

# Consumer Complaints Policy

The fundamental function of the Foundation is to deliver services aimed at improving the health of people with asthma and related conditions. In doing this the AFNT recognises and respects the rights and responsibilities of both consumers and staff.

This policy is intended to inform consumers of their rights and responsibilities, assist complaints being resolved in a timely and effective manner and improving the delivery of AFNT services.

Interaction with clients is based on a number of key principles. These principles are to be observed at all times:

## **1. Standards of service**

Consumers have a right to expect care that maintains their personal privacy and dignity, and treatment that takes into account cultural and ethnic backgrounds. Ethical and professional standards, including relevant legislation, shall be followed and services are to be provided without discrimination. Care and treatment will be timely and provided with reasonable skill and care and will be free of intimidation, coercion, harassment, exploitation, abuse or assault.

## **2. Communication and the provision of information**

Staff have a responsibility to provide, to the best of their capacity, accurate and up to date information that is responsive to the needs and concerns of each consumer. Care strategies will be explained to clients in a culturally sensitive manner and in a language and format they can understand. Any questions will be answered honestly and accurately. Information about other services and appropriate referrals are to be provided along with useful written information as requested.

Clients have a responsibility to provide accurate and timely information about their condition.

## **3. Decision making**

Consumers have a right to make informed choices including refusing care and seeking a second opinion. This should be accepted by the provider.

Providers have a responsibility to seek informed consent from consumers and ensure that the consumer understands the risks, complications or outcomes of choosing or refusing care.

## **4. Personal Information**

Clients have a right to information about their health.

Providers have a responsibility to protect the confidentiality and privacy of clients by ensuring that the consumer's information held by them is not made available to a third party unless the consumer gives

written authorisation. The consumer may, however, give consent for the provider to share information with other treating providers.

## **5. Relationships between user and provider**

Both consumers and providers have a responsibility to treat each other with respect and consideration.

AFNT staff have a responsibility to make clear what standards of behaviour and what language is acceptable when consumers interact with them. Staff are also obliged to advise clients if and why they are unable to provide a service the client has requested.

AFNT staff have a right to provide care and treatment free from intimidation, coercion, harassment, exploitation, abuse and assault.

Consumers have a responsibility to ensure they do not endanger or deliberately put the safety of AFNT staff or other service users at risk. This responsibility extends to the consumer's family members, friends, carers and advocates when interacting with AFNT staff.

## **6. Involvement of family, friends, carers and advocates**

Consumers have a right to involve family, friends, carers or advocates in their care and treatment. They can also withhold information from these people or request AFNT staff to withhold information from them.

AFNT staff have a responsibility to respect the role of family members, friends, carers and advocates and to respect the consumer's right to withhold information from those others.

## **7. Research, experiments and teaching exercises**

Providers have a responsibility to inform users if the care or treatment offered to them is experimental or part of a teaching or research exercise and users can withdraw at any stage.

## **8. Complaints and feedback**

Both consumers and providers have a responsibility to be fair, truthful and accurate when making or responding to a complaint. AFNT has further responsibility to

- provide a mechanism for consumers to give feedback or make complaints about their care and treatment
- inform consumers of the complaint process and how to make a complaint
- ensure that complaints are dealt with in an open, fair, effective and prompt manner and without reprisal or penalty; and,
- provide consumers with information about any external complaint resolution mechanisms and advocates.

## **CONSUMER COMPLAINTS AND FEEDBACK**

A recipient of services provided by Asthma Foundation NT who wants to comment or complain should always approach staff in the first instance. Otherwise, the Chief Executive Officer is to be contacted. If the matter is a complaint, the Chief Executive Officer will investigate the issue and send the complainant a full and prompt reply.

An alternative avenue for redress is the Health and Community Services Complaints Commission (HCSCC). There is no apparent legal impediment to a person making a complaint to the HCSCC even if no attempt has been made to resolve the issue in the first instance with the provider.

### **Resolving A Complaint**

If a complaint is brought to the attention of the Chief Executive Officer, a response must be made. Unless there are extenuating circumstances, a complaint to the Chief Executive Officer is to be in writing.

### **Responding to a complaint**

The Chief Executive Officer will acknowledge receipt of the complaint from the consumer within one week. This response will also indicate that the Board has been advised that a complaint has been lodged, that the staff member has been informed (if appropriate) and that a written response has been drafted.

If the Chief Executive Officer is away for a length of time the consumer will be advised accordingly by AFNT within one week of receipt of the complaint, indicating the matter will be considered and brought to the attention of the Chairman of the Board as soon as possible.

If the Chair and the Chief Executive Officer are both unavailable, then another Board member (preferably the Vice-Chair) is to be advised as soon as possible and a response acknowledging receipt of the complaint made within one week.

### **Advice to a particular staff member**

If a complaint is made against a particular staff member then that member will be advised by the Chief Executive Officer or Board member accordingly, based on the rules of natural justice.

### **Resolution**

The Chief Executive Officer will take the matter to the Board at the next scheduled meeting. The Board may deal with the matter in the following manner:

- Ask the Chief Executive Officer to deal with the matter
- Deal with the matter directly

- Review the written response drafted by the Chief Executive Officer and endorse it being sent.

### **Non-Resolution**

If the Chief Executive Officer and Board are unable to resolve the issue, the consumer may have recourse to the Health and Community Services Complaints Commission (HCSCC). This is a statutory body set up to help providers and consumers resolve complaints about health services and community services. Its key features include:

- Being independent, impartial and confidential
- Providing advice, support and assistance to both complainants and providers
- Resolving complaints informally
- Encouraging open discussion with all parties
- Being an alternative to legal proceedings and
- Protecting everyone involved in the complaint from reprisal, threats or intimidations

Everyone is treated equally and provided with procedural fairness

The Commissioner will usually deal with complaints in two stages:

- a. Through informal processes, promoting and assisting direct contact between the complainant and the provider to resolve the complaint. The Commission will also assess the complaint at this stage.

Through formal statutory powers and direction which may involve referral to a registration board or other authority