West HHS.

- South West HHS Procedure - [30143 - Consumer Feedback and Experience Management](#).
- South West HHS Procedure - [32567 - Employee Complaints](#)

7. Related policy or documents

- [Department of Health - Customer Complaint Management Guideline](#)
- [Queensland Health Guideline – Prevention Division's approach to the management of complaints and notifications of alleged breaches of public health legislation involving Hospital and Health Services.](#)
- [AS/NZS 10002:2014 Guidelines for complaint management in organisations](#)
- [Australian Charter of Healthcare Rights](#)
- [Code of Conduct Queensland Public Service](#)
- [South West HHS Consumer and Community Engagement Strategy](#)

8. Business area contact

Office of the Health Service Chief Executive

9. Keywords and Definitions of terms

Search Information	
Keywords (metadata)	Complaint, complaints, management, consumer, feedback, patient, complainant, 34913,

Term	Definition	Source
Complaint	Expression of dissatisfaction made to or about, the department, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required	AS/NZS 10002:2014 Guidelines for Complaint Management in Organisations
Complainant	Person, organization or their representative (including clients, consumers, service users, customers etc) who is apparently directly affected by the service or action of the department, making a complaint	AS/NZS 10002:2014 Guidelines for Complaint Management in Organisations
Consumer Complaint	A complaint about the service or action of a department, or its staff, by a person who is apparently directly affected by the service or action. It includes, for example a complaint about any of the following: (i) A decision made, or a failure to make a decision, by a public service employee of the department; (ii) An act, or failure to act, of the department; (iii) The formulation of a proposal or intention by the department; (iv) The making of a recommendation by the department; (v) The consumer service provided by a public service employee of the department.	Public Service Act 2008

10. Review

This policy will be reviewed at least every three years.

11. Document revision history

Version No	Document Custodian (title)	Authorised by (title)	Approved by (title)	Approval Date	Review Date
1	Health Service Chief Executive		Health Service Chief Executive	13/09/2018	13/09/2021
2	Health Service Chief Executive		South West Hospital and Health Board	29/06/2021	29/06/2024
3	A/Health Service Chief Executive	A/Health Service Chief Executive	South West HHS Board	22/07/2021	31/07/2024

12. Document Approval

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Document Custodian: Health Service Chief Executive

Authorised by:
Rebecca Greenway
Acting Health Service Chief Executive Date: 05/08/2024
Signature: _____

Approved by:
Karen Tully
South West HHS Board Chair
Signature: _____

Approval date: 22/07/2024

Next review date: 31/07/2027

13. Reasons for New Document/Revised Document

- Planned/Period Review
- Recommendation(s) from a coronial enquiry or an incident analysis (RCA/HEAPS)
- Change to current service delivery model or the introduction of new equipment
- To improve an existing control or as a treatment action for an identified risk
- Patient Safety and Quality Improvement Service alert/notice
- In response to consumer feedback
- Change to legislation, best practice, standards, health service directives