



Disability Services

How to have your say

A guide to making a complaint about services for people with disability

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A guide to making a complaint about services for people with disability

This booklet has been produced to help people with disability and their families, carers and advocates choose the most appropriate way to make a complaint.

Every government-provided or funded disability sector organisation is required to have a complaints procedure. As a consumer, you have the right to register your concern or complaint through that procedure.

It is important for people who use disability services to provide feedback if they have any concerns. This is because your comments:

- ensure the rights, choices and wellbeing of people who use the service are maintained
- give the organisation valuable information about how it can improve its services
- reduce the risk of similar issues arising for other people.

This booklet explains the processes for making a complaint about government and non-government organisations, and who can help you.

Disability Services makes every attempt to ensure accuracy, currency and reliability of the information contained in this document. However, changes in circumstances after time of publication may impact the quality of this information. Confirmation may be sought

from originating bodies or departments providing the information.

What you can expect of disability services

National Standards for Disability Services

People who use disability services can expect the services to meet the National Standards for Disability Services.

Organisations funded by the Disability Services are required to ensure their services are aligned with the six national Standards:

1. the protection of human rights, freedom of expression, decision- making and prevention of abuse and neglect
2. encouraging meaningful participation and active inclusion in society
3. achieving individual outcomes and goals through person-centred planning and delivery of services around strengths and needs
4. the ability to access effective feedback and complaint processes without fear of adverse consequences or loss of service
5. ensuring the service clearly communicates and fairly manages their access criteria and processes for commencing and leaving the service, including referral to other service options where necessary
6. effective and accountable service management practices that maximise outcomes for individuals.

These Standards capture the intent of and replace Western Australia's nine former Standards.

Details for the National Standards can be found on

the home page of Disability Service'sError!
Hyperlink reference not valid. .

Standard Four refers to feedback and complaints. This Standard requires organisations to:

- provide clear and regular complaints information
- provide information in alternative formats if required
- enable people to access independent support to raise their concerns and make complaints without fear of losing service quality
- have an effective and transparent complaints management process
- use feedback and complaints to continually improve their services.

Western Australian Carers Charter

Disability Services and Disability Services funded disability sector organisations are also required to comply with the Western Australian Carers Charter (Schedule 1 of the Carers Recognition Act 2004).

The Charter requires that:

- carers are treated with respect and dignity
- carers should be included in the assessment, planning, delivery and review of services that impact on them and their role
- carers' views and needs are taken into account along with the views, needs and best interests of the individual when decisions are made that impact on carers and their role

- complaints made by carers in relation to services that impact on them and their role must be given due attention and consideration.

Steps to make a complaint

To make a complaint about a disability sector organisation, including Disability Services, use the following steps. Start with the first option and move on to the next if necessary.

1. Raise your concerns with the organisation that provided the service, preferably a manager.
2. Use the organisation's official complaints procedure.
3. Lodge a complaint with the Director of the Health and Disability Services Complaints Office (HaDSCO) under Part 6 of the Disability Services Act (1993) (see page 7).

If you feel you are unable to approach the organisation, you can contact HaDSCO directly to lodge your complaint.

4. Use other complaints avenues that may be available to you, such as the services listed in this booklet.

Who to contact

Non-government disability sector organisations

All disability sector organisations funded by the State Government's Disability Services or by the Australian Government are expected to comply with the National Standards for Disability Services. If you are concerned about the quality of a service, particularly in relation to the Standards, first try to resolve the problem with the relevant

party. As part of their service agreements with Disability Services, State-funded organisations are required to have a complaints procedure. Contact the organisation to discuss your concerns and lodge a complaint if necessary.

While Disability Services has authority to investigate matters related to ill-treatment of people with disability, it will not investigate routine complaints that are best dealt with by the disability sector organisation and / or the Health and Disability Services Complaints Office. However, Disability Services officers can provide information about how these concerns and complaints can be addressed.

The Disability Services Consumer Liaison Service

The Consumer Liaison Service is an impartial and confidential means of ensuring concerns and complaints about services provided by Disability Services are acknowledged and addressed in a thorough and timely manner. This is in accordance with the Western Australian Disability Services Act 1993, the National Standards for Disability Services, the Australian/International Complaint Handling Standards and other relevant legislation. The Consumer Liaison Service acts as Disability Services' 'neutral' arbitrator when complaints about its services are made.

Resolving concerns and complaints at the local level

If you have a concern about Disability Services - provided service, it is worth initially raising the issue with a coordinator or supervisor at the direct service

level. It may be there has been a misunderstanding that can be clarified by talking it over. If you are still not satisfied, you can ask to speak to a manager about lodging a complaint. This can be addressed at the local level, and will be overseen by the relevant Executive Director.

The Consumer Liaison Officer

You may choose to lodge your complaint directly with the Disability Services Consumer Liaison Officer, who is based at the West Perth office.

You can make a complaint in any way that suits you best. This could be in writing, by email, phone, fax, in person, or by using the Disability Services online complaint form available on the website. The Consumer Liaison Officer can also advise on other ways to pursue the matter.

From time to time, people with disability, their families, carers and/or advocates can feel vulnerable when making a complaint. This feeling of vulnerability can sometimes be greater for people from Aboriginal and culturally and linguistically diverse backgrounds, and also for children and younger people. The Consumer Liaison Service ensures that the needs of all people are recognised and respected when they have concerns about the services they receive from Disability Services.

Contact:

Your local Disability Services office or
the Consumer Liaison Officer

Phone: (08) 6167 8333

Freecall: 1800 998 214 TTY: (08) 9426 9315

Email: clo@dsc.wa.gov.au

Website: www.disability.wa.gov.au

Health and Disability Services Complaints Office (HaDSCO)

HaDSCO responds to complaints from people with disability, their families or carers about any disability sector organisation in Western Australia, including Disability Services. This is in accordance with Part 6 of the Disability Services Act 1993 (the Act). You may complain to the Director of HaDSCO about services provided or not provided to you.

You will need to explain why you believe the organisation was unreasonable. This could be:

- the way it responded to a complaint
- the way the service was provided
- not providing a service
- denying or restricting the individual's access to records
- disclosing confidential information
- not complying with the Carers Charter.

HaDSCO may encourage you to follow the organisation's complaint process before deciding whether it can consider your complaint under the Act.

Contact:

Health and Disability Services Complaints Office

Phone: (08) 6551 7600

TTY: (08) 6551 7640

Freecall: 1800 813 583

Email: mail@hadsco.wa.gov.au

Website: www.hadsco.wa.gov.au

Department of Social Services

To lodge a complaint about a disability service or organisation funded by the Australian Government, contact the Department of Social Services (formerly the Department of Families, Housing, Community Services and Indigenous Affairs).

It is best to try to resolve the matter with the relevant organisation before contacting the Department.

Contact:

Department of Social Services Feedback

Phone: 1800 634 035

Email: complaints@dss.gov.au

Website: www.dss.gov.au

What can you complain about?

Like all members of the community, people with disability have the right to have their concerns and complaints taken seriously and addressed appropriately.

Complaints can be made on any aspect of a community or government service. Some major issues and how to address them are listed here.

Abuse

National Disability Abuse and Neglect Hotline

The National Disability Abuse and Neglect Hotline provides free, confidential, Australia-wide support and assistance regarding allegations of abuse and neglect involving a person or people with disability. The hotline documents reports on abuse and neglect, including physical, sexual, emotional, financial, legal and systemic abuse, constraints and restrictive practices, physical,

emotional and passive neglect, and deprivation. The hotline works with callers to find appropriate ways to deal with these reports.

If a caller reports abuse or neglect in a government-funded disability organisation, the hotline will refer the report to the government body that funds the service for investigation.

If a caller reports abuse or neglect in another situation, the hotline will refer the report to an agency able to investigate or address the report such as the police, a complaints handling body or ombudsman. The hotline also refers callers to services and organisations for advocacy, legal aid or counselling services that can further assist and support a person who has experienced abuse or neglect.

Contact:

National Disability Abuse and Neglect Hotline

Phone: 1800 880 052

TTY: 1800 301 130

National Relay Service: 1800 555 677

Translating and Interpreting Service: 131 450

The hotline is open 8am–8pm (AEST), every day, Australia-wide.

Email: enquiries@disabilityhotline.org

Website: www.disabilityhotline.org

Public Interest Disclosure Act

The Public Interest Disclosure Act 2003 (PID Act) enables any person to report witnessed or suspected unethical behaviour by a public authority or a publicly-funded body.

The Act ensures protection of the discloser's

identity, and there are strict criteria around matters that can be investigated under the Act. A person may make a disclosure of public interest information anonymously.

Concerns about improper conduct in a disability sector workplace can be addressed under the PID Act if there is a perceived or actual risk to the discloser's well-being, service or employment.

The Disability Services Consumer Liaison Officer, on (08) 9426 9244, can confidentially discuss ways of disclosing sensitive information about a disability service, and whether the PID Act may be applicable.

Emergencies

If you fear that you or someone you know is in imminent danger, phone 000 to receive immediate assistance from the police, ambulance or fire services.

Community access

The Federal Disability Discrimination Act 1992 makes it unlawful to deny or restrict a person's access to public premises or services on the grounds of disability. Examples include access to schools, transport services, workplaces, restaurants, shopping centres, businesses and sport or entertainment venues. You are entitled to make a complaint to the owner or manager of the relevant establishment under this Act, if reasonable access to premises is not available.

The Act confirms the right of people with disability to move about in the community using footpaths, crossings,

public conveniences, parks and playgrounds. People experiencing difficulty accessing these and other facilities may lodge a report or complaint with the relevant local council.

Transport

The WA Department of Transport and its portfolio partner, the Public Transport Authority (PTA), are committed to ensuring there are safe, accessible, sustainable and efficient transport services and systems which enhance the lifestyles of all West Australians.

Both departments have developed Disability Access and Inclusion Plans for 2012–2017. The plans recognise that people with disability and their families and carers have the same rights to access transport services as any other member of the community.

To register feedback or to make a complaint to the Department of Transport about an accessibility issue (general transport operations including main roads):

Contact:

Governance and Strategic

Planning Department of

Transport

GPO Box C102

Perth WA 6839

Phone: (08) 6551 6669

National Relay Service: 13 36 77

Email: daip@transport.wa.gov.au

Website: www.transport.wa.gov.au

People who wish to lodge feedback or complaints about public transport services in particular, can use the PTA online form on their website.

Contact:

Phone: Feedback line 13 62 13

TTY: (Transperth-metropolitan) (08) 9428 1999

National Relay Service: (Transwa-regional) call 13 36 77 and quote 1300 662 205

Email: daip@pta.wa.gov.au

Website: www.transperth.wa.gov.au

Discrimination

If you believe you have been discriminated against on the grounds of a disability or impairment, you can take action through the Western Australian Equal Opportunity Act 1984 or the Disability Discrimination Act 1992.

Equal Opportunity Commission

The Western Australian Equal Opportunity Act 1984 makes it unlawful to discriminate against a person on the grounds of their impairment in relation to:

- employment
- accommodation
- education
- provision of goods, services and facilities
- gaining access to places and vehicles
- membership of clubs and incorporated associations
- sport
- application forms

- advertisements
- superannuation and provident funds.

Contact:

Commissioner for Equal Opportunity

Phone: (08) 9216 3900

Freecall: 1800 198 149

TTY: (08) 9216 3936

Email: eoc@eoc.wa.gov.au

Website: www.eoc.wa.gov.au

Australian Human Rights Commission

The Disability Discrimination Act 1992 has similar provisions to the Western Australian Equal Opportunity Act 1984. The Human Rights Commission assists people and organisations to achieve equal access and opportunities for people with disability.

Contact:

Australian Human Rights Commission

Phone: (02) 9284 9600

TTY: 1800 620 241

Complaints infoline: 1300 656 419

General enquiries and publications: 1300 369 711

Fax: (02) 9284 9611

Email: complaintsinfo@humanrights.gov.au

Website: www.humanrights.gov.au

Disability Discrimination Unit

The Disability Discrimination Unit (DDU) at the Sussex Street Community Law Service in Victoria

Park WA is funded by the Australian Government. The DDU provides legal advice and/or limited representation for people who wish to lodge a disability discrimination complaint.

Contact:

Disability Discrimination Unit
Sussex Street Community Law Service

Phone: (08) 6253 9500

TTY: (08) 9470 2831

Fax: (08) 9470 1805

Local call: 1300 648 655 (country only)

Email: legal@sscls.asn.au

Website: www.sscls.asn.au

Education

State government schools

Parents or guardians who have a child or children with disability should first raise any concerns about education services directly with their school. If the matter cannot be resolved at this level, contact the relevant District Education Office or the Education Department.

Contact:

Your local school, the District Education Office, or

Email: complaints@det.wa.edu.au

Website: www.det.wa.edu.au/standardsandintegrity

Catholic schools

For issues within Catholic schools.

Contact:

Director of Catholic Education

Catholic Education Office of Western Australia

Phone: (08) 6380 5200

Email: ceowa@ceo.wa.edu.au

Website: www.ceo.wa.edu.au

Other non-government schools

For issues that cannot be resolved with the school's principal or the chair of its governing body.

Contact:

Department of Education Services (DES)

Phone: (08) 9441 1900

Email: des@des.wa.gov.au

Website: www.des.wa.gov.au

Employment

The Australian Government provides funding for disability employment and advocacy services in all states and territories.

Complaints Resolution and Referral Service (CRRS)

The CRRS is an independent avenue of complaint for users of Australian Government-funded disability employment and advocacy services. CRRS may be of use when complaints cannot be resolved internally and/or people feel that they cannot use an organisation's internal complaints mechanism.

The CRRS can assist with complaints in relation to:

- not getting paid
- not receiving the appropriate support to do a job
- workplace health and safety
- privacy and confidentiality
- rights, abuse and neglect
- breaches of the National Standards for Disability

Services.

Contact:

Complaints Resolution and Referral Service

Phone: 1800 880 052

TTY: 1800 301 130

National Relay Service: 1800 555 677

Translating and Interpreting Service: 131 450

Email: crrs@workfocus.com

Website: www.crrs.net.au

Health

To complain about a service provided by the WA Department of Health, or a private health service, first approach the hospital or health service concerned. Each hospital and health service has its own complaints procedure. If you do not receive a satisfactory response, you can lodge a complaint with the Health and Disability Services Complaints Office (HaDSCO) (see page 7). HaDSCO can look into complaints about any services provided by WA health providers including:

- hospitals
- doctors, dentists, pharmacists, nurses and other health care staff
- mental health services and psychiatrists
- psychologists, therapists and allied health professionals
- social workers employed in a health care setting

- aged care, hostels or supported residential services
- alternative health providers.

Mental health and the Office of the Chief

Psychiatrist The WA Department of Health is responsible for providing public mental health services to people with a mental health or psychiatric condition as their primary diagnosis.

The Chief Psychiatrist is responsible for monitoring the standards of psychiatric care provided throughout the State.

If you have a complaint about the standard of psychiatric care provided to you by a mental health service, first try to resolve it at a local level with staff from the hospital or mental health service management.

If the matter is not resolved to your satisfaction, you can contact the Chief Psychiatrist to raise your concerns either by letter or by phoning to speak to a staff member.

Contact:

The Chief Psychiatrist

189 Royal Street

East Perth WA 6004

Phone: (08) 9222 4462

Fax: (08) 9222 4244

Website: www.chiefpsychiatrist.health.wa.gov.au

Emergencies

Contact:

The Mental Health Emergency Response Line

Metropolitan: 1300 555 788
Peel district: 1800 676 822
Rurallink: 1800 552 002

The Health and Disability Services Complaints Office (HaDSCO) (see page 7) can also receive complaints about any public or private mental health service in Western Australia.

Housing

The Western Australian Department of Housing, as well as providing public housing in metropolitan and country areas of Western Australia, can assist people with various other housing needs. This includes rental assistance, becoming a home owner and issues related to homelessness.

You can provide feedback or make a complaint about a Department of Housing service.

Contact :

The customer feedback line

Phone: (08) 9440 2363

Toll Free: 1800 257 677

Website: www.dhw.wa.gov.au – online feedback form

Help to lodge a complaint

The following advocacy organisations may be able to help you with a complaint about a quality of service or discrimination matter by:

- advising you of your rights
- assisting you to put your complaint in writing
- acting as your advocate to ensure your rights are

represented and upheld.

Advocare

Advocare is an independent advocacy service that manages complaints from people receiving aged care and home and community care services. All assistance is free and confidential.

Contact:

Phone: (08) 9479 7566

Freecall: 1800 655 566

(country callers) Email:
rights@advocare.org.au

Website:

www.advocare.org.au

Commissioner for Children and Young People (CCYP) WA

CCYP is the independent advocate for all children and young people in Western Australia to improve their wellbeing and ensure their voices are heard. Particular attention is given to children and young people who are vulnerable or disadvantaged for any reason. The Commissioner welcomes questions, feedback and suggestions from children and young people, their families and people who work with them.

Contact:

Phone: (08) 6213 2297

Freecall: 1800 072 444 (country callers)

Fax: (08) 6213 2220

Website: www.ccyp.wa.gov.au

Carers WA

Carers WA is a non-profit organisation which represents carers' interests in the West Australian community. Carers WA works in partnership with carers, people with disability, service providers, government and the wider community to achieve an improved quality of life for carers.

Contact:

Phone: 1300 227 377

Carer counselling line: 1800 007 332 (country callers)

Fax: (08) 6213 2220

Email: info@carerswa.asn.au

Website: www.carerswa.asn.au

Ethnic Disability Advocacy Centre

The Ethnic Disability Advocacy Centre provides advocacy services for people with disability who come from culturally and linguistically diverse backgrounds.

Contact:

Phone: (08) 9388 7455

Freecall: 1800 659 921

Fax: (08) 9388 7433

Email: admin@edac.org.au

Website: www.edac.org.au

Health Consumers' Council

The Health Consumers' Council can advise on lodging health and mental health-related complaints about private health providers, hospitals, health insurers, the Medical Board of WA, and HaDSCO.

Contact:

Phone: (08) 9221 3422

Freecall: 1800 620 780

Fax: (08) 9221 5435

Email: info@hconc.org.au
Website: www.hconc.org.au

People with Disabilities WA (Inc)

People with Disabilities WA is a non-government organisation that provides individual and systemic advocacy for people and groups with disability, as well as information and referral to services.

Contact:

Phone: (08) 9485 8900

Freecall: 1800 193 331

Fax: (08) 9386 1011

TTY: (08) 9386 6451

Email: info@pwdwa.org

Website: www.pwdwa.org

Other advocacy organisations

Advocacy South West (Inc.)

Phone: (08) 9791 3293

Fax: (08) 9791 3361

Email: admin@advocacysouthwest.org.au

Website: www.advocacysouthwest.org.au

Blind Citizens WA Inc

Phone: (08) 9355 5113

Email: BCWA@westnet.com.au

Website: www.bca.org.au

Citizen Advocacy Perth West (for people with intellectual disability)

Phone: (08) 9445 9991 or (08) 9445 1118

Fax: (08) 9445 1260

Email: enquiries@capw.org.au
Website: www.capw.org.au

Citizen Advocacy South Metropolitan (for people with intellectual disability)

Phone: (08) 9452 7294
Email: advocacy@casm.org.au
Website: www.casm.org.au

Developmental Disability WA (Inc.)

Phone: (08) 9420 7203
Fax: (08) 9420 7204
Email: ddcwa@ddc.org.au
Website: www.ddc.org.au

Headwest (Brain Injury Association of WA Inc.)

Phone: (08) 9445 9991 or (08) 9445 1118
Fax: (08) 9445 1260
Email: enquiries@capw.org.au Website: www.capw.org.au

Midland Information Debt and Legal Advocacy Service (MIDLAS)

Phone: (08) 9250 2123
Fax: (08) 9274 4115
Website: www.midlas.org.au

Personal Advocacy Service (for people with intellectual disability)

Phone: (08) 9275 5388
Email: admin@paswa.org.au
Website: www.perthcatholic.org.au

Sussex Street Community Law Service and Individual Disability Advocacy Service (IDAS) for the Mid-West, Goldfields and the Great Southern

areas of WA

Phone: (08) 6253 9500

Fax: (08) 9470 1805

TTY: (08) 9470 2831 Country Callers: 1300 648 655

Email: sscls@sscls.asn.au

Website: www.sscls.asn.au

WA Deaf Society Inc.

Phone: (08) 9441 2677

Fax: (08) 9441 2616

TTY: (08) 9441 2655

After hours emergency service: for SMS or voice call 0410 017 540

Email: info@wadeaf.org.au

Website: www.wadeaf.org.au

Assistance if complaints are not resolved

If you are not satisfied with the response to your complaint you may be able to obtain help from the State Ombudsman. The Ombudsman serves the WA Parliament and West Australians by receiving, investigating and resolving complaints about the decision-making and practices of WA public authorities. Public authorities include State Government departments, prisons, hospitals, schools and technical colleges, local governments and universities.

The Ombudsman may ask that you first try to resolve your complaint with the public authority involved. If your complaint is about a matter that can be dealt with by another complaint agency (such as HaDSCO) you may be asked to contact that agency in the first instance.

There are some things the Ombudsman cannot help with, such as complaints about decisions made by government ministers, or the actions of private individuals or businesses.

Contact:

Enquiry Officer, State Ombudsman

Phone: (08) 9220 7555 Freecall: 1800 117 000

National Relay Service: TTY or modem users
phone 133 677 and quote 9220 7555

Voice-only (speak and listen) users: 1300 555
727 and quote 9220 7555

Translating and Interpreting Services (TIS)

National: Available 24 hours a day, every day,
Australia-wide on 131 450.

Email: mail@ombudsman.wa.gov.au

Website: www.ombudsman.wa.gov.au

Disability Services

Address: 146–160 Colin Street

West Perth WA 6005

Website: www.disability.wa.gov.au

Email: clo@dsc.wa.gov.au

Phone: 6167 8333

Country callers: 1800 998 214

TTY: 9426 9315

This publication is available in alternative formats on request.

Thông tin này có thể được cung cấp bằng Tiếng Việt

Habari hii inaweza kutolewa katika Kiswahili

Macluumaadkan waxaa loo bixin karaa af Soomaali

Ces informations peuvent être fournies en langue française.

Informasi ini dapat diberikan dalam bahasa Indonesia

بالإمكان تحديث هذه المعلومات لغالباً العربي

本資料可以提供中文版本。