Policy 9.31

CHILD SAFE COMPLAINTS HANDLING

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Statement

The National Principles for Child Safe Organisations (National Principles) provide a nationally consistent approach to cultivating organisational cultures and practices that foster child safety and wellbeing. The National Principles also give effect to the child safe standards recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse.
National Principle 6 states that organisations should have processes to respond to complaints and concerns that are child-focused and uphold the rights of children and young people.

The *Complaint Handling Guide: Upholding the rights of children and young people* provides comprehensive practical advice to organisations about how to develop, implement and maintain a complaint-handling system that prioritises child safety and promotes the rights of children and young people to have a voice in decisions that affect them.

The Complaints Handling Guide must be used as a point of reference when using this policy.

Policy

Sandstone Therapy Centre Inc is obligated to respond effectively to complaints that affect children and young people.
Sandstone culture is based on what is in the best interests of the child or young person – by valuing and listening to children and young people and respecting their rights.
Sandstone's approach recognises, respects and protects the human rights of children in the development and implementation of laws, policies, practices and other decisions affecting them.

This policy forms part of the Sandstone child safe governance mechanisms and is supported by a positive complaints culture and effective overall complaint handling system.

Flowchart

REMEMBER! Always call 000 if a child is in immediate danger

Who might report a matter?

- Anyone

How?

- Face-to-face report
- Email
- Telephone call
- Letter
- Website

What to report?

Any child safety concerns to be reported to the police or Child Protection Authority such as:

- Disclosure of abuse or harm
- Allegation, suspicion or observation of abuse or harm

Other concerns to be reported to CEO or Senior Counsellor such as:

- Breach of a code of conduct
- Safety issues relating to the Sandstone environment

What happens next?

The CEO or Senior staff members will:

- Offer support to the child, the parents/carer and the person who reports
- Initiate internal risk management processes to ensure the safety of the child, clarify the nature of the complaint and commence disciplinary process (if required)
- Decide, in accordance with legal requirements and duty of care, whether the matter should/must be reported to the Police or Child Protection authority and make report as soon as possible if required
- Wait for clearance from authorities before starting the investigation
- Report to regulators, oversight bodies if allegation is reportable, and working with children check operators where appropriate.

Australian Government Complaint Handling Guide –
Upholding the Rights of Children and Young People.

The Guide is divided into nine guidelines addressing key aspects of an effective complaint-handling process and system.

1. Embedding children's rights, safety and wellbeing into the complaints process
2. Reporting responsibilities
3. Sharing information and communicating with stakeholders
4. Confidentiality and privacy
5. Managing risks – complaints and incidents
6. Conducting investigations involving children and young people
7. Being fair and objective
8. Explaining outcomes and reviewing options
9. Record keeping and complaints data

Procedure

Child Safe complaint handling process:

1. Receiving the complaint

Complaints may be received in various ways, including:

- Face-to-face verbal report
- Email
- Telephone call
- Letter
- Website

Unless the complaint is resolved at first point of contact, details of the complaint should be recorded along with other relevant information.

2. Record the complaint and relevant information

The key details of the complaint must be recorded such as:

- Details about the complainant
- Any additional communication or support required
- Details about the subject of the complaint
- Complaint issues
- How the complaint was resolved/investigated
- Risks managed and the complaint outcome

See **Guideline 9** and **Appendix G: Complaint Record Form**.

3. Acknowledge the complaint

- Complaints should be acknowledged at the time of receipt or as soon as possible afterwards. Children and young people are often wary about making a complaint and want to be assured they are being listened to straight away.
- Acknowledge the complaint by using the preferred communication method nominated.
- Identify a contact point for the child or young person and their parent or carer.
- Provide the child or young person with information about the complaint-handling process, the likely next steps and expected timeframe.

4. Assess the complaint and address immediate risks

The initial assessment of a complaint should involve the following questions being asked:

- Does the complaint raise any immediate risks to the safety or wellbeing of a child or young person or other person?
- What other issues does the complaint raise?
- What steps need to be taken to address and manage risks throughout the complaints process?
- Does the child or young person affected by the complaint (or other children involved or impacted) require any additional supports during the complaints process?
- What evidence needs to be immediately secured/protected/kept confidential?
- How serious, complicated or otherwise urgent are the issues raised in the complaint (from both the perspective of the complainant, involved child or young person and the organisation)?
- Are the issue/s raised within your organisation's control?
- Are the outcomes sought by the complainant viable?
- If more than one issue is raised, will they need to be separately addressed?
- What other authorities or agencies (e.g., police, health services) need to know about the issues raised by the complaint or be involved in the response?
- What type of information should the complainant be provided following your assessment?
- Is further information needed from the complainant in order to properly assess and resolve the complaint?

If the complaint is not about something the organisation can respond to, you should ensure that the complainant is told this and (wherever possible) referred to a person or organisation that can help as quickly as possible.

5. Planning the involvement of the child or young person

Once the issues raised by the complaint have been assessed, a plan must be developed for involving the affected child or young person and their parent or carer at key stages of the complaint, including when and how information will be communicated to them throughout the process and how they will be supported.

Record your rationale for all decisions in this area. It is critical that rapport is established with the child or young person early on by those involved in the complaints process. For example, with the contact person and the person undertaking an interview with the child or young person. It should also cover how the child's parents or carer will be involved in the process.

6. Resolving complaints

After assessing the complaint, an action plan is required to manage and resolve it. Wherever possible, the organisation should try to resolve complaints promptly with a complainant and—particularly where the matter is minor—as soon as possible after the complaint is made. However, where the complaint relates to a serious allegation or incident, this may not be appropriate. It is critical that you keep the complainant adequately informed about what is happening with their complaint and clarify timeframes where there are delays.

The more promptly a complaint is resolved, the more likely that the complainant will be satisfied and have a better regard for the organisation. Dissatisfaction tends to increase with time, especially if progress and/or reasons for delay are not communicated. During the initial assessment (noted above), some issues may have been identified that can be responded to more quickly than others. Any reasons for delay should be recorded in responding to complaints, and any communication with the person making the complaint.

To resolve the complaint:

- Work with the person making the complaint to see how the issues can be appropriately addressed

- Make inquiries with the person or organisational subject of the complaint, and/or investigate the issues raised in the complaint, in cooperation with police/child protection authorities where relevant.

The nature and scope of any action taken will depend on several factors including:

- Circumstances of each case
- Any statutory requirements
- Issue(s) complained about
- Parties involved
- Likely outcome

More serious complaints will require an evidence-based rather than an outcome-focused approach. **See Guideline 6.**

7. Investigating

The following steps are generally undertaken as part of an investigation:

- Action the relevant issues identified through the assessment process, starting with any immediate safety risks posed to a child, young person or class of children, and undertaking any risk management associated with the subject of complaint.

- Select the appropriate investigative approach by looking at any statutory requirements, consulting relevant external bodies (e.g. police and child protection agencies) and considering the nature of the issue or allegations raised and the likely outcome of the investigation.

- Develop an investigation plan, ensuring that, where appropriate, relevant authorities are consulted and involved in their design and implementation to ensure an organisation's actions do not compromise a police or child protection investigation.

Obtain and protect evidence, including identifying relevant witnesses and putting the allegations to the subject of complaint at the appropriate point in time— affording them fairness.

- Analyse, assess and weight all the evidence gathered.
- Make findings about the allegations and explain them to the subject of complaint and the complainant.
- For more information, see **Guideline 6**.

8. Provide regular updates throughout the complaints process

Let the complainant and—depending on the complainant's needs, also their family, guardian and/or support person—know what is happening with their complaint, when they can expect to hear from you and who to contact for more information or if they have questions about the process.

The frequency of updates and the nature and quantity of information provided to the complainant should be determined in accordance with their specific needs and wishes, and privacy and confidentiality obligations.

For more information on providing an update see **Guidelines 1 & 3**.

9. Provide the outcome

Report final findings to the complainant, the subject of complaint and other stakeholders, considering privacy, confidentiality and procedural fairness obligations.

Explain to the complainant and the subject of complaint—using the most appropriate communication channel and putting in place any necessary supports—the key steps taken to investigate the complaint, the outcome (including the reasons for your decision), and available avenues for review and/or appeal if they are dissatisfied with the outcome and/or the complaints process.

For more information on providing an outcome see **Guideline 8**.

10. Close the complaint and record the outcome

Close the complaint and keep comprehensive records about:

- How the complaint was managed
- Outcome
- Any recommendations and/or outstanding actions and how they have been addressed.

It is also a good idea to make a record of any systemic issues identified. Invite people to provide feedback at the conclusion of the complaints process.

11. Facilitating ongoing support for those involved in the complaint

As part of the process of finalising complaints, consider whether the person who made the complaint

or a child or young person involved in the complaint (or their parents/carers) is likely to need or want ongoing support. This might include support you can provide within Sandstone, as well as referrals that you can facilitate to other organisations where required.

12. Continuous improvement

In addition to adjusting any systems or practice weaknesses identified by a specific complaint or general feedback, the organisation should have a system for collecting, maintaining and reviewing complaints data to identify any broader trends with the aim of improving service delivery/performance. Look for opportunities to communicate with people who have made complaints, and with stakeholders broadly, about any changes or improvements brought about through the handling of complaints, or review of complaint data. This helps people to see the tangible benefits of making complaints and may help people to feel more comfortable about raising other concerns in the future.

Responsibility

The CEO is responsible for the implementation and review of this policy

Related Documents

5.13 Complaints Management
9.11 Child Protection
9.30 Child Safety and Wellbeing

Complaint Handling Guide

A reference guide and full version of the Guide are available at the **National Office for Child Safety** webpage https://pmc.gov.au/child-safety.

Hard copy of guide is in CEO office.