



Australasian Association and Register of Practicing Nutritionists (AARPN) Ltd – Complaint and Disciplinary policy and procedures

1. Introduction

Complaints about the conduct of an AARPN registered Practicing Nutritionist can be made direct to AARPN or direct to the relevant State Health Complaints Commissioner (HCC).

If a complaint made to AARPN is of a nature that is within the scope of the HCC, AARPN will forward the complaint to the HCC for investigation.

If the complaint involves criminal conduct, AARPN will immediately report such complaints to the relevant Federal or State law enforcement agency.

If the complaint is not a criminal matter and sits outside the scope of the HCC, AARPN will investigate the complaint through a detailed interview and research process and seek to professionally mediate a satisfactory outcome between the parties concerned, including any necessary disciplinary action which depending on the severity of the misconduct can involve:

- Specific requirement for further education;
- Requirement to work under direct supervision of an AARPN approved supervisor;
- Suspension of AARPN membership and Practicing Nutritionist registration and all rights and privileges that these confer on the individual; or
- Termination of AARPN membership and Practicing Nutritionist registration and all rights and privileges that these confer on the individual.

If the complaint involves Health Fund fraud, AARPN will notify the Health Fund(s) concerned and if found to be true, will revoke the member's provider status for a period determined by the Health Fund(s) affected.

Health Complaints Commissioner

The Health Complaints Commissioner in each State of Australia is an independent and accessible ombudsman. The Commissioner strongly emphasises conciliation in resolving complaints between patients and providers. Serious complaints are investigated. The Commissioner also recommends action to improve health services. The Commissioner will determine if the complaint is a serious matter affecting standards of care and whether it should be referred to Australian Health Practitioner Regulation Agency, AHPRA.

ACT Health Services Commissioner
<https://hrc.act.gov.au/health/>

Health Complaints Commissioner (Tasmania)
<https://www.healthcomplaints.tas.gov.au/>

Health Complaints Commissioner (Victoria)
<https://hcc.vic.gov.au/>

Office of the Health Ombudsman (Queensland)
<https://www.oho.qld.gov.au/make-a-complaint/>

NSW Health Care Complaints Commission (New South Wales)
<https://www.hccc.nsw.gov.au>

Health and Community Services Complaints Commissioner (Northern Territory)
<https://www.hcsc.nt.gov.au/about/>

Health and Community Services Complaints Commissioner (South Australia)
<https://www.hcsc.sa.gov.au/>

1.1 Purpose

This policy is intended to ensure that AARPN handle complaints fairly, efficiently and effectively.

Our complaint management system is intended to enable AARPN to respond to issues raised by people making complaints in a timely and fair way.

1.2 Scope

This policy applies to all AARPN representatives receiving or managing complaints from the public made to or about AARPN or any of its practitioner members.

1.3 Organisational commitment

AARPN is committed to fair, effective and efficient complaint handling.

2. Terms and Definitions

Complaint

Expression of dissatisfaction made to or about AARPN or an AARPN practitioner member.

Complaint management system

All policies, procedures, practices, staff, hardware and software used by us in the management of complaints.

Dispute

An unresolved complaint escalated either within or outside of our organisation.

Feedback

Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about AARPN or its practitioner members or complaint handling where a response is not explicitly or implicitly expected or legally required.

3. Guiding principles



3.1 Facilitate complaints

People focus

AARPN are committed to seeking and receiving feedback and complaints. In addition to ad hoc complaints and feedback, there will be provision for members and non-members to submit feedback annually through paper/electronic surveys. Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame.

People making complaints will be:

- provided with information about our complaint handling process
- provided with multiples and accessible ways to make complaints
- listened to, treated with respect by AARPN and actively involved in the complaint process where possible and appropriate, and
- provided with reasons for our decision/s and any options for redress or review.

No detriment to people making complaints

AARPN will take all reasonable steps including de-identifying data and restricting access to the principal investigating person(s), to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf. Any feedback given will be kept private as per section 3.2 below and AARPN Code of Conduct.

Anonymous complaints

AARPN will accept anonymous complaints and will carry out an investigation of the issues raised in the complaint where there is enough information provided.

Accessibility

AARPN will ensure that information about how and where complaints may be made to or about AARPN is well publicised through availability of a feedback form/complaint form in paper as well electronically on AARPN websites. AARPN will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/ or resolution of their complaint, AARPN will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, member of Parliament, another organisation).

No charge

Complaining to AARPN is free.

3.2 Respond to complaints

Early resolution

Where possible, complaints will be resolved at first contact with AARPN.

AARPN will promptly acknowledge receipt of complaints.

AARPN will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately (as detailed below in section 4.4).

AARPN are committed to managing people's expectations, and will inform them as soon as possible, of the following:

- the complaints process
- the expected time frames for our actions
- the progress of the complaint and reasons for any delay
- their likely involvement in the process, and
- the possible or likely outcome of their complaint.

AARPN will advise people as soon as possible when AARPN are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

AARPN will also advise people as soon as possible when AARPN are unable to meet our time frames for responding to their

complaint and the reason for our delay.

Objectivity and fairness

AARPN will address each complaint with integrity and in an equitable, objective and unbiased manner.

AARPN will ensure that the person handling a complaint is different from any person whose conduct or service is being complained about.

Conflicts of interests, whether actual or perceived, will be managed responsibly. Internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

Responding flexibly

AARPN is empowered to resolve complaints promptly and with as little formality as possible. AARPN will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.

AARPN will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

Confidentiality

AARPN will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by AARPN as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

3.3 Manage the parties to a complaint

Complaints involving multiple agencies

Where a complaint involves multiple organisations, AARPN will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within our organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

Where our services are contracted out, AARPN expect contracted service providers to have an accessible and comprehensive complaint management system. AARPN take complaints not only about the actions of itself and its practitioner members, but also the actions of service providers to AARPN.

Complaints involving multiple parties

When similar complaints are made by related parties AARPN will try to arrange to communicate with a single representative of the group.

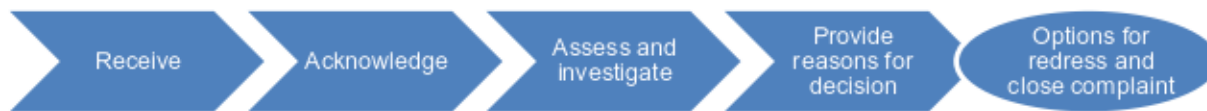
Managing unreasonable conduct by people making complaints

AARPN are committed to being accessible and responsive to all people who approach us with feedback or complaints. At the same time our success depends on:

- our ability to do our work and perform our functions in the most effective and efficient way possible
- the health, safety and security of our representatives, and
- our ability to allocate our resources fairly across any complaints AARPN receive.

If people behave unreasonably in their dealings with AARPN, their conduct can significantly affect the progress and efficiency of our work. As a result, AARPN will take proactive and decisive action to manage any conduct that negatively and unreasonably affects AARPN and will support our representatives and when appropriate, our practitioner members, to do the same.

4. Complaint management system



4.1 Introduction

The five key stages in AARPN's complaint management system are set out below.

4.2 Receipt of complaints

Unless the complaint has been resolved at the outset, AARPN will record the complaint and its supporting information. AARPN will also assign a unique identifier to the complaint file.

The record of the complaint will document:

- the contact information of the person making a complaint,
- issues raised by the person making a complaint and the outcome/s they want,
- any other relevant information, and
- any additional support the person making a complaint requires.

4.3 Acknowledgement of complaints

AARPN will acknowledge receipt of each complaint promptly, and preferably within 10 working days.

Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the person making a complaint.

4.4 Assessment and addressing of complaints

Initial assessment

After acknowledging receipt of the complaint, AARPN will confirm whether the issue/s raised in the complaint is/are within our control. AARPN will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, AARPN will consider:

- Whether a resolution requires the involvement of other organisations such as HCC or law enforcement agencies,
- How serious, complicated or urgent the complaint is,
- Whether the complaint raises concerns about people's health and safety,
- The risks involved if resolution of the complaint is delayed, and
- How the person making the complaint is being affected.

Addressing complaints

After initially assessing the complaint, AARPN will consider how to manage it. To manage a complaint AARPN may:

- Give the person making a complaint information or an explanation,
- Gather information from the person or area that the complaint is about, or
- Appoint an Investigation Officer (with at least one year experience as an AARPN member and at least 5 years clinical

experience as a registered nutritionist) to investigate the claims made in the complaint.

In a complaint process, Natural Justice requires that each person that is a party to the complaint is informed about the allegations and has an opportunity to respond to them. When investigating a complaint, an AARPN appointed Investigation Officer will:

- a) connect with the Complainant(s) on behalf of AARPN;
- b) connect with the Accused/Respondent(s) against whom the allegation refers at an appropriate time and give the
- c) Respondent an opportunity to:
 - I. hear the allegation(s) against him/her/it in full;
 - II. explain or respond to the allegation(s), either orally, in writing or both;
 - III. identify any witnesses and supporting evidence in favour of the Respondent;
 - IV. invite a support person or advisor, who must not be qualified as a lawyer or barrister, to attend any meeting with the person investigating; and
 - V. be provided support (for example, professional counselling) if necessary;
- d) obtain a signed statement and record of interview from the Respondent;
- e) contact any witnesses and obtain written and signed statements outlining details of the complaint/allegation; and
- f) obtain other information that could assist in deciding on the complaint/allegation.
- g) convene separate meetings with the parties (as appropriate) and discuss the outcomes of the investigation; and
- h) determine and implement a plan for managing feedback and counselling to the parties as appropriate.

AARPN will keep the person making the complaint up to date on its progress, particularly if there are any delays. AARPN will also communicate the outcome of the complaint using the most appropriate medium. Which actions AARPN decide to take will be tailored to each case and consider any statutory requirements.

Disciplinary outcomes

If the complaint is not a criminal or Health Fund matter and sits outside the scope of the HCC, AARPN will investigate the complaint through the process outlined in Section 4.4 and where possible and appropriate, seek to professionally mediate a satisfactory outcome between the parties concerned.

The form of disciplinary measures that may be imposed on an individual found to have engaged in misconduct will depend on:

- a) the nature, criminality, and seriousness of the behaviour or incidents and the risk posed to public safety;
- b) the wishes of the Complainant;
- c) if the Respondent knew or should have known that their action/behaviour constituted misconduct;
- d) level of contrition of the Respondent;
- e) if there have been relevant prior warnings or disciplinary action; or
- f) if there are any mitigating circumstances such that the Respondent should not be disciplined so severely, and of least consideration,
- g) the effect of the proposed disciplinary measures on the Respondent including any personal, professional or financial consequences.

, The disciplinary actions available to AARPN include but are not limited to:

- Specific requirement for further education;
- Requirement to work under direct supervision of an AARPN approved supervisor;

- Suspension of AARPN membership and Practicing Nutritionist registration and all rights and privileges that these confer on the individual; or
- Termination of AARPN membership and Practicing Nutritionist registration and all rights and privileges that these confer on the individual.

4.5 Providing reasons for decisions

Following consideration of the complaint and any investigation into the issues raised, AARPN will contact the person making the complaint and advise them:

- the outcome of the complaint and any action AARPN took
- the reason/s for our decision
- the remedy or resolution/s that AARPN have proposed or put in place, and
- any options for review that may be available to the complainant, such as an internal review, external review or appeal.

If in the course of investigation, AARPN make any adverse findings about a particular individual, AARPN will consider any applicable privacy obligations under the *Privacy and Personal Information Protection Act 1998* and any applicable exemptions in or made pursuant to that Act, before sharing our findings with the person making the complaint.

Appeal

If the Complainant or the Respondent/Accused is not satisfied with the outcome of the investigation, either party may appeal to the AARPN Board of Directors on the basis that an error of process has occurred. The Appellant (who may be the original Complainant or the original Respondent) is required to submit a Notice of Appeal to the AARPN CEO at which time an independent Appeal Panel will be created whom will consider whether the appeal is valid.

4.6 Closing the complaint, record keeping, redress and review

AARPN will keep comprehensive records about:

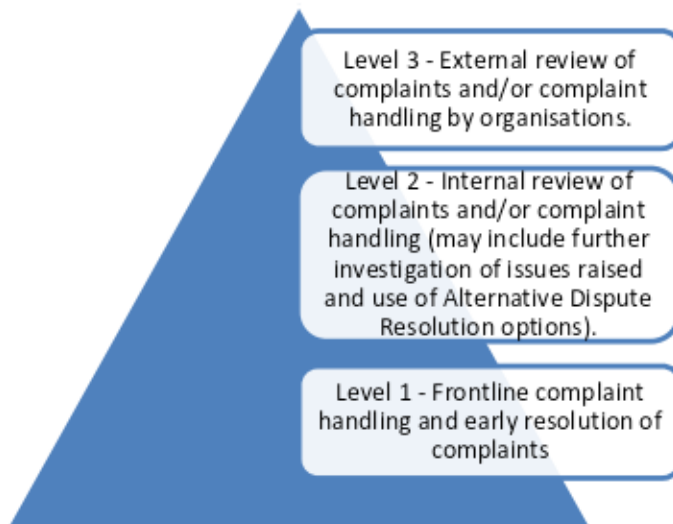
- How AARPN managed the complaint
- The outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations, and
- Any outstanding actions that need to be followed up.

AARPN will ensure that outcomes are properly implemented, monitored and reported to the AARPN Board of Directors.

4.7 Alternative avenues for dealing with complaints

AARPN will inform people who make complaints to or about us about any internal or external review options available to them (including any relevant Ombudsman or oversight bodies).

4.8 The three levels of complaint handling



AARPN aim to resolve complaints at the first level, the frontline. Wherever possible representatives will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision.

Where this is not possible, AARPN may decide to escalate the complaint to the second level of complaint handling and provide for the following internal mechanisms:

- assessment and possible investigation of the complaint and decision/s already made, and/or
- facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

Where a person making a complaint is dissatisfied with the outcome of AARPN's review of their complaint, they may seek an external review of our decision (by the Ombudsman for example).

5. Accountability and learning

5.1 Analysis and evaluation of complaints

AARPN will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Regular reports will be run on:

- the number of complaints received
- the outcome of complaints, including matters resolved at the frontline
- issues arising from complaints
- systemic issues identified, and
- the number of requests AARPN receive for internal and/or external review of its complaint handling.

Regular analysis of these reports will be undertaken. Both reports and their analysis will be provided to AARPN's CEO and Board of Directors.

5.2 Monitoring of the complaint management system

AARPN will continually monitor our complaint management system to:

- ensure its effectiveness in responding to and resolving complaints, and
- identify and correct deficiencies in the operation of the system.
- Monitoring may include the use of audits, complaint satisfaction surveys and online listening tools and alerts.

5.3 Continuous improvement

AARPN are committed to improving the effectiveness and efficiency of our complaint management system. To this end, AARPN will:

- support the making and appropriate resolution of complaints,
- implement best practices in complaint handling,
- regularly review the complaints management system and complaint data,
- implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of the system, and
- review policy annually as per AARPN constitution.

To lodge a complaint with AARPN

Email: complaints@aarpn.com