



Australian Government
Department of Health and Aged Care

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An Australian Government Initiative

Primary Health Networks Program Complaints Policy

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1 Introduction

1.1 Purpose

The *Primary Health Networks Program Complaints Policy* (the Policy) describes the process used to acknowledge, review and resolve complaints which are related to the Primary Health Networks (PHN) Program. 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 *Primary Health Networks Program Complaints Policy* (the Policy) is designed to ensure the concerns of complainants engaging with the PHN Program are treated seriously and are addressed promptly and fairly. Complaints are managed on behalf of the Department of Health and Aged Care (the department) by Ernst and Young (EY) as an independent third party. The department is responsible for ensuring effective complaint handling to support continuous improvement of the PHN Program.

1.2 Guiding principles

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

Principles	Meaning
Objectivity and Fairness	<ul style="list-style-type: none"> • All complaints will be treated on their merits and investigated impartially and thoroughly. • Complaints will be managed transparently, and complainants kept informed about the progress and result of investigations. • Complainants will not be victimised as a result of their complaint. • Ensure complaints officers declare any actual or perceived conflicts of interest in relation to handling/resolving a complaint.
Accessibility and Visibility	<ul style="list-style-type: none"> • Lodging complaints will be accessible to all clients, including vulnerable people, by providing a functionable, easy to use interface and staff trained in delivering high quality complaints handling. • The department will ensure the complaints handling process is clearly explained and publicised for access, including how to lodge a complaint, making a complaint is free of charge and complaints can be made anonymously. • 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"> • Act responsibly, ethically, and professionally and be accountable for their role in the complaints management process. • Apply a consistent and systematic approach to complainants who continue to behave in an unreasonable manner. • Be aware and responsive to the needs of vulnerable people and offer additional support to enable this cohort to fully access the complaints process. • Record, track, acknowledge and process complaints in a timely manner. • Ensure the level of assessment is proportional to the complexity of the complaint.
Privacy and 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 working to streamline health services – particularly for those at risk of poor health outcomes – and to better coordinate care so people receive the right care, in the right place, at the right time.

PHNs assess the health care needs of their community and commission health services to meet those needs, minimising gaps or duplication. They support health services to connect with each other to improve people's care and strengthen the primary health care system.

PHNs have 3 primary roles. They:

- coordinate and integrate local health care services to improve quality of care, create a better experience for people, and encourage better use of health resources;
- commission primary care and mental health services to address population health needs and gaps in service delivery; and
- capacity build and provide practice support to primary care and mental health providers to support quality care delivery.

PHNs commission local primary care and mental health services targeted to 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.

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 PHN 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 a review, referral of the information provided to a relevant party for consideration and response, and/or where appropriate facilitation of 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 without first being submitted to the relevant PHN, it will likely be referred 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 following complaints will be considered under this policy, referred or assessed, 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 a complaints officer 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.

Complaints officers 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 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 complaints officers 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 about the PHN Program. Please note that complainants should refer to section 1.4 *Scope* to determine whether the complaint is best dealt with under this Policy, or by the PHN or another external body.

2.2 How to lodge a complaint

Complaints regarding the PHN program should be lodged in writing via the PHNProgram.Complaints@au.ey.com inbox that is managed by Ernst and Young on behalf of the department, or at the following address:

PHN Assurance and Risk Section
MDP 810 Primary Health Networks Branch
Primary Care Division
Australian Government, Department of Health and Aged Care
GPO Box 9848, Canberra ACT 2601, Australia

Complaints lodged via mail to the department will be provided to Ernst and Young for review.

To effectively assess a complaint the following information is required:

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

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

Complaints officers will accept anonymous and confidential complaints, however the complainant cannot be informed of progress or outcomes without contact details being provided. Complaints officers will assess each complaint to determine whether the complaint requires further enquiry.

The department does not expect complaints officers to tolerate unreasonable behaviour by complainants. Unreasonable behaviour includes behaviour and comments which are abusive, offensive, threatening and/or vexatious. Complaints officers responsible for managing a complaint will use the Commonwealth Ombudsman [Unreasonable Complainant Conduct](#) guide and the NSW Ombudsman [Managing Unreasonable Conduct by a Complainant](#) guide 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.

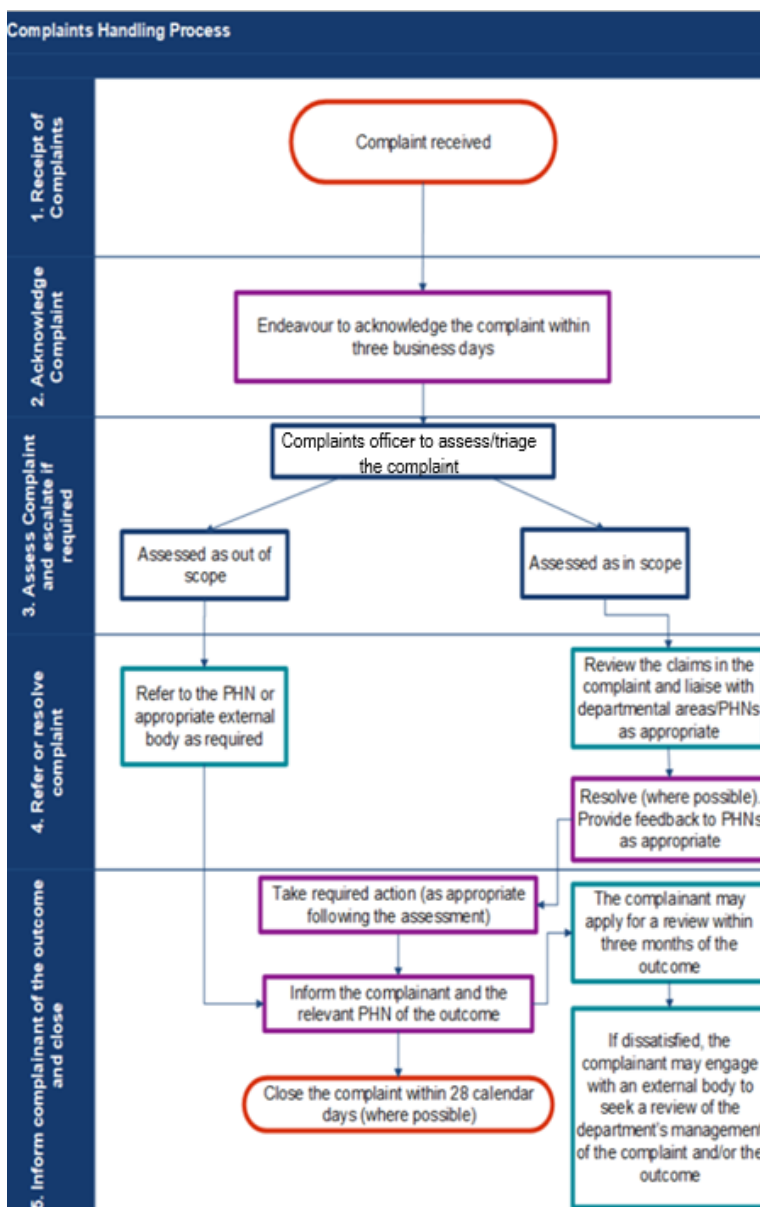
2.4 No wrong door

Complaints officers will apply the Commonwealth Ombudsman’s [‘No wrong door’](#) principle and will work collaboratively both in the department and with other agencies to help people find the right complaint pathway. To the extent possible, complaints that fall outside the scope of this Policy should be recorded as a complaint and resolved by assisting the person to access the correct complaint pathway. Where a complaint is received in relation to a third party where all available avenues for review are exhausted, complaints officers will refer the complaint to the relevant entity for a response.

3 How we handle complaints

3.1 Complaints handling process – flow chart

This 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.



4 Guiding principles explained

Guiding principles utilised 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, complaints officers will apply the guiding principles in their assessment of the complaint.

4.1 Objectivity and fairness

Complaints officers will address each complaint with integrity and in an equitable, objective and unbiased manner. Complaints 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 and Visibility

The department will ensure the complaints policy is publicly accessible to complainants and published on the department's website. When dealing with complainants, complaints 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, timeframes for acknowledging, assessing and closing a complaint, and options for a review of the outcome.

4.3 Responsiveness and efficiency

Complaints officers will aim to acknowledge complaints within the scope of this policy within three business days.

While complaints officers will aim to close complaints within 28 calendar days of receiving the complaint, this timeframe is dependent on a range of factors including:

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

Complaints officers will endeavour to keep complainants informed as to the progress of their complaints. 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 Privacy and Confidentiality

The department is committed to protecting the confidentiality of personal information in accordance with the Privacy Act 1988 and Privacy Policy. This applies when responding to complaints internally or when referring complaints to an external agency, organisation or third party. All personal data received is required to be managed subject to the Archives Act 1983 and classified in a manner consistent with the Attorney-General's Department's Protective Security Policy Framework. In addition, records relating to actions taken under the Policy are subject to the Freedom of Information Act 1982.

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.

Complaints officers will ensure that the identity of the complainant is shared as narrowly as possible. However, complainants should be aware to effectively review a complaint, complaints officers 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 to investigate and assess the complaint may be deemed as confidential or commercial-in-confidence and complaints officers may decide not to release or disclose any or all the information. Complaints officers 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.

For more information refer to the department's Primary Health Networks Complaints Privacy Notice.

5 How we assess and review complaints

5.1 Assessment and action

When determining how a complaint will be managed, complaints officers 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.

Actions taken will be tailored to the type of complaint and are subject to any statutory requirements. To address a complaint, complaints officers 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, the department or an 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, the department or an external body);
- any action/s taken by the complaints officer;
- 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 is disclosed 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, complaints officers will work with the PHN, as required, to implement any actions or recommendations.

5.3 Closing the complaint and record keeping

Complaints officers will keep records about:

- the initial complaint correspondence;
- how the complaint was managed;
- 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.

Complaints officers will record complaints and outcomes in a complaint register. Complaints officers will continually monitor this 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 a PHN can seek a review of the outcome of their complaint if they are not satisfied. A request for review about the initial complaint can be sought directly from Ernst and

Young, who manages complaints on behalf of the department. An internal review will be conducted by a complaints 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 PHNProgram.Complaints@au.ey.com inbox or at the following address:

PHN Assurance and Risk Section
MDP 810 Primary Health Networks Branch
Primary Cre Division
Australian Government, Department of Health and Aged Care
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 complaints 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 complaints 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 a complaints 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 management, handling and/or the outcome of the complaint.

6 Quality assurance and continuous improvement

The department is committed to continually improving the effectiveness of complaints management and the PHN Program.

An internal review on the effectiveness of this complaints management system will be conducted every 2 years. This will reflect the number and/or nature of complaints and include a review of:

- Compliance with the Complaints Policy and procedures with reference to the *Commonwealth Ombudsman's Better Practice Complaint Handling Guide* and *Australian Standard AS/NZS 10002-2022 Guidelines for Complaint Handling Guide*
- Accuracy and effectiveness of capturing, recording and internal reporting of complaints
- Time taken to manage and resolve complaints and
- Correctness of recording complaints.

Complaints will also 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

Best practice guides were used to inform this document and are publicly available.

[Commonwealth Ombudsman, Better Practice Complaint Handling Guide Commonwealth Ombudsman, NSW Ombudsman Managing Unreasonable Complaint Conduct Guide](#)

Health.gov.au

All information in this publication is correct as at April 2024

