



Fulli Andrinopoulos

Not titled (pink on light green), 2007

Pastel on paper 270mm (w) x 190mm (h)

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Welcome to a special edition of our newsletter. We have created this extended edition of the newsletter to provide you with a snapshot of our 2010 Annual Report.

This year we have been pleased to have maintained a high rate of informal resolution of complaints, as well as contributed to positive resolutions and service improvements for the majority of formally considered complaints. We continue to receive positive feedback from individuals and service providers about our approaches to resolving complaints and the way in which service provision and relationships have improved as a result.

In the year ahead we look forward to improved capability for data collection and analysis with the introduction of the new Annual Complaints Reporting web based reporting tool, which will be released in late 2010. I encourage

registered disability service providers to read page 8.

We look forward to working with the Disability Services Board in the coming term. We welcome each new member and take this opportunity to both thank and farewell those retiring. Details on page 6.

Finally, we draw your attention to our Auslan DVD, which provides information about Disability Services Commissioner in Auslan. The you tube clip has been on our website for some time and is available in DVD format from our office. For more information on the DVD see page 2.

Laurie Harkin
Disability Services Commissioner

How do I respond to a complaint?

Acknowledge...

how the situation has affected the person and their expectations of a quality service

Answer...

why something has or has not happened or why a decision was made

Action...

take steps to address the concern and then follow it up to see if the issue has been resolved

Apologise...

a genuine apology may be all or part of what is sought



Disability
Services
Commissioner
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Spread these simple yet powerful messages to your staff by

- handing out postcards at team meetings
- including the postcard as part of induction/ orientation of new staff
- using messages as part of staff training
- sending postcards to each of your services (postage cost will be required)
- placing the postcards on your notice boards
- including postcards in your staff newsletter*

If you would like copies of the postcard you can send Dina an email at dina.theodoropoulos@odsc.vic.gov.au or alternatively call 1800 677 342.

*we can send you postcards in appropriate format for your newsletters

It's OK to Complain! - 7 minute Auslan DVD



The Disability Services Commissioner (DSC) has produced a seven minute Auslan DVD. The DVD provides an overview of the role of the DSC in Auslan and explains:

What does the DSC do?

Why complain?

How can we help? A case study – Jane's story

Who can make a complaint?

How to contact us

The DVD has an interactive menu so that you can click on any of the questions above, get the response and then return to the main menu.



Above: Alan Fels and Jen Jackson-Hall at the SOCAP Conference

Our own 'Rising Star'

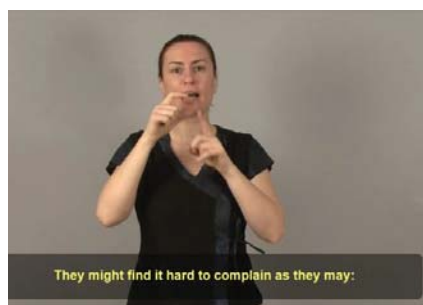
We would like to congratulate our very own Jen Jackson-Hall for being chosen as one of the five finalists for the national 'Rising Star Award' at the SOCAP conference, for her initiative and work on the Auslan DVD.

SOCAP is the national association for consumer professionals and has over 850 members from organisations dealing with complaints and consumer needs. SOCAP's recognition of Jen's work at its recent national symposium raised the awareness amongst member organisations of the importance of ensuring that complaints processes are accessible for people with a disability. Congratulations Jen!

Congratulations Stef!

Victorian Stef Linder appears in the DSC Auslan DVD as the interpreter.

We would like to congratulate Stef who became the first deaf person to be named Australian Sign Language Interpreter of the Year at the 2010 Australian Sign Language Interpreters Association (ASLIA) National Conference in Brisbane. Congratulations Stef!



Above: Stef Linder. Image taken from the DSC It's OK to complain! Auslan DVD



What is the Australian Sign Language Interpreters Association (ASLIA)?

ASLIA is the professional association for Australian Sign Language interpreters. The 2010 National Conference hosted a range of national and international speakers that spoke on the varied and often complex issues confronting sign language interpreters and the people they work with.

ASLIA also raises awareness of how technology is increasingly being used to facilitate improved communication options for Auslan users.

Jen Jackson-Hall and Anthony Kolmus from DSC attended the recent ASLIA awards as part of our commitment to enhancing capacity and connecting with all of our stakeholder groups.

If you would like a copy of this DVD you can send Dina an email at dina.theodoropoulos@odsc.vic.gov.au or alternatively call 1800 677 342 to request a copy. The Auslan DVD can also be viewed on the DSC website and youtube <http://www.odsc.vic.gov.au/> <http://www.youtube.com/watch?v=uukifGTMeYg>

Case Story

Grace (not her real name) is the mother of a young child who is deaf and has autism. Grace made a complaint to Disability Services Commissioner (DSC) when she was informed that her child's case worker was being changed.

Grace felt they had not been consulted about the proposed change and was concerned that the quality of service they had been experiencing was about to change. She was also concerned that the service provider could not see the real

impact this change would have on her family.

In response to the complaint the service provider offered to meet with Grace and explain their decision-making process. They also listened to her concerns and her feedback about what had been working well.

During the meeting the service provider apologised for the distress caused to the family and agreed that the family should have the opportunity to say goodbye to the worker

who had been so important to the family.

Together they agreed on a transition plan, the qualities and skills needed in a worker to meet this family's needs and a timeframe for the change.

The service provider wrote to Grace and told her that they would use her experience as a way to review relevant policies and procedures.

Grace told DSC that this step gave her hope that they can work together and learn from these issues.

Whilst the Disability Services Commissioner (DSC) assists in the resolution of complaints people have about their disability service provider, sometimes people need extra advice or information when they are working through their complaint. In some instances legal advice may be helpful.

Can the DSC give legal advice?

The DSC cannot give legal advice.

Who can I contact to get legal advice?

There are community legal centres across Victoria. The Federation of Community Legal Centres (the Federation) is the peak body for over 50 Victorian community legal centres.

On their website (www.communitylaw.org.au) you can enter your postcode and find the contact details of the closest community legal centre to you. You can also call the Federation on 9652 1500.

There are also specialist legal centres in Victoria:

Disability Discrimination Legal Service

(for disability discrimination legal matters)

Web: http://www.communitylaw.org.au/clc_ddls/cb_pages/about_us.php

Phone: 9652 1500

Villamanta Disability Rights Legal Service

(for disability related legal issues)

Web: <http://www.villamanta.org.au/>

Phone: 1800 014 111

AED Legal Centre

(for disability related employment, education and training issues)

Web: <http://www.aed.org.au/>

Phone: 03 9639 4333

Pilch

(for improving access to justice and protecting human rights)

Web: <http://www.pilch.org.au/>

Phone: 03 8636 4444

Disability Services Commissioner Annual Report 2010



In September this year our third Annual Report was provided through the Minister for Community Services to the Parliament of Victoria. In it we share our reflections on the 12 months past with a summary of our key activities, achievements and directions and provide a perspective about the year ahead.

Our report captures the experience of service users, service providers and our team, in relation to complaints handled in the past year. It offers an insight into the concerns of people using disability services and provides an overview of the status of complaints systems within Victorian disability services.

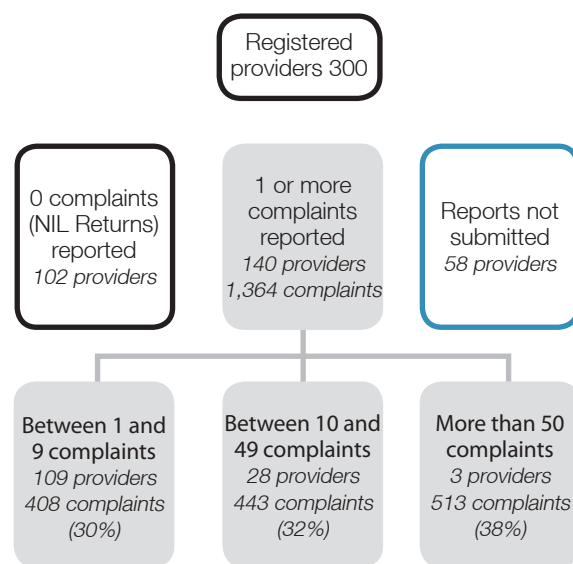
The experience we have gained in responding to over 1,300 matters in our three years of operation is reflected in the report. Similarly it reflects the growing understanding about the value of complaints in service improvement, the increased awareness about the role of our office and highlights the affirmation people have felt and the improved circumstances they experienced as a result.

Here are some statistics and information you can read about in more detail in the Disability Services Commissioner 2010 Annual Report:

About Complaints to Service Providers

- Service providers reported that they received a total of 1,364 complaints in 2009-10. This is a 20 per cent increase compared with last year and a 38 per cent increase from 2007-08.
- Three service providers reported receiving over 50 complaints and accounted for 38 per cent of the total number of complaints reported by all service providers in their annual complaint reporting.
- Twenty eight service providers reported 10 or more complaints and accounted for 32 per cent of all complaints reported.
- One hundred and forty service providers reported one or more complaints, and 109 of these providers reported receiving less than 10 complaints over the year.
- Over the last three years the proportion of providers that submitted reports has increased from 56 per cent to 81 per cent.
- There has been an increase over the last three reporting periods in the proportion of providers who have reported at least one complaint from 32 per cent to 47 per cent.

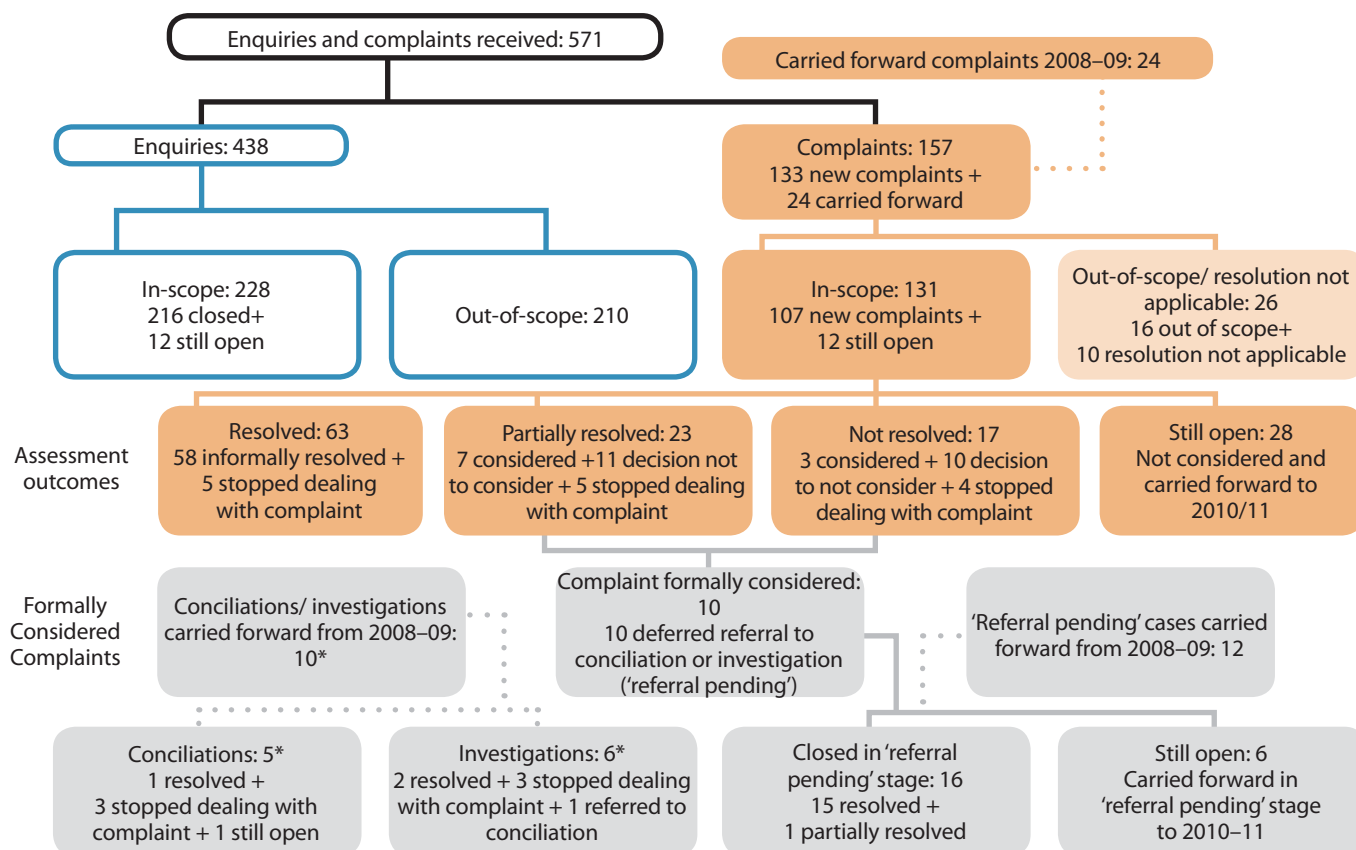
If you would like a copy of the DSC 2010 Annual Report please call us 1300 728 187 or visit our website www.odsc.vic.gov.au



About Complaints to the Commissioner

- The overall number of enquiries and complaints made to us increased from 421 in 2008-09 to 571 in 2009-10. This is an increase of 36 per cent.
- Sixty-one per cent of in-scope complaints were resolved at the assessment stage. Most of these were informally resolved by agreement.
- The three most common ways that complaints were resolved were through:
 - service providers giving information or explanations to answer complainant's questions;
 - service providers acknowledging the views and issues of the person making the complaint; and
 - agreements on actions to address issues.
- Shared supported accommodation continued to account for the greatest share of in-scope enquiries and complaints (39 per cent) followed by case management (17 per cent) and individual support packages (15 per cent).
- 71 per cent of enquiries and complaints were from the three metropolitan regions and the remaining regions each had less than 10 per cent of the total enquiries and complaints received.
- There was a significant increase in the number of enquiries and complaints made to us by service users, from 97 in 2008-09 to 136 in 2009-10.

The evidence and emerging trends in complaints that revealed broader systemic implications included issues relating to accommodation services such as issues of access and available options, the role of families and engagement with services, children and young people with a disability including in out of home care, various aspects of service provision such as the adequacy of person centred planning and approaches, staffing and workforce issues and out-of-scope matters including complaints about non-registered providers.



* The five conciliations include one referral from investigations. This referral was an investigation and a conciliation in 2009-10 (but only counted once in the total of 10 cases).

Disability Services Board

The 2009-10 reporting period takes us to the end of the first term of the inaugural Disability Services Board (DSB). Since July 2007 the DSB has undertaken projects to strengthen the complaints management systems within the disability sector.

We thank all Board members for bringing their diverse perspectives and valuable advice to the work of our office and Ms Tricia Malowney for her leadership in the role as President.

We specifically wish to thank and farewell at the end of this first term:

- **Ms Aileen McFadzean** Lawyer;
- **Ms Liz Bishop** Project Manager, Disability Strategy, St John of God Accord Inc;
- **Dr Kevin Murfitt** Lecturer, Deakin University, Chair, Vision Australia; and
- **Ms Jennifer Sewell** Chief Executive Officer, John Curtin Aged Care.

We look forward to the opportunities that the appointment of the four newest members will present, and we welcome:

Ms Elizabeth Corbett. Ms Corbett is the Director of Brookcor Consulting, a management consultancy she established in 1997 to enhance the leadership abilities, build strong teams

and introduce effective cultural change in government and community service organisations. Ms Corbett is the Non-executive Director of the Victorian Nurses Health Program Board.

Ms Clare Lethlean. Ms Lethlean is a part-time Senior Associate (lawyer) with Minter Ellison with significant expertise in dispute resolution and mechanisms. In her former employment with the United Nations Compensation Commission, Ms Lethlean managed the claims unit which provided substantial experience working with people from diverse cultural communities and professional backgrounds.

Ms Karen McCraw. Ms McCraw is currently the Chief Executive Officer and founder of Karden Disability Support Foundation based in Ballarat, and a self-employed Training and Development consultant to the community services sector. Ms McCraw is a board member of Disability Professionals Victoria, a member of the City of Ballarat Disability Advisory Committee and a range of community service boards and represents the interests of disability service providers.



Front row left to right: Bronwyn McGuire (Board member), Clare Lethlean (Board member), Hon. Lisa Neville (Minister for Community Services), Tricia Malowney (President of Disability Services Board), Beth Wilson (Health Services Commissioner & Board member) Back row left to right: Rosie Chiavaro (Executive Officer), Lynne Coulson Barr (Deputy Commis-

sioner DSC), Dr Chad Bennett (Board member), Laurie Harkin (Disability Services Commissioner), Scott Sheppard (Board member), Arthur Rogers (Executive Director, Disability Services & Board member), Liz Corbett (Board member), Karen McCraw (Board member) Absent: Christian Astourian, Liz Kelly (Board members).

Ms Bronwyn McGuire. Ms McGuire is a person with a disability who utilises disability support services. She is a fulltime employee with Shannon Park Industries, a supported employment service in Geelong, auspiced by Scope. Ms McGuire is the chairperson of Shannon Park's Employee Representative Committee and represents the interests of disability service users.

Victorian Disability Services Board members 2010-13

Mr Christian Astourian
Diversity and Disability Coordinator, Policy and Communication Officer, Migrant Resource Centre North West

Dr Chad Bennett
Clinical Director and Consultant Psychiatrist, the Victorian Dual Disability Service

Ms Elizabeth Corbett
Director Brookcor Consulting

Ms Liz Kelly
Private consultant

Ms Clare Lethlean
Senior Associate lawyer

Ms Tricia Malowney
Systemic advocate, Deputy Chair, Victorian Disability Advisory Council and member of various boards and committees

Ms Karen McCraw
Chief Executive Officer Karden Disability Support Foundation

Ms Bronwyn McGuire
person who utilises disability support services

Mr Arthur Rogers
Executive Director, Disability Services, Department of Human Services

Mr Scott Sheppard
Chief Executive, Uniting Care Community Options

Ms Beth Wilson
Health Services Commissioner

This edition of the DSC newsletter concludes two years of its production. Subscription is growing every season and we are now distributing our newsletter to over 600 people.

These include people in disability services, government departments, peak bodies, advocacy services, various networks and the broader public.

Some of our achievements and stories of interest that we have featured over the past 12 months include:

- The development of culture questionnaires as a tool for services to gain an indication

of how well their organisation responds to complaints

- The launch of the 'It's OK to complain!' DVD of Ants Pantz and 'It's OK to complain!' CALD brochures (on the web).
- Changes to our organisational structure and the establishment of the role of Deputy Commissioner.
- The completion of the Commissioner visits to over 150 services across the state.



Enabling Justice – Victims' Charter Disability Strategy

In November 2006, the Victims' Charter Act (the Charter) was established. The objectives of the Charter are to recognise the impact of crime on victims, to provide a set of twelve principles that govern how justice and victim service agencies respond to victims of crime and to improve the experience of victims within the justice system.

The Charter legislation identifies groups in the community that are particularly affected by crime; these include people from indigenous backgrounds, culturally and linguistically diverse (CALD) backgrounds, young people and people with disabilities.

The Victims Support Agency, which is part of the Department of Justice, has developed strategies for the CALD and Indigenous communities, and young people. The Victims Support Agency is

currently developing the Victims Charter Disability Strategy (the Strategy).

The aim of the Strategy is to highlight the experience of people with disabilities as victims of crime, as well as identify the challenges that exist for criminal justice and victim service agencies in providing a responsive service to victims of crime with disabilities.

In order to inform the strategy, the Victims Support Agency is conducting a survey which will be available to people who have a disability (victims and non-victims) who are over 18 years of age. The survey will be available in accessible formats including easy English and plain English.

The purpose of the survey is:

- To improve knowledge of the extent and type of crimes committed against people with a disability.

- To help understand the best ways of informing people with a disability, carers and guardians about the rights of people with a disability should they become a victim of crime.
- To improve the response of Justice and victim service agencies to victims of crime who have a disability.

Information about the survey is available from any of the following collection or access points. Completing the survey is voluntary and anonymous. Surveys can be completed by:

Going on line to www.justice.vic.gov.au/victimsofcrime

Call 8684 6743 and complete the survey by phone

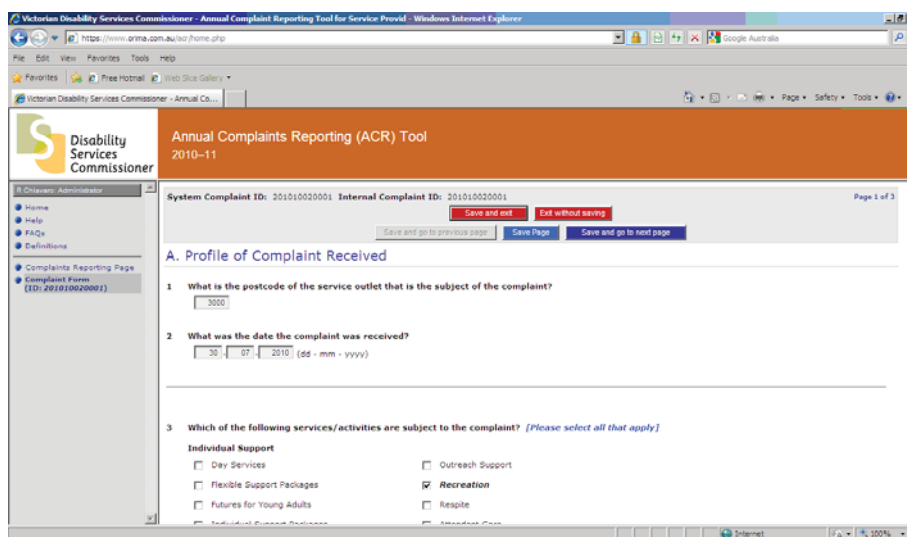
Call 8684 6716 or email margaret.camilleri@justice.vic.gov.au and request a survey be mailed to you.

On line Complaints Reporting Coming Soon

For the past three years we have provided reporting templates to assist disability service providers with their complaints reporting requirements.

We recognise that the existing reporting templates are less than optimal for interpreting, analysing and drawing value-adding commentary from data, which would continue over time.

To improve the complaints reporting framework, we have worked closely with the Annual Complaints Reporting (ACR) task group of the Disability Services Board and specialist research advisors to establish a stronger reporting methodology to ensure more meaningful interpretations of disability service provider complaints data into the future.



The work resulted in the development a new web-based complaints data collection tool that will be available to all registered disability service providers for reporting their complaints for 2010-11.

Key features of the new tool include

- A platform that is user friendly, accessible, flexible and secure
- Loading of data can be done all year round
- Functions as both a management tool and a complaint reporting tool
- Printed reports can be produced on the summary and status of complaints
- Questions that minimise double counting, include multiple-response options and have more consistent wording for better interpretation of complaints

The new ACR web based reporting tool will be released late 2010 and be supported by information and education sessions.



What is the ACR Task Group?

The Annual Complaints Reporting (ACR) task group reports to the Disability Services Board. Their role is to:

- Identify, monitor and propose strategies to address issues that arise from the collection of the Disability Services Commissioner (DSC) annual complaints reports;
- Consider and propose methods for the collection, analysis and reporting of annual complaints data under the Disability Act 2006; and
- Make recommendations for improvement of ACR data collection tool instrument design.

The task group is made up of 10 members who represent disability services providers, the Department of Human Services, National Disability Services and from DSC.

For any matters relating to the newsletter you can contact Dina Theodoropoulos at dina.theodoropoulos@odsc.vic.gov.au or call on 1300 728 187

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