



POLICY – Feedback, Complaints and Whistleblower

Table of Contents

2.	Purpose	2
3.	Policy statement: Feedback, Complaints and Whistleblower Disclosures.....	3
3.1.	Making a Complaint or Feedback.....	3
3.2.	Whistleblower Disclosures	4

1. Purpose

In relation to **feedback and complaints**, the purpose of this policy is to:

- Ensure residents and/or their representatives, relatives, Registered Supporters, team members and others (Claimants) have access to a complaints and feedback management system that is accessible, confidential, responsive and fair.
- Ensure Claimants are aware of their rights and feel encouraged and supported to provide feedback about any aspect of Opal HealthCare's care and services.
- Make every reasonable effort to ensure Claimants are provided with appropriate support and assistance (including access to advocates and language services) to share feedback with Opal HealthCare.
- Enable Claimants to be provided with appropriate support and assistance (including access to advocates and language services) to access the Complaints Commissioner.
- Raise and maintain awareness of the importance of active feedback management to team members throughout the organisation through training and information.
- Promote a culture where complaints are seen as learning opportunities and where people feel safe to raise concerns.
- Ensure a resolution approach to addressing concerns that: is appropriate given the nature of the issue; is centred around each person directly affected by the issue; seeks to address the issue as raised in the Complaint; and will contribute to continuous improvement
- Outline what team members are accountable for and ensure they can professionally and objectively provide guidance to any person or organisation wishing to provide feedback.
- Ensure that no person will be victimised or receive negative treatment because they have provided feedback or made a complaint.
- Always ensure confidentiality of personal information in relation to feedback and complaints.
- Improve organisational processes through analysis of feedback information and identification of trends and risks to improve the quality of care and services at Opal HealthCare.
- Ensure legislative requirements are met.

In relation to **Whistleblower Disclosures**, the purpose of this policy is to:

- Provide an overall framework to acknowledge, assess, manage and respond to matters raised in Whistleblower Disclosures in a fair, transparent, accessible, safe, culturally safe and timely manner.
- Ensure that residents and/or their representatives, relatives, Registered Supporters, team members and others (Disclosers) persons are encouraged and supported to make a Disclosure about delivery of funded aged care services.
- Ensure that Disclosers have access to the Whistleblower system and are supported to make a Disclosure verbally or in writing.
- Ensure all team members who are considered by law as responsible persons (Responsible Persons) are aware of their role in the Whistleblower system and apply a systematic approach to recording, reporting, resolving and following up Whistleblower Disclosures.
- Promote quality care and the safety of residents receiving aged care services by ensuring that the Whistleblower system facilitates Whistleblower Disclosures without fear of victimisation, persecution, retribution or personal detriment.

- Ensure that the confidentiality of Whistleblower Disclosures is maintained and, where relevant, the anonymity of the Discloser, and any other specified person, is protected.
- Ensure that Whistleblower Disclosures contribute to the continuous improvement of the delivery of funded aged care services.
- If a Complaint or Feedback is a Whistleblower Disclosure, ensure it is treated under the Whistleblower policy unless the Discloser elects to have it treated as a Complaint or Feedback.
- Ensure legislative requirements are met.

2. Policy statement: Feedback, Complaints and Whistleblower Disclosures

Opal HealthCare welcomes all feedback and complaints and is committed to listening and responding to feedback and complaints in an effective, understandable, timely and fair manner in alignment with Opal HealthCare's values of Compassion, Accountability, Respect and Excellence (CARE). Feedback and complaints provide a valuable opportunity to identify what the best possible experience looks like for our residents and/or their representatives, Registered Supporters, relatives and team members, and in which areas we can improve, including in service delivery and overall satisfaction.

We provide multiple ways for all types of feedback and complaints to be raised, whether it's through team members, online or paper forms, our anonymous reporting mechanism or internal escalation pathways. Feedback and complaints are taken seriously and investigated in a fair, transparent, safe and timely manner.

2.1. Making a Complaint or Feedback

To make a Complaint or give Feedback, you should promptly contact us via the varied channels available to you (speaking to the General Manager in your Care Community or completing a hardcopy feedback form or online feedback form). We will take appropriate action as soon as practicable to resolve each issue raised by you in accordance with our complaints and feedback procedure. This may include acknowledging and if needed, investigating your Complaint or Feedback. Where necessary, this may also include discussing it with you and/or anyone else involved (except for anonymous Complaints), keeping you involved and informed in an appropriate way of the progress, informing you of the outcome and resolution of the Feedback; and reviewing our policies, practices and procedures in light of the Complaint or Feedback.

We will take a resolution approach to addressing your concern that: is appropriate given the nature of the issue; is centred around each person directly affected by the issue; seeks to address the issue as raised; and will contribute to continuous improvement.

We will take reasonable steps to ensure that you are not adversely affected as a result of making the Complaint or Feedback and that you do not suffer any victimisation or discrimination from sharing your concern. We will ensure procedural fairness to you and any person against whom the Complaint is made.

You may also choose to make a Complaint or Feedback about us and/or the care and services we provide to the Complaints Commissioner. You may do this orally or in writing, anonymously if you choose. We will provide appropriate support and assistance to you (including access to advocates and language services) in relation to contacting the Complaints Commissioner.

2.2. Whistleblower Disclosures

Your Complaint or feedback may qualify as a whistleblower disclosure if you have reasonable grounds to suspect that we have contravened a provision of the Aged Care Act. (Whistleblower Disclosure). In this case, you can instead make a Whistleblower Disclosure in writing or verbally, anonymously if you choose.

At any stage, you may elect to have your Whistleblower Disclosure dealt with as a Complaint or Feedback instead. To make a Whistleblower Disclosure, you should promptly make the disclosure verbally by calling 1800 767 074 or by completing the hardcopy or online feedback form at www.opalhealthcare.com.au/feedback. You can also inform one of our team, and they will inform the appropriate senior team member.

If you make a Whistleblower Disclosure, or we assess that your Complaint or feedback qualifies as a Whistleblower Disclosure, we will take appropriate action as soon as practicable to respond to you in accordance with our system. This may include:

- Assessing whether your disclosure qualifies as a Whistleblower Disclosure.
- Investigating qualifying Whistleblower Disclosures. Where necessary, this may include discussing it with you and/or anyone else involved.
- Reviewing our policies, practices and procedures considering the Whistleblower Disclosure.

We will provide support for you, and anyone associated with you to whom detriment may be caused because of the Whistleblower Disclosure. We will also ensure that fair treatment is provided for any person mentioned in the Whistleblower Disclosure or to whom the Disclosure relates.

You may instead choose to make a Whistleblower Disclosure to the following external parties: The Aged Care Quality and Safety Commissioner; the Complaints Commissioner; the Aged Care Quality and Safety Commission's staff; the System Governor; an official of the Department of Health and Aged Care; a police officer; or an independent aged care advocate.

If you make a Whistleblower Disclosure, we are required by law to provide you with the following protections:

- Protection from civil, criminal or administrative liability; and from contractual or other remedies for making the Whistleblower Disclosure.
- If you request that your name, or any other individual named in the Whistleblower Disclosure, remains anonymous, we will take such steps as is reasonable in the circumstances to preserve anonymity.
- We will keep your identity or any other information that may identify you confidential.
- We will not cause or threaten to cause detriment to you or anybody else if you make a Whistleblower Disclosure.

If you need more information on Complaints, Feedback or Whistleblower Disclosures please contact us at listening@opalhealthcare.com.au or ask a team member.

Personal workplace grievances will generally not fall within the scope of this policy and will not qualify for protections under the Whistleblower Laws (though rights and protections may arise under other legislation such as the Fair Work Act or be dealt with under other Opal HealthCare's Human Resource Policies).

If you are eligible to make a report regarding Opal HealthCare under the Corporations Act, you may do so (link to come). Please note that there is a different eligibility criterion under the Speak Up Policy, for example, residents are not eligible to make a report under the Corporations Act program. If you are not a resident, you can also review the eligibility criteria in the Speak Up Policy on our [website](#).

-