



## 2. Office Overview

In this section we provide information about the role, functions and structure of the Office.

# From the HaDSCO Director



It is a pleasure to present my first Annual Report as Director of the Health and Disability Services Complaints Office.

Having worked in the complaint handling profession for over 15 years, I recognise the inherent value derived from effective complaints resolution and with it, the opportunities for improvement across the health, disability and mental health sectors. Complaint handling bodies are unique in the way they can achieve outcomes for an individual and drive change for the broader community. From any given complaint we are able to make recommendations that provide far reaching benefits for others who access similar services in the future.

I am privileged to join the Office, which provides a key service to the Western Australian community, and aim to further strengthen accessibility to the Office and ensure complaints are managed in the most effective, efficient and timely manner.

During 2015-16, HaDSCO received 2,548 complaints, representing a five percent increase on 2014-15. Most notably, the largest increase was for disability services where there was an 18 percent increase on the previous year. I am pleased to report that even with the increased numbers of complaints, HaDSCO exceeded its timeliness targets for assessment of complaints. Details of outcomes for individuals who made complaints and service delivery improvements are contained in this report.

An important body of work for the Office in 2015 was associated with the introduction of the *Mental Health Act 2014* (the MH Act) which came into operation in November 2015. Under Part 19 of the MH Act, HaDSCO has responsibility to manage complaints about all public and private mental health service providers. Although the Office previously dealt with these complaints under its health complaints jurisdiction, the introduction of the MH Act has formalised the arrangement in this important area.

# From the HaDSCO Director

In preparation for the MH Act, HaDSCO coordinated the establishment of a multi-agency initiative, the Mental Health Complaints Partnership Agreement, aimed at streamlining complaints processes and clarifying roles and responsibilities of the partnership organisations.

To coincide with the introduction of the MH Act, and as part of a strategy for improving operational effectiveness, we introduced new complaint categories into our complaints database. Consequently, not all figures contained in this report can be compared to previous years. We are confident this change will enable us to report more effectively moving forward.

We continued to collect complaints data from health and disability service providers across Western Australia. This information enabled us to report on broad complaint trends and issues across these sectors. In accordance with the MH Act, once prescribed in regulations, complaints data will also be provided to the Office by external public and private providers who deliver mental health services.

In the area of education and training, we continued to work collaboratively with stakeholders to ensure complaint handling processes are fit-for-purpose and reflective of community needs.

During 2015-16 we undertook a series of effective complaints handling sessions with a large service provider to help strengthen their complaints handling capacity. This series provided a valuable opportunity to share the benefits of effective complaint handling systems.

At a national level, we undertook a range of initiatives with the Australian Health Practitioner Regulation Agency to improve inter-agency management of complaints about registered health practitioners. This included measures to streamline complaints processes and ensure they are responsive for all parties; provide greater consistency in the complaints and notifications processes between jurisdictions; and increase clarity around roles and responsibilities.

We continued to use new and existing methods to engage with hard-to-reach communities, including the launch of HaDSCO's "Voice up" educational video. This finalised an outreach program undertaken with Christmas Island community members and provided a valuable resource for use throughout Culturally and Linguistically Diverse Communities in Western Australia and the Indian Ocean Territories.

We are committed to our role in dealing with complaints about disability services and continue to work with stakeholders to clarify roles and responsibilities while the trial of the National Disability Insurance Scheme (NDIS) and WA NDIS are underway in Western Australia.

I take this opportunity to pass on my thanks to my predecessor, Anne Donaldson, who made a significant contribution to the work of the Office over the last ten years. A number of the achievements in this Annual Report were accomplished under her leadership.

Finally, I would like to express my appreciation to the dedicated staff at HaDSCO for their ongoing commitment to the work of the Office.



Sarah Cowie  
**DIRECTOR**



# Our performance at a glance



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Service improvements managed as a result of HaDSCO's involvement

Formalised our role in managing mental health complaints with the implementation of the *Mental Health Act 2014*



Launched the **“Voice up”** video resource for use throughout Culturally and Linguistically Diverse Communities



Created infographics as a means to share complaints data innovatively

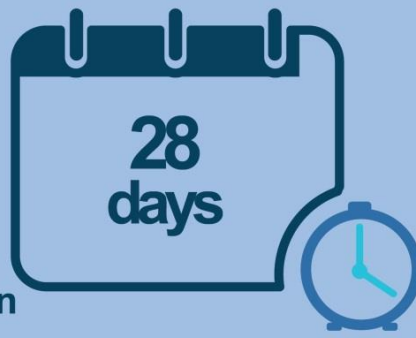
Effectively managed an

**18%**

increase in complaints about disability services



**98%**  
of complaints  
assessed within



Launched an online  
feedback survey to  
access feedback  
at all stages of our  
process

Undertook **262**  
engagement activities with  
stakeholders throughout  
Western Australia



closed  
**2,554**  
complaints

Negotiated settlement and  
conciliation resulted in  
**apologies, monetary  
refunds and  
explanations**  
being provided

## 2.3. Who we are

The Health and Disability Services Complaints Office (HaDSCO) is an independent Statutory Authority offering an impartial resolution service for complaints relating to health, disability and mental health services in Western Australia and the Indian Ocean Territories.

HaDSCO has a statutory reporting function to the Honourable John Day BSc BDSc MLA, Minister for Health; Culture and the Arts.

Through our roles and functions with the health, disability and mental health sectors we:

- Provide a free, independent and impartial service to assist people making a complaint and service providers to resolve complaints.
- Use information about complaints to identify systemic issues and trends across these sectors.
- Work collaboratively with all parties to improve service delivery and complaints management.

## 2.4. Our services

We operate within two distinct, but inter-linked key service areas:

### **Service One:** assessment, conciliation, negotiated settlement and investigation of complaints

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We assist consumers and providers to resolve complaints; undertake investigations; and identify opportunities for system improvement

### **Service Two:** education and training in the prevention and resolution of complaints

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We work collaboratively with our stakeholders to share information about the causes of complaints; provide education and training in effective complaint resolution; and implement initiatives that contribute towards system improvement

## 2.5. Our vision

*“Empowering users and providers to collaboratively improve health and disability services”*

## 2.6. Our values

We have six core values:

- 1 **Integrity:** acting impartially and with independence
- 2 **Accessibility:** ensuring services are accessible to all
- 3 **Responsiveness:** responding to the needs of stakeholders
- 4 **Confidentiality:** maintaining confidentiality
- 5 **Improvement:** influencing the quality and effectiveness of services
- 6 **Empowerment:** building capacity in complaints resolution and prevention

## 2.7. Our strategic plan

Within our two service areas we have identified priority areas of work that help us to achieve our central vision. These priorities are outlined in our 2012-15 Strategic Plan and centre on the following five themes:

### **System improvement**

HaDSCO is committed to service improvement by analysing information to identify systemic issues

### **Empowerment and education**

HaDSCO is committed to empowering consumers and providers to effectively resolve complaints and working collaboratively with stakeholders to develop accessible resources

### **Quality complaints management**

HaDSCO is committed to providing a quality complaints management service that meets best practice standards and is responsive to the environment

### **Building staff capacity**

HaDSCO is committed to strengthening service delivery by building staff skills and developing a performance oriented culture with an ongoing commitment to Office values

### **Effective resource management**

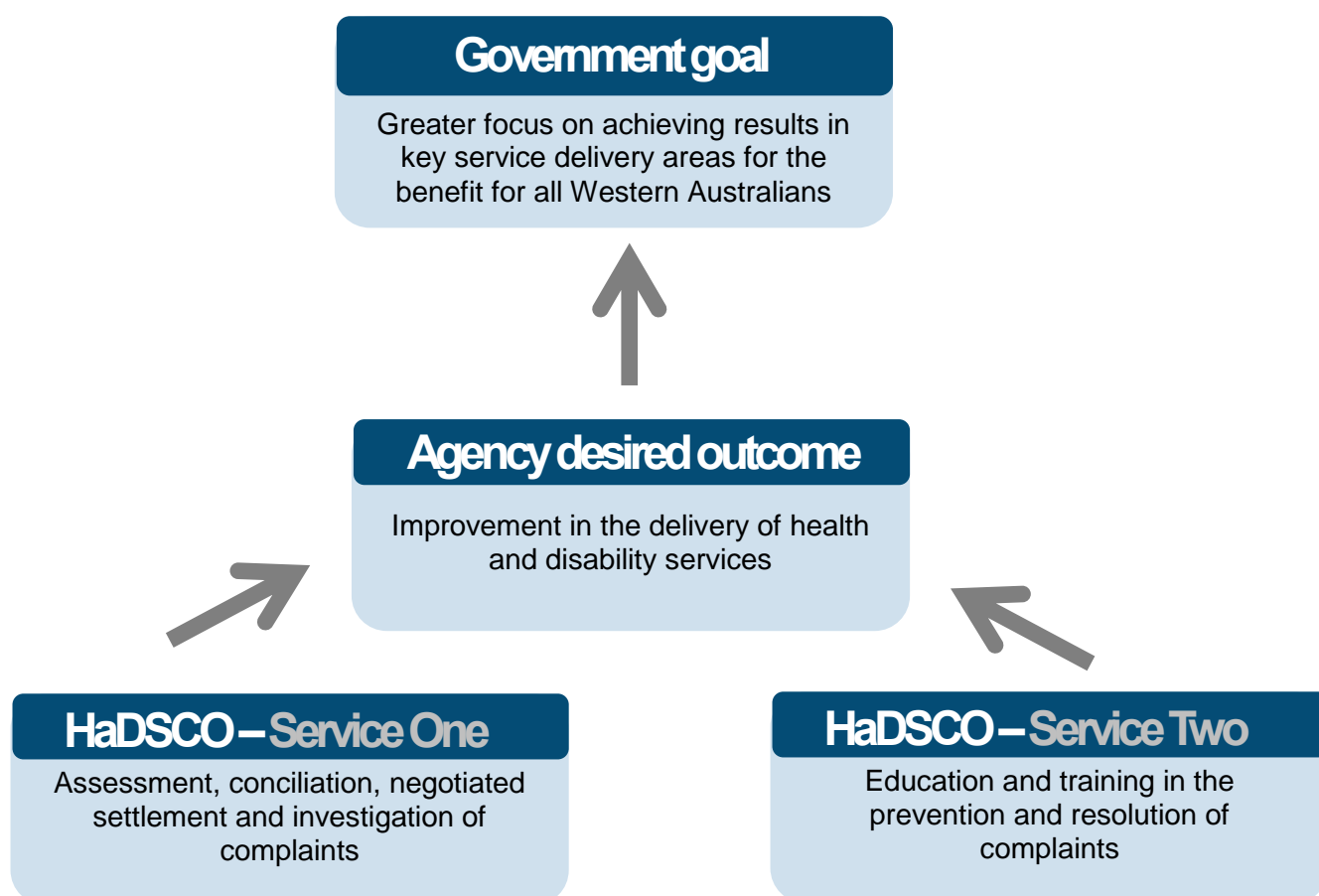
HaDSCO is committed to efficient and accountable resource management, cost effective service delivery and effective resource planning for key priorities



## 2.8. Performance Management Framework

The diagram below provides a visual representation of how we function as an Office in the Performance Management Framework to achieve our outcomes in the context of the wider government goals.

We do this to work towards achieving the overarching Government goal – Greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.



## 2.9. Working with legislation

We are an independent Statutory Authority and are required to administer legislation on behalf of the Western Australian State Government. The legislation that we administer outlines our responsibilities as an Office and the process that we must follow to manage complaints. Our legislative responsibilities directly align to our desired outcome of improved health, disability and mental health service delivery.

We administer the following legislation:

### ***Health and Disability Services (Complaints) Act 1995***

This Act defines the role of our Office and how we manage complaints about health services.

### ***Part 6 of the Disability Services Act 1993***

This part of the Act defines how we manage complaints about disability services.

### ***Part 19 of the Mental Health Act 2014***

This part of the Act defines how we manage complaints about mental health services.

### **Our functions**

Under these Acts, our main functions are to:

- Deal with complaints by negotiated settlement, conciliation or investigation.
- Review and identify the causes of complaints.
- Provide advice and make recommendations for service improvement.
- Educate users and providers about complaint handling procedures.
- Inquire into broader issues of health, disability and mental health care arising from complaints received.
- Work in collaboration with consumers and providers to improve health, disability and mental health services.
- Publish the work of the Office.
- Perform any other function conferred on the Director by the *Health and Disability Services (Complaints) Act 1995* or another written law.

Under these Acts we are able to do all things that are necessary, or convenient to be done, in order to perform the above functions.

HaDSCO also has the legislative authority to collect complaint data from health and disability service providers in Western Australia as follows:

- Under section 75 of the *Health and Disability Services (Complaints) Act 1995*, we collect complaints data from public, private and not-for-profit health service providers in Western Australia. Currently there are 25 health service providers who are prescribed in the *Health and Disability Services (Complaints) Regulations 2010* for this purpose. We include information about the complaints data in our annual reports each year. A list of the service providers can be found in appendix 6.1.
- Under section 48A of the *Disability Services Act 1993*, we collect complaints data about government and non-government disability service providers in Western Australia who are prescribed in the *Disability Services Regulations 2004*. Currently there are 20 disability service providers who are prescribed for this purpose. We include information about the complaints data in our annual reports each year. A list of the disability service providers can be found in appendix 6.2.

### **Other relevant legislation**

#### *Carers Recognition Act 2004*

Under this Act, service providers are required to comply with the *Western Australian Carers Charter*. HaDSCO may manage complaints about health, disability or mental health service providers that do not comply with this Charter.

#### *Declared Places (Mentally Impaired Accused) Act 2015*

Under this Act, there is provision for complaints relating to 'declared places' that have been established by the Disability Services Commission for the detention and rehabilitation of people who are 'mentally impaired accused'. HaDSCO has shared legislative responsibility in managing complaints arising from declared places.

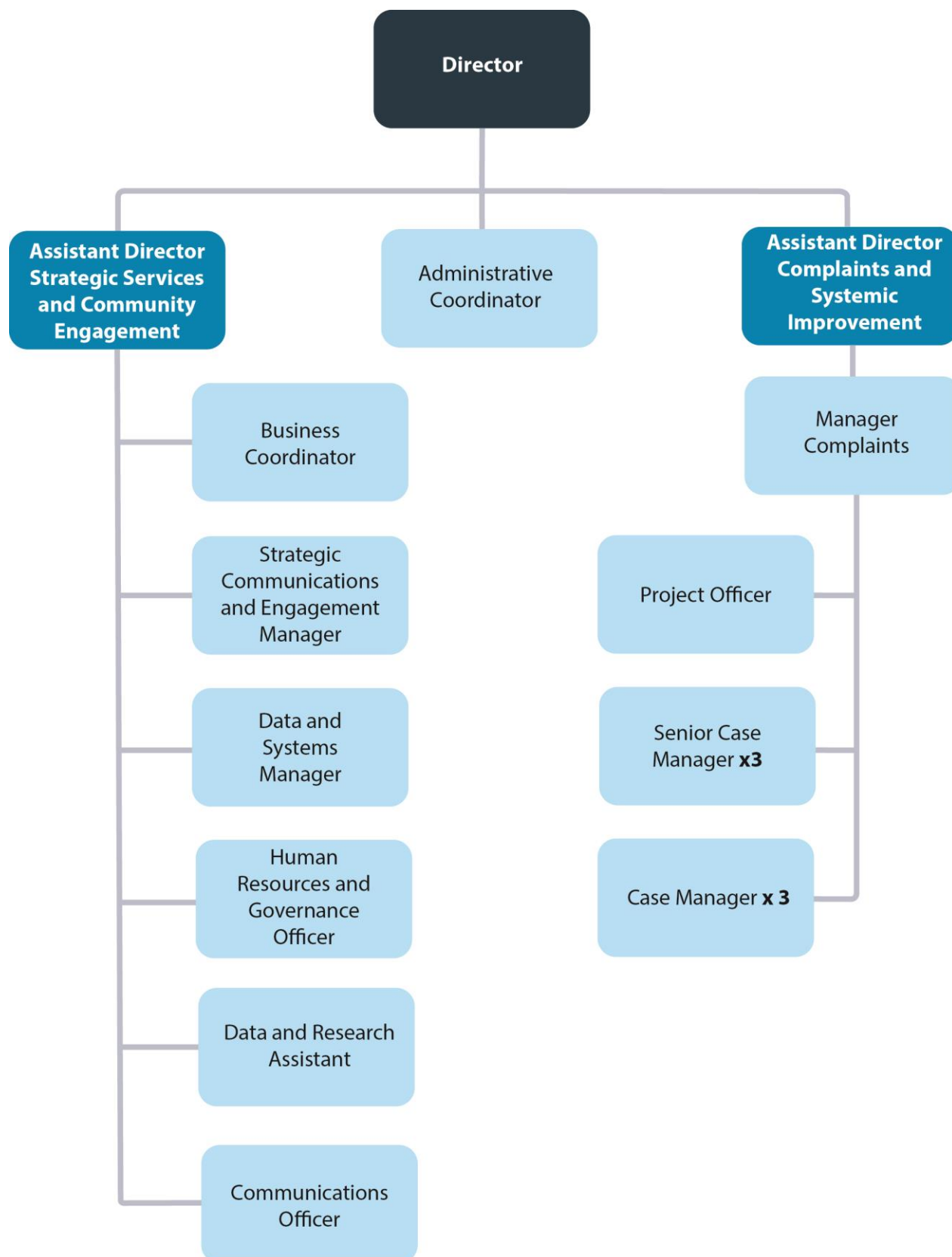
#### *Health Practitioner Regulation National Law (WA) Act 2010*

In accordance with the *Health Practitioner Regulation National Law (WA) Act 2010*, HaDSCO consults with the Australian Health Practitioner Regulation Agency (AHPRA) to manage complaints relating to the health, performance or conduct of registered health practitioners to determine which is the more appropriate agency to manage the complaint.

Sometimes, different aspects of a complaint are managed by both agencies. For example, AHPRA may investigate allegations relating to the health, performance or conduct of an individual practitioner while HaDSCO manages the broader systemic issues that may have contributed to the cause of the complaint. In addition, systemic issues identified by the national boards during their investigations may be referred to HaDSCO for further management.

A full list of the health professionals regulated by AHPRA can be found in appendix 6.3.

## 2.10. Organisational structure as at 30 June 2016



## **Corporate Executive**

The Office's Corporate Executive consists of the Director, Assistant Director Complaints and Systemic Improvement and Assistant Director Strategic Services and Community Engagement. The Corporate Executive provides leadership and strategic direction, sets priorities and targets for Office performance and monitors governance and compliance with relevant legislation and policies.

The Office structure comprises three teams as detailed below:

### **Executive Management Team**

This team comprises the Director and Administrative Coordinator and oversees the work of the Office and contributes to outcomes aligned to service one and service two.

### **Complaints and Systemic Improvement Team**

This team is primarily focused on delivering service one – assessment, negotiated settlement, conciliation and investigation of complaints. The key functions of this team are:

- To provide a comprehensive complaint resolution service.
- To undertake work relating to the system improvement of health, disability and mental health services.

### **Strategic Services and Community Engagement Team**

This team is primarily focused on delivering service two – education and training in the prevention and resolution of complaints, as well as providing core business services to the Office. The key functions of this team are:

- To deliver programs to educate and promote our services and collaborate with key stakeholders.
- To produce statistical analysis and research relating to complaints data.
- To provide corporate governance, administration, human resources, records management and finance services across the Office.

### **Support Services**

HaDSCO has a medical panel contract with Edith Cowan University for the provision of expert medical advice relating to the assessment, negotiated settlement, conciliation and investigation of complaints received by HaDSCO.

Support is also provided by the Health Support Services of the Department of Health in areas of information technology, procurement, finance and human resources. In addition, an officer from the Department of Health has been appointed to undertake the role of Chief Finance Officer for HaDSCO.