

PAA COMPLAINTS POLICY



**PEDORTHIC ASSOCIATION
OF AUSTRALIA**

PEDORTHIC ASSOCIATION OF AUSTRALIA

VERSION 2

OCTOBER 2021

PAA
1300 734 644
complaints@pedorthics.org.au
www.pedorthics.org.au

Introduction

This is the published Complaints Policy by the Pedorthic Association of Australia (PAA). It describes the complaint lodging, handling procedures and the resolution process. Consumers, members and third parties hold the right to make a complaint against a member or a decision or action that has been made by the PAA or the Registrar.

A complaint can be made in writing by:

- I. Completing the form on the PAA website www.pedorthics.org.au (not yet available)
- II. Mailing a complaint, the current postal address can be found under:
 - a. PAA Website <https://www.pedorthics.org.au/>
 - b. PAA Complaints
 - c. PO Box 349
 - d. Dee Why NSW 2099
 - e. Australia
- III. By email to complaints@pedorthics.org.au

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1.0 Definitions

- 1.0 **Applicant** – An Applicant is an Individual who has submitted a PAA acceptable application for membership with PAA and/or certification or recertification as a certified pedorthist. This application is being evaluated within the Registration Process by the APRB. (Criteria for Certification in Pedorthics, 4- Registration Process).
- 1.1 **Appeal Committee** – nominated by the PAA Board.
- 1.2 **APRB Committee**– Sub-Committee of PAA that manages administration and procedures for certification and re-certification of pedorthists in Australia (certification is given to individuals not organisations) and investigates all complaints received by the PAA.
- 1.3 **APRB Committee Members** – A committee of five individuals who are nominated and endorsed by the PAA Annual General Meeting. Each member of the Committee is elected for three (3) years.
- 1.4 **APRB Committee Chair** – The individual nominated and endorsed as the Committee Chair by the PAA Annual General Meeting is the contact person for all correspondence pertaining to the APRB.
- 1.5 **Committee** – For the purpose of this document Committee refers to the APRB Committee
- 1.6 **Complaint** – Any expression of concern, dissatisfaction or disagreement with a decision or action made by the PAA, APRB, Certified Pedorthists or other members, the quality or delivery of service or the conduct of another person. This policy identifies three (3) categories of complaints which are outlined below.
- 1.7 **Investigating Officer** – The person delegated by the APRB with the task of investigating the complaint and providing the report to the APRB Committee Chair. The Investigating Officer is not necessarily a PAA Board or APRB Committee Member.
- 1.8 **Pedorthist** – A person who provides Pedorthic Footwear and/or orthotic appliances and appropriate advice to a patient after assessment and analysis of the patient's condition(s). This includes the provision of prefabricated footwear and/or, modification of prefabricated footwear and/or custom-designed and fabricated pedorthic footwear, orthotic appliances and advice on the need and application of Pedorthic Footwear, orthotic appliances, and standard footwear.
- 1.9 **Pedorthics** - The professional field concerned with the provision of pedorthic footwear, orthotic appliances, and appropriate advice to a patient after assessment and analysis of the patient's problem(s). Including the provision of prefabricated footwear, alteration of prefabricated footwear, custom designed and manufactured footwear, orthotic appliances and advice on the need and application of pedorthic and orthotic appliances.

- 1.10 **Pedorthic Footwear** - Footwear specially designed, fabricated and/ or modified to improve health and mobility, reduce discomfort and/or minimise the propensity for lower limb impairment in the future. Similar terms include medical grade, orthopaedic, therapeutic, extra-depth or surgical footwear.
- 1.11 **Registrar** – The Registrar is the Australian Pedorthists Registration Board (APRB) Committee.
- 1.12 **Relevant Regulatory Body** – A Relevant Regulatory Body may include any department or nominated individual, or body empowered by the government of the Commonwealth of Australia, States and Territories and local councils. (e.g. Department of Health, AHPRA, NDIS, or Health Funds).

2.0 Complaint Handling Policy and Procedure

- 2.0 This procedure describes the responsibilities and actions of the APRB Committee in handling PAA's complaints received by any person or third party.
- 2.1 This procedure deals with the following categories of complaints:
- I. Category 1 Complaint: complaints by a certified member or another member of the PAA against a decision or action of either the PAA or the APRB Committee.
 - II. Category 2 Complaint: complaints by an Applicant against a decision or action of either the PAA Board/staff or the APRB Committee.
 - III. Category 3 Complaint: complaints by a third party against the activities of a certified member or another member of the PAA.

3.0 Lodging Complaints

- 3.0 Complaints shall be lodged with the PAA, in writing, and signed by the person making the complaint. The current address of the PAA may be found on the PAA Website under "Complaints". <https://www.pedorthics.org.au/>
All complaints received will be handled by the APRB Committee.
- 3.1 All complaints shall include a clear statement as to the substance of the complaint, and be accompanied by, a full listing of all actions that led to the complaint being raised, along with supporting evidence.
- 3.2 Category 3 complaints will only be considered by the APRB Committee if the matter has been taken to the member concerned, and an appropriate resolution has not been achieved. In such a case, the complaint must include the full details of prior actions taken with the member concerned, when raising the matter with the APRB Committee.

4.0 Processing of a Complaint

- 4.0 Upon receipt of a complaint, the APRB Committee Chair shall:
- I. Assign a complaint number. The Complaint reference number is a sequential number prefixed by the current year. For example, the first complaint of 2020 would be referenced as 2021/01. The second complaint number in the same year is 2021/02. The sequential number reverts to 01 at the start of each year
 - II. Check that the details provided are sufficient to proceed with an investigation.
 - III. Acknowledge in writing the receipt and subject of the complaint, with advice of any additional information required to progress the complaint. Where practical, all complaints will be acknowledged by the APRB Committee Chair to the Complainant within fourteen (14) days from the date that the complaint is delivered to the APRB Committee Chair.
 - IV. Register the details in a complaint log, containing:
 - a) a complaint reference number
 - b) the name of the complainant
 - c) the subject of the complaint
 - d) the dates that the complaint is received, acknowledged, and resolved
 - e) the Investigating Officer and any referenced members
 - f) category of the complaint
 - g) the progress of the complaint
 - V. Advise the APRB Committee Members of the details of the complaint.
 - IV. Appoint an Investigating Officer.
 - V. Should a majority of committee members have a conflict of interest with the Complaint then an independent individual Investigating Officer shall be engaged to oversee the resolution of the complaint.

5.0 Investigation of a Complaint

- 5.0 The Investigating Officer is responsible for gathering evidence and soliciting the views of the Complainant and those identified in the complaint.
- 5.1 The Investigating Officer shall conduct a full examination of the facts of the complaint for all complaint categories within thirty (30) days of receiving the complaint. The investigation shall include:
- I. Contacting all parties associated with the complaint.
 - II. Ensure procedural fairness for the person lodging the complaint (complainant) and the person or body that is subject to the complaint.
 - III. Shall consider all aspects of the evidence provided.
 - IV. Seek additional information from relevant sources.
 - V. Prepare a report to the APRB Committee Chair and recommend for a

- resolution of the complaint by the PAA.
- VI. Forward a copy of the report and the recommendation to the Complainant. The Complainant shall be given an opportunity to provide any comment on the report and recommendation to the PAA.
- 5.2 In case of a category 3 complaint against a certified member or another member of the PAA, the Investigating Officer shall attempt to resolve the complaint with the complainant and in doing so, may use any means including but not limited to, informal settlement and mediation. If such a resolution cannot be reached the report and recommendation shall be passed to the APRB Committee Chair for an investigation. In such a situation both parties will be provided with a copy of the report and recommendation and shall be given an opportunity to provide any comment(s).

6.0 Investigation Report and Resolution

- 6.0 The Investigating Officer shall provide a report to the APRB Committee Chair at the conclusion of the investigation phase. The purpose of the report is to provide the APRB Committee with sufficient information for a recommendation to be made by PAA based on substantiated objective evidence. The report shall include:
- I. Full details of the substance of the complaint.
 - II. A summary of the evidence collected.
 - III. The conclusion reached, along with a statement of the rationale used to reach the conclusion.
 - IV. Details of any agreement reached between the parties to resolve the matter(s) raised.
 - V. Recommendations on any follow up actions, including changes to PAA policies or procedures, that will prevent a recurrence of such a complaint; and
 - VI. Any other comments on matters that may have arisen out of the investigation that would assist the Committee in making a recommendation to PAA or which would provide guidance to the parties or PAA on actions that may lead to improvements in the effectiveness of the PAA programs and agreements.
- 6.1 The APRB Committee shall make a recommendation on the Complaint based on the information provided by the Investigating Officer and the complainant, within fourteen (14) days of receiving the report. The PAA Executive will consider and make final determination on all recommendations for findings and/ or actions regarding the complainant.
- 6.2 In the case the PAA Executive can't agree on a decision, it will be opened to the PAA Board for a final decision.
- 6.3 Appropriate action may include but is not limited to:
- I. Apology for cause of complaint
 - II. Suggestion of remedial action
 - III. Refund of fees
 - IV. Re-work or replacement of footwear and/or orthoses

- V. Temporary Exclusion from membership and/or certification
- VI. Termination from membership and/or certification
- VII. Prevention of renewal of membership and/or certification
- VIII. Report to regulatory body
- IX. Recommendation for third party mediation

7.0 Resolution Report and Record

- 7.0 At the conclusion of the investigation, and following the final decision being made in respect of resolving the matter, the PAA Secretary shall inform the complainant of the outcome of the investigation and of any corrective action that was determined necessary in the course of the investigation.
- 7.1 The APRB Committee Chair shall maintain a register of complaints in which shall be recorded:
- I. The complaint reference number.
 - II. The date the complaint was received.
 - III. The name of the complainant.
 - IV. Name(s) of the APRB Committee Chair, the Investigating Officer, and any referenced members.
 - V. The category of the complaint.
 - VI. A short explanation of the substance of the complaint.
 - VII. A summary of the recommendation of the complaint and final outcome.
 - VIII. The date the complaint was finalised.
 - IX. The dates that the complaint is received, acknowledged, and resolved.
 - X. A record of progress of the complaint through this Complaint Procedure.
- 7.2 Seven days prior to each scheduled committee meeting, the APRB Committee Chair will forward a report on the outstanding complaints as at the end of the previous meeting to the APRB Committee.
- I. Has been raised since the previous meeting.
 - II. Has been resolved since the previous meeting.
 - III. Is still unresolved at the time of preparing the report.
- 7.3 The APRB Committee Chair shall prepare a report on all recommendations for improvement that are reported by an Investigating Officer, for consideration at the next committee meeting and pass the conclusion on to the PAA Board.

8.0 Appeal Process

- 8.0 If the complainant disagrees with the decision of the PAA Executive, they may lodge a written notice of such an appeal within seven (7) days. The notice must state the grounds on which the appeal is made. The PAA Board will appoint in this case an Appeal Committee.
- 8.1 In this appeal process the Complainant shall be responsible for all costs of the appeal process.

- 8.2 The Appeal Committee's decision is final. The Complainant is not entitled to appeal the Appeal Committee's decision.

9.0 Natural Justice

Natural justice will be applied during every disciplinary process under the complaints handling policy, requiring the Investigating Officer, PAA, PAA President, PAA Board/Staff, APRB Committee Chair, APRB Committee Members and Appeal Committee to act fairly, in good faith and without bias or conflict of interest when making decisions.

10.0 No Liability

The Complainant acknowledges that no matter or thing done or omitted by the PAA, PAA Board/Staff, APRB Committee Chair, APRB Committee Members, Investigating Officer and Appeal Committee subjects:

- I. The PAA
- II. The PAA Board/Staff
- III. The APRB Committee Chair and Members
- IV. The Investigating Officer or
- V. Appeal Committee

to any liability. The Complainant hereby releases the PAA, PAA Board/Staff, APRB Committee Chair and Members, Investigating Officer and Appeal Committee from any such liability.

11.0 Confidentiality

- 11.0 The degree of confidentiality may be discussed and agreed by all involved parties, but specifically the Complainant and the APRB Committee Chair prior to the processing of the Complaint.
- 11.1 All persons involved in the complaint and associated procedures shall treat as confidential all information that is obtained during the course of the investigation, including the complaints for, with the exception of information that has been gained from a public source or that has been distributed into the public arena by another person or organisation.
- 11.2 The Investigating Officer shall sign a non-disclosure declaration prior to commencing the investigation. All information gathered during the investigation of the complaint shall be maintained in a file. On concluding the investigation, the Investigating Officer shall pass all copies of information gathered, either in hard copy or electronic form, to the APRB Committee Chair, and that record will be retained as the official record of the matter.

- 11.3 The final decision will be confidential if the decision goes against the Complainant. If the complainant is successful with the Complaint, then the Complainant may decide upon the degree of confidentiality required.
- 11.4 At all times, the degree of confidentiality will be influenced by Procedural Fairness or any requirement of regulatory bodies.

12.0 Review Of Document

This standard will be reviewed from time to time as required. This will generally be at least every five years.

Last approved: October 2021

This replaces the previous approved version of November 2020.

13.0 Glossary

The following glossary of terms applies across all PAA governance documents:

Advice: Provision of information, education, guidance and/or recommendations regarding foot health, foot care, footwear, pedorthic footwear and orthotic appliances.

AGM: Annual General Meeting.

ANTA: Australian National Training Authority or succeeding organisations. a statutory authority operating between 1992-2005 that focussed on vocational education and training (VET).

Appeal: A written request to review a PAA or APRB Committee decision.

Appeal Committee: A committee nominated by the PAA Board to manage the appeals process.

Applicant: An individual who has applied for membership with the PAA or certification/re-certification.

APRB Committee Chair/Committee Chair: A member of the APRB Committee responsible for administering the certification process and maintaining the pedorthic register.

APRB Committee Members: A managing committee of five (5) individuals nominated and endorsed at the PAA AGM. Each Committee member is elected for three (3) years.

Australian Pedorthists Registration Board (APRB) Committee or APRB Committee: A PAA sub-committee that manages certification of pedorthists in Australia and investigates all complaints received by the PAA.

Bachelor program: A higher education program accredited by the PAA Board to deliver pedorthic education.

Board of Directors: The body responsible for governance of the PAA.

Certification: The formal recognition and registration process of pedorthists in Australia.

Certification Panel: A panel of examiners that reviews certification applications and makes a decision regarding an applicant's competency and suitability for certification.

Certified Person: An individual formally recognised and registered by the APRB Committee including Certified Pedorthic Retailer, Certified Pedorthist and/or Certified Pedorthist Custom Maker.

Complaint: Any expression of concern, dissatisfaction or disagreement with a decision or action made by the PAA, APRB, certified pedorthists or other members, the quality or delivery of service or the conduct of another person.

Criteria for Certification in Pedorthics or Criteria: The program prepared by the PAA which sets out the requirements and processes for pedorthic certification and re-certification in Australia.

Custom-made: Unique and made specifically for an individual.

Evidence-based or evidence: Valid and reliable information that is supported by rigorous research.

Fabricated or fabricates: All aspects involved in producing an orthotic appliance or pedorthic footwear. Similar terms include “manufactures”, “makes” or “custom-makes.”

Informed consent or consent: A voluntary decision by an individual agreeing to a treatment or intervention following provision of comprehensive, accurate, relevant and clear information.

Investigating Officer – The person delegated by the APRB Committee to investigate a complaint and provide a report to the APRB Committee Chair.

IVO: Internationaler Verband Orthopaedieschuhtechnik (IVO), also known as the International Association of Pedorthics, of which the PAA is a member.

Orthotic Appliances: An appliance worn on the body to reduce or prevent deformity or to provide support, relieve pain and facilitate movement such as foot and lower limb orthoses, foot orthotics, orthomechanical devices, ankle foot orthoses (AFOs), knee ankle foot orthoses (KAFOs), compression garments, splints, below knee walkers, controlled ankle movement (CAM) walkers, moonboots, Charcot Restraint Orthotic Walkers (CROW), ankle braces, and drop foot braces.

Patient: a recipient of pedorthic care, products and services. Includes terms such as client, user, recipient of service, insured person, consumer, beneficiary or participant. The term may include stakeholders who represent the patient such as carers, support people, family members, partners, workers and/or guardians.

Patient- or person-centred care: Care that involves identifying and understanding what is important to the patient, establishing trust and mutual respect and working together to share decision-making,

Pedorthic Association of Australia (PAA) or Association or PAA: A voluntary fee-based membership organisation and peak representative body for pedorthists in Australia.

Pedorthic Footwear: Footwear specially designed, fabricated and/ or modified to improve health and mobility, reduce discomfort and/or minimise the propensity for lower limb impairment in the future. Similar terms include medical grade, orthopaedic, therapeutic, extra-depth or surgical footwear.

Pedorthic Register: A list of certified persons maintained by the APRB Committee.

Pedorthics - The professional field concerned with the provision of pedorthic footwear, orthotic appliances and appropriate advice to a patient after assessment and analysis of the patient's condition(s). Includes the provision of prefabricated footwear, alteration and modification of prefabricated footwear, custom-designed and fabricated pedorthic footwear and orthotic appliances, and advice on the need and application of pedorthic footwear and orthotic appliances.

Pedorthic Services: Strategies to improve, maintain or promote patient health and mobility that includes advice regarding foot health care, footwear, and orthotic appliances and/or provision of prefabricated or custom-made pedorthic footwear, prefabricated or custom-made orthotic appliances and/or footwear modifications. Includes the terms “pedorthic care” and “pedorthic intervention.”

Pedorthist: A person trained in Pedorthics who provides pedorthic footwear and orthotic appliances, pedorthic advice and pedorthic services.

Practice: Work performed in any role, whether remunerated or not, in which an individual uses their skills or knowledge to contribute to the safe and effective delivery of pedorthic services.

Prefabricated: Industrially manufactured and not custom-made to individual specifications. Similar terms include “ready-made”, “off-the-shelf” and “over-the-counter”.

Recent: An individual who has utilised their professional knowledge and skills in activities that meet the definition of practice since qualifying as a pedorthic retailer or pedorthist.

Re-certification: The process of renewing pedorthic certification in Australia.

Registrar of Pedorthists or Registrar: The agency that credentials individuals as certified pedorthists. The Registrar is the APRB Committee.

Relevant Regulatory Body: Includes any department or nominated individual, or body empowered by the Government of the Commonwealth of Australia, States and Territories and local councils.

Review Board: A panel of representatives from which the Certification Panel is drawn.

TCF Training Package: Textiles, Clothing and Footwear (TCF) Training Package Medical Grade Footwear LMT07 as endorsed by the National Training Quality Council 2008 or later versions endorsed by the relevant government authority and PAA.

VET: Vocational education and training.

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