

	<b>CONSUMER FEEDBACK</b>	RELATED POLICY NO CNS 03	PROCEDURE NO: CNS 03-001	VERSION NO: 6
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### 1. PURPOSE

Te Oranganui Trust will have a precise procedure for dealing with consumer complaints in a fair and timely manner that complies with the relevant consumer rights legislation, contributes to the provision of quality health services and encourages consumers to offer their views on Te Oranganui services.

### 2. APPLICATION

This Procedure is to be followed by all kaimahi of Te Oranganui including volunteers and work placement staff.

### 3. DEFINITIONS

For the purposes of this Procedure:

**Consumer** is taken to mean any user or potential user of a Te Oranganui service

**Complainant** is taken to mean an individual who makes a complaint

**Complaint** is taken to mean any adverse comment, received from an identifiable consumer or their representative about any aspect of the quality of a health service provided by Te Oranganui

**Compliment** is taken to mean any gesture or comment said to express praise or approval

**Concern** is taken to mean an issue which causes an uneasy or anxious feeling; that is, a cause of worry

### 4. PROCESS

- 4.1. The Consumer Feedback Procedure will be advertised prominently in Te Oranganui facilities and on the Te Oranganui website.
- 4.2. Te Oranganui recognises that despite the best intentions of competent and caring professionals, adverse events may occur. Te Oranganui takes a no-blame approach towards kaimahi, and is committed to the ongoing development of a culture where everyone has a constant and active awareness of the potential for things to go wrong, that is fair and open, where kaimahi are able to learn from errors and act upon them. To this end, no disciplinary action will result from making complaints, or the reporting of incidents, mistakes or near misses, except in circumstances where there are criminal or malicious acts, or acts of gross negligence.

#### DOCUMENT MANAGEMENT CONTROL:

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- 4.3. In the event that it becomes clear that kaimahi competency is the root cause of a complaint, Te Oranganui management will make every reasonable effort to ensure kaimahi can reliably deliver safe care. If it becomes clear that a kaimahi cannot practice in a reliably safe manner by providing support such as education and mentoring, this situation will be treated as a kaimahi competency issue through normal disciplinary channels.
- 4.4. Complaints may be received at any time, by any kaimahi, either verbally or in writing. However, complaints will only be investigated where the identity of the consumer is provided. Anonymous complaints by their very nature cannot be investigated. Where a kaimahi receives an anonymous complaint, they are to inform the complainant that without the identity of the consumer involved, the complaint cannot be investigated, and allow them the opportunity to consider providing their identifying information. Nonetheless, kaimahi who receive a complaint from a consumer who wishes to remain anonymous should forward as much detail about the complaint as possible to Te Taituarā for a decision about any other action that may be taken.
- 4.5. Upon receiving a verbal complaint, kaimahi are required to ensure that the relevant details and facts of the complaint are received and written down on a Te Oranganui feedback Brochure (Q-008), and to check the accuracy of these details with the complainant. The procedure for dealing with complaints is to be explained to the complainant, and the kaimahi concerned is then to forward to Te Taituarā for processing.
- 4.6. The Kaihautū/Mātaiwhetū may consider that the complaint is actually just a **Concern** that can be quickly and readily resolved in conversation between the complainant and the relevant Kaihautū.
- 4.7. Alternatively, the Kaihautū/Mātaiwhetū may also receive a **Compliment** (or other positive feedback). This feedback should be passed on to kaimahi concerned and shared with the wider organisation if appropriate.
- 4.8. Any documentation relating to a Concern or Compliment should be forwarded to Te Taituarā for entering into the database, filing and to assist with preparation of quarterly reports.
- 4.9. Upon receiving a written complaint, the kaimahi who receives the complaint is to forward to Te Taituarā for processing immediately.
- 4.10. Where a kaimahi feels that they are unable to receive the complaint, they are to arrange for a member of Te Taituarā to receive the complaint. This is to be undertaken in a polite and efficient manner, with the kaimahi explaining to the complainant that they will arrange for their complaint to be dealt with via Te Taituarā.
- 4.11. Upon receipt of a complaint Te Taituarā will, within 1 working day:
  - i) date-stamp the complaint;
  - ii) enter the complaint into the Complaints Database;
  - iii) begin completing Complaints Record (Q-009);
  - iv) refer the complaint to the relevant Kaihautū (including the Mātaiwhetū if the complaint concerns management). All complaints will be acknowledged in writing within 3 working days of receipt by Te Taituarā unless on referral, the Kaihautū/Mātaiwhetū is advised that the complaint is more appropriately treated as a concern in which case 4.6 and 4.8 above should be followed.

- 4.12. Upon receipt of a complaint from Te Taituarā, the Kaihautū/Mātaiwhetū or other person delegated for this purpose, will immediately:
  - i) notify any kaimahi identified in the complaint;
  - ii) assign responsibility for the investigation of the complaint, such investigation to be completed within 5 working days;
  - iii) assess the risk associated with the complaint and immediately notify the Mātaiwhetū of any significant risk, including any event in which there has been a real risk of serious harm to any person;
  - iv) if the complaint was as a result of an incident, this should also be reported and logged on the Incident Report Manager
- 4.13. At the conclusion of the investigation, the Kaihautū/Mātaiwhetū or other person delegated for this purpose will assess how best the complaint may be resolved. If this is to be by meeting then he or she should proceed to implement this. If resolution is to be in writing then this should be forwarded to the complainant within 2 working days.
- 4.14. All complaints will be investigated and a response provided within 10 working days of receipt of the complaint. If more time is required, the complainant must be informed in writing of the extra time required, and the reason for the extension. If the investigation exceeds 30 working days, then the complainant is to receive a written notification of the current status of the investigation, and the likely time to conclusion. Responsibility for seeking any extension of time sits with the person in whose responsibility the delay occurs (relevant Kaihautū or Mātaiwhetū).
- 4.15. All investigations are to be undertaken in a manner that:
  - i) is fair to all concerned and thorough;
  - ii) abides by the principles of open disclosure;
  - iii) take a no-blame approach;
  - iv) respects the rights to privacy of those involved;
  - v) reviews all relevant documentation;
  - vi) checks the accuracy of information provided;
  - vii) consults with all those individuals involved with the complaint;
  - viii) make every attempt to positively resolve issues.
- 4.16 The investigator is to document the investigation itself and record all information gathered as part of the investigation completing the rest of the Complaint Record (Q-009) as appropriate
- 4.17 All complaint resolution letters are to be from the relevant Kaihautū/Mātaiwhetū and must include:
  - i) a summary of the complaint;
  - ii) a summary of the investigation undertaken;
  - iii) a summary of the findings;
  - iv) a conclusion noting what actions are to be taken (which may or may not include an apology).
- 4.18 If as part of the investigation that is undertaken into any complaint, it appears that there have been deficiencies on the part of a kaimahi, the Kaihautū or Mātaiwhetū receiving the investigation report shall also undertake an investigation into the performance of the kaimahi concerned, in line with the relevant Te Oranganui He Tangata (Human Resource) Procedures.
- 4.19 If a particular kaimahi is alleged by a complaint to have acted in a detrimental manner, the Kaihautū of the service concerned will notify that kaimahi of the outcome of the complaint in a timely and appropriate way.

- 4.20 Where a consumer has had a negative experience of a Te Oranganui service but does not wish to make an official complaint, or when a complaint is anonymous, the Kaihautū/Mātaiwhetū will determine if any investigation is warranted, subject to principles of natural justice, open disclosure and no-blame. If not, these will be entered as a Concern on the Complaints Database.
- 4.21 All process steps are to be recorded on Complaint Record (Q-009) to enable progress to be monitored and for quality assurance purposes.
- 4.22 All documentation concerning each complaint is to be kept in hard copy in a central file held confidentially in Te Taituarā office (although other offices may also retain working files while a complaint is under investigation). For the avoidance of doubt, this file is to include all written documentation related to the complaint and its investigation, printed copies of any electronic communication concerning the complaint and written file notes of any verbal conversations and actions concerning the complaint.
- 4.23 Te Taituarā will provide a quarterly report to the Audit & Risk Committee summarising complaint statistics for that quarter, and by the end of July provide a review and analysis of complaints for the previous 12 months. Te Taituarā will notify the Clinical Governance chair of and Senior Management Team quarterly, summarising any relevant complaints. This review is to provide analysis of any significant trends to assist in strategic planning and service improvement and development.

## **5. REFERENCES & SOURCES**

- Consumer Feedback Policy
- Health and Disability Services' Code of Consumer Rights Complaints Handling AS 4269-1995
- Q-008 Feedback Brochure
- Q-009 Consumer Complaints Record