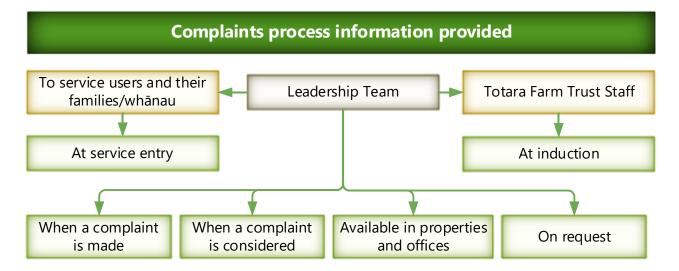


Purpose	Totara Farm Trust will ensure that the right of service users and/or their family/whānau/supports and Totara Farm Trust staff to make a complaint is understood, respected, and upheld.
Policy	Totara Farm Trust have a fair, transparent, and equitable system in place to easily receive and resolve or escalate complaints in a manner that leads to quality improvement.  All complaints will be managed in a systematic way as outlined in this document. Some complaints require notification to the relevant Ministry and will be processed using the appropriate format.
Scope	<ul> <li>Service users</li> <li>Families/whānau and other supports</li> <li>All staff</li> </ul>
Standards	NZS 8134:2021 Ngā Paerewa Health and disability services standard     1.8 Nōku te mana ki te tuku amuamu     I have the right to complain
References	
Guidelines	<ul> <li>Code of Health and Disabilities Services Consumer's Rights 1996.</li> <li>HDC: complaints processes.</li> <li>Self-audit: HDC complaints management guide.</li> <li>Whaikaha – Ministry of Disabled people – know your rights</li> <li>UN Convention on the rights of persons with disabilities</li> </ul>
Totara Farm Trust documents	<ul> <li>Service user rights during service delivery</li> <li>Advocacy and support</li> <li>Open disclosure</li> <li>Service user entry</li> <li>Communication</li> <li>Abuse and neglect</li> <li>Independence, privacy, dignity, and respect</li> <li>Informed consent</li> <li>Interpreter services</li> <li>Incident reporting and critical incident management</li> <li>Planning and support</li> </ul>
Definitions	· · · · · · · · · · · · · · · · · · ·
Complaint	<ul> <li>A complaint is</li> <li>Any expression of dissatisfaction about services provided.</li> <li>Dissatisfaction or unacceptable conduct of a staff member, student placement, volunteer, contractor, or Board member of Totara Farm Trust.</li> </ul>
Comment	A comment/feed-back is an observation, remark or expression of opinion about aspects of services that could be improved. All comments will also be considered as an opportunity to improve the services we provide.  A comment in not a complaint
Complaint sources	<ul> <li>Directly from a service user</li> <li>By family/whānau.</li> <li>By staff</li> <li>By advocates.</li> <li>By a member of the public.</li> <li>By the Privacy Commissioner's office.</li> <li>By the Health and Disability Commissioner's office.</li> <li>By another service provider.</li> </ul>
Anonymous Complaints	Complainants have the right to be anonymous. Investigation will occur within the limitations caused by the anonymity.

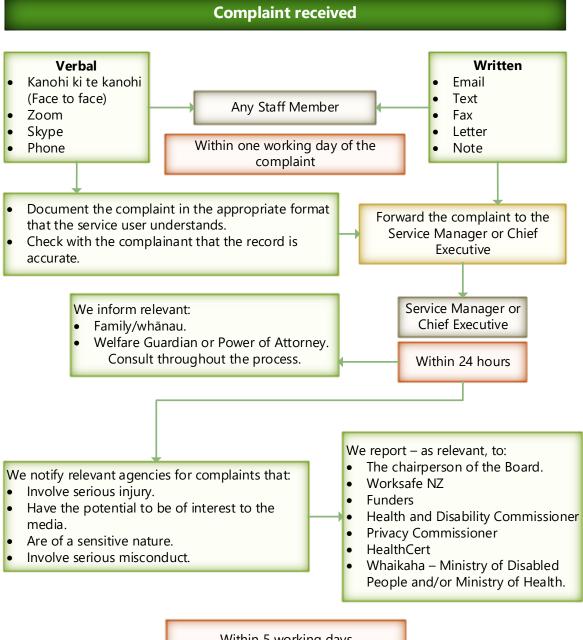


Totara Farm Trust does not distinguish between formal and informal complaints.

A complaint is a complaint!







#### Within 5 working days

- Contact the person who complained to formally acknowledge the complaint.
- Explain our complaints process.
- Inform the person they have the right to engage an independent advocate.
- Offer a face to face meeting.
- Ensure the complaints process respects cultural protocols.
  - Consider a specific tikanga process for Māori.
- Acknowledge the complaint in writing.
  - Include the advocacy services brochure.
  - Include the HDC complaint brochure in Māori and English.
- Some complaints will be reported to relevant people and agencies. For example:
  - Totara Farm Trust Board.
  - · Funding agencies.
  - Police.



# **Initial face to face meeting**

Discuss with the complainant who they wish to participate in the meeting. For example:

- Independent advocate.
- Key worker.
- Kaumatua, kuia, matua, community leader.
- Peer support.
- Whānau/Family/Other support person.

# Negotiate:

The date, time, and venue for the meeting. For example:

- At a marae.
- At our office.
- At a community space.
- At the complainants home.
- Online

#### Complaint Resolved

If the complaint is resolved during the discussion or the meeting.

- We practice open disclosure.
- A summary of the discussion meeting and the outcome sent to the complainant.
- The summary includes:
  - The process of appealing the outcome of the complaint.
  - The process of open disclosure.
- We provide the complainant with information on how to lodge a complaint with the HDC.
- Ascertain facts.
- Analyse all written evidence.
- Interview people involved.
- Interview people who may have observed anything.
- Assess and refer to best practice guidelines.
- Enlist a specialist if required.
- Enlist a cultural advisor if required.

# Complaint not resolved

Allocate an investigator

#### The investigator

- Cannot be the person who has been complained about.
- Has no conflict of interest.

#### **Investigation Process**

To be completed within 10 days

Allocated investigator

Complainant does not want the investigation to continue

No further involvement of the complainant in the investigation

#### Throughout the complaints process

- Implement the open disclosure processes.
- Ensure the complainant has support available.
- Ensure person/s being investigated has support available.

If the following conditions apply, continue with the investigation using the incident reporting and/or disciplinary processes:

- Any injury occurred.
- Misconduct of staff.
- Staff action outside scope of practice.
- High risk service users/whānau, staff member
- Non compliance with legislation.



#### **Investigation Completed**

Within 10 working days of the complaint being acknowledged

- We invite the complainant for a meeting to discuss the result of the investigation.
- We discuss the preferred meeting setting with the complainant.
- We encourage the complainant to bring supports of their choice, for example:
  - Independent advocate.
  - Kaumatua, kuia matua, community leader.
  - Key worker.
  - Peer support.
  - Whānau/family.
- A letter with the result of the investigation is sent/given to the complainant.
- Includes information on appeal processes.

Complaint closed

Final letter to the complainant including open disclosure requirements:

- Apology
- Inform what happened
- Inform what measures have been put in place to make changes or improvements

Inform complainant that the investigation will exceed 10 working days.

Complaint Resolved

Complainant not satisfied

Summary of the meeting/outcome of the investigation is sent to the complainant.

Update the complaints register.

Inform complainant that the investigation will exceed 10 working days.

Appeal initiated



- All documentation relating to the complaint will be filed in the complaints folder either electronically or paper folder.
- The service users records will refer to the complaint and the location of the documentation.

The complaint documentation is not held in a service users file!



# **Appeal Process**

Service Manager/Chief Executive/External Reviewer

The Complainant does not accept the outcome of the complaints investigation

#### Within One week

Encourage the complainant to bring a support person to the meeting, for example:

- Family/whānau
- Advocate
- Interpreter
- Key worker
- Cultural support
- Peer Support

- Seeks information from the person who investigated the complaint.
- Reads the complaint related documentation.
- Contacts complainant
- Offers to meet.
- Ascertains what the complainant is unhappy with

#### Discerns

- Soundness of investigation.
- Need for reinvestigating.
- Any other steps to be taken.

Within 5 working days

Decision on next steps is made

Close investigation and complaint

Inform the complainant of the decision in writing.

Yes

- Write a letter to the complainant explaining the decision making processes.
- Include in the letter that the complainant can be further investigated by:
  - The Health and Disability Commissioner.
  - Whaikaha Ministry of Disabled People.
  - The Privacy Commissioner.
  - The Human Rights Commissioner.
- Update the complaints register.

- Follow the investigation process again.
- If the complainant is still not satisfied with the outcome suggest that the person complains directly to:
  - The Health and Disability Commissioner.
  - Whaikaha Ministry of Disabled People.
  - The Privacy Commissioner.
  - The Human Rights Commissioner.
- Update the complaints register.



# **Service Improvement Process** Within 3 months of completed investigation Identify areas of service improvements as the result of complaints. Follow up with service improvement requests. Assess the effectiveness of improvement measures taken. **Quality Committee** 3 - 6 monthly Reports to be provided to the Board of Trustees including: Complaints lodged. Complaints resolved. Status of investigations. Results of investigations. Trends and analysis. Consult and discuss service improvement measures at (as relevant to a specific complaint or trend): Staff meetings. Service Manager Service user meetings. Family/Whanau meetings. Leadership Team Meetings Yearly Trend analysis. Check if service improvement requests are implemented. **Quality Committee** Analyse effects of service improvement measures.