

Complaint management policy and procedure – for complaints about approved programs or providers.

Version Control

Version	Date	Amendments
1.0	July 2018	First Version of Policy
2.0	September 2021	Major revision

Complaint management policy and procedure

Name of Policy	Accreditation Services Complaint management policy and procedure – for complaints against Education Providers or Programs of Study	
Policy Number	POL2018OCEO035	
Description of Policy	This policy describes the principles and procedure for managing complaints related to accredited nursing and midwifery programs in accordance with the <i>Health Practitioners Regulation National Law Act 2009</i>	
Category	Accreditation Services	
Audience	This policy applies to all ANMAC staff and education providers.	
Status	<input type="checkbox"/> New policy	<input checked="" type="checkbox"/> Revision of existing policy
Last Revised	September 2021	
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Endorsed by	Executive	Date: 22/9/2021
Responsible Officer	Director, Accreditation Services	
Author	Accreditation Services	
Approved by	Chief Executive Officer	Date: 22/9/2021
Signed	 fiona Stoker (Oct 5, 2021 11:36 GMT+11)	

Related Documents	<ul style="list-style-type: none"> • Accreditation Policy and Procedure • Monitoring Policy • Health Practitioners Regulation National Law Act 2009 (the National Law) • Health Professions Accreditation Councils' Forum - Management of complaints relating to accreditation functions under the National Law – a guidance document • Privacy Act 1988 (cth) • Accreditation Internal Review Policy
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Glossary terms in the Accreditation Services Complaints handling Policy and procedure document appear in ANMAC's online glossary. It is available on ANMAC's website (<https://www.anmac.org.au/glossary>).

1. Purpose

The purpose of this policy is to communicate how ANMAC meets its obligations under the National Law as implemented in each state and territory and to outline the policy and procedures associated with managing complaints that relate to accredited nursing and midwifery programs of study and/or the education provider.

Implementation of an effective complaints management policy and procedure ensures ANMAC meets its responsibilities under Section 50 of the *Health Practitioners Regulation National Law Act 2009* (National law):

- *The accreditation authority that accredited an approved program of study must monitor the program and the education provider that provides the program to ensure the authority continues to be satisfied the program and provider meet an approved accreditation standard for the health profession.*
- *If the accreditation authority reasonably believes the program of study and education provider no longer meet an approved accreditation standard for the health profession, the accreditation authority must:*
 - *decide to—*
 - *impose the conditions on the accreditation that the accreditation authority considers necessary to ensure the program of study will meet the standard within a reasonable time; or*
 - *revoke the accreditation of the program of study; and*
 - *give the National Board that approved the accredited program of study written notice of the accreditation authority's decision.*

2. Scope

This policy and procedure applies to the management of complaints that relate directly to an ANMAC accredited/NMBA approved nursing and midwifery education program and/or the education provider no longer meeting relevant accreditation standards.

This policy does not extend to complaints about ANMAC processes, staff or resources, or about ANMAC's accreditation decisions.

3. Policy statement

ANMAC welcomes all complaints that facilitate ANMAC to meet its functions under the National Law¹, that is, in assessing whether programs of study and education providers continue to meet relevant accreditation standards.

All submitted complaints will be managed in a respectful, transparent, consistent, fair and timely way in accordance with this policy and procedure.

4. Principles

Under the National Law, ANMAC's responsibility extends to ensuring programs and education providers continue to meet relevant accreditation standards across the accreditation period. To fulfil this function ANMAC has in place complaints management and a variety of monitoring mechanisms.

¹ [Management of complaints relating to accreditation functions under the National Law – a guidance document 2015](#)

ANMAC will handle complaint management activities and outcomes in a transparent, fair and timely way.

- 4.1 A complaint falls within ANMAC's remit when it relates directly to accreditation standards no longer being met by:
 - a NMBA approved nursing and/or midwifery program of study, and/or
 - the education provider providing the approved program.
- 4.2 A complaint falls outside ANMAC's remit when it relates to:
 - an education program that does not lead to eligibility to apply for registration or endorsement with the NMBA.
 - student, academic, education provider or health facility conduct that does not directly relate to a breach in ANMAC [accreditation standards](#).
- 4.3 ANMAC will accept complaints from:
 - staff, students, graduates, health services, individual health professionals and members of the community.
 - anonymous sources or from sources that request anonymity - difficulties associated with assessing a complaint without a complainant's details will be explained to the complainant.
- 4.4 ANMAC will ask anonymous complainants how they would like to be notified in relation to matters relating to the complaint.
- 4.5 ANMAC will observe the privacy principles set out in privacy legislation (*Privacy Act 1988 (Cth)*) when collecting, storing, using and disclosing personal information obtained in complaint management.
- 4.6 ANMAC will accept complaints in any format and request complaints are directed to the Director Accreditation Services:
 - in writing to complaints@anmac.org.au or
 - by phone 02 6257 7960 - the complainant will be encouraged to provide detail in writing.
- 4.7 Where a complaint is assessed as not being within ANMAC's remit, ANMAC will notify the complainant of this outcome and will be given information about other agencies to which the complaint may be referred.
- 4.8 Where a complaint is assessed as being within ANMAC's remit:
 - the complainant will receive acknowledgement of the complaint and be provided information about ANMAC's process for managing complaints
 - the education provider will be notified about the details of the complaint, be provided information about ANMAC's complaint management processes and be requested to provide a response to the complaint.
- 4.9 ANMAC will apply principles of fairness to both the complainant and the education provider² when managing complaints, including:
 - impartiality – each complaint should be approached objectively with an open mind, and the facts and contentions of a complaint should be weighed objectively

² Better practice Guide to Complaint Handling, Commonwealth Ombudsman, 2009.

- confidentiality – a complaint should be investigated in private, and care taken when disclosing any identifying details
- transparency – the complainant and education provider should be told about steps in the complaint process and be given an opportunity to respond to facts or contentions raised during the investigation before a complaint is resolved or dismissed.

4.10 Complaint assessment requiring a site visit, may result in ANMAC issuing an invoice to recover the costs associated with the site visit from the education provider.

4.11 The Director, Accreditation Services will be responsible for ensuring complaints management complies with the principles and steps outlined in this policy and procedure.

5. Procedure

Complaints management includes the following steps.

5.1 The Director Accreditation Services (or delegate) determines if an ‘immediate action’ response is required for complaints that indicate a high-risk potential to public safety. When an immediate action response is determined as necessary, the Director, Accreditation Services (or delegate) will:

- determine if early notice of the complaint to the Nursing and Midwifery Board of Australia is required
- arrange for an Associate Director Accreditation Services to plan and commence investigation of the complaint at the earliest possible opportunity.

5.2 The Director, Accreditation Services determines who should address the complaint, including deciding if an assessment team or two Associate Directors, Accreditation Services will be delegated to assess the complaint.

5.3 The team undertaking complaint assessment are informed about and are required to follow the principles of fairness (as stated in 4.8) and to ensure:

- effective communication – clear articulation of the process and the roles and responsibilities of all involved
- natural justice – fair, transparent and proper procedures in decision-making
- evidence informed decision making – decisions founded on reliable, relevant and appropriate evidence
- responsiveness and timeliness – define what is to be investigated and estimate the time required to manage the complaint.

5.4 Depending on the nature of the complaint, a site visit may be required to gather evidence to assist in the assessment of the complaint. Minimal notification of the site visit date may apply, depending on the nature of the complaint and severity of risk. This approach enables ANMAC to undertake an ‘immediate action’ approach and supports the first objective of the National Law, which is to:

Provide for the protection of the public by ensuring that only health practitioners who are suitably trained and qualified to practise in a competent and ethical manner are registered.

- 5.5 The assessment team on completing the complaint assessment provide an Outcome of Assessment Report to the Director, Accreditation Services.
- 5.6 The Director Accreditation Services determines whether the complaint and the outcome of assessment require presentation to the relevant accreditation committee for consideration of imposition of conditions or targeted monitoring on the program or education provider.
- 5.7 The Director, Accreditation Services informs the education provider when the complaint has been resolved. Details of the steps in the investigation are not disclosed to the complainant.
- 5.8 The Director, Accreditation Services informs the education provider of ANMAC Appeal Policy and Complaints Management Policy and Procedure – for complaints about ANMAC or ANMAC’s accreditation decisions.