**Standard 1**

The health service provider fosters an open and receptive culture to feedback and complaints.[[1]](#footnote-1)

**Success indicators**

* The health service provider uses feedback mechanisms and complaint information to continuously improve the quality of their health service.
* The health service provider’s complaint handling outcomes are transparent and accountable.
* The health service provider’s complaint handling is efficient and effective.
* There are a range of ways that complaints can be made to the health service provider.
* The staff dealing with complaints are skilled in customer service and complaint handling, and have access to best practice resources, training and support.
* The health service provider regularly reviews and evaluates its complaint handling to meet the needs of people who use their health service.
* The health service provider’s complaint handling is consistent with the Complaint Handling Standards.

**Standard 2**

All reasonable steps are taken to encourage and support a person to make a complaint about a health service provided to, or sought by, a person, or an offer of a health service to a person.

**Success indicators**

* Information about how to make a complaint is easily accessible to everyone.
* Responsive methods and supports are in place for any person to make a complaint, including measures for people who have special needs or are vulnerable.
* Complaints are accepted from third parties including carers, guardians, friends, family members, an advocate. [[2]](#footnote-2)
* Complaints can be made anonymously.
* Staff dealing with complaints are able to manage complainants who present challenging behaviours and/or unreasonable demands.
* Complaints made through social media are managed through complaint handling processes.

**Standard 3**

No person shall experience reprisal as a result of providing feedback or making a complaint to a health service provider.

**Success indicators**

* There are no reprisals from making a complaint or providing feedback.
* In particular circumstances, the health service provider facilitates and supports people who want to make a complaint.
* The records of complaint handling are kept separate from a person’s health information.

**Standard 4**

The complaint is acknowledged to the complainant as soon as practicable or within three working days or, where applicable, is remedied at the time it is made.

**Success indicators**

* Staff are able to resolve or internally refer informal complaints as soon as possible.
* For formal complaints, the following issues are verbally discussed between the complainant and the health service provider and confirmed in writing.
* The complainant is aware of:
* the complaint process and expected timelines
* any personal or health information required
* issues of privacy and confidentiality, including the health service provider’s Privacy Collection Statement and the need to act in good faith
* the person who is managing the complaint and their contact details
* the agreed frequency and method of ongoing communication with the person handling their complaint
* these Complaint Handling Standards.
* The health service provider is aware of:
* the circumstances of the complaint including outcome(s) sought
* the agreed frequency and method of ongoing communication with the complainant and any specific needs they may have
* the level of involvement the complainant wants to have in the complaint handling process.

**Standard 5**

The complainant and the health service provider must mutually agree on a method and frequency of communication throughout the complaint handling process.

**Success indicators**

* The complainant and health service provider agree on a method and frequency of communication throughout the complaint handling process.
* The complainant is able to contact the person handling their complaint.
* Delays or changes to the complaint handling process are communicated to the complainant.

**Standard 6**

The health service provider aims to give the complainant a clear and timely response to the complaint within 30 working days of receiving it. Where this cannot be achieved the reason for this and the expected timeframe for responding to the complaint is communicated to the complainant as soon as possible.

**Success indicators**

* The health service provider handles the complaint in a manner that aims to resolve the issues as quickly as practicable.
* To prevent the complaint from reoccurring, the health service provider’s investigation of the complaint aims to methodically identify and correct the issues that caused it.
* Delays in responding to the complaint are communicated to the complainant and, if appropriate, the complaint is escalated to senior management.

**Standard 7**

The written response to the complainant includes information about how they can make a complaint to the Health Complaints Commissioner.

**Success indicators**

The written response to the complainant includes:

* an explanation of what happened and why
* the reason(s) for any decisions
* any remedy or resolution
* where appropriate, an apology
* the action(s) taken by the health service provider in response to the complaint
* how the complainant can provide feedback about the health service provider’s complaint handling process and the avenues for a review of the decision including how the complainant can contact the Health Complaints Commissioner.

**Standard 8**

The personal information, collected from a complaint, must be kept confidential in accordance with the *Health Records Act 2001* (Vic.*)*, the *Privacy and Data Protection Act 2014* (Vic.), the *Privacy Act 1988* (Cth.)*,* the *My Health Records Act 2012* (Cth.) and, where applicable, the *Health Services Act 1988* (Vic.)*.*

**Success indicators**

* Personal information is kept confidential.
* The health service provider’s Privacy Collection Statement is given to the complainant in the early stages of the complaint handling process.
* The complainant understands the health service provider’s need to access health information and the need for privacy and confidentiality.
* Where required, consents are obtained to access health information.

**Standard 9**

Personal complaint information must be kept separate from a person’s health information.

**Success indicators**

* The complaint handling records are stored separately from a person’s health information.

**Standard 10**

The staff dealing with the complaint must avoid any real or perceived conflicts of interest when handling the complaint.

**Success indicator**

Conflicts of interest in the complaint handling are avoided where possible but, when discovered, are declared and managed appropriately.

**Standard 11**

The health service provider’s complaint records must be managed appropriately.

**Success indicators**

* Records of the initial complaint, all correspondence (including phone calls), and the outcome are managed in accordance with the relevant retention schedule established by the Public Records Office of Victoria (PROV) or the health service provider has a process for identifying, gathering, classifying, maintaining, storing, analysing, reporting and disposing of complaint-related records.
* Complaints are monitored through the health service provider’s complaint handling process.
* Meaningful reports about the health service provider’s complaints, complaint handling and trends are provided to management.
* The correction of the issues that caused the complaint links to the health service provider’s quality improvement systems and risk management.

1. Source Victorian Ombudsman, *Complaints: Good Practice Guide for Public Sector Agencies*, September 2016 [↑](#footnote-ref-1)
2. For the purposes of these Complaint Handling Standards these groups are also called the complainant. [↑](#footnote-ref-2)