

11 May 2018

[fyi-request-7639-e707a632@requests.fyi.org.nz](mailto:fyi-request-7639-e707a632@requests.fyi.org.nz)

Dear Mr Lubbe

I am writing in response to your request of 19 April 2018 under the Official Information Act 1982 seeking the official complaints procedure in respect to Ministry of Justice-contracted providers of domestic violence programmes.

All our providers must meet and maintain Level 2 of the Social Sector Accreditation Standards, which include having good systems in place for the resolution of complaints. The standards are prescribed in the Social Sector Accreditation Standards – Level 2, pages 24/25 attached.

Also attached for your information is a flow chart and guidelines documenting our own internal process for investigating public (third party) complaints about providers (see Appendix 1).

I trust this information responds to your request, however, you have the right under section 28(3) of the Official Information Act to complain to the Ombudsman, about my response. The Ombudsman can be contacted at [www.ombudsmen.parliament.nz](http://www.ombudsmen.parliament.nz)

Yours sincerely



Sarah Turner

Group Manager, Commissioning & Service Improvement  
Operations & Service Delivery Group



# Resolution of complaints related to service provision

The organisation uses an effective process to resolve complaints about service provision.

**1. The organisation has a process for receiving, considering and resolving complaints that is soundly based in law and is consistent with the principles of natural justice, and ensures the support and safety of the complainant throughout the process.**

**Guidance:**

The organisation will have a written complaints policy and procedure in place that describes:

- the process for dealing with formal and informal complaints, including how the organisation will undertake an independent investigation if required
- timeframes
- how people are kept safe through the process, including people with specific needs and the right of people to have the support of an independent advocate
- documentation of complaints
- where the complainant can be referred to if they are not satisfied with the resolution of the complaint.

**2. The organisation ensures its clients and staff are aware of the complaints process.**

**Guidance:**

The organisation will demonstrate that:

- clients have been informed of the complaint process and know how to make a complaint
- staff are trained in the complaints process.

**3. The organisation seeks to resolve complaints effectively and makes improvements to the service as a result.**

**3.1 The organisation must record the application of the complaints process and the resolution achieved.**

**Guidance:**

The organisation will maintain records of all complaints and actions taken, including a register of complaints, and where relevant, records of:

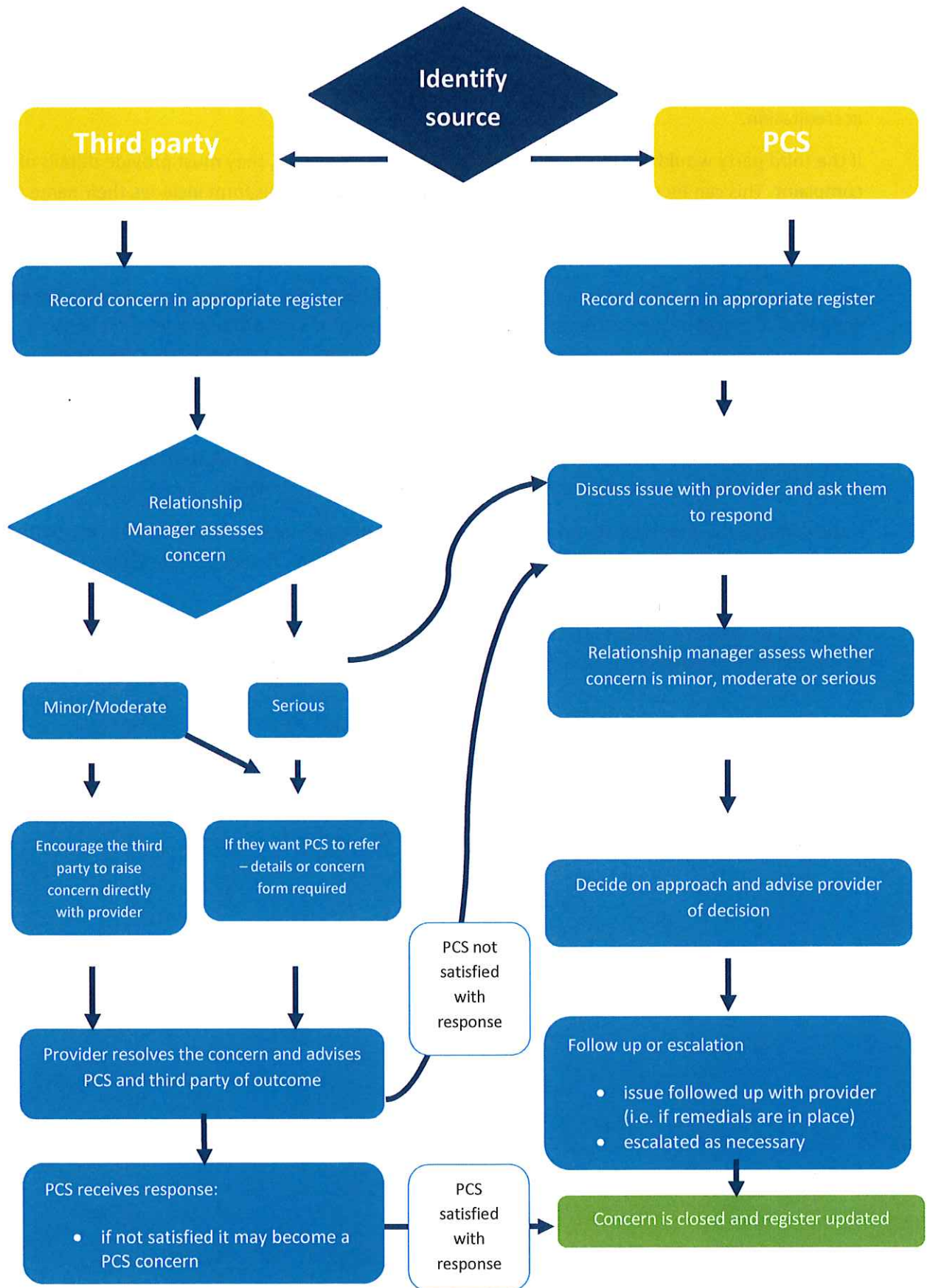
- the original complaint
- all decisions made at higher levels such as governance or complaints committees
- any investigation of the complaint which may include, reports from staff member/s involved, details of conversations, interviews or meetings
- the outcome of the complaint
- any actions taken in relation to the complaint, eg staff disciplinary processes
- communication to those involved, including the complainant.

**3.2 The organisation will provide evidence it has made appropriate improvements based on the analysis of complaints received.**

Evidence the organisation has made improvements to services, programmes or systems as a result of the analysis of complaints may be found in:

- a summary of the complaints
- results of assurance reviews
- minutes of relevant meetings
- documentation of actions taken
- amended policies, procedures or service design and implementation.

**Appendix 1: Provider and Community Services Guide for Resolving Contractual Concerns about Providers, Framework flowchart and guidance section, pages 2&3.**



## THIRD PARTY COMPLAINTS

*For third party complaints, use the guidance in this section and other relevant sections as per the flowchart in the **FRAMEWORK** section.*

If the complaint comes from a third party, the relationship manager should do an initial assessment of the issue (see **ASSESSING THE CONCERN** and **IS A CONCERN MINOR, MODERATE OR SERIOUS?**).

**If the complaint is assessed as minor or moderate**, the relationship manager should encourage the third party to resolve the issue directly with the provider. All providers must have their own process for responding to complaints as required by their contractual agreements and/or MSD social services accreditation.

If the third party would like PCS to raise the issue with the provider, they must provide details of the complaint. This can be supplied using the complaint form [\[link\]](#)\*. This form includes their name and details of the complaint, and will be sent to the provider. Anonymous complaints should not be accepted unless there are extenuating circumstances.

When a complaint is referred to a provider, they should respond to the third party directly but also keep PCS informed of the outcome. If the response PCS receives is satisfactory, the relationship manager needs to update the register and close the complaint (see **CLOSING THE CONCERN**).

If the response is not satisfactory to PCS, it may be appropriate for PCS to become involved. At that stage, the complaint would become a PCS concern and be escalated within the internal hierarchy as appropriate. Close the third party complaint in the register and make a new entry for the PCS concern, using the notes column to record that the two issues are related.

**If the complaint is assessed as serious**, the relationship manager should first raise the issue with the provider and investigate the complaint as if it were a PCS concern. It may be necessary to discuss the complaint with your manager before making this decision.

\*Legal aid provider complaint forms are different to those used by PCS. Email [legallaidcomplaints@justice.govt.nz](mailto:legallaidcomplaints@justice.govt.nz) for a copy of their internal or external complaint form.