

# WHS-POL-PRO-06 Mix It Up – *Live life your way* Incident Management (Reportable Incidents, Accidents and Emergencies Policy and Procedures)

## 1. PURPOSE

The purpose of this policy is to outline how Mix It Up - *Live life your way* identifies, manages, investigates, and responds to incidents, accidents, and emergencies to ensure the ongoing safety and wellbeing of all participants. This includes acts, omissions, events, or circumstances that occur in connection with the delivery of services and that may cause or have the potential to cause harm.

The policy promotes a trauma-informed and participant-centred approach to incident management that upholds dignity, transparency, safety, and choice. It supports the inclusion of participants in incident resolution processes and ensures that appropriate supports and advocacy are made available to them.

This policy also acknowledges that information relating to children and young people, or matters involving risk of harm, is addressed in more detail in Mix It Up - *Live life your way's* Working with Children Policy and Procedure.

## 2. SCOPE

All staff members are responsible for ensuring the safety of all participants who access our services. All incidents must be reported as per this policy. Management is responsible for ensuring that staff are trained and undertake the NDIS Worker Orientation training module.

## 3. DEFINITIONS

Term	Definition
<b>Incident</b>	Acts, omissions, events or circumstances that occur in connection with providing support or services to a person with a disability and have, or could have, caused harm to the participant.
<b>Reportable incident</b>	A reportable incident is any of the below: <ul style="list-style-type: none"> <li>The death of a person with a disability.</li> </ul>

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Mix It Up

*Live life your way Play Ltd.*  
FOUNDED ON SOCIAL INCLUSION AND COMMUNITY PARTICIPATION

# WHS-POL-PRO-06 Mix It Up – *Live life your way* Incident Management (Reportable Incidents, Accidents and Emergencies Policy and Procedures)

	<ul style="list-style-type: none"> <li>• Serious injury of a person with a disability.</li> <li>• Abuse or neglect of a person with a disability.</li> <li>• Unlawful sexual or physical contact with, or assault of, a person with a disability.</li> <li>• Sexual misconduct is committed against, or in the presence of, a person with a disability, including grooming the person with a disability for sexual activity.</li> <li>• Use of restrictive practice to a person with a disability where the restrictive practice use is not following an authorisation (however described) of a state or territory concerning the person, or if it is used according to that authorisation but not following a behaviour support plan for the person with a disability.</li> </ul>
<b>Incident management system</b>	<p>Incorporates all items listed below:</p> <ul style="list-style-type: none"> <li>• Acts, omissions, events or circumstances that occur in connection with providing support or services to a person with a disability; and have or could have caused harm to the person with a disability.</li> <li>• Incidents consist of acts by a person with a disability that occur in connection with providing support or services to the person with a disability and have caused serious harm or a risk of serious harm to another person.</li> <li>• Reportable incidents allegedly occurred to provide support or services to a person with a disability.</li> </ul>

## 4.POLICY

Mix It Up - *Live life your way* is committed to maintaining an incident management system that supports early reporting, transparent documentation, and timely resolution of all incidents related to the delivery of NDIS services. This includes incidents that may result in harm to participants, children, or others in the care environment.

Our procedures align with the NDIS Practice Standards, NDIS Code of Conduct, and the NDIS (Incident Management and Reportable Incidents) Rules 2018.

Incident reports may be made by participants, families, staff, or members of the public. All reports must be taken seriously, managed promptly, and recorded in accordance with this policy.

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<b>Revision Number: 17.01.2026_V13</b>	<b>Next review date: January 2027</b>

## **WHS-POL-PRO-06 Mix It Up – *Live life your way* Incident Management (Reportable Incidents, Accidents and Emergencies Policy and Procedures)**

Participants will be:

- Offered access to independent advocacy
- Involved in the investigation and resolution process
- Provided with information in accessible formats (e.g. Easy Read)
- Supported to exercise choice and control during all incident management actions
- Treated with dignity, respect, and cultural sensitivity

The aims of Mix It Up - *Live life your way's* incident management system include:

- Preventing future incidents through proactive planning, staff training, and participant-centred responses
- Ensuring immediate and effective management of all incidents, accidents, and emergencies
- Maintaining a clear and consistent process for identifying, recording, and reviewing incidents
- Promoting accountability through defined staff responsibilities and transparent communication
- Ensuring responses are proportionate to the impact of the incident and its risk to participants
- Identifying systemic risks through root cause analysis and integrating findings into quality improvement processes

The Leadership team is responsible for overseeing all aspects of incident management, including:

- Ensuring procedural fairness and impartiality
- Avoiding any real or perceived conflict of interest
- Coordinating investigations and reporting processes in line with organisational procedures and NDIS requirements

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V13</b>	<b>Next review date: January 2027</b>

# **WHS-POL-PRO-06 Mix It Up – *Live life your way* Incident Management (Reportable Incidents, Accidents and Emergencies Policy and Procedures)**

When a formal investigation is required, the appointed investigator must:

- Possess the appropriate authority and experience
- Be independent and free from conflicts of interest
- Collect relevant evidence objectively and document all findings accurately
- Follow the principles of procedural fairness, including informing affected parties, offering opportunities to respond, and making unbiased decisions

All access to participant records will be strictly limited to staff with a direct business need. Records must be protected to ensure privacy, dignity, and compliance with data protection principles.

Incidents involving abuse, neglect, violence, exploitation, or discrimination will be escalated immediately and reported to the NDIS Commission if classified as a Reportable Incident. Responses will prioritise participant safety and safeguarding measures as required by the Commission.

## **5.0 PROCEDURE**

### **5.1 Incident management procedure**

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V13</b>	<b>Next review date: January 2027</b>

# WHS-POL-PRO-06 Mix It Up – *Live life your way* Incident Management (Reportable Incidents, Accidents and Emergencies Policy and Procedures)



Mix It Up - *Live life your way* will establish a procedure that identifies, manages and resolves incidents, as follows:

### Step 1. Inform of incident

1. The worker to report the incident to the Manager, WHS Officer and / or Director.
2. The worker completes an Incident Report that identifies and records details relating to the incident, i.e. people, place, time and date.

### Step 2. Investigation

1. The Manager, WHS Officer and / or Director will determine, from the information provided, if the incident is classified as a reportable incident by the NDIS Quality and Safeguards Commissioner or a different type of incident:

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V13</b>	<b>Next review date: January 2027</b>

## **WHS-POL-PRO-06 Mix It Up – *Live life your way***

### **Incident Management**

### **(Reportable Incidents, Accidents and Emergencies Policy and Procedures)**

- A reportable incident must comply with the reportable incident reporting process.
  - Mix It Up - *Live life your way* will comply with the National Disability Insurance Scheme (Incident Management and Reportable) Rules 2018.
  - A general incident is an accident with non-reportable injuries.
1. The Manager, WHS Officer and / or Director will review the details of the incident:
    - People involved.
    - Location.
    - Circumstances.
    - The outcome, e.g. injury.
  2. The Manager, WHS Officer and / or Director will investigate the incident/accident following the process outlined in the Incident Investigation Form to determine the required information:
    - Primary reasons for the event.
    - Underlying reasons for the event.
    - Immediate actions are required to fix the cause of the event.
    - Preventative actions are required for the future.
  3. Any information learned from incidents/accidents will be incorporated into our continuous improvement cycle to prevent the same incident/accident from recurring.
    - The analysis and investigation of each incident will vary based on the seriousness of the incident.

#### **Step 3. Support participant**

1. The Manager, WHS Officer and / or Director ensures that the affected participant is supported and assisted:
  - informing them that they have access to an advocate; if the participant does not have an advocate, the Manager, WHS Officer and / or Director can help access an independent advocate
  - reviewing their health status to assist and support
  - assessing the environment to ensure their safety and to prevent any recurrence
  - ensuring their well-being and assisting in developing the participant's confidence and competence so they do not lose any function/s.
  - provide support to their family or relevant others, if relevant to the participant.
2. The Manager, WHS Officer and / or Director or their delegate will review the incident with the participant and collaborate with the person/s involved to manage and resolve the incident.

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V13</b>	<b>Next review date: January 2027</b>

# WHS-POL-PRO-06 Mix It Up – *Live life your way* Incident Management (Reportable Incidents, Accidents and Emergencies Policy and Procedures)

## Step 4. Analyse incident

1. As part of our continuous improvement process, the information gained from an incident is used to amend or implement new practices:
  - we will establish the incident cause/s and the effects and any operational issues that may have contributed to the incident occurring and the nature of the investigation
  - if an incident requires the implementation of corrective action, an appropriate plan will be developed to adjust practices according to the nature of the action required.
1. The Manager, WHS Officer and / or Director or their delegate will undertake an appropriate analytical process to:
  - determine the cause of the incident
  - ascertain if the incident was an operational issue
  - consider the participant's perspective, including:
    - whether the incident was preventable
    - how the incident was managed and reviewed
    - determining any remedial action required to minimise future impacts and prevent a recurrence.
  - identify why the incident occurred, e.g. environmental factors, participant health
  - ascertain if current strategies or processes require review and improvement.
  - devise new strategies or procedures, if required
  - plan staff training for any new strategies
  - implement new strategies
  - evaluate the success of new strategies.

All Incident Investigation Forms that include the Final Report, must be closed out by the Manager, WHS Officer and / or Director or their delegate and one other Mix It Up - *Live life your way* staff member.

## Step 5. Incident/accident minimisation and corrective action

1. Mix It Up - *Live life your way* will risk-assess all participants in conjunction with our Risk Management Policy and Procedure.
2. During staff orientation and regular ongoing training sessions, incidents and emergency minimisation and procedures are taught.
3. Risks will be identified, and control mechanisms agreed upon with participants.
4. Mix It Up - *Live life your way* will consult with participants, and relevant stakeholders, to design specific risk control mechanisms to reduce risk to participants and their environment.
5. The effectiveness of mechanisms will be evaluated via:

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V13</b>	<b>Next review date: January 2027</b>

## WHS-POL-PRO-06 Mix It Up – *Live life your way* Incident Management (Reportable Incidents, Accidents and Emergencies Policy and Procedures)

- participant review processes, including support plan review
  - participant feedback
  - case conferencing.
6. Internal and external risk audits.
  7. Reviews of policies and procedures.

### Corrective actions

Upon completing the incident analysis procedure, any corrective action will be implemented. Each corrective action identified will be evaluated to ascertain the action's effectiveness, as per our Continuous Improvement Policy and Procedure, i.e. Plan, Do, Check, Act.

### Step 6. Informing participants

Mix It Up - *Live life your way* will inform participants or their advocate of the incident outcome/s, either in writing or verbally, dependent on the participant and the situation. Collaborative practice will ensure the participant and their advocate are involved in the incident's management and resolution.

### 5.2 Staff training

Mix It Up - *Live life your way* recognises the importance of prevention to ensure our staff and participants' safety. Our orientation process includes training in risk and safety practices, including manual handling, infection control, safe environments, and risk and hazard reduction.

Upon commencing employment with Mix It Up - *Live life your way* all staff are trained in organisational incident management processes, including how to report an incident and who to report an incident to the Director). All staff are given full access to our organisational policies and procedures to provide guidance. A Staff Incident Reference Card is provided to all staff as a guide.

### 5.3 Reportable incidents

Staff must report any reportable incident immediately that it becomes evident.

The Manager or Director is responsible for reporting all reportable incidents to the NDIS Quality and Safeguards Commission. Reportable incidents are serious incidents or allegations that harm any NDIS participant.

As a registered provider, Mix It Up - *Live life your way* is required to report serious incidents (including allegations) arising from the organisation's service provision to the NDIS Quality and Safeguards Commission. Reportable incidents involving NDIS participants include:

- the death of a person with a disability
- serious injury of a person with a disability
- abuse or neglect of a person with a disability

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V13</b>	<b>Next review date: January 2027</b>

## WHS-POL-PRO-06 Mix It Up – *Live life your way* Incident Management (Reportable Incidents, Accidents and Emergencies Policy and Procedures)

- unlawful sexual or physical contact with, or assault of, a person with a disability (excluding, in the case of unlawful physical assault, contact with, and impact on, the negligent person)
- sexual misconduct committed against, or in the presence of, a person with a disability, including grooming the person for sexual activity
- the use of a restrictive practice to a participant, other than where the restrictive practice use follows an authorisation (however described) of a state or territory concerning the person or a behaviour support plan.

### 5.3.1 Reporting roles

The organisation will establish the following roles and ensure that allocated staff are aware of their responsibilities:

1. Approved Reportable Incident Approver responsibilities:
  - Authority to review reports before submission to the NDIS Commission.
  - Views previous reportable incidents submitted by their organisation.
2. Authorised Reportable Incident Notifier responsibilities:
  - Supports the Authorised Reportable Incident Approver to collate and report the required information.
  - Creates new reportable incident notifications to be saved as a draft for review and submission by the authorised Approver.

### 5.3.2.1 Timeframes for notifying the NDIS Commission about reportable incidents

When a reportable incident occurs or is alleged in connection with the NDIS supports or services you deliver, you must notify us using the [NDIS Commission Portal](#) within the required timeframes (set out below). The timeframes are calculated from when a registered NDIS provider became aware that the incident occurred or was alleged to have occurred.

Issue Date: May 2018	Last review date: 17.01.2026
Revision Number: 17.01.2026_V13	Next review date: January 2027

**WHS-POL-PRO-06 Mix It Up – *Live life your way***  
**Incident Management**  
**(Reportable Incidents, Accidents and Emergencies Policy and Procedures)**



Reportable incident	Required timeframe
death of a person with disability	24 hours
serious injury of a person with disability	24 hours
abuse or neglect of a person with disability	24 hours
unlawful sexual or physical contact with, or assault of, a person with disability	24 hours
sexual misconduct committed against, or in the presence of, a person with disability, including grooming of the person for sexual activity	24 hours
the use of restrictive practice concerning a person with disability if the use is not following a required state or territory authorisation and/or not under a behaviour support plan.	Five business days

**5.3.2 Reportable incident procedure**

The Manager or Director will review the information and contact the police immediately to inform them of any suspected abuse.

**Important note:** Information on how Mix It Up - *Live life your way* reports abuse against children can be found in our Working with Children Policy and Procedure.

The Approver submits reportable incidents via the NDIS Commission Portal's My Reportable Incidents page. <https://www.ndiscommission.gov.au/providers/ndis-commission-portal>:

1. Complete an **Immediate Notification Form** and submit it within 24 hours:
  - Approved Reportable Incident Notifier will create for approval.
  - Approved Reportable Incident Approver will approve the report and submit it.

Note: Approved Reportable Incident Notifier may create and submit as required by the incident's circumstance.
2. **5-day form** to be completed within five days of key stakeholders being informed:
  - Approved Reportable Incident Notifier will create a form for approval.

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V13</b>	<b>Next review date: January 2027</b>

## **WHS-POL-PRO-06 Mix It Up – *Live life your way***

### **Incident Management**

### **(Reportable Incidents, Accidents and Emergencies Policy and Procedures)**

- Approved Reportable Incident Approver will approve and submit the form.

Note: Approved Reportable Incident Notifier may create and submit as required by the incident's circumstance.

#### **3. Final Report** will be submitted on the due date if requested by the NDIS Commission:

- Approved Reportable Incident Notifier will create a report for approval.
- Approved Reportable Incident Approver will approve the report and submit it.

Note: Approved Reportable Incident Notifier may create and submit as required by the incident's circumstance.

Assessment of the incident by the Manager, WHS Officer and / or Director, or their delegate, will involve:

- assessing the incident's impact on the NDIS participant
- analysing and identifying if the incident could have been prevented
- reviewing the management of the incident
- determining what, if any, changes are required to prevent further similar events from occurring
- recording all incidents and responsive actions taken.

#### **5.5 Documentation**

- All reportable incident reports and registers must be maintained for seven (7) years.
- This policy is to be reviewed annually or when legislation changes occur.
- All participants, families and advocates are informed of this policy.
- All staff are trained in the procedures outlined in this policy.
- Training details are recorded in each employee's personnel file

#### **6. RELATED DOCUMENTS**

- Continuous Improvement Policy and Procedure
- Final Report (NDIS form)
- 5-day form (NDIS form)
- Incident Report
- Incident Investigation Form
- Incident Register
- Immediate Notification Form (NDIS form)
- Participant Handbook
- Participant Intake Checklist
- Risk Assessment Form
- Risk Management Plan
- Risk Register
- Risk Management Policy and Procedure
- Reportable Incident Policy & Procedure

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V13</b>	<b>Next review date: January 2027</b>

## WHS-POL-PRO-06 Mix It Up – *Live life your way* Incident Management (Reportable Incidents, Accidents and Emergencies Policy and Procedures)

- Staff Orientation Checklist
- Employment Checklist
- Staff Incident Reference Card
- Staff Training Record
- Training Register

### 7. REFERENCES

- NDIS (Incident Management and Reportable Incidents) Rules 2018
- NDIS Practice Standards and Quality Indicators 2021
- Privacy Act 1988 (Commonwealth)
- Disability Services Act 1986 (Commonwealth)
- Work Health and Safety Act 2011 (Commonwealth)

### REPORTABLE DEATHS (Coroner) - South Australia

Usually, a police officer or doctor will notify South Australia's State Coroner of any death that may be a reportable death.

A death must be reported to the State Coroner where it has occurred:

- unexpectedly, unusually or by a violent, unnatural or unknown cause
- on a flight or voyage to South Australia
- while in custody
- during or as a result or within 24 hours of certain surgical or invasive medical procedures, including the giving of an anaesthetic to perform a procedure
- within 24 hours of being discharged from a hospital or having sought emergency treatment at a hospital
- while the deceased was a 'protected' person
- while the deceased was under a custody or guardianship order under the *Children and Young People (Safety) Act 2017*
- while the deceased was a patient in an approved treatment centre under the *Mental Health Act 2009*
- while the deceased was a resident of a licensed supported residential facility under the *Supported Residential Facilities Act 1992*
- while the deceased was in a hospital or other facility being treated for drug addiction
- during, as a result, or within 24 hours of medical treatment to which consent had been given under Part 5 of the *Guardianship and Administration Act 1993*
- when a cause of death was not certified by a doctor.

### **Procedure**

- As an NDIS Provider, several categories may affect our participants. As requested, our organisation will supply any relevant information to the State Coroner as part of their coronial investigations.

Issue Date: May 2018	Last review date: 17.01.2026
Revision Number: 17.01.2026_V13	Next review date: January 2027

## WHS-POL-PRO-06 Mix It Up – *Live life your way* Incident Management (Reportable Incidents, Accidents and Emergencies Policy and Procedures)

- All details of the incident will be recorded in an Incident Investigation Form. The Director will ensure that staff complete any documentation required by the Coroner and ensure the completeness and accuracy of the information provided.
- The Director will be the point of contact for all discussions with the family and relevant stakeholders.
- All conversations will be documented for future use.
- Information will be supplied to the participant's family about the State Coroner's processes using the link on their website: [Information for families](#)

### References

- [Coroners Act 2003 \(SA\)](#)
- [Courts Administration Authority of South Australia](#) (downloaded 17 November 2020 at 9:57 am)
- [Children and Young People \(Safety\) Act 2017 \(SA\)](#)
- [Mental Health Act 2009 \(SA\)](#)
- [Supported Residential Facilities Act 1992 \(SA\)](#)
- [Guardianship and Administration Act 1993 \(SA\)](#)
- [Information for families](#)

### 8. REVIEW

The review of this procedure is the responsibility of the Mix It Up - *Live life your way* Management, WHS Officer and Director.

**APPROVED** \_\_\_\_\_(Signature)

**DESIGNATION** Mix It Up - *Live life your way* Director

**DATE**    /    /

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V13</b>	<b>Next review date: January 2027</b>

# OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



## 1. PURPOSE AND SCOPE

This policy is intended to ensure that complaints are handled fairly, efficiently and effectively. The resolution of complaints will be consistent with a rights-based principle fundamental to the United Nations Convention on the rights of Persons with Disabilities.

The complaint and feedback management and resolution system intend to:

- Provide a well-handled system that values the participant's opinions and takes all feedback seriously, with the intent to improve the relationship between our organization and our participants
- Empower all employees and participants to feel free to voice their complaints or provide feedback
- Allow us to respond to issues raised by individuals making complaints in a timely and cost-effective way
- Boost participant confidence in our administrative processes
- Seek a resolution that meets all parties' expectations, where possible
- Provide Mix It Up – *Live life your way* with information that will help us deliver quality improvements in our services, supports, roles and complaints handling process.

Our Complaints and Feedback Policy is Mix It Up – *Live life your way's* commitment to a positive complaints culture within our organisation, from the highest management levels to our frontline staff. The policy provides the foundation for all other quality complaints management and resolution framework components. The policy also guides our staff and participants (who may wish to make a complaint or provide feedback).

A designated Manager and / or Director will handle all complaints and feedback received by Mix It Up – *Live life your way*. All staff are bound by the National Disability Insurance Scheme (NDIS) Code of conduct

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<b>Revision Number: 17.01.2026_V12</b>	<b>Next review date: January 2027</b>

# OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



## 2.POLICY

Mix It Up - *Live life your way* will create an environment where complaints and concerns, compliments and suggestions are welcomed and viewed as an opportunity for acknowledgement and improvement. This process ensures that individuals have the right to make complaints and are encouraged to exercise their right in a blame-free and resolution-focused culture, respecting an individual's right to privacy and confidentiality.

Mix It Up - *Live life your way* will appoint a staff member to be the designated Complaints Manager. The Manager and / or Director is responsible for coordinating and handling complaints and feedback and ensuring the complaint or feedback is properly managed.

It is acknowledged that Mix It Up - *Live life your way* views all comments and complaints as a vital contribution to our internal review of performance and processes, which assists in developing the continuous improvement of our services as we work towards achieving our care commitment.

A person does not necessarily have to expressly state that they wish to make a complaint to have the issue or concern dealt with as a complaint. Regardless of whether an issue is big or small, it will be treated seriously and Mix It Up - *Live life your way* will ensure the person is advised on how valuable their opinion is to our organisation. We will use such information to improve our service delivery continuously.

Participants, families, advocates or other stakeholders may submit a Complaint and Feedback Form regarding Mix It Up - *Live life your way's* supports, services, staff, or contractors. The participants can be provided information in Easy Read format if required.

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V12</b>	<b>Next review date: January 2027</b>

## OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



The Manager and / or Director will ensure that the complainant can physically access all meetings to resolve the complaint by reviewing the environment to ensure that the meeting site is accessible for those with mobility issues.

It is our policy to follow the principles of procedural fairness and natural justice and comply with the requirements under the National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018 and NDIS (Procedural Fairness) Guidelines 2018, including:

- informing a person if their rights or interests may be adversely or detrimentally affected in a direct and specific way
- giving notice of each prejudicial matter that may be considered against them
- giving a reasonable opportunity to be heard on those matters before adverse action is taken
- putting forward information and submissions in support of an outcome that is favourable to their interests
- ensuring that the decision to take adverse action should be soundly based on the facts and issues that were raised during that process, and this should be apparent in the record of the decision
- ensuring that the decisionmaker should be unbiased and maintain an unbiased appearance.

Mix It Up - *Live life your way* ensures complaints and feedback are managed effectively through:

- implementing an open and transparent complaint handling system
- observing the principles of natural justice and compliance with relevant mandatory reporting under Australian law
- committing to the right of stakeholders to complain either directly or through a representative
- undertaking procedural fairness to reach a fair and correct decision

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V12</b>	<b>Next review date: January 2027</b>

# OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



- taking reasonable steps to inform the complainant of the NDIS commission complaints process, including the use of various communication means, e.g. oral and written
- maintaining complete confidentiality and privacy
- abiding by the NDIS Code of Conduct
- training staff in our complaint process and the rights of all stakeholders to complain
- considering all complaints seriously and respectfully
- advising participants and staff members of their right to complain
- staff will be trained in complaint handling during assessments and orientation
- guidance regarding the complaint process is outlined in the welcome information provided to our participants
- provision of support for people who may need assistance to make a complaint
- protection of complainants against retribution or discrimination
- prompt investigation and resolution of complaints
- communicating and consulting with participants, family and advocates during the complaints process and providing feedback and resolutions
- interpretation and application of policies and processes
- providing opportunities for all parties to participate in the complaint resolution process
- ensuring that complainant is involved in the resolution of the complaint
- keeping complainant informed of the progress of the complaint:
  - actions taken
  - the reasons the decisions are made
  - options to have decisions reviewed
- ensuring that the decisionmaker or advocate is included and recognised in the process
- accepting Mix It Up - *Live life your way* and staff accountability for actions and decisions taken due to a complaint
- committing to resolving problems at the point of service or through referral to alternatives

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V12</b>	<b>Next review date: January 2027</b>

# OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



- committing to use complaints as a means of improving planning, delivery and review of services through our continuous improvement processes
- referring complaints and feedback into our continuous improvement cycle
- annually auditing the Complaints and Feedback Policy and Procedure.

### 3.DEFINITIONS

Term	Definition
<b>Complaint</b>	Expressing dissatisfaction with an NDIS support or service, including previous complaint handling, for which a response or resolution is explicitly or implicitly expected.
<b>Resolution</b>	The official decision to solve or end a problem or contentious matter. A resolution includes finding a way to improve a difficult situation.

Role	Role requirements
<b>Complaints Handler / Manager</b>	<p>The role of the Complaints Manager is to:</p> <ul style="list-style-type: none"> <li>• manage the complaint process</li> <li>• manage reviews and make recommendations for continuous improvement using the information gained from the issue of the complaint</li> <li>• stand independently from the management to allow participants and staff members to be able to make a complaint about the management of the organisation</li> <li>• provide feedback and advice, as required</li> <li>• review the complainant's needs to ensure that their mode of communication is managed (e.g. Easy Read, large print, translated documents, etc.)</li> <li>• collaborate with the complainant and their advocate</li> <li>• keep all parties informed during all stages of the complaint management process</li> <li>• seek a resolution that benefits all parties, if feasible</li> <li>• handle all appeals related to the outcome of the complaint</li> <li>• complete all necessary reports and documents, including providing information to complainants and management</li> <li>• record all information into the Complaint, Compliment and Feedback Register</li> <li>• review the Complaint, Compliment and Feedback Register at monthly management meetings.</li> </ul>

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V12</b>	<b>Next review date: January 2027</b>

# OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



## 4.PROCEDURE

### 4.1 Complaint process

Complaints and suggestions can be made by:

- using the Complaints and Feedback Form or the Anonymous Complaints and Feedback Form
- contacting a member of staff, verbally or in writing, our staff must offer to document the complaint on behalf of the participant if required and refer the matter to the Supervisor, Manager and / or Director
- contacting the Manager and / or Director, verbally or in writing
- responding to questionnaires and surveys
- sending an email to our contact email
- attending meetings/care conferences
- contacting external complaint agencies, e.g. NDIS Quality and Safeguards Commission
- communicating orally, in writing, or any other relevant means.

Contacts for making a complaint are listed below:

<b>Director:</b>	Angela Taylor
<b>Email address</b>	angie@mixituplivelifeyourway.com.au
<b>Phone Number</b>	08 8482 0800
<b>Postal Address</b>	4 Bogan Road Hillbank SA 5112

Complaints may be made by:

- staff
- participants
- public
- advocates
- family members
- carers
- anonymous person/s.

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V12</b>	<b>Next review date: January 2027</b>

# OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



Results are recorded in the Complaint, Compliment and Feedback Register, allowing input into our continuous improvement processes. The Continuous Improvement Register will record improvements established after finalising the complaint management process.

If a complaint is about:

- **Support or services:** The Manager and / or Director will deal with the complaint.
- **Staff member/s:** The Manager and / or Director will deal with the complaint
- **Director /Manager:** An external person or body may be approached, e.g. NDIS Quality and Safeguards Commission.

All staff, participants, family and advocates, visiting health professionals, and visitors are informed of our complaints process via:

- participant welcome information
- initial access to supports
- staff orientation, induction and training
- Meetings, reviews and assessments
- participant agreements
- contractor agreements.

## **4.2 Complaint management process**

The investigation process must adhere to impartiality, privacy, confidentiality, transparency and timeliness. Complaints will not be discussed with anyone who does not have responsibility for resolving the issue. Mix It Up - *Live life your way* must take into consideration any cultural and linguistic needs of a participant and provide the relevant support mechanism, such as an interpreter or similar.

Complainants are provided with access to our Complaints and Feedback form. These may be accessed via staff or management. The Manager and / or Director will review the individual's needs and assist them via the best means appropriate to suit

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V12</b>	<b>Next review date: January 2027</b>

# OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



them. The variance between individuals requires a personal approach but may include:

- offering an advocate
- providing text telephone (TTY) service to people with a hearing impairment
- ensuring the meeting site is wheelchair accessible
- offering independent assistance to read and write to formulate and lodge a complaint
- seek information from the complainant to determine any special requirements (e.g. access or communication).

The resolution outcomes from a complaint will recognise that people who make a complaint are generally seeking one, or more, of the following outcomes:

- Acknowledgement:
  - genuinely listening without interruption
  - empathising
  - ensuring the complainant feels comfortable (e.g. being aware that staff may be defensive and consider how this is perceived)
  - acknowledgement of the effect of the situation on the individual
  - resolving to a good outcome
  - notifying regularly and promptly on steps undertaken.
- Answers:
  - clear explanations relevant to the issue are provided **ONLY** once all the facts are known.
- Actions (Action Plan):
  - what will be done?
  - who will do it?
  - action plan completion date
  - how progress will be communicated to all parties involved
  - oversight of actions.
- Apology:
  - consider the form of the apology and the managerial level of response

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V12</b>	<b>Next review date: January 2027</b>

# OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



- consider timeliness, sincerity
- be specific and direct
- accept responsibility if appropriate and provide information on the cause and impacts
- explain without excuses
- provide a summary of key actions agreed on to move forward and resolve the issue.

## **4.2.1 Non-investigation complaint process**

All complaints, where possible, will be managed directly and quickly at the point of service unless the complaint requires investigation (see the procedure outlined below). The non-investigation complaint process is as follows:

1. Issue reviewed by the Manager and / or Director.
2. The complainant will be consulted and discussed to determine the actions required to resolve the issue. During this process, Mix It Up - *Live life your way* will offer the complainant support from an independent advocate to reduce stress and anxiety.
3. All available options will be discussed with the complainant and their advocate.
4. Where possible, a collaborative decision is finalised (i.e. acknowledgement, answer, action or apology).
5. The complainant is informed of the decision and the reasons for the outcome.
6. The complainant can review the decision if they are not happy with the resolution, implementing the complaint investigation process.
7. If a complainant seeks a review, a review of the decisions may be resolved quickly by the Manager and / or Director completing the above points (2 to 5) again.

## **4.2.2 Complaint Investigation Process**

### **Step 1. Acknowledge**

1. Acknowledge all complaints quickly, within one working day, where possible.

Issue Date: May 2018	Last review date: 17.01.2026
Revision Number: 17.01.2026_V12	Next review date: January 2027

# OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



## **Step 2. Review of the complaint**

1. Before any consultative meeting, inform the complainant that their advocate or support person can be present throughout the process.
2. Offer to locate an independent advocate for the participant, if required.
3. Involve the complainant and their advocate using a consultative process to ensure their voice, views and preferred outcomes are heard and discussed.
4. Determine the type of outcome that the complainant seeks (i.e. acknowledgement, answers, actions or apology). Information will be used to ensure that the complainant's feedback and requirements are at the core of the complaint investigation and management process.
5. Inform the complainant of:
  - their right to an advocate and interpreter
  - the stages of the complaint management and decision-making process
  - mechanisms implemented to protect the complainant's privacy
  - their right to complain to the NDIS Quality and Safeguards Commission at anytime
  - actual progress and outcomes of the investigation.
6. Determine the type of complaint (i.e. service, support or process).
7. Notify the complainant and their advocate at each investigation stage and seek their feedback.
8. If a consultative meeting is required, it will be held in a safe environment determined by the complainant and at a time relevant to the participant. The complainant is a recipient of disability services under the NDIS; the participant's record will be checked for a preferred contact for complaints. The participant will also be asked if they would like to nominate a staff member from Mix It Up - *Live life your way* who is assigned to handle complaints.

## **Step 3. Assessing the complaint**

1. When assessing a complaint, the Manager and / or Director must prioritise the complaint and determine a resolution pathway (where required).
2. After the pathway is established, the complaint will be investigated.

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V12</b>	<b>Next review date: January 2027</b>

# OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



3. Feedback from the complainant or their advocate must be used as part of this process (e.g. consultation meeting data).

## **Step 4. Investigation and decision making**

1. When the complaint is lodged, the Manager and / or Director should determine if it is practicable to find an immediate resolution (see 5.2.1 Non-investigation complaints process).
2. During the investigation and decision-making process, the Manager and / or Director will:
  - keep the complainant informed about each stage of the investigation process
  - consult with the complainant to gather information about the underlying issue/s
  - analyse antecedents and underlying issues when determining a decision
  - review and approve all written reports and documents before them being sent out to all parties
  - respond to the complainant with a clear decision and any next actions (if any)
  - inform the complainant that they have the right to reject the outcome
  - inform the complainant of their right to make a complaint directly to the NDIS Commission by:
    1. phoning 1800 035 544 (free call from landlines) or TTY 133 677 (interpreters can be arranged).
  - using a [National Relay Service](#) and asking for 1800 035 544.
  - completing an online [complaint contact form](#).

## **Step 5. After the decision**

1. After investigation and a satisfactory response has been documented, the Manager and / or Director will:
  - inform the complainant and their advocate of the decision, including the reason for the decision, and they will provide options for how the complainant can review the decision
  - ensure that the complaint investigation is satisfactorily completed

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026 V12</b>	<b>Next review date: January 2027</b>

# OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



- determine if the complainant is satisfied with the outcome
- follow-up and consult with the complainant/s about any concerns
- close out the complaint.

## **4.3 Review and improvement**

Mix It Up - *Live life your way* takes a systematic approach to incorporate a review of all issues raised by a complaint to identify and address any possible systemic issues and determine any continuous improvement actions identified during the complaints process.

The review and improvement process includes:

- ascertaining preventative actions and continuous improvement
- considering if any systemic issues require addressing
- recording the information regarding the complaint in the Complaint, Compliment and Feedback Register
- recording the details of the improvement stemming from a complaint in the Continuous Improvement Register (if required)
- training staff in any new systems or actions
- adjusting policies and procedures
- monitoring the complaint resolution according to the internal audit schedule
- providing feedback to the complainant personally to inform them of the outcomes and influences their issue raised within our organisation.

## **4.4 Documentation**

All employees are provided training regarding the complaints process during orientation and given the Staff Handbook, which includes information on the complaints process (see 5.6 Staff Training).

The complaints process is available for participants, families, carers and advocates via the information provided in our Participant Handbook and through the provision of Easy Read documents (as required).

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V12</b>	<b>Next review date: January 2027</b>

## OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



Documentation of the complaint process is as follows:

- All complaints will be recorded in the Complaint, Compliment and Feedback Register, and information in the register will include the following:
  - complaint details
  - identified issues
  - actions are undertaken to resolve the complaint
  - the outcome of the complaint.
- All documents, including the Complaint and Feedback Forms, are uploaded into the computer system.
- Copies of any information provided to the complainant are stored in their relevant file.
- All documents are kept confidential, and access is only permitted to employees relevant to the complaint. The Manager and / or Director determines who is relevant.
- A copy of all complaint documents will be retained in the file for seven years from the record date. If the documents relate to a participant under 18 years of age, the documents will be retained until the participant turns 25 years of age.
- Statistical and other information will be collected to:
  - review issues raised
  - identify and address systemic issues
  - report information to the Commissioner if requested by the NDIS Quality and Safeguards Commission.
- A policy review will occur if there are legislative changes or when determined by a regular or annual internal audit review.

### **4.5 Unresolved complaints**

Unresolved complaints will be referred to the Manager and / or Director for investigation and resolution. Should the complaint not be resolved to the complainant's satisfaction, the complaint will be escalated to a person nominated by the complainant (with the complainant's permission).

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026 V12</b>	<b>Next review date: January 2027</b>

# OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



When complaints cannot be resolved internally, the complainant may be referred to the following:

## **NDIS Quality and Safeguards Commission**

Phone: 1800 035 544 (free call from landlines) or TTY 133 677

National Relay Service and ask for 1800 035 544.

Interpreters can be arranged.

An NDIS Complaint Contact Form can be completed online at [business.gov.au](https://business.gov.au)

## **4.6 Staff orientation and training**

The staff orientation process includes training all employees in the complaints and feedback process, including the NDIS Commission requirements. Our in-house training includes:

- NDIS reporting requirements and contacts details
- providing information regarding Mix It Up - *Live life your way's* complaint and feedback process and procedures (e.g. forms to complete and how to assist participants wishing to make a complaint)
- identifying our Complaints Manager - Manager and / or Director
- encouraging employees to have a positive attitude towards complainants and a commitment to resolving all complaints
- creating an understanding of how feedback and complaints inform and guide our continuous improvement cycle
- understanding timeframes for reporting and resolving complaints.

Additional training will occur when practices and policies are changed due to a complaint or if staff are still not sure how to handle a complaint upon commencing work at Mix It Up - *Live life your way*.

## **5. RELATED DOCUMENTS**

- Complaint and Feedback Form
- Anonymous Complaint and Feedback Form

<b>Issue Date: May 2018</b>	<b>Last review date: 17.01.2026</b>
<b>Revision Number: 17.01.2026_V12</b>	<b>Next review date: January 2027</b>

# OP-POL-PRO-09 Mix It Up – *Live life your way* Complaints, Compliments and Feedback Policy and Procedure



- Complaints Process Checklist
- Complaint, Compliment and Feedback Register
- Continuous Improvement Policy and Procedure
- Continuous Improvement Register
- Continuous Improvement Plan
- Participant Handbook
- Staff Handbook
- Staff Training Record
- Staff Training Plan
- Training Attendance Register – In-house
- Training Register
- Risk Management Policy and Procedure
- Service Agreement

## 6. REFERENCES

- NDIS (Complaints Management and Resolution) Rules 2018
- NDIS Practice Standards and Quality Indicators 2021
- NDIS Act 2013 (Commonwealth)
- NDIS (Procedural Fairness) Guidelines 2018
- Privacy Act 1988 (Commonwealth)
- Disability Services Act 1986 (Commonwealth)
- Disability Discrimination Act 1992 (Commonwealth)
- Work Health and Safety Act 2011 (Commonwealth)

## 7. REVIEW

The review of this policy and procedure is the responsibility of the Mix It Up – *Live life your way* Management and Director.

**APPROVED**  (Signature)

**DESIGNATION** Mix It Up – *Live life your way* Director.

**DATE** 17/01/2026

<b>Issue Date:</b> May 2018	<b>Last review date:</b> 17.01.2026
<b>Revision Number:</b> 17.01.2026_V12	<b>Next review date:</b> January 2027