



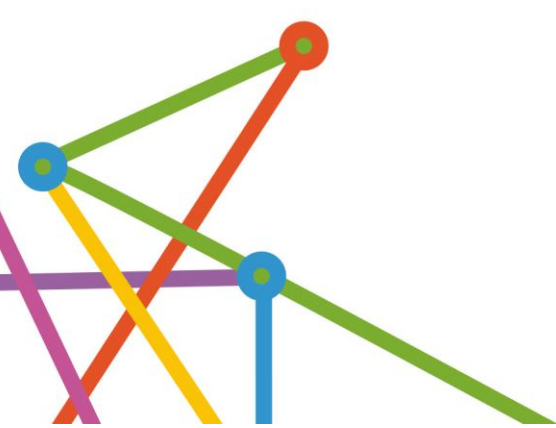
Complaints and Appeals Management Policy

17 February 2020



**WA Primary
Health Alliance**
Better health, together

phn
PERTH NORTH, PERTH SOUTH,
COUNTRY WA
An Australian Government Initiative



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1. Purpose

This Policy describes the way in which WA Primary Health Alliance receives, acknowledges, manages, and resolves complaints that are within its remit to address. The Policy also provides guidance to people wishing to lodge a complaint with, or about, WA Primary Health Alliance, to ensure our mechanisms for complaint management are clearly explained.

The Complaints and Appeals Management Policy ensures that we respond to issues, create confidence in our organisation, and review all feedback to inform our quality improvement systems.

2. Applicability

This Policy provides guidance for members of the public who wish to lodge a complaint with WA Primary Health Alliance, The Policy applies to all WAPHA employees receiving or managing complaints from the public made to, or about, WAPHA, regarding our service or staff. The Policy also defines the management of appeals that may occur as the result of a complaint outcome or decision.

Grievances raised by employees about fellow employees, and / or WAPHA processes and decisions that affect them as staff members, are dealt with via alternative mechanisms.

3. Relevant legislation

Nil applicable

4. Referenced documents

Primary Health Networks Program Complaints Policy
Complaint Lodgement Form
Complaints Register
Notifiable Incidents Policy

5. Abbreviations

CEO	Chief Executive Officer
COO	Chief Operating Officer
DoH	Australian Government Department of Health
FARM	The Financial Audit and Risk Management Committee
WAPHA	WA Primary Health Alliance

6. Definitions

Complaint	Refers to an expression of dissatisfaction made to, or about, WAPHA, its staff, or its services.
Notifiable incident	Refers to an incident that a Contracted Provider is required to report to WAPHA. Defined in the contract as an incident 'where harm or death is, or could have been (Near Miss), specifically caused (or suspected to be caused) by the Clinical Services rather than the underlying condition or illness or the person receiving the Clinical Services.'
Dispute	Refers to an unresolved complaint escalated either within or outside the organisation.
Feedback	Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about WAPHA, its staff, or its services.
Grievance	An expression of dissatisfaction, informal or formal, by an employee about another employee or work-related issue.
Contracted provider	Refers to an organisation that has entered into a contractually binding agreement with WAPHA for the provision of a service.

7. What we do

WAPHA is the organisation that oversees the strategic commissioning functions of the three Western Australian Primary Health Networks (PHNs): Perth North, Perth South, and Country WA. WAPHA's primary objective is to improve health outcomes and patient experiences through the commissioning of appropriate services where they are most needed.

WAPHA also provides support for general practices and, increasingly, to organisations in other healthcare settings such as pharmacies, allied health professionals, and specialists.

About the Primary Health Networks

Primary Health Networks are commissioning frontline services for core priorities identified in their region. PHNs have autonomy and flexibility to decide which services of healthcare interventions should be provided within their regions, who should provide them, and how they should be paid for.

8. Scope of complaints

A complaint is an expression of dissatisfaction with made to, or about, WAPHA, its staff, or its services.

WAPHA will treat all complaints as serious, however it may not be within WAPHA's remit to resolve all complaints submitted to it. Where the complaint does not fall within WAPHA's scope, the complainant will be offered other avenues for lodging a complaint (see Appendix 1).

WAPHA will seek to resolve the following complaints within its own complaints management process:

- complaints about how our commissioning processes were undertaken
- complaints about the outcome of a commissioning process
- complaints about stakeholder engagement
- complaints about the actions of our staff
- other matters relating to our business processes and performance

WAPHA will review the following complaints within its own complaints management process, but may also direct the complainant to submit the complaint to the relevant external body or authority:

- complaints about a service provider funded by WAPHA
- complaints about an individual practitioner
- complaints about a healthcare provider with whom we engage

It is expected that service providers and stakeholders will have their own mechanisms for managing complaints, and WAPHA may recommend that a complainant direct their matter to the provider instead of, or in addition to, submitting a complaint to WAPHA. WAPHA may also recommend that the complainant contact the relevant professional complaints body.

WAPHA will direct the following complaints to the Department of Health for referral or assessment through the *Primary Health Networks Program Complaints Policy*:

- suspected fraud against the Commonwealth by a funded organisation
- misuse of Commonwealth funds or assets purchased with Commonwealth funds
- non-compliance with the terms and conditions of the funding agreement with the Commonwealth
- inappropriate or poor management of conflicts of interest
- breaches of privacy
- complaints about the outcome of a departmental assessment

WAPHA will consistently manage all complaints, and will seek to resolve all those within its scope. If a complaint is made directly to the Department of Health without first being submitted to WAPHA, it is likely that the Department will refer the matter back to WAPHA for initial consideration.

9. Objectivity and fairness

WAPHA is committed to seeking and receiving feedback about its staff, systems, services, policies, procedures, and complaints management.

People who make complaints will be:

- a) provided with the necessary information about our complaints management system
- b) provided with the mechanisms to make a complaint
- c) listened to, treated with respect, and actively involved in the complaints process where possible and appropriate, and
- d) provided with substantiation for complaint decisions and outcomes, and mechanisms for appeal

WAPHA will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them, or on their behalf.

WAPHA will ensure that the person handling a complaint is different from any staff member whose conduct or service is the subject of the complaint. Conflicts of interest, whether actual or perceived, will be managed responsibly, and internal reviews of how a complaint was managed and / or appeals will be conducted by people who were not involved in the original complaint decision or outcome.

10. Confidentiality

WAPHA applies the principles of its Privacy Policy in all aspects of its business.

Information supplied to us will only be disclosed with the permission of the individual or organisation, or as required by relevant privacy laws, secrecy provision, or any other relevant confidentiality obligations, including those imposed by the Commonwealth.

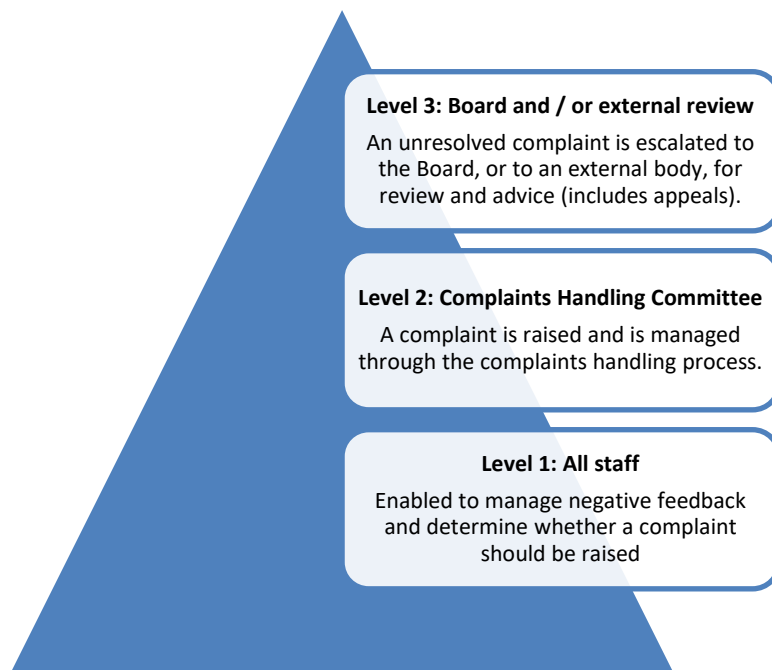
During the investigation of a complaint, the identity of the complainant will be kept as confidential as is practical. It is important, however, that complainants are aware that certain details may, inadvertently and during the investigation, identify an individual or organisation.

From time to time, WAPHA may also be required to provide data to the Department of Health to support analysis of complaints data that identifies systemic PHN program trends or issues. In such instances, data will be de-identified to ensure confidentiality.

11. No cost to people making complaints

WAPHA will take steps to ensure that there is no personal or financial cost to people making complaints.

12. Complaint management roles



Level 1: All staff

WAPHA will aim to resolve most issues raised at the first level, or frontline. Staff shall be adequately equipped to respond to negative feedback, including being provided with appropriate authority, training and supervision.

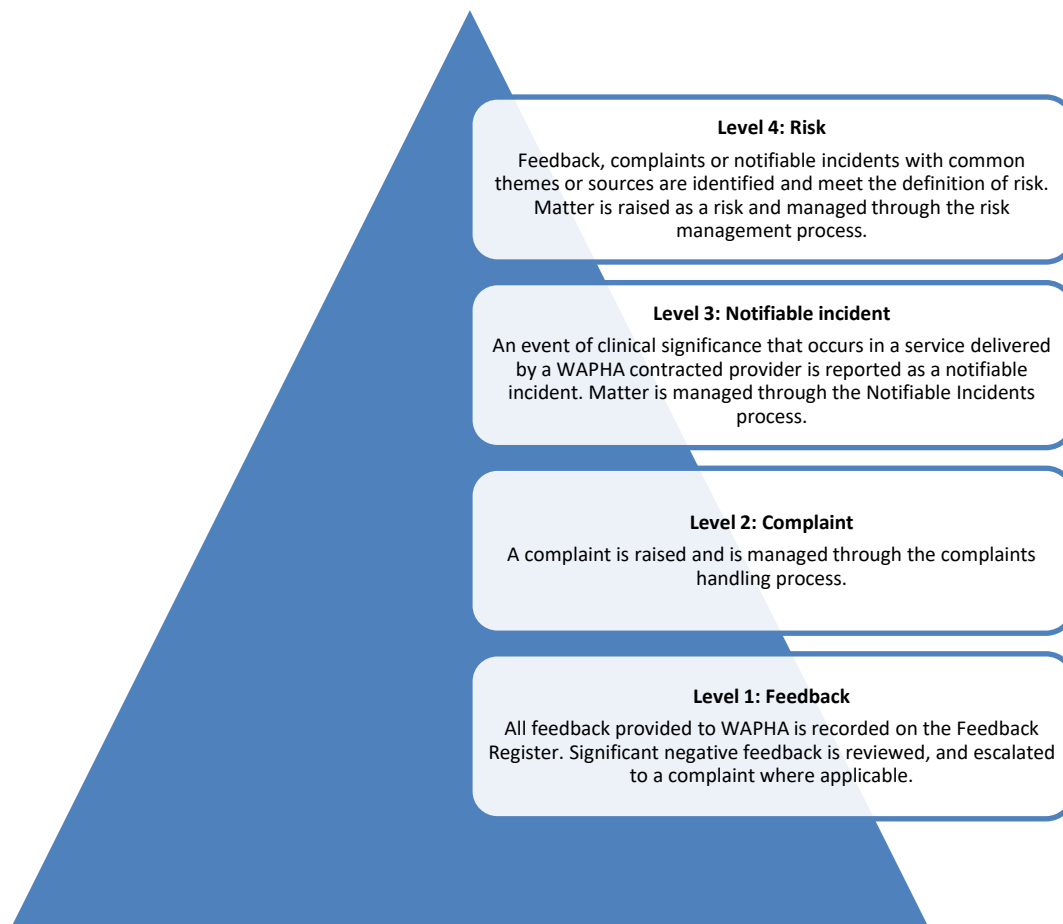
Level 2: Complaints Handling Committee

Where this is not possible, or where the matter is deemed to be a complaint, staff are directed to identify the matter as a complaint, and escalate the information into the complaints management process.

Level 3: Board and / or external review

Where the complainant is not satisfied with the decision or outcome, or the complaint cannot be resolved through the complaints management process, the matter may be escalated to the WAPHA Board, or directed to an external body (such as the Department of Health) for review.

13. Escalation of matters



WAPHA has established a hierarchy to define feedback of all types, enabling information to flow between different processes depending on type and severity of impact. The hierarchy is based on the following assumption:

Level 1: Feedback

The largest proportion of feedback provided to WAPHA remains in an inert state, requiring only monitoring, review for themes, and forms the basis of broader quality improvement initiative.

Level 2: Complaint

From the review of feedback, significant negative feedback may be identified, and escalated as necessary to the complaints process.

Level 3: Notifiable Incident

As it is the responsibility of contracted providers to report notifiable incidents that occur in their services, such reports will ideally not be identified within the general feedback or complaints. However, the process of continuous review should ensure that matters are escalated and addresses appropriately should they be found to meet the definition of a notifiable incident.

Level 4: Risk

Feedback at any level may be identified as a risk. For example, it may be that multiple issues are raised about a contracted provider, a WAPHA business function or service, or a sector organisation. Again, the process of continuous review is designed to safeguard risk management by enabling early identification of emerging concerns.

14. Lodging a complaint

Complaints shall be lodged in writing, via post or email, to

feedback@wapha.org.au

or

Quality & Accreditation Lead
WA Primary Health Alliance
PO Box 591
Belmont WA 6984

A person who raises a matter via telephone which a WAPHA staff member assesses as being a possible complaint will be asked to submit their concerns in writing for appropriate assessment and management.

To enable effective assessment of the complaint, WAPHA requires the following information:

- the contact information of the person making the complaint (the complainant)
- issues raised by the complainant, and any outcome/s they are seeking
- any available evidence to support the complaint
- information relating to any attempts the complainant has made to resolve the complaint
- any other relevant information, and

All complaints will be recorded using a *Complaint Lodgement Form*, recorded on the WAPHA *Complaints Register* and referred to the Complaints Handling Committee. The Complaints Handling Committee is notified immediately of newly registered complaints. Should any member of the Complaints Handling Committee be directly involved in the complaint itself, that member will be excluded from the initial assessment, and any continued handling, of the complaint.

On receipt of the notification of a newly registered complaint, the Committee will make an assessment of the nature of the complaint, and determine appropriate action. This may include seeking further advice from the Board, the Executive or Leadership Teams, the Department of Health, or legal advice.

15. Timeframes for complaint management

WAPHA will acknowledge the receipt of a complaint within three business days of its submission.

WAPHA will triage the complaint, and provide the complainant with a decision on whether the complaint is within scope, within three business days of complaint acknowledgement. If the complaint is found to be outside WAPHA's scope of complaints management, WAPHA will provide the complainant with the contact details of the appropriate body (or bodies) to which the complaint may be addressed. The course of action will be recorded on the *Complaints Register* against the matter.

While WAPHA will seek to resolve all complaints within thirty business days, it is possible that these timeframes will not always be achievable. WAPHA will communicate with the complainant and other parties throughout the process to provide reassurance to all parties of its continued efforts to resolve the complaint, and to provide indicative timeframes for resolution.

16. Matters relating to contracted providers

In accordance with the requirements of the contracts signed between WAPHA and services that it funds, service providers are required to report, to WAPHA, all significant clinical incidents that occur within the service provided under the contract. Serious clinical incidents raised by services will be

managed through the *Notifiable Incidents Policy*.

If a complaint is lodged about a WAPHA-contracted service, the matter should be recorded initially on the *Complaints Register*. The Complaints Handling Committee will review the matter, and determine the appropriate course of action. If the matter meets the definition of a Notifiable Incident, the complaint shall be recorded on the Notifiable Incidents Register, and the provider must be contacted to explore the matter with reference to the reporting requirements. The complainant should be directed to raise the complaint with the service provider and, where appropriate, any relevant external organisations.

If the complaint about a service provider does not meet the definition of a notifiable incident, the complainant should be directed to raise the complaint with the service provider and, where appropriate, any relevant external organisations.

In all instances, the complaint will be recorded on the *Complaints Register* to ensure appropriate handling of the matter, and to enable the identification of risk in the event of multiple complaints relating to a contracted provider.

17. Addressing complaints

If the complaint is deemed to be within WAPHA's scope or control, we will consider how to manage the complaint. This may include:

- providing the complainant with information or an explanation
- gathering information from the service, person or area that is the subject of the complaint
- investigating claims made in the complaint
- ensuring appropriate corrective action is taken

18. Decisions and outcomes

Following consideration and investigation, WAPHA will contact the complainant (ideally within thirty business days of the original complaint submission) and advise them of:

- the outcome of the complaint and any action taken by WAPHA
- the reason(s) for the decision
- the remedy or resolution that has been proposed or implemented, and
- any options for review that may be available to the complainant, such as internal review, external review, or appeal

If the complaint cannot be resolved through WAPHA's complaints management mechanism, the complainant will be provided with the option to escalate the complaint to the Department of Health for assessment through the *Primary Health Networks Program Complaints Policy* complaints management process.

If a complainant receives a decision or outcome following the submission of a complaint made directly to a provider about a service funded by WAPHA, and the decision or outcome does not resolve the issue, or does not alleviate concerns about ongoing patient / consumer safety and care, WAPHA may raise the issue directly with the service provider, or refer the issue to the relevant external authority. In cases where WAPHA may be seen to be acting on behalf of the consumer, approval from the Board shall be sought before proceeding.

19. Appeals

An appeal against the decision of a complaint must be submitted in writing to:

The Company Secretary
WA Primary Health Alliance
PO Box 591
Belmont WA 6984

The submission must state the basis for the appeal, and provide evidence as to why the appellant believes the decision was unjust. Appeals must be submitted within three months of the complainant being notified of the outcome or decision of the original complaint.

The appeal will be initially referred within five business days to the Financial Audit and Risk Management (FARM) Committee, a sub-committee of the WAPHA Board. This sub-committee includes at least three (and up to five) permanent members from the WAPHA Board, and will not include any persons who were involved with, or the subject of, the original complaint or decision.

The FARM Committee may recommend:

- that the original decision be upheld
- that the appeal be referred to, or warrants further advice from, an external or legislative body
- that the appeal be subject to legal advice

In all cases, the appellant will be fully informed in writing, and within twenty business days, of the outcome of the deliberations, and any avenues of further appeal available, should these exist.

The FARM Committee shall be responsible for ensuring that all appeals are handled with due diligence.

Appeals and their outcomes shall be reviewed at each Board meeting.

20. Record-keeping

WAPHA shall maintain comprehensive records for each complaint, including:

- the initial complaint correspondence
- how the complaint was initially assessed (including where the complainant was referred to another body or organisation)
- the decision relating to the complaint
- any recommendations made to address issues raised in the complaint
- any decisions made on those recommendations
- and, if applicable, feedback provided to additional parties (such as the service provider, stakeholder, or Department of Health)

Utilising a complaints register allows WAPHA to effectively track complaints over their lifecycle, and provides an overview of complaints that assists to identify emerging issues, risks or trends that can be mitigated by early intervention. It also ensures the ongoing relevance and currency of this Policy.

The *Complaints Register* shall be reviewed at each Board meeting, and relevant findings communicated to the business teams concerned.

21. Quality improvement and risk management

Feedback, complaints and appeals are recorded and reported upon to support WAPHA's continuous quality improvement systems and goals.

Complaints provide WAPHA with the opportunity to identify and address issues within its business processes, including the efficacy of the complaints management process itself.

Where it is noted that records on the Complaints Register have commonalities, such as a provider or business function, the Committee shall determine whether the issue needs to be escalated to the Risk Register.

22. Breach of policy

A staff member who engages in any conduct that constitutes a breach of this policy may be subject to appropriate disciplinary action, up to and including termination of employment or contract of service.

23. Employee agreement

Nil applicable.

24. Variation

WAPHA reserves the right to vary, replace or terminate this Policy from time to time.

25. Document management

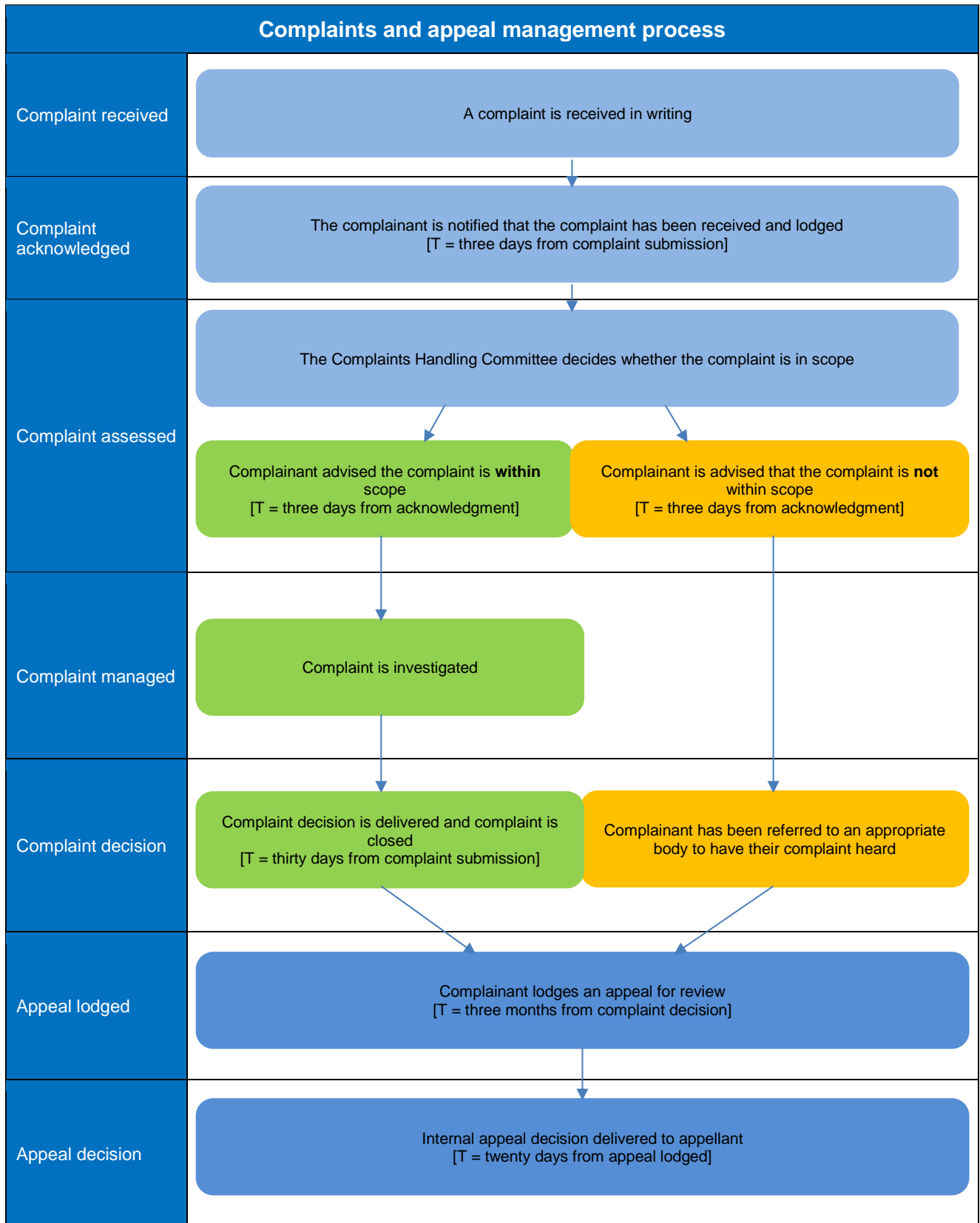
Document custodian	Document review date
Chief Operating Officer	20 February 2021

Appendix

Alternative avenues for health-related complaints

<p>PHN Operations Section MDP 410 Program Delivery Branch Health Grants and Network Division Australian Government Department of Health GPO Box 9848 Canberra ACT 2601 W: http://www.health.gov.au/internet/main/publishing.nsf/Content/PHN-Program_Guidelines</p>
<p>Health and Disability Services Complaints Office (HaDSCO) PO Box B61 Perth WA 6838 Ph: 08 6551 7600 or 1800 813 583 E: mail@hadsco.wa.gov.au W: https://www.hadsco.wa.gov.au/home/index.cfm</p>
<p>Health Consumers' Council GPO Box C134 Perth WA 6839 P: 08 9221 3422 or 1800 620 780 E: info@hconc.org.au W: https://www.hconc.org.au/</p>
<p>Ombudsman Western Australia PO Box Z5386 St Georges Terrace Perth WA 6831 P: 08 9220 7555 or 1800 117 000 E: mail@ombudsman.wa.gov.au W: http://www.ombudsman.wa.gov.au/Complaints/Making_complaints.htm</p>
<p>Australian Health Practitioner Regulation Agency (AHPRA) GPO Box 9958 Perth WA 6001 P: 1300 419 495 W: https://www.ahpra.gov.au/Notifications/Make-a-complaint.aspx</p>

Management process flowchart



T = ideal timeframe