

AMIDA

Action for More Independence
and Dignity in Accommodation

COMPLAINTS POLICY



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What is a Complaint?



AMIDA is an advocacy service for people with disabilities. We welcome feedback (good and bad). Complaints help to improve our services

A complaint is when you tell someone you are not happy about something and why. It is when you tell a service you are not happy with the job they have done for you.

It is OK to make a complaint!

If you have any feedback, or you are not happy with AMIDA we encourage you to tell us about this.

You have a **right** to make a complaint.

If you want to, you can involve an independent advocate to support you in making a complaint.

By making a complaint you are helping to sort out a problem and you are also helping AMIDA to make our services better for everyone.

Think about what you might want to result from your complaint. For example, an apology, an explanation about something we did, changes to the way we work, change of a decision we made, mediation or referral to another organisation for investigation.

If you are not happy about something at AMIDA you can try to resolve it yourself, but you don't have to:

- **You can** talk to the person you have the problem with. You might be able to work things out for yourselves
- **You can** ask someone else to help you talk to the person you have the problem with. This could be a person or an advocate that you have chosen yourself
- **You can** talk to an AMIDA worker who can help you to try to resolve it.
- If this still doesn't work and you want to take the complaint further: **You can make a complaint in writing.**

You do not have to try to sort it out yourself first if you don't want to.

You can make a complaint in writing straight away if you want to!

? What is the Complaints Policy ?

The **Complaints Policy** explains the steps you and AMIDA go through to have a complaint or problem sorted out.

? Who can use the Complaints Policy ?

- Someone using AMIDA's service can use this Complaints Policy

Please Note

*Staff complaints are covered in the relevant awards and AMIDA Staffing Guidelines

*Volunteers and students complaints are covered in the Volunteer/Student Agreement

*Members of AMIDA and its Committee of Management member complaints are dealt with under the Associations Incorporation Reform Act and the AMIDA Constitution

Your Rights to Information and Help to Make a Complaint about AMIDA

- **You have a right** to talk about things you are not happy with in a private and confidential way
- **You have a right** to make a complaint without worrying about being hassled, picked on or discriminated against for making the complaint.
- **You have a right** to be respected and to be listened to when you are talking about your own opinions or feelings
- **You have a right** to fair, impartial and timely handling of your complaint
- **You have a right** to see and have a copy of your file
- **You have a right** to have your own copy of this Complaints Policy and any other AMIDA policies
- **You have a right** to get help from others outside AMIDA including involving an independent advocate
- **You have a right** to seek review by another organisation of how your complaint was handled and/or the outcome

Making a Complaint

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- You can make your complaint to anyone at AMIDA.
This person could be:-
 - a rights worker
 - the Chairperson
 - a Committee member
- Tell the person what you are unhappy about and why you are unhappy.
- You can also talk to someone from outside AMIDA and get them to help you make a complaint. This could be a friend, family member or an advocate. AMIDA can refer you to another independent advocacy agency to seek advocacy support you want us to.
- At the end of this section there is a list of groups who can help with complaints.

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- You will be asked to fill in a Complaints Form. You can ask someone to help you fill it in including filling it in for you.
 - This form will help AMIDA to clearly understand your complaint so we can deal with it in an informed way.
 - The person you speak to will talk to you about your complaint and how it will be handled according to this policy.
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- Your complaint will be kept as confidential as possible. Only the people involved in your complaint will know about it and we will tell you who they are.
- If the complaint is about someone at AMIDA doing something against the law, we will have to inform the authorities.

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- AMIDA will take your complaint seriously.
- Within 5 working days you will get a letter from AMIDA to arrange a meeting with you.

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- At this meeting we will talk about your complaint to clarify it.
- We will work out with you an agreed time frame for handling your complaint and who will investigate it. In most cases the time taken to deal with it will be no more than 25 working days.
- You will be told what will happen next.
- You are very welcome to bring a friend or an independent advocate to this meeting to support you. AMIDA can refer you to an advocacy agency to seek their support if you want us to.

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- Some complaints may be very serious. In a situation involving violence, neglect or abuse the Office of the Public Advocate "Interagency Guideline for Addressing Violence, Neglect and Abuse" (IGUANA) will be followed by AMIDA. This is a good practice guideline for organisations.
- Examples of very serious complaints are assault, theft, and sexual assault which are against the law.
 - If your complaint is about something against the law, you should choose to go to the Police for help.

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- You will be contacted and given a written outcome to your complaint
- If you are unhappy with the outcome or the way your complaint was handled by AMIDA we will record this and let you know what further steps you can take to seek external review. You can contact the Complaints Resolution and Referral Service who deal with complaints about Advocacy Services. You can also contact the Commonwealth Ombudsman.

Processes AMIDA will follow

The complaints policy is to be provided in a way the person is most likely to understand using appropriate formats and languages. AMIDA will allow flexible methods of making complaints with assistance available if necessary.

Workers and Committee are to be trained in using the policy

The AMIDA representative receiving the complaint will seek to appoint the most appropriate person to investigate the complaint. This person must be impartial. Any person involved in receiving, investigating and resolving the complaint must not be named in the complaint. They must be free of any conflict of interest. Where an impartial investigator is not available within AMIDA, we will seek to contract an

external investigator.

The investigator will complete the investigation process within 15 working days and AMIDA will respond within 5 days of that. In most cases the complaint process will take no more than 25 days. If more time is needed, we will explain why and inform the complainant.

If an AMIDA worker is identified in the complaint they have a right to be informed of the nature of the complaint. They are to be given an opportunity to respond fully and be represented.

In a situation involving violence, neglect or abuse the Office of the Public Advocate "Interagency Guideline for Addressing Violence, Neglect and Abuse" (IGUANA) will be followed.

Fairness will be the guiding principle using facts and respect. The person investigating should inform the complainant of the process and their rights under it including the right to timelines, fairness, respect for privacy and confidentiality and safety from discrimination or retribution. They will interview witnesses and assure them of confidentiality.

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They will explain the outcome to the person complaining and any person identified in the complaint giving reasons, remedies and action to be taken.

If AMIDA policies are found to have been breached corrective action may be recommended. This will be determined by the Committee of management and must be in line with the seriousness of the breach and any other factors

If after consideration there are grounds for believing the complaint is unfair and unfounded then the person complaining needs to be told of the decision and reasons for this decision.

AMIDA will explain to the person about right of review by another body. If a person is dissatisfied with the complaints process they have the right to complain to the Complaints Resolution and Referral Service and Commonwealth Ombudsman.

A confidential register of complaints will be kept by AMIDA including outcomes of all complaints. This is to be completed by the person investigating the complaint.

Where a complaint against AMIDA involves allegations of criminal activity, breaches of legislation or regulation, AMIDA will promptly refer the complaint to the appropriate authority. Eg. The Police or government department

A Useful reference is the *Good Practice Guide* by the Ombudsman Victoria 2006

AMIDA COMPLAINTS FORM

Name of person filling in the complaint form

Address

Telephone/
Contact No

If you are making a complaint on behalf of somebody else what is their name and contact details

If you are filling this form in for someone else does the person know you are complaining on their behalf?

What is your relationship to the person on whose behalf you are filling in this form (eg parent, advocate, carer etc)?

If you wish to use an advocate or support person to help you complain what is their name and contact details

What is the complaint? (Please add more pages if you need to)

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What outcome are you seeking?

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The signature of the person making the complaint

Date

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(This form is confidential –we will keep it secret.)

**Please return this form to the AMIDA office Ross House 247 Flinders Lane
Melbourne 3000 addressed to either the Committee of management or the
project workers**

AMIDA will call you within five days of receiving your complaint to arrange a meeting with you to discuss how we will sort out your complaint.

Other Groups Who Can Help You with Complaints

Government Services

Complaints Resolution and Referral Service

The CRSS is a service that helps people with a disability sort out complaints about disability employment and advocacy services funded by the Commonwealth Dept of Family, Community Housing Services and Indigenous Affairs

Free call: 1800 880 052
TTY free call: 1800 301 130
Fax: 02 8412 7199
Postal Address
PO Box 126
St Leonards NSW 1590

Commonwealth Ombudsmans Office

Freecall 1300 362 072
Fax 02 6276 0123
Email:
ombudsman@ombudsman.gov.au
GPO Box 442
Canberra ACT 2601

Office of Public Advocate and Community Visitors Program

Ph: 1300 309 337
TTY: 1300 305 612
FAX: 1300 787 510
Level 1, 204 Lygon St. Carlton 3053

Victorian Equal Opportunity & Human Rights Commission

Level 3, 204 Lygon Street
Carlton 3053
Phone: 1300 292 153
TTY: 1300 289 621
FAX: 1300 891 858
Email: enquiries@veohrc.vic.gov.au

Dispute Settlement Centre Of Victoria

Level 4/456 Lonsdale Street
Melbourne 3000
Phone: 9603 8370
Toll Free: 1800 658 528
Email: dscv@justice.vic.gov.au

Advocacy Groups

Disability Advocacy Resource Unit

www.daru.org.au
(03) 9639 5807
admin@daru.org.au

Legal Services

Victoria Legal Aid

350 Queens Street
Melbourne 3000
Phone: 9269 0234
Country: 1800 677 402

Villamanta Disability Rights
Legal Service

44 Bellerine Street
Geelong 3220
Phone: 1800 014 111
legal@villamanta.org.au

Disability Discrimination Law
Service (DDLS)

2nd Floor Ross House
247 Flinders Lane
Melbourne 3000
Phone: 9654 8644
TTY: 9654 6817
Country: 1300 882 872
Email: info@ddls.org.au

Police

Phone: 000

