

Complaints Management

Complaint Policy Sample

| | |
|--|---|
| Title | Complaints and Allegations Policy |
| Introduction Describe policy intent and list who the policy applies to | <p>Everyone in our organisation should be confident that complaints will be dealt with honestly and fairly.</p> <p>Everyone in our organisation should be confident in reporting inappropriate behaviour around kids.</p> <p>Everyone in our organisation should report any concerns about the safety or welfare of a child or young person immediately.</p> |
| Reporting Obligations Identify any reporting obligations & list relevant legislation | <p>NSW Reporting obligations</p> <p>Department of Family and Community Services</p> <p>Any person who has reasonable grounds to believe that a child or young person is at risk of significant harm may report to Department of Family and Community Services. Phone 132 111 to report child abuse or neglect (24 hour service).</p> <p>Some people must report if they have reasonable grounds to suspect a child is at risk of significant harm. They are legally 'mandatory reporters' and must report concerns about risk of significant harm to children, to the Department of Family and Community Services. (FACS) https://reporter.childstrong.nsw.gov.au</p> <p>A person who is paid to provide the following services and a person (paid or unpaid) who is in a management position in these services are mandatory reporters:</p> <ul style="list-style-type: none">• Health care (e.g. doctors, nurses etc.)• Education (e.g. teachers)• Children's services (e.g. child care centres)• Residential services (e.g. refuges)• Law enforcement (e.g. police) <p>NSW Ombudsman</p> <p>The NSW Ombudsman supervises the complaints process of all state and local government agencies as</p> |

well as schools, child care centres and agencies providing Out-of-home care. People using these services can complain to the Ombudsman and the Ombudsman can check that the service has handled the complaint properly. Complaints Management Policy Sample The NSW Ombudsman's 'Complaint Handling Tool Kit' and 'Child Protection for the Workplace' Guidelines are available at: www.ombo.nsw.gov.au

Office of the Children's Guardian

Reporting bodies have a legal obligation to report findings of sexual misconduct and serious physical assault involving children by a child-related worker to the Office of the Children's Guardian.

Under Schedule 1 of the *Child Protection (Working with Children) Act 2012* the conduct that must be reported is:

1. sexual misconduct committed against, with or in the presence of a child, including grooming of a child
2. any serious physical assault of a child.

Under the legislation, reporting bodies must investigate allegations of such conduct to make an informed finding as to whether or not the conduct occurred.

To determine whether or not the conduct meets the criteria, reporting bodies must consider the nature of the conduct itself and the context in which it occurred.

If the investigation results in a finding that sexual misconduct or serious physical assault occurred, the reporting body must report this finding to the Office of the Children's Guardian.

Under the *Child Protection (Working with Children) Act 2012* only findings of sexual misconduct and serious physical assault must be reported, although the Ombudsman may report other misconduct to the Office of the Children's Guardian.

Types of complaints

List what should be reported

All complaints should be reported, this includes:

- Disclosure of abuse
- Inappropriate behaviour around kids
- Suspicion of abuse or harm to a kid

Responsible workers

Identify who to report to

All complaints must be reported to the Child Safety Contact Officers.

List the names of the different Child Safety Contact Officers and their respective mobile numbers.

| | |
|--|--|
| <p>Making a complaint Identify who can make a report</p> | <p>A child or young person, or any staff member/ volunteer/ student can make a complaint or raise a concern by:</p> <ul style="list-style-type: none"> • Face to face meeting • Phone call (child safety contact persons number) • Email (child safety contact email address) • Letter (organisations address) |
| <p>Complaint process List the step-by-step actions to be taken once a complaint has been made</p> | <ul style="list-style-type: none"> • Listen to the person making the complaint and make a record of the complaint using the 'Complaint Record Form'. • In NSW make a report to the Department of Family and Community Services in the case of an allegation of child abuse. Inform everyone involved in the complaint of the requirement to make this report. • If the complaint involves inappropriate behaviour and a breach of the Code of Conduct, the manager/ leader will need to take action in accordance with the internal discipline procedure. |
| <p>Privacy and Confidentiality List how you maintain the privacy and confidentiality of those involved</p> | <p>Child safe organisations need to ensure they are following obligations defined under the <i>Privacy and Personal Information Protection Act 1998</i>.</p> <ul style="list-style-type: none"> • List how you collect, manage and store complaints and allegations • List when and what information will be disclosed to other government or non-government agencies • List how you protect the privacy of those involved in accordance with obligations under the <i>Privacy and Personal Information Protection Act 1998</i>. |
| <p>Communication and support for stakeholders Explain how you will inform workers about your policy and tell them about their obligations</p> | <p>Child safe organisations ensure that all stakeholders (including workers, families and children) know how to make a complaint and or raise a concern. This can be achieved by:</p> <ul style="list-style-type: none"> • Information sessions about the policies and practices of the organisation (including the complaints and allegations policy and how it applies to families, workers and Children) • Resources (including fact sheets/ brochures/ posters) on what to report, and who to report to • Internal or externally provided training in the complaints and allegations processes for workers • Age appropriate programs for children explaining what to do if they feel upset or concerned |

Review date

Set a date to review and update this policy

Policies should be reviewed every 2 years (minimum) to ensure continuous improvement in your practices and keep up to date with all relevant legislation and industry requirements.

[SAMPLE ONLY]

