



Comments/Complaints Policy

Responsible Officer:	Manager, PHRN Policy and Client Services
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Superseded Documents:	PHRN Comments/Complaints Policy v1.0
Review:	To be reviewed in February 2013
Associated PHRN Documents	PHRN Complaint Management Procedures (in development) PHRN Conflict of Interest Policy

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1. Preamble

A national data linkage service in Australia offers significant opportunities to improve health and wellbeing and enhance the effectiveness and efficiency of health services in this country.

Responding appropriately to complaints is an important way of maintaining trust in Population Health Research Network (PHRN) services, preventing a minor grievance escalating into a major incident and improving service quality.

Complaints can provide insight into system failure and identify areas in need of improvement. Complaint management can be viewed as an early warning system to identify opportunities for systemic improvement. The early identification of individual complaints of a serious nature or with a potential for escalation are part of the PHRN's risk management program.

The PHRN Management Council recognises that the Network may receive comments as well as complaints. Positive comments provide an opportunity for PHRN to use positive consumer feedback to offset the perceived negative aspects of data linkage.

2. Purpose

The purpose of this policy is to set out the principles to be followed by the PHRN for managing verbal or written comments, feedback and complaints.

The complaint management process is not intended to apportion blame but strives to:

- resolve the complaint if possible; and

- identify any aspect/s of service delivery which require change and effect those changes where possible.

3. Scope

This policy applies to all comments and complaints about the PHRN infrastructure, facilities and services as outlined in the PHRN NCRIS and PHRN EIF-SSI Investment Plans. All PHRN Project Participants should have a comments and complaints policy which is consistent with this policy.

This policy does not apply to:

- Comments, complaints or disputes relating to the contracts and agreements between participants in the PHRN. These will proceed according to the relevant agreement.
- Comments or complaints by staff associated with a personal grievance or redress (such as unsatisfactory probation reports, refusal of leave, or discriminatory work assignments), nor with personal complaints associated with workplace safety, workplace discrimination or equal employment opportunity. These should be taken up with appropriate line managers/supervisors in the first instance.
- Complaints determined to be allegations of breaches of the *Australian Code for the Responsible Conduct of Research* or of research misconduct. Complaints of this kind will be dealt with according to the Framework outlined in the *Australian Code for the Responsible Conduct of Research*.

4. Principles

4.1 Promotion, accessibility and transparency of the comment and complaint process

The PHRN will encourage all individuals to provide comments, feedback and complaints and these will be responded to in an open, receptive and transparent manner. Complaints will be assessed to decide the most appropriate complaint resolution process, taking into account the seriousness and complexity of the complaint and the wishes of the complainant. Where possible, the PHRN will provide anonymity of comments, feedback and complaints.

4.2 Organisational commitment to effective complaint management

PHRN Project Participants will demonstrate their commitment to appropriate management of complaints by providing sufficient human and material resources to make sure all complaints are adequately managed, investigated and reported.

4.3 Timeliness of response

The PHRN will demonstrate commitment to the resolution of complaints in a timely manner.

4.4 Fairness and accountability

The complaint management process operates within a framework of procedural fairness/natural justice and confidentiality. Consistent with the principle of fairness, accountability and the rights and responsibilities of complainants and PHRN Project Participants, all complaints are treated as legitimate and investigated thoroughly and without prejudice. Complainants can withdraw their involvement with a complaint at any stage.

4.5 Continuous service improvement

The PHRN will regularly evaluate its Comments and Complaints Policy and associated practices. All comments and complaints will be recorded to enable review of individual cases, to identify trends and risks and report on aggregated comment and complaint

information. This process will include ensuring that recommendations from reviewed comments and complaints are implemented, reviewed and evaluated and policies and practices on comments and complaints are evaluated to decide effectiveness and make improvements.

4.6 Privacy and open disclosure

It is recognised that complainants have a right to have complaints regarding the PHRN investigated and resolved in a fair and confidential manner. PHRN Project Participants will establish procedures to make sure that relevant facts and decisions are communicated openly and the confidentiality of personal information is protected throughout the complaint management process.

5. Policy Statement

5.1 Comment and Complaint Recording and Reporting

PHRN Project Participants will follow formal processes to record and report comments, complaints and other forms of consumer feedback.

5.2 Declining to deal with a complaint

The PHRN may decide to decline to deal with a complaint because it is:

- vexatious or frivolous,
- is outside its jurisdiction, or
- the subject matter of the complaint (or part) has been or is under investigation by some other competent person or body or has been or is the subject of legal proceedings.

If a complaint has been declined, complainants will be advised of the reasons for the decision.

5.3 Old Complaints

Normally a complaint will be made within 12 months from the event that caused the problem. If the passage of time has been considerable, it may affect the PHRN's capacity to investigate a complaint and these constraints should be discussed with the complainant. Although it may not be possible to investigate the facts of the case, attempts will be made to achieve resolution.

5.4 Appointment of local Comments/Complaints Officers

Each PHRN Project Participant should appoint a Comments/Complaints Officer to oversee the implementation, co-ordination and monitoring of comments and complaints policies and procedures at the local level.

6. Associated Documents

6.1 Relevant Legislation

The PHRN recognises that this policy must operate within a legal framework which may impose various restrictions and obligations on those who deliver and access data linkage services. Users of this policy should refer to relevant legislation applicable in their jurisdiction including:

- State and territory information privacy acts and principles
- State and territory health information privacy acts and principles (where information is health information)
- State and territory legislation empowering collection, use and disclosure of information

- Common law duty of confidentiality
- Information Privacy Principles of Privacy Act 1988 (Cth) (where entity bound by PHRN Funding Agreement)
- State and territory protected disclosure acts
- State and territory anti-discrimination acts
- State and territory freedom of information acts

6.2 National Guidelines

- *Australian Code for the Responsible Conduct of Research* jointly issued by the National Health and Medical Research Council, the Australian Research Council and Universities Australia
- Australian Standard on Customer Satisfaction – Guidelines for Complaints Handling in Organisations (AS ISO 10002) 2006

6.3 PHRN Documents

- PHRN Complaint Management Procedures (in development)
- PHRN Complaint Management Guidelines (in development)
- PHRN Conflict of Interest Policy

7. Implementation

7.1 Roles & Responsibilities

7.1.1 PHRN Management Council

The PHRN Management Council has responsibility to endorse the PHRN Comments and Complaints policy and related procedures and guidelines. The Council will also be responsible for endorsing any amendments to these documents recommended as a result of the annual review of PHRN complaint management.

In the event that a complaint is deemed to be of a serious nature, the Council will determine the course of action to be taken to resolve the issue and manage the consequences.

7.1.2 PHRN Complaints Manager

The PHRN Complaints Manager will be based in the Program Office for Data Linkage and will manage the investigation of a complaint received in association with the relevant local Comments/Complaints Officers. This individual will provide written directions about who is to have primary responsibility for the handling and coordination of any action taken by the PHRN as a result of receiving the complaint. They will ensure that the investigation is conducted with assistance from PHRN staff taking into consideration any potential conflict of interest.

The PHRN Complaints Manager will oversee the implementation of effective complaint handling for the PHRN by:

- ensuring staff are provided with appropriate complaint management training;
- developing, monitoring and reporting performance criteria for complaint handling;
- reviewing local complaint management processes on an annual basis, including information on actions taken in response to complaints;

- ensuring appropriate actions are implemented to eliminate or minimise similar problems from occurring; and
- demonstrating a proactive approach to complainants and PHRN Project Participant feedback.

7.1.3 Local Comments/Complaints Officers

Each PHRN Project Participant should nominate an individual to assume the role of local Comments/Complaints Officer. Their responsibilities include to:

- make staff aware of this policy;
- determine and document locally an appropriate strategy for managing any complaints received; and
- provide advice to and assist staff with appropriate ways to manage such situations.

7.1.4 Staff of PHRN Project Participants

Staff involved with the PHRN at all levels are responsible for developing an understanding of and becoming competent in the implementation of complaint management principles and practices in their work areas. Staff are required to assist when required in any complaint investigation conducted by the Comments/Complaints Officers and/or PHRN Complaints Manager.

Any staff members involved in complaints will be informed of, and included in the complaint management process.

7.1.5 Complainants

There are various responsibilities required of complainants when filing a complaint as listed below:

- provide relevant information to the PHRN staff regarding their complaint
- request assistance and further information when unsure about information provided to them regarding the complaint management process
- keep appointments, bringing relevant documents and information
- raise any concerns about the complaint management process with the PHRN staff as soon as possible.

As part of this process, complainants will have the right to:

- be treated with respect, dignity and consideration for their privacy
- have complaints treated as genuine and be properly investigated
- be given appropriate and easily understood information regarding the complaint process
- be asked what outcome they are seeking from the complaint, to inform resolution
- participate in decisions about the management of their complaint
- have personal information remain confidential within the complaint management process, unless otherwise agreed or required at law
- be able to comment on the progress of the complaint management process
- have their comments regarding their experience of the complaint process respected, documented and acted upon as appropriate

- feel that their access to the PHRN has not been compromised because they have made a complaint.

7.2 Support & Advice

The PHRN Program Office for Data Linkage will be the central contact point for support and advice relevant to this policy:

- Phone: (08) 6389 7300
- Email: phrn@ichr.uwa.edu.au
- Address: 105 Hay St Subiaco WA 6008

7.3 Communication

A hard copy of this policy will be available in the central offices of all PHRN Project Participants. In addition, an electronic copy will be available on the PHRN website (www.phrn.org.au) and will be referenced in all information available to data users as part of the application process.

8. Review

Evaluation of the PHRN Comments/Complaints Policy and processes are to be undertaken by the PHRN on an annual basis. The review is to include:

- an evaluation of the policy and processes including a compliance audit of individual complaint files;
- surveys of staff, consumers and complainants; and
- an assessment of the adequacy of the complaints management system.

9. Definitions

Centre for Data Linkage refers to the secure data linkage facility hosted by Curtin University of Technology that will facilitate linkage between jurisdictional datasets, and between these datasets and research datasets, using linkage variables;

Complaints are defined as expressions of dissatisfaction regarding PHRN services and activities;

Complainant is a person or organisation that makes a complaint regarding any aspect of a service provided by the PHRN. They may be members of the general public, data users (including researchers, health care planners and health care providers), individuals associated with any of the PHRN Participants, data providers including data custodians, UWA staff, State or Federal Government agencies, and businesses or community organisations;

Data user means a person who performs research using data provided in the course of a PHRN project. This includes investigators, analysts and others who work for a range of organisations including academic institutions and government organisations;

Data custodian means the organisation or person responsible for granting access to an organisation's documents or electronic files while protecting the data as defined by the organisation's security policy or its standard information technology practices;

Linkage variables refers to the variables supplied by the data custodians to the data linkage units that are used to match records from different data collections that belong to the same individual, family, place or event. Examples of common linkage variables include name, address and date of birth;

National Linkage Keys means the alphanumeric codes created and stored by the Centre for Data Linkage which can be used to group records that refer to the same entity (for use in encrypted form in linking related jurisdictional health records);

Participant organisation means an organisation that will provide services and functions to the Project participants but will not be party to a legal contract with The University of Western Australia;

PHRN Funding Agreements means the agreements between the Commonwealth of Australia as represented by the Department of Innovation, Industry, Science and Research and the University of Western Australia regarding funding for implementing the Investment Plans for the research capability known as the Population Health Research Network, under the National Collaborative Research Infrastructure Strategy and the Education Investment Fund Super Science Initiatives, respectively;

PHRN infrastructure means the basic physical and organisational structures needed for the operation of the PHRN;

PHRN Management Council means the group established under the PHRN Funding Agreements to oversee the implementation of PHRN infrastructure in accordance with the PHRN NCRIS and PHRN EIF-SSI Investment Plans;

PHRN Participant's Agreement means an agreement between The University of Western Australia and a Project Participant which complies with the PHRN Funding Agreement, in which The University of Western Australia subcontracts some of its obligations under the PHRN Funding Agreements;

PHRN projects refer to data linkage projects involving the National Linkage Keys;

PHRN Project Participant refers to a party to a PHRN Participant's Agreement who is approved by the Commonwealth and is directly involved in data linkage activities;

Population Health Research Network means the Project Participants listed in the PHRN Funding Agreements and all committees established by the PHRN including the PHRN Management Council;

Procedural fairness/natural justice – Procedural fairness is concerned with the procedures used by a decision-maker, rather than the actual outcome reached. It requires that a fair and proper procedure is used when making a decision. A decision-maker who follows a fair procedure is more likely to reach a fair and correct decision.

Vexatious or frivolous complaints are those lodged with a primary purpose to harass, annoy, delay or cause detriment rather than genuinely intending to resolve the grievance. They also include complaints which are instituted or pursued without reasonable grounds.

10. Acknowledgements

- Standards Australia. Australian Standard on Customer Satisfaction – Guidelines for Complaints Handling in Organisations (AS ISO 10002) 2006.
- Western Australian Health Complaint Management Policy 2009. Department of Health Western Australia.
- Western Australian Health Complaint Management Toolkit 2009. Department of Health Western Australia.
- New South Wales Health Complaint Management Guidelines 2006. Department of Health New South Wales.
- New South Wales Health Complaint Management Policy 2006. Department of Health New South Wales.
- Complaints Management Handbook for Health Care Services 2005. Australian Council for Safety and Quality in Health Care.

Appendix A: History

Version	Authorised by	Approval Date	Effective Date	Sections modified
1.0	Professor Brendon Kearney	6 November 2010	6 November 2010	First endorsed version
2.0	Professor Brendon Kearney	3 February 2012	3 February 2012	Acknowledgement of PHRN EIF-SSI funding Minor changes to glossary