



Australian Government

Department of Health



An Australian Government Initiative

Primary Health Networks Program Complaints Policy

© Commonwealth of Australia 2019

This work is copyright. You may download, display, print and reproduce the whole or part of this work in unaltered form for your own personal use or, if you are part of an organisation, for internal use within your organisation, but only if you or your organisation do not use the reproduction for any commercial purpose and retain this copyright notice and all disclaimer notices as part of that reproduction. Apart from rights to use as permitted by the Copyright Act 1968 or allowed by this copyright notice, all other rights are reserved and you are not allowed to reproduce the whole or any part of this work in any way (electronic or otherwise) without first being given the specific written permission from the Commonwealth to do so. Requests and inquiries concerning reproduction and rights are to be sent to the Communication Branch, Department of Health, GPO Box 9848, Canberra ACT 2601, or via e-mail to copyright@health.gov.au.

Preferred citation: Department of Health. Primary Health Networks Program Complaints Policy. Canberra: Australian Government Department of Health; 2019.

Table of contents

Table of contents	3
1 Introduction.....	4
1.1 Purpose	4
1.2 Guiding principles	4
1.3 The Primary Health Network program.....	5
1.4 Scope	5
2 Lodging a complaint.....	7
2.1 Who can make a complaint.....	7
2.2 How to lodge a complaint.....	7
2.3 No cost to people making complaints	8
3 How we handle complaints	9
3.1 Complaints handling process – flow chart.....	9
4 Guiding principles explained	10
4.1 Objectivity and fairness	10
4.2 Accessibility.....	10
4.3 Responsiveness and efficiency	10
4.4 Confidentiality.....	11
5 How we assess and review complaints.....	11
5.1 Assessment and action	11
5.2 Outcome/recommendation	12
5.3 Closing the complaint and record keeping	12
5.4 Review of outcome	12
6 Quality assurance and continuous improvement.....	13
7 References	13

1 Introduction

1.1 Purpose

The *Primary Health Networks Program Complaints Policy* (the Policy) describes the process used by the Department of Health (the department) to acknowledge, review and resolve complaints which are related to the Primary Health Networks (PHN) Program and are within the department's remit. This process is underpinned by a set of Guiding Principles and provides high level guidance for individuals, organisations and/or advocates (complainants) wishing to lodge a complaint about a PHN or about the PHN Program.

The complaint handling procedure is designed to ensure that the concerns of complainants engaging with the PHN Program are treated seriously, and are addressed promptly and fairly. Effective complaint handling by PHNs and the department will support continuous improvement of the PHN Program.

1.2 Guiding principles

The following table outlines the basic principles that underpin the department's approach to handling complaints about the PHN Program.

Principles	The department will:
Objectivity and Fairness	<ul style="list-style-type: none">• Recognise and respect everybody's right to provide feedback or lodge a complaint.• Treat all complaints fairly. Fairness means the department will aim to treat all complaints with impartiality and transparency. A complaint will be treated on its merits. All complaints will be handled in this manner by departmental officers responsible for assessing a complaint about a PHN.• Ensure departmental officers declare any actual or perceived conflicts of interest in relation to handling/resolving a complaint.
Accessibility	<ul style="list-style-type: none">• Ensure the complaint management process and policy is publicly accessible to complainants and published on the department's PHN website. This includes information on how and where to lodge a complaint, and how complaints are managed.• As far as possible, ensure PHNs have appropriate complaints policies in place and that they are publicly accessible.
Responsiveness and Efficiency	<ul style="list-style-type: none">• Record, track, acknowledge and process complaints in a timely manner.• Ensure the level of assessment is proportional to the complexity of the complaint.• Ensure departmental officers are appropriately equipped with the information, support and expertise required to respond to and, where possible, resolve a complaint.
Confidentiality	<ul style="list-style-type: none">• Ensure personal information that identifies individuals is only disclosed as permitted under the relevant privacy laws, secrecy provisions and confidentiality obligations.

1.3 The Primary Health Network Program

PHNs are a national network of independent primary health care organisations with the key objectives of:

- increasing the efficiency and effectiveness of medical services for patients, particularly those at risk of poor health outcomes; and
- improving coordination of care to ensure patients receive the right care in the right place at the right time.

The PHN Program builds on a history of regionally-based primary health care organisations in Australia. 31 PHNs were established on 1 July 2015, to create opportunities to strengthen, and improve the integration of the primary care system with consideration of regional needs. The Australian Government has determined seven key priority areas for targeted work for PHNs. These are mental health, Aboriginal and Torres Strait Islander health, population health, health workforce, digital health, aged care, and alcohol and other drugs.

PHNs are commissioning frontline services for core priorities identified in their region. As commissioners, PHNs have autonomy and flexibility to decide which services or healthcare interventions should be provided within their regions, who should provide them and how they should be paid for. However, achieving value for money is a core requirement of commissioning processes conducted by PHNs, and decisions should be made in an accountable and transparent manner. While the department provides support and guidance to PHNs, it is integral to the success of the PHN Program that PHNs make these decisions independently of Government.

Support for general practice is a fundamental role for PHNs, in recognition of general practice as the cornerstone of primary health care. In addition, the alignment of PHN boundaries with Local Hospital Networks (LHNs) where possible, allows PHNs to work with LHNs, providers and communities to design integrated services and coordinate care in a patient-centred model.

All PHNs are incorporated entities under the *Corporations Act 2001* (the Act), independent of the Commonwealth. As independent companies, PHNs are required to operate in accordance with their obligations under the Act. As charities, PHNs must also comply with obligations of the Australian Charities and Not-for-Profits Commission (ACNC), in addition to their obligations to the Commonwealth. Further information about the Program is available on the [PHN website](#).

1.4 Scope

A complaint is an expression of dissatisfaction with any aspect of the PHN Program. Depending on its nature, a complaint may require the department to undertake a review, refer the information provided to a relevant party for consideration and response, and/or where appropriate, facilitate a resolution.

All PHNs must meet their legal obligations under the Act and the ACNC in handling complaints. As a funder of PHNs, the department requires PHNs to have their own robust complaints handling policies and procedures in place, and expects PHNs to publish these on their websites. PHNs should also provide details and/or a link to this policy on their websites.

As such, it is expected that most complaints will be directed to individual PHNs for resolution in the first instance. Subject to the nature of the complaint, if a complaint is made to the department

without first being submitted to the relevant PHN, the department will likely refer the matter to the PHN for initial consideration.

A complainant wishing to lodge a complaint directly with a PHN should contact the relevant PHN. A list of PHN contact details is located on the department's website.

Some commissioned service providers will also have policies and mechanisms in place for handling complaints which can also be accessed through their websites. A complainant may wish to lodge a complaint directly with the service provider, if appropriate.

The department will consider the following complaints and refer or assess, as appropriate:

- suspected fraud against the Commonwealth by a funded organisation;
- misuse of Commonwealth funds or assets purchased with Commonwealth funds;
- non-compliance with the terms and conditions of the funding agreement with the Commonwealth;
- inappropriate or poor handling of conflicts of interest;
- breaches of privacy; and
- complaints about the outcome of a departmental assessment.

Complainants should direct the following complaints to PHNs in the first instance:

- complaints about how PHN commissioning processes were undertaken; and
- complaints about stakeholder engagement.

While the department may consider such complaints if they warrant further enquiry (following initial handling by the PHN), complainants should be aware that the department has limited ability to intervene in commissioning processes, or their outcomes (explained further below).

The following complaints are not within scope of this Policy and should be directed to the relevant PHN, external body or authority:

- complaints about the outcome of a PHN commissioning process;
- complaints about a service provider funded by the PHN; and
- PHN staff grievances and/or industrial relations complaints.

The department may consider complaints about PHN commissioning processes - i.e. whether a competitive process was undertaken, and whether decisions were based on value for money and made in an accountable and transparent manner. However, any action taken by the department in response to such complaints is limited to the department's funding arrangements with the relevant PHN (the department does not have oversight to vary commissioning decisions). Requests to review the outcomes of PHN funding decisions are out of scope and will be referred to the relevant PHN.

Complaints which are deemed to be outside the scope of the department are not managed under this Policy, except as required under the *Public Interest Disclosure Act 2013* or the *Crime and Corruption Act 2001* (which are dealt with via separate frameworks). Complaints that are not managed under this policy may be referred by the department to another agency, if known, and as appropriate. This will occur in consultation with the complainant.

2 Lodging a complaint

2.1 Who can make a complaint

Any interested party may make a complaint to the department about the PHN Program. Please note that complainants should refer to section 1.4 *Scope* to determine whether the complaint is best dealt with by the department, PHN or another external body.

2.2 How to lodge a complaint

Complaints regarding the PHN program should be lodged to the department in writing via the PHN.Complaints@health.gov.au inbox or at the following address below:

PHN Operations Section
MDP 410 Program Delivery Branch
Health Grants and Network Division
Australian Government Department of Health
GPO Box 9848, Canberra ACT 2601, Australia

To effectively assess a complaint the department requires the following information:

- details of the complaint;
- any available evidence to support the complaint; and
- details of any attempts the complainant has made to resolve the matter.

The department will endeavour to acknowledge receipt of any complaint made within the scope of this policy within three business days.

Information about how and where complaints can be lodged is published on the department's PHN [website](#) and will be updated as required. Departmental officers will strive to ensure that the systems to manage complaints are easily understood and accessible to everyone.

If a person prefers or needs another person or organisation to assist or represent them in the making of their complaint, departmental officers will communicate with them through their representative if they wish.

The department will accept anonymous and confidential complaints and consider the issues raised where there is enough information provided to warrant further investigation. The department will assess each complaint to determine whether the complaint requires further enquiry.

The department does not expect staff to tolerate unreasonable behaviour by complainants. Unreasonable behaviour includes behaviour and comments which are abusive, offensive, threatening and/or vexatious. Departmental officers responsible for managing a complaint will use the [Commonwealth Ombudsman Better practice guide to managing unreasonable complainant conduct](#) when dealing with complainants who behave unreasonably.

2.3 No cost to people making complaints

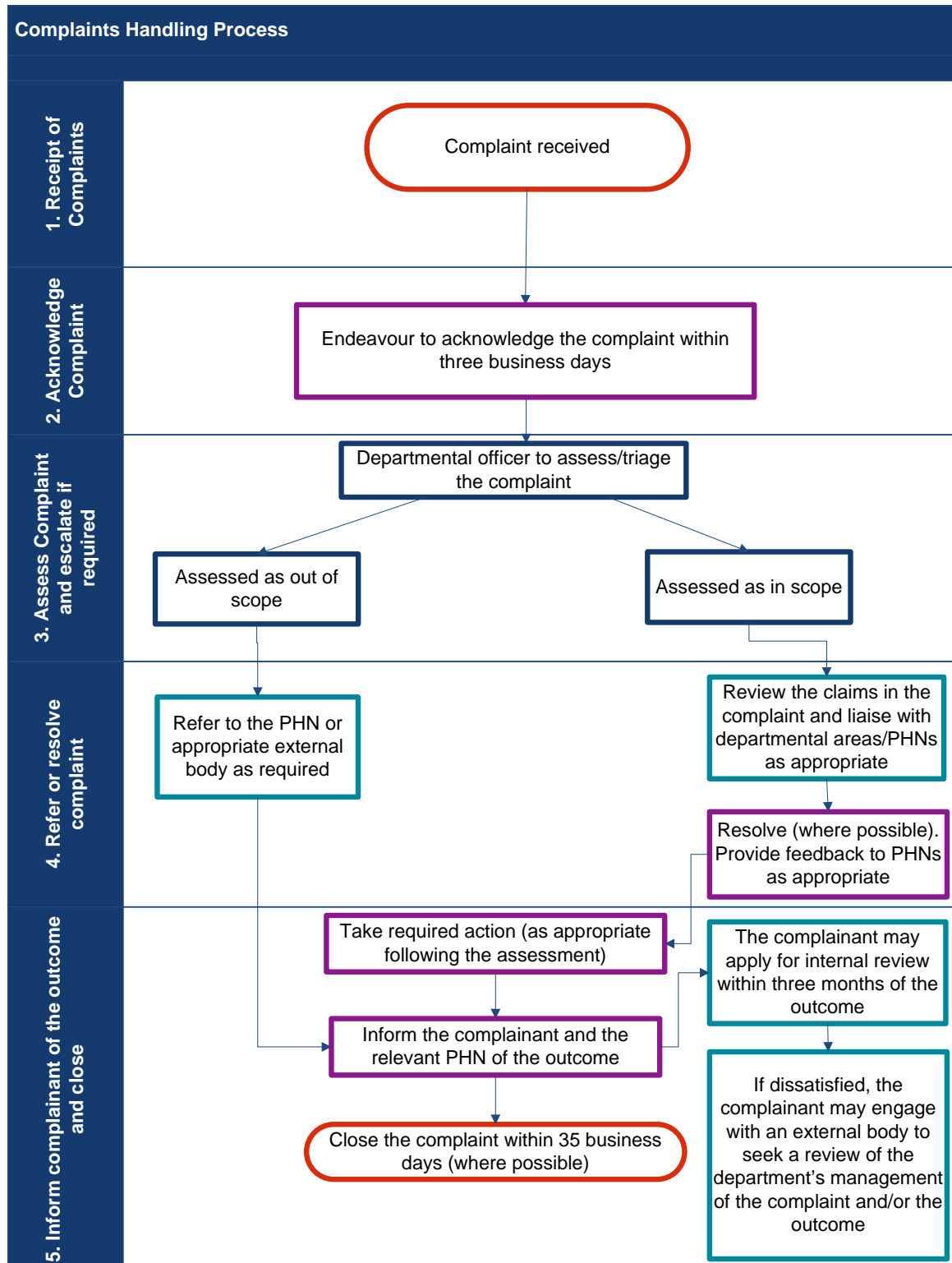
Complainants should be aware that the department will take steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

There are no fees and charges associated with lodging a complaint to the department about the PHN Program.

3 How we handle complaints

3.1 Complaints handling process – flow chart

The department's complaints policy follows a staged approach: Receive; Acknowledge; Assess; Refer or Resolve; Inform and Close the complaint. The complaints handling process is further outlined in the diagram below.



While the department will aim to close out complaints within 35 business days, sometimes this target will not be achievable. Factors which may impact the time taken by the department to consider and resolve a complaint include (but are not limited to):

- the nature of the complaint;
- the complainant's interactions with the department; and
- the extent of investigative steps required to be taken by the department (for instance, whether input from third parties is required).

The department will endeavour to keep complainants informed as to the progress of their complaints.

4 Guiding principles explained

Guiding principles utilised by the department to respond to complaints are outlined in section 1.2 *Guiding principles*. Once it is established that a complaint is within the scope of this policy, departmental officers will apply the guiding principles in their assessment of the complaint.

4.1 Objectivity and fairness

Departmental officers will address each complaint with integrity and in an equitable, objective and unbiased manner. Departmental officers responsible for undertaking complaint enquiry and assessment will:

- act in a manner consistent with [APS values and code of conduct](#);
- treat a complainant, stakeholders and other individuals with courtesy and respect;
- direct complainants to this policy, including where/how to locate it on the department's website, when appropriate;
- take responsibility for ensuring complaints are promptly actioned;
- escalate the concern to the appropriate area within the department;
- seek probity or other relevant advice as needed;
- liaise with the relevant PHN (if the subject of the complaint) to obtain information and provide confidential feedback, where necessary;
- keep appropriate records; and
- inform complainants, as appropriate, of any outcome/action taken in response to a complaint.

4.2 Accessibility

The department will ensure that the complaints policy is publicly accessible to complainants and published on the department's [PHN website](#). When dealing with complainants, departmental officers will direct them to the complaints policy.

In adhering to the principles of accessibility, the policy includes information about what is in scope, how a complaint can be lodged, the department's timeframes for acknowledging, assessing and closing a complaint, and options for a review of the outcome.

4.3 Responsiveness and efficiency

Departmental officers will endeavour to acknowledge receipt of complaints within the scope of this policy within three business days.

The department will aim to conclude its investigation of a complaint within 35 business days of receiving the complaint, although this timeframe is dependent on a range of factors including the complexity of the complaint. If a complaint raises concerns of an immediate risk to the safety or security of an individual, the response will be escalated and responded to as necessary.

4.4 Confidentiality

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

The department will ensure that the identity of the complainant is shared as narrowly as possible. However, complainants should be aware that in order to effectively review a complaint, the department will (in most instances) be required to seek further information/clarification from the PHN and the nature of the complaint will be discussed with the PHN.

Information received from the relevant PHN in order to investigate and assess the complaint may be deemed as confidential or commercial-in-confidence and the department may decide not to release or disclose any or all of the information. The department will consider the nature of the information, the circumstances surrounding the communication and receipt of the information, and relevant statutory or contractual provisions when determining whether to release or disclose any or all information received in relation to a complaint.

5 How we assess and review complaints

5.1 Assessment and action

When determining how a complaint will be managed, the department will consider:

- what the complaint is about;
- how serious, complex or urgent the complaint is;
- whether the complaint raises health and safety concerns or issues regarding the clinical safety of PHN-commissioned services;
- in circumstances where the PHN's complaints policy is accessible and relevant to the complaint type, whether the policy has been followed by the complainant;
- how the person/entity making the complaint is being affected by the nature of the complaint;
- the risks involved if resolution of the complaint is delayed; and
- whether a resolution requires the involvement of other organisations, including the PHN.

The department's actions will be tailored to the type of complaint and are subject to any statutory requirements. To address a complaint, the department may:

- assess the claims made in the complaint;
- gather information about the product, service, person or area that the complaint is about;
- escalate the complaint to the relevant departmental executive officer (as appropriate);
- refer the complaint to the PHN or external body as required, providing information necessary for the party to respond to the complaint;
- engage an external party to conduct an independent review;

- request that PHNs take certain actions (subject to any limitations, including those previously outlined in this policy); and
- keep appropriate records.

The complainant and the PHN will be kept informed of progress, including indicative timeframes for resolution.

5.2 Outcome/recommendation

An outcome will be communicated to the complainant once the assessment of a complaint is completed, including any findings that were made. Generally, the complainant will be advised of the following:

- whether the complaint is within the scope of the complaints policy (or should be referred to the relevant PHN or an external body);
- any action/s taken by the department;
- the outcome of the assessment;
- where appropriate, the actions or recommendations that have been proposed or put in place by the department or PHN; and
- any options for review that may be available to the complainant.

The nature of a complaint and/or the review process may impact the information which the department discloses to a complainant.

Generally, the outcome of the complaint, and any actions to be taken or recommendations made, will also be communicated to the relevant PHN. Where appropriate, departmental officers will work with the PHN, as required, to implement any actions or recommendations.

5.3 Closing the complaint and record keeping

The department will keep records about:

- the initial complaint correspondence;
- how the complaint was managed by the department;
- the outcome/s of the complaint;
- any recommendations made to address issues identified;
- any decisions made on those recommendations; and
- if applicable, feedback provided to the PHN.

Departmental officers will record complaints and outcomes in a complaint register. Departmental officers will continually monitor the Policy to ensure its effectiveness in responding to and resolving complaints, and to identify and correct any deficiencies.

5.4 Review of outcome

A complainant or PHN can seek review of the outcome of their complaint if they are not satisfied. A review or appeal can be sought directly from the department about the initial complaint. An internal review will be conducted by a departmental officer who was not involved in the original assessment of the complaint.

A request for review should be made in writing within three months of the complainant being notified of the outcome via the PHN.Complaints@health.gov.au inbox or at the following address:

PHN Operations Section
MDP 410 Program Delivery Branch
Health Grants and Network Division
Australian Government Department of Health
GPO Box 9848, Canberra ACT 2601, Australia

Complainants should be aware that a review is not a fresh investigation of a complaint. The review will consider:

- the process adopted by the investigating officer and whether it was appropriate to address the issues raised; and
- the merit of the initial conclusions and whether they were clearly and appropriately explained to the complainant.

The reviewing officer may:

- **uphold** the original outcome; or
- **refer the matter back** to the original assessment officer or another officer for further review/action.

An internal review can only be conducted once, following which the complaint will be closed (subject to the finalisation of any matters referred back to an assessment officer for consideration).

A complainant may also choose to directly engage with an external body, such as the [Commonwealth Ombudsman](#) to seek a review of the department's management, handling and/or the outcome of the complaint.

6 Quality assurance and continuous improvement

The department is committed to continually improving the PHN Program. Complaints will be used to identify and address any issues within the PHN Program and to improve the effectiveness and efficiency of the complaint management system.

Departmental officers will analyse complaints data to identify systemic issues and trends that can be used to drive continuous improvement practices. This de-identified information may also be provided to PHNs in order to facilitate improvements to their management processes. Depending on the number and nature of complaints received, the department may monitor and implement agreed system improvements.

7 References

The following best practice guides were used to inform this document, and are publicly available.

[Commonwealth Ombudsman, better practice guide to complaint handling](#)

[Commonwealth Ombudsman, better practice guide to managing unreasonable complaint conduct, 2nd Edition, 2012](#)