

Complaints Management Guide for Disability Services Providers (Staff)

Complaints, compliments or feedback about the services you provide are an opportunity to learn and to improve the quality of your service. The Health and Disability Commissioner (HDC) has created this guide to help you evaluate and improve your knowledge of your organisation's complaints management system, and assist you to respond appropriately to complaints.

How well do you know the Code of Health and Disability Services Consumers' Rights (the Code)?

- Have you had training about consumers' rights under the Code?
- Do you understand the right of consumers to complain about the services they receive (Right 10 of the Code)?
- Do you know about the Health and Disability Commissioner (HDC) and the Nationwide Advocacy Service (Advocacy Service), and how advocates can support consumers to resolve their concerns?

What do you need to know about complaints management?

Do you know what to do if you receive a complaint from a consumer?

- Your organisation must have a complaints management system.
- Your organisation should give you training on what to do when you receive a complaint — for example, what you should say to the person, and the appropriate person in your organisation to speak to about the complaint.
- Your organisation must respond to the person making a complaint within five working days, and must tell the person what will happen next.

Every person who complains should be treated fairly.

A person should not be treated differently as a result of making a complaint.

How should you respond to complaints?

- Have you had training about how you should respond to a concern or complaint at the time?
- Does your workplace have written information about its complaints management system that you can give to the person complaining? Is the information available in different formats, such as an easy-read format for people with learning disability?
- Does your organisation display information about the Code, the role of the Health and Disability Commissioner, and the Advocacy Service?
- Does the person raising a concern or making a complaint have a learning disability, or difficulty communicating? If yes, he/she should be offered a support person to assist him/her during the complaint process.
- Who should assist the person? A family/whānau member or a friend? Or a support person or an advocate from the Advocacy Service?

Do you know how to recognise a complaint? What is the difference between a concern and a complaint?

- How can you tell if someone is raising a concern or making a complaint?
- Does your organisation respond to complaints and concerns differently?

- Do you know how your workplace would like you to respond to a complaint? Should you respond differently to a concern?
- If complaints and concerns are treated differently, do you know how to identify each one? Do you know when to treat a concern as a complaint?

What is the person making a complaint unhappy about?

- Can you and your team spot dissatisfaction from consumers?
- Can the consumer's concern be resolved through honest and open communication?
- What does the consumer want to achieve by making a complaint?
- Could a misunderstanding have come from cultural differences?
- Would it help the consumer or person complaining to have an interpreter or a support person?
- Would it help the consumer or person complaining to talk to a more senior team member?
- Is an apology necessary? If yes, who should make the apology?

What should you do if a friend or family/whānau member raises a concern about a consumer or makes a complaint?

- Does your organisation respond to complaints or concerns differently when they are made by people other than consumers? Have you had training in your obligations under the Privacy Act 1993 and on the role of Enduring Powers of Attorney (EPOAs) and Welfare Guardians?
- Remember that friends or family/whānau may raise a concern or complain because the consumer finds it difficult and has asked them to speak up for him/her.

Why do people raise concerns and make complaints?

People complain because:

- They feel that something has gone wrong.
- They do not feel listened to or respected.
- They want to know what happened in a situation that has made them unhappy.
- They want an apology.
- They want to be taken seriously.
- They want to know that something will not happen again, to them or someone else.

It takes courage to complain or raise issues

Consumers have rights under the Code, but sometimes it can be hard for them to speak up even when they feel unhappy about a service.

People may be afraid to complain because they fear they will be treated differently as a result, or will lose a service that they receive currently.

Sometimes people are also afraid to complain because they and their family depend on the service you provide.

The easiest way to avoid bigger problems later on is to talk to people about how they would like to be treated, to seek regular feedback from consumers, and to look for signs that they might be unhappy.

Learning from complaints

- Your organisation should provide you with feedback on the outcomes of complaints and any changes to policies and procedures that have arisen from them.
- Has feedback or a complaint about your organisation helped you to learn from the experience?
- Did you talk about the feedback or complaint with the people at your work?
- Did talking about it help you to understand that consumer or other consumers better?

Complaints give you an opportunity to learn how to improve the service you provide.

Encouraging consumers to complain or share their concerns also gives you an opportunity to resolve or improve situations.

Further information

Code of Health and Disability Services Consumers' Rights:

<http://www.hdc.org.nz/the-act--code/the-code-of-rights>

For more information about how to manage complaints or concerns from the people to whom you are providing support, contact:

Nationwide Advocacy Service: 0800 555 050 or

advocacy@hdc.org.nz

www.advocacy.hdc.org.nz

Health and Disability Commissioner: 0800 11 22 33 or

hdc@hdc.org.nz

www.hdc.org.nz