

## **CORPORATE POLICIES**

### **CP18 STANDARD 7(NSW/CwIth): COMPLAINTS AND DISPUTES**

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#### **1.0 POLICY STATEMENT**

Disability Services Australia (DSA) recognises and is committed to promoting the right of all people with a disability to raise without fear of retribution any grievance (i.e. concern, complaint or dispute) they may have related to the service DSA is funded to provide them and have this grievance resolved in a confidential, unbiased, and timely manner.

DSA acknowledges that despite all efforts and effective management practices to design and administer/or provide quality services that enhance opportunities for positive outcomes for people with a disability, issues can sometimes arise that may cause a person with a disability and/or their family/ advocate/ legal guardian to feel aggrieved.

It is the philosophy of DSA to ensure that each person in receipt of a service is aware of their right to raise a concern, is empowered to do so when concerns arise and that they have been informed of the various ways they can choose to have their complaint addressed. In addition, each person in receipt of a service from DSA will be provided with information on other internal and external contacts that can be accessed if they feel their concern has not been adequately addressed.

#### **2.0 PURPOSE**

To provide an overarching framework for DSA services and business activities that:

- Facilitates opportunities for those receiving support to provide feedback on aspects of the service they are dissatisfied with, referred to as grievances.
- Promotes and fosters an atmosphere where every person in receipt of a service, feels empowered to raise a grievance(s) (i.e. concerns, complaints, disputes) free of the fear of retribution, recrimination or repercussion.
- Outlines the process for addressing grievances and the consistent and fair approach to having the grievance resolved in a timely, unbiased and confidential manner.
- Ensures those receiving support are aware of their rights and responsibilities in this matter.
- Meet the Disability Services Standards and comply with all relevant legislation.

#### **3.0 SCOPE**

This policy relates to all levels of management and staff of Disability Services Australia. Each relevant area of DSA is required to consider and address compliance with these Standards within divisional procedures, work instructions and forms.

The Commonwealth and State Disability Services Acts and Standards relate to the provision of disability services for people with a disability.

For adults with a disability supported by DSA, the participation/involvement of family/ significant others/advocates/guardians in decision making on key service delivery processes (e.g. individual goal planning) is dependent on:

- The relevant decision making rights for family/significant others/advocates/ guardians, as determined by their legal status in relation to the person receiving support;
- The expressed wishes of the person with a disability receiving support; and
- The assessed need for such advocacy.

#### **4.0 POLICY DETAILS**

DSA is committed to providing opportunities for every person in receipt of a service, to raise and have addressed any grievances (i.e. concerns, complaints, disputes) related to aspects of the service they are dissatisfied with in a manner that is empowering and maximises the opportunity for positive outcomes.

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Facilitation of this commitment in relation to Complaints and Disputes is supported by:

- Ensuring all levels of management and staff understand, comply with and apply the intent of this policy.
- Having a written policy and procedure on the resolution of grievances framed in a way that encourages and supports the right of every person using the service to raise and pursue any grievances (i.e. concerns, complaints, disputes) regarding any aspects of service they are dissatisfied with, without fear of retribution, recrimination or repercussion for their service.
- Written policy and procedures on the mechanisms for addressing grievances are made available in appropriate formats to those who use the service and assistance is provided as required. Policy and procedures are promoted to enhance the likelihood that those receiving support will use the process when they have reason to do so.
- Ensuring any grievance raised by a person in receipt of a service is dealt with sensitively and as confidentially as possible, and their privacy and dignity is respected and maintained at all times.
- Ensuring every person raising a grievance is supported to express and explain the nature of their grievance and be involved in the grievance process regardless of their disability, by seeking where required, assistance from interpreters (linguistic and/or sign), communication specialists (to facilitate the use of augmentative communication aids), advocates and/or relevant agencies/services.
- Taking reasonable steps to progress towards the closure of each grievance within an agreed timeframe.
- Supporting the involvement of family/advocates (as requested by the person receiving support) in the grievance process to maximise each persons participation and decision making input in the process, including facilitating access to advocacy support services as requested or appropriate.
- Acting in a timely manner to address specific and systemic issues identified by the grievance process, with input from those affected and/or others who use the service where appropriate. Including seeking guidance or feedback from relevant parties/ specialist services as appropriate or beneficial.
- Where practicable, those who use the service are provided with generic information about relevant complaints/ disputes processes available in the community.
- The review of processes and systems as part of scheduled and as needed policy and procedure reviews, including where possible input from those who use the service.
- Ensuring adherence to policies and procedures through the quality assurance audit process to maximise the design, delivery and implementation of a quality service.

#### **5.0 RESPONSIBILITIES**

Refer to the Quality Policy Manual Section 5.0 Management Responsibility  
[Quality Policy Manual](#)

#### **6.0 REFERENCES**

##### **Legislative context**

Community Services Complaints and Appeals Monitoring Act (NSW) 1993  
Disability Services Act (Cwlth) 1986 and Commonwealth Disability Services Standards  
Disability Services Act (NSW) 1993 and NSW Disability Services Standards  
Human Rights and Equal Opportunity Commission Act (Cwlth) 1986  
Disability Discrimination Act (Cwlth) 1992  
Anti-Discrimination Act (NSW) 1977

##### **Policy Context**

[Quality Policy Manual](#)

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Relevant State (NSW), Commonwealth and DSA policies are listed in the [The DSA Document Matrix](#).