

Complaints (supported people) – Policy No: 3

1.0 Purpose:

To ensure that all complaints are dealt with appropriately, fairly, in a timely and transparent way, and in compliance with the Health and Disability Code of Rights. On entering services people are given a copy of the Health and Disability Code of Rights and these rights are reviewed with the person annually. Due to the nature of working alongside Children and Young people, Rights outlined by Oranga Tamariki will be provided alongside the HDC code of rights.

For the avoidance of doubt this policy relates to non-employee complaints. For complaints relating to employment refer to CCT Policy Complaints (Staff).

2.0 Procedures / Guidelines:

2.1 Complaints

- 2.1.1 Any person may make a complaint about any matter relating to the provision of CCT's services.
- 2.1.2 Any complaint made on behalf of someone else may be made providing that consent from the person has been obtained. If the person declines consent a complaint may still be made if not to do so would prejudice the interests or safety of the individual. Consent is not necessary if the individual is unable to give their authority.
- 2.1.3 Any person making a complaint has the right to make the complaint in a manner that is easiest for them.
- 2.1.4 Where a complaint may arise from a person who cannot communicate verbally or in writing, it is to be referred to a Behaviour Specialist to consider any unusual or inconsistent behaviour that may amount to a complaint.
- 2.1.5 Complaints can be given to:
 - the person or people the complaints are about
 - any person in the organisation
 - an independent health and disability advocate;
 - The Health and Disability Commissioner.

2.2 Acknowledge complaint

- 2.2.1 However received, the first responsibility of staff is to ensure that the person's immediate needs are met; this may require urgent attention before any matters relating to the complaint are made.
- 2.2.2 The complaint will be acknowledged verbally or in writing within 5 working days.

2.3 Informal complaints

- 2.3.1 Informal procedures are for quick problem solving rather than investigating and substantiating claims.
- 2.3.2 They also seek agreement and shared understanding of how to avoid problems in the future.
- 2.3.3 Informal complaints should be handled between the complainant, the person who received the complaint and the relevant Team Leader/Manager. If during this process it is identified that the formal complaint process is more appropriate then that process may be initiated.

2.4 Formal Complaints

- 2.4.1 In the first instance responsibility for all formal complaints rests with the Chief Executive (CE) or a member of the Senior Leadership Team (SLT). The CE may delegate responsibility to investigate any complaint to any staff member within the organisation.
- 2.4.2 During the investigation the complainant will be kept informed of the process and timelines as appropriate.
- 2.4.3 At all times an accurate written account of any formal complaint will be kept in the Complaints Section of FlowLogic and consultation/ discussion will take place with relevant parties/ persons. If required by any lawful obligation, the complaint may be sent to an external third party; for example Ministry of Health.
- 2.4.4 The complainant and/ or their representatives will receive notice of any outcome or decision relating to the complaint along with an explanation or reasoning. This information will be provided in accordance with the Privacy Principles and the HDC Rights and will be made in a manner appropriate to the complainant's understanding.

2.5 Youth Grievance Panel

- 2.5.1 Before entering into CCT services, children and young people will be provided education around HDC code of rights and rights set out from the Child Commissioner, CCT process when making a complaint and how to access an independent advocate.
- 2.5.2 The grievance panel provides an essential forum for young people to articulate their concerns and to have their complaints dealt with fairly to ensure that CCT meets its legal obligations to provide a safe environment for young people. Every child and young person placed in a CCT service has the right to access the grievance procedure, to lodge a grievance and the right to advocacy.
- 2.5.3 In the first instance responsibility for all complaints rests with the Director of Child and Young person's service, Mike Brummitt. The Director will delegate a three person panel made up of CCT designated persons, as per Protection of Children and Young People Policy, to investigate any complaint via a panel meeting.
- 2.5.4 A Panel meeting is a formal meeting where panel members carefully considers the child or young person's complaint. The child or young person and/or their advocate may attend the meeting. The panel will make recommendations and forward to the Director
- 2.5.5 The child or young person will be kept informed of the process and timelines as appropriate. CCT will notify relevant stakeholders' i.e. Oranga Tamariki.
- 2.5.6 At all times an accurate written account of any complaint will be kept in the Complaints section of FlowLogic and consultation/ discussion will take place with relevant parties/ persons. If required by any lawful obligation, the complaint may be sent to an external third party; for example Ministry of Health.
- 2.5.7 The complainant and/ or their representatives will receive notice of any outcome or decision relating to the complaint along with an explanation or reasoning. This information will be provided in accordance with the Privacy Principles and the HDC Rights and will be made in a manner appropriate to the complainant's understanding.
- 2.5.8 Unresolved complaints will be referred to the Health and Disability Commissioner or the Children's Commissioner.

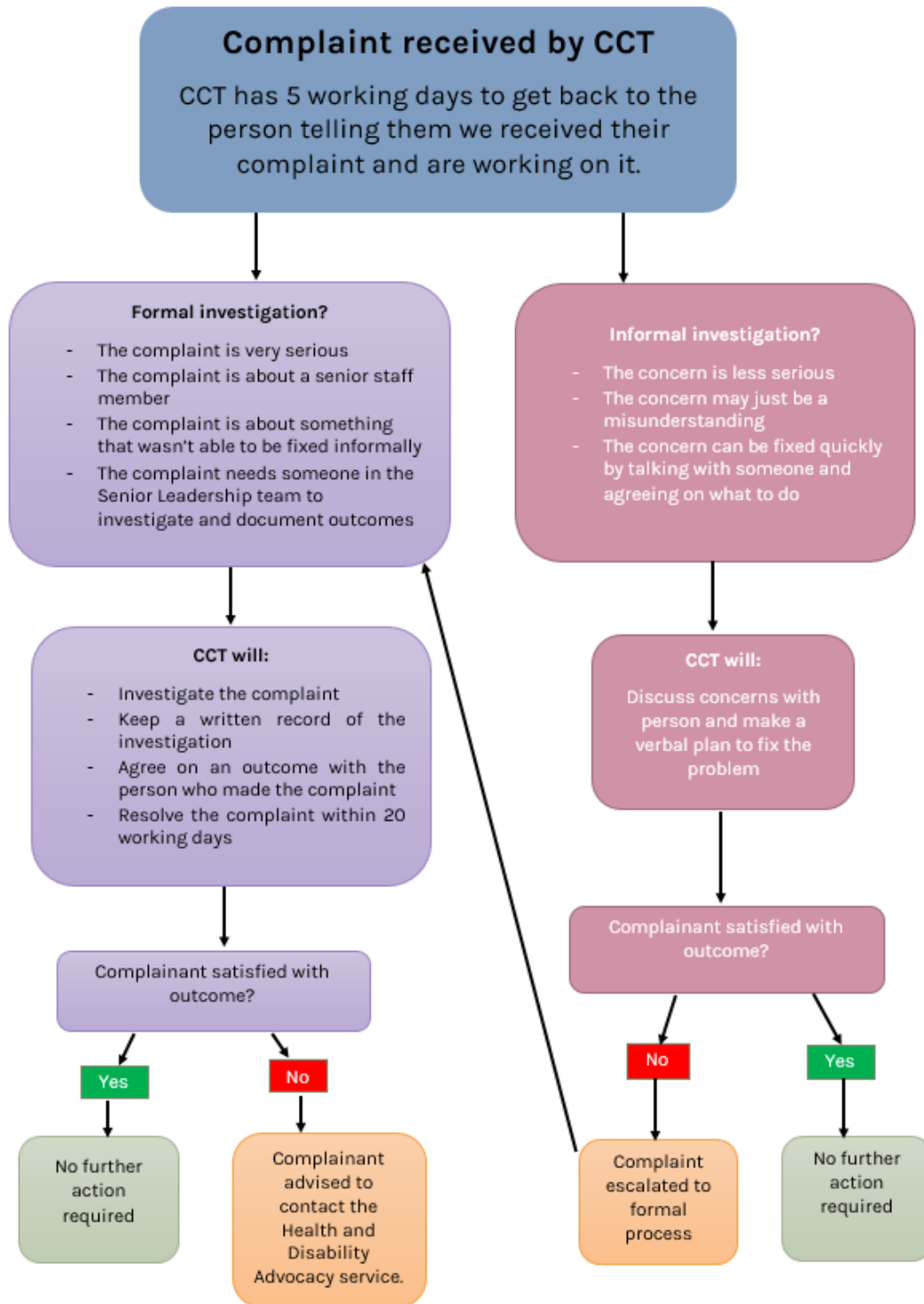
COMMUNITY CARE TRUST

Kaitiakitanga Tautoko Hapori

2.6 Advocacy

- 2.6.1 The Nationwide Health and Disability Advocacy Service is a free service that operates independently from all health and disability service providers and agencies.
- 2.6.2 The National Health and Disability Advocacy Service can be used by people to provide support throughout the process of making a complaint to CCT.
- 2.6.3 The contact number for the National Health and Disability Advocacy Service is 0800 555 050. The email is advocacy@avocacy.org.nz

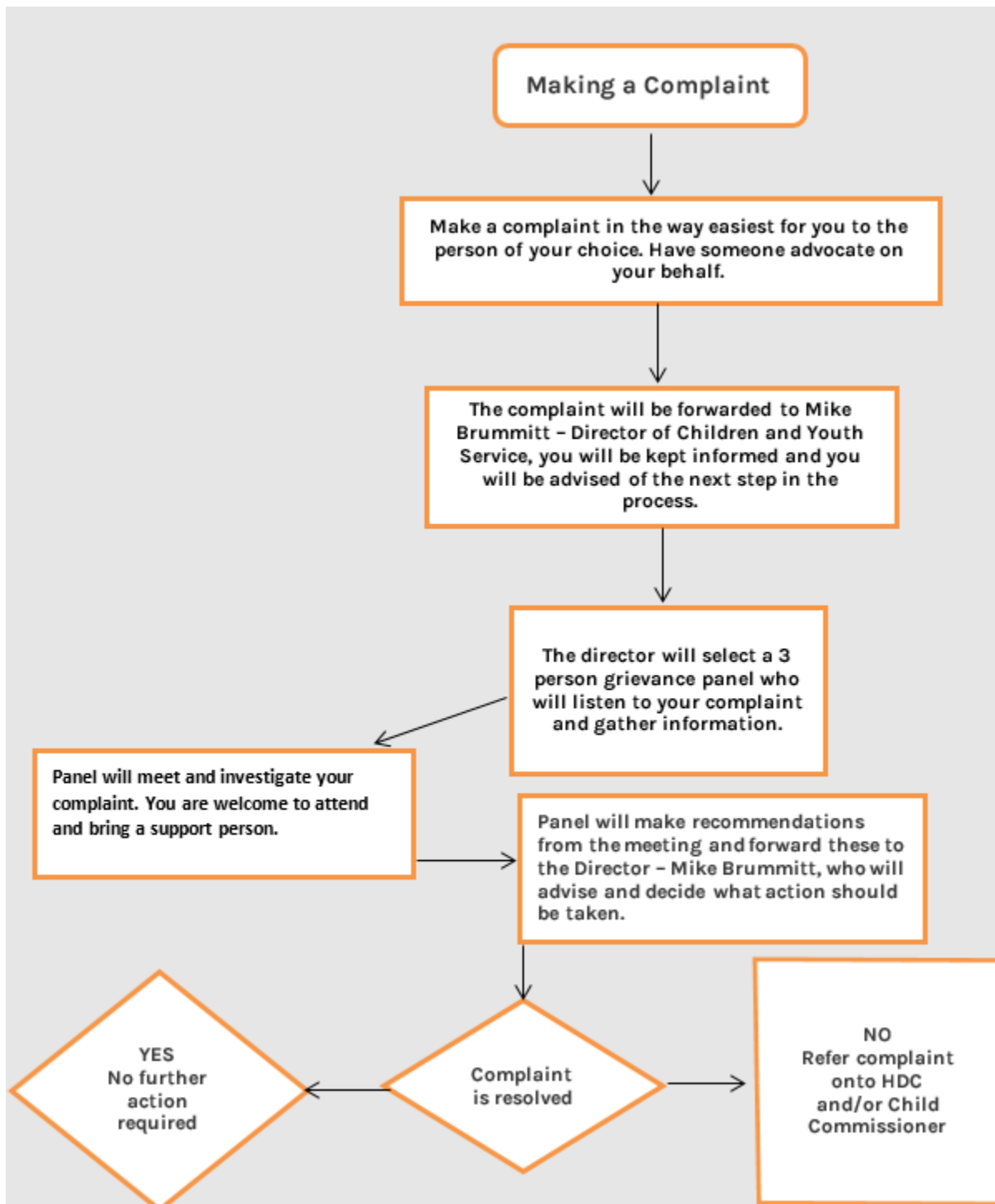
2.7 Making a complaint flowchart



COMMUNITY CARE TRUST

Kaitiakitanga Tautoko Hapori

2.8 Youth Grievance Panel Flow Chart



COMMUNITY CARE TRUST

Kaitiakitanga Tautoko Hapori

3.0 References:

<http://www.occ.org.nz/childrens-rights-and-advice/>

<https://www.hdc.org.nz/>

<https://advocacy.org.nz/>

4.0 Forms:

CCT Complaints Form

Youth Grievance Panel Information Sheet