

KIM

## Complaint example

### What Kim told us

The MHCC received a complaint from Kim's father about her recent experiences with the emergency department (ED) of a metropolitan hospital. As part of our assessment, we also spoke with Kim who told us she had been 'in and out of hospital' due to her mental health condition. She said she contacted 000 whenever she was unwell and was taken to the ED by police or ambulance. When this happened recently, Kim said she had been sent home after being seen by staff in the ED. This left her feeling unsafe as she felt she did not have sufficient community and NDIS supports to maintain her wellbeing.

### Kim's rights

The relevant mental health principles include:

- providing the best possible therapeutic outcomes and promoting recovery and full participation in community life (s 11 (b))
- involvement in decisions and respect for views and preferences (s 11 (c))
- recognising and responding to individual needs, including disability (s 11 (g)).

### What we did

The MHCC worked with Kim, her father, and her advocate to progress the complaint. We held a teleconference with senior clinicians as well as several discussions with the manager of the community team. We made suggestions for how the service could improve communication with Kim and for a plan to manage the response of the services involved in her care.

### Outcomes

The service developed an Emergency Management Plan in collaboration with Kim.

The service said that the MHCC's role in achieving this outcome was helpful and Kim told us her anxiety had decreased now that she felt more involved in her care.

*Please note: names and identifying details in this complaint experience story have been omitted or changed to protect the identity of those involved.*

## More information

The MHCC's full annual report can be downloaded from [www.mhcc.vic.gov.au/annual-reports](http://www.mhcc.vic.gov.au/annual-reports)  
We welcome your feedback about your experience with us, or any aspect of our work.

## Contact us

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General enquiries: [info@mhcc.vic.gov.au](mailto:info@mhcc.vic.gov.au)  
[mhcc.vic.gov.au](http://mhcc.vic.gov.au)



## Creating a positive complaints culture

During 2021/22 the MHCC developed and launched a series of initiatives that focussed on creating a culture of 'Making it OK to complain' and making a better mental health system. These initiatives included:

### Lived Experience Engagement Checklist

The [Lived Experience Engagement Checklist](#) has been co-designed to support staff working in the public mental health sector in their efforts to maximise their engagement and collaboration with people with lived experience in project and policy work, consultations, and collaborations.

### Complaints Self-Assessment Tool

The [Complaints Self-Assessment Tool](#) enables all staff involved in the complaints process to self-assess and better understand their organisation's local complaints processes and identify opportunities to make improvements within the service. The tool was co-designed with people with lived experience and helps services examine all parts of their complaints process, share good practice examples and ideas with one another, and compare change over time and across the sector.

### 'It's OK to Complain!' campaign

The ['It's OK to Complain!' campaign](#) aims to challenge the stigma that exists around making a complaint and encourages consumers, carers and families to speak up to help improve their experience and the system for everybody. The campaign, which was co-designed with people with lived experience, included the development of a series of videos, posters and postcards that were distributed to mental health services, as well as social media and web content.

### Assisted referral process

Resolving complaints quickly is often better for consumers, carers and services. To facilitate early resolution, we have refined our practices and from July 2022, the assisted referral process will provide services with the opportunity to resolve complaints locally. A new part of the process means that services will be required to tell us what happened and if the issue has been successfully resolved, in order to ensure our data and reporting reflects this work.

### Restrictive interventions services questionnaire

We continue to prioritise the assessment and response to complaints about the use of bodily restraint and seclusion. To strengthen and streamline our oversight we developed a questionnaire for services about the use of bodily restraint. We anticipate this new step will improve understanding within services of the requirements for the use of restraint. We are also working on questionnaire for complaints about seclusion.



## Mental Health Complaints Commissioner

### Annual Report 2021/22 Summary



MESSAGE FROM  
THE COMMISSIONER

I wish to acknowledge people with lived or living experience of mental health issues, their families and supporters for the courage they show in speaking up and raising complaints with my office.

This year represents both another period of significant challenges for Victoria’s mental health system, and the beginning of change and hope, as we welcome the announcements of significant investments in Victoria’s mental health system to support the recommendations of the Royal Commission. The impact of COVID-19 continues to have devastating effects on the community and mental health services, and I also acknowledge the compounding effect of increased demand, staff shortages and fatigue on services and staff.

During the year the MHCC provided extensive feedback to the Department on the development of the proposed *Mental Health and Wellbeing (MHW) Act*, particularly in relation to the provisions about the MHW Commission. I especially welcome the focus on the elevation of carer’s rights and the vastly expanded role of people with lived experience in all aspects of the design and delivery of the mental health system.

Complaints to the MHCC remind us just how important the lived experience inclusion will be if real system and culture changes are to be realised.

A significant concern remains in the use restrictive interventions. While the use of restraint and seclusion and their inclusion in both the current and proposed legislation remains contentious, it nevertheless requires that when used, evidence must be demonstrated that all the required statutory safeguards have been applied.

Our aim is to raise standards and effect change. This change comes about through the courage of consumers, carers and families and the work of my incredible team.

I wish to acknowledge the patience, understanding and empathy shown by the MHCC staff to both consumers, carers, families and services, and to one another, during another busy year. I also wish to acknowledge the work of our passionate Lived Experience Advisory Council. The MHCC is driven by lived experience and every day I learn something new from both the team and the Council.

Treasure Jennings  
Commissioner

We acknowledge the First Nations People of Victoria as the Traditional Owners/Custodians of the land on which we conduct our business. We recognise their continuing connection to land, water and community and that sovereignty was never ceded. We pay our respect to Elders past, present and the emerging leaders of the future.

2021/22  
AT A GLANCE

How many people contacted us?

This year the MHCC received:



Who contacted us?



What did they contact us about?

The top 5 themes raised through complaints were:

- 1. Treatment
- 2. Communication
- 3. Medication
- 4. Conduct and behaviour
- 5. Diagnosis

Every day we learn from the experiences people share with us, and we see complaints as an essential part of building a better system for the future.

Services



of in-scope complaints received were about designated mental health services. 1% were about mental health community support services and 8% were unknown

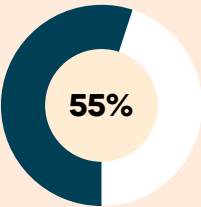


of complaints were about regional public mental health services

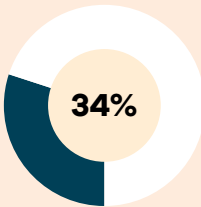


of complaints about metropolitan public mental health services.

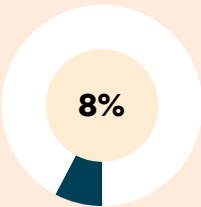
Services reported 65 service improvements in response to complaints and recommendations made by the MHCC. These focused on:



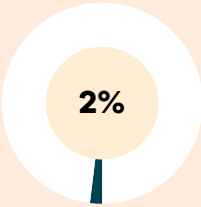
Policy/procedure/practice



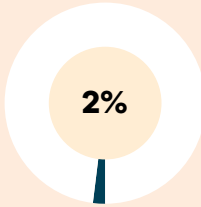
Training/input to staff



Improvements to infrastructure



Undertake an audit/investigation



Other systemic change

What did services do when people made complaints?

\*Note: complaints may have more than one outcome.

