

CCW Policy 4

Child Safeguarding - Child Safe Complaints Management

Approval rating
3

Controlled Document

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Document Owner:	Executive Manager, Children and Youth Services		Approved by:	Chief Executive Officer	
Reviewed by and consulted with:	Quality & Risk Child Safeguarding Committee CELT				

Audience

This policy applies to all employees working on a permanent, temporary, and casual basis.

Specific programs within CatholicCare will have additional requirements due to contractual agreements (refer to Practice Manuals).

Implementation responsibility

Implementation responsibility for this policy lies with all CatholicCare employees.

Objective and Purpose

CatholicCare Wollongong (We/Our/CatholicCare) recognise that to achieve our vision of advocating with and on behalf of children and young people and intervening to protect them from all forms of abuse, violence, injury, neglect, and exploitation, it is the intention of CatholicCare that children and young people are empowered, valued, listened to and wherever possible, participate in decision making.

This policy sets out our commitment to being a Child Safe Organisation with a child safe culture embedded in all levels of our Agency. We have a zero tolerance towards the harm of children and young people. In doing this we will uphold the rights of all children to participate to their full capacity, regardless of their gender, race, ability, or cultural background,

Our objectives are to ensure that any child or young person using CatholicCare's services or is affected by its operations, has the right to complain and have their complaint handled in a manner which prioritises children and young people's right to safety and wellbeing.

This agency's Child Safeguarding Complaints Handling Policy will:

- ensure child rights are embedded in the policy,
- ensure employees uphold their responsibilities,
- uphold information sharing and privacy protocols,
- manage the risks posed to children and young people,
- ensure investigations consider child-related factors such as trauma, capacity and reasonable adjustments,
- be fair and objective,
- explain the outcomes in a way that the child and young people understand, and

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- comply with record keeping and reporting practices.

The feedback system provides opportunities to:

- identify what is working well and can be further developed,
- determine areas for improvement,
- assist in planning and allocating resources,
- strengthen public support, and
- address the concerns of dissatisfied service users.

Consequences of Policy Violations:

Violations of this policy may result in disciplinary action, up to and including termination of employment or contract. The severity of the consequences will depend on the nature and impact of the violation, as determined by CatholicCare Wollongong.

What is Complaints Management

Complaints management refers to the process of effectively handling and addressing grievances, criticisms, or concerns raised by customers, clients, employees, or other stakeholders. It involves receiving, recording, investigating, and resolving complaints in a timely and efficient manner to maintain customer satisfaction, agency reputation, and compliance with relevant regulations or standards. The aim of complaints management is to identify root causes of issues, implement corrective actions where necessary, and continuously improve products, services, or processes to prevent recurrence of complaints in the future.

This policy sets the expectations of employees, authorised carers, advisors and consultants employed by CatholicCare when children and/or young people make a complaint against the agency.

Principles

CatholicCare Wollongong will:

- ensure that all children/young people, their families, carers and advocates are encouraged and supported to raise any concerns they have about the service or agency
- treat all children/young people with respect, without judgement or bias
- conduct investigations with integrity
- provide support to children and young people throughout the complaints handling process
- ensure that all children and young people are aware of and understand how to escalate their complaint to the relevant external body
- never prioritise an adult's opinion over that of a child/young person where their opinions may differ
- adhere to privacy and confidentiality obligations
- strive to resolve complaints to the satisfaction of the child/young person
- deal with all complaints in a timely manner, and aim to provide a response to the child/young person, acknowledging the complaint within 1 working day of the complaint being received (note that this a resolution will take longer)
- keep children/young people informed at all stages of the investigation/handling process
- ensure that a complainant is not penalised in any way or prevented from use of

services

- ensure that feedback data is considered and used in agency's reviews, and
- review and evaluate the accessibility and effectiveness of the complaints management system and continually make improvements

Our Complaints Management Principles

These Principles set out the standards and values that guide effective complaints management within CatholicCare. They serve as a foundation for building a robust complaint handling process that prioritises fairness, transparency, and accountability. This will provide CatholicCare with the following benefits:

For everyone

- Feedback from complaints provides valuable insights into areas where CatholicCare can improve its products, services, or processes. By analysing complaints and addressing root causes, we can drive continuous improvement and innovation.

Mutually beneficial

- A positive feedback loop where satisfied service users, engaged employees, and trusting stakeholders contribute to the long-term success and sustainability of CatholicCare.

About the team

- Collaborating to address complaints can foster a sense of teamwork and camaraderie among employees. Working together to solve problems can strengthen bonds and improve overall team cohesion.

Leader Led

- Promoting complaints as a positive aspect can shift the perspective from seeing them as solely negative experiences to valuable opportunities for improvement and growth.
- Foster a culture where team members feel safe and encouraged to voice their concerns or provide feedback. Emphasise that complaints are welcomed as opportunities for improvement rather than as sources of blame.
- Ensuring that complaints are handled effectively and that the team is equipped to address them promptly and professionally.
- Leaders should empower team members to take ownership of customer complaints and resolve them autonomously whenever possible. This involves trusting team members to make decisions and providing them with the authority and resources to address complaints effectively.

Context matters

- Age and developmental stage play a crucial role in how complaints are managed. Younger children may struggle to articulate their concerns, while older children may have more sophisticated language to express themselves. Tailoring the approach to the child's developmental stage is essential.
- Maintaining the confidentiality and privacy of the child is critical throughout the complaints management process. This includes protecting the child's identity and sensitive information, as well as ensuring that discussions are held in a secure and private setting.

When to use Complaints Management Strategies

Complaints management strategies for children and young people are essential for safeguarding their rights, promoting their well-being, and ensuring that their voices are heard, supported through advocacy, and respected in all aspects of their lives.

Many children and young people who raise complaints may have experienced trauma or adverse experiences. Therefore, we should take a trauma-informed child-centred approach to complaints, taking into account the potential impact of trauma on a young person's behaviour, responses, and needs for support and therapeutic intervention.

Complaints management strategies should uphold the principles of child participation and rights, ensuring that children and young people are informed about their rights, empowered to raise complaints, and involved in decision-making processes that affect them.

Consideration and response

Prioritise the safety and protection of the child or young person, especially if the complaint involves allegations of abuse, neglect, or harm. Take immediate action to ensure their safety and involve appropriate child protection authorities if necessary.

Respect the confidentiality and privacy of the child or young person throughout the complaints management process. Limit access to information on a need-to-know basis and obtain consent from the child or their legal guardian before sharing sensitive information.

Provide advocacy and support to children and young people who raise complaints, including access to independent advocates, counsellors, or support workers who can assist them throughout the process. Ensure that children have a trusted adult or support person to accompany them during interviews or meetings.

Appeals

It is important for children and young people to be aware of their rights and options for seeking further recourse if they are not satisfied with the outcome of a complaint. Seeking support from a trusted adult, such as a parent, guardian, teacher, or social worker, can also be helpful in navigating the complaints process and accessing appropriate support and assistance.

External agencies that may be considered include The NSW Office of the Children's Guardian, Australian Centre to Counter Child Exploitation, Health Care Complaints Commission, and Department of Community Services.

Definitions

Term	Definition
Violence	Mainly involves child maltreatment (i.e. physical, sexual and emotional abuse and neglect) at the hands of parents and other authority figures. Boys and girls are at equal risk of physical and emotional abuse and neglect, and girls are at greater risk of sexual abuse. As children reach adolescence, peer violence and intimate partner violence, in addition to child

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Term	Definition
	maltreatment, become highly prevalent. (World Health Organization)
Abuse	“All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power” - World Health Organization (2016), Child abuse and neglect by parents and other caregivers.
Sexual abuse	When someone involves a child or young person in a sexual activity by using their power over them or taking advantage of their trust. Often children or young people are bribed or threatened physically and psychologically to make them participate in the activity. Sexual abuse is a crime.
Physical abuse	<p>A non-accidental injury or pattern of injuries to a child or young person caused by a parent, caregiver or any other person. It includes but is not limited to injuries which are caused by excessive discipline, severe beatings or shakings, cigarette burns, attempted strangulation and female genital mutilation.</p> <p>Injuries include bruising, lacerations or welts, burns, fractures or dislocation of joints. The application of any unreasonable physical force to a child is a crime in NSW. For example, hitting a child or young person around the head or neck, or using a stick, belt or other object to discipline or punish a child or young person (in a manner that is not trivial or negligible) may be considered a crime</p>
Emotional abuse or psychological harm	<p>Serious psychological harm can occur where the behaviour of their parent or caregiver damages the confidence and self-esteem of the child or young person, resulting in serious emotional disturbance or psychological trauma.</p> <p>Although it is possible for ‘one off’ incidents to cause serious harm, in general it is the frequency, persistence and duration of the parental or carer behaviour that is instrumental in defining the consequences for the child or young person.</p> <p>This can include a range of behaviours such as excessive criticism, withholding affection, exposure to domestic violence, intimidation or threatening behaviour.</p>

Term	Definition
Neglect	When a parent or caregiver cannot regularly give a child or young person the basic things needed for his or her growth and development, such as food, clothing, shelter, medical and dental care, adequate supervision, and enough parenting and care.
Exploitation	<p>"The use of children for someone else's advantage, gratification or profit often resulting in unjust, cruel and harmful treatment of the child.</p> <p>These activities are to the detriment of the child's physical or mental health, education, moral or social-emotional development. It covers situations of manipulation, misuse, abuse, victimisation, oppression or ill-treatment." (Save the Children, 2020)</p>
Discrimination	<p>When a person, or a group of people, is treated less favourably than another person or group because of their background or certain personal characteristics. This is known as 'direct discrimination'.</p> <p>It is also discrimination when an unreasonable rule or policy applies to everyone but has the effect of disadvantaging some people because of a personal characteristic they share. This is known as 'indirect discrimination'. (Australian Human Rights Commission)</p>
Grooming	<p>Any act with the aim of befriending, building rapport, and gaining the trust of a child for the purpose of subjecting them to abuse. Signs of grooming include giving gifts or special attention, or inappropriate touching such as tickling or wrestling with a child.</p> <p>Perpetrators can also 'groom' family members, and workers in organisations, to be seen as 'trusted' and enable them to spend time with the child they are targeting.</p>
Online grooming	Establishing a relationship with a child or young person online with the aim of meeting him/her in person for sexual activity. This can include online chat or sexting, and the abuser may lie about their age or identity.
Harm	Different states or territories may have differing definitions of harm in relation to child protection legislation, but in general it refers to any significant detrimental effect on a child's physical, psychological or emotional wellbeing.

Term	Definition
CatholicCare Executive Leadership Team (CELT)	CELT considers and provides advice to the Chief Executive Officer on high level strategic issues and significant policy and operational matters impacting on CatholicCare Wollongong. It comprises of Executive Managers of CatholicCare Wollongong.
Quality Systems Committee (QSC)	A diverse team that oversees & contributes to the promotion, development, and implementation of systems to ensure continuous improvement in the provision of high-quality client-centric services that achieve positive outcomes for clients
Child Safeguarding Committee	A diverse team that has membership of all service programs that work with Children and Young People. Membership also includes People & Culture Representative and Quality & Risk. There is also representation from Professional Standards at Office of the Bishop and Catholic Education Office Child Protection.
Employees	A person employed by CatholicCare Wollongong, or a person who volunteers for CatholicCare Wollongong, but excludes Authorised carers
Contractors	Individuals or companies who are engaged to perform a specific service or task for a client or CatholicCare Wollongong, usually for a fee or other agreed compensation.
Authorised carer	A person authorised by CatholicCare as a foster or relative kinship carer who, for a period of time, takes on the responsibilities of parents to provide a safe, nurturing and secure family environment for children and young people needing care.
Department of Community & Justice	The Department of Communities and Justice works with children, adults, families and communities to improve lives and help people realise their potential.
Principal Officer	For the purposes of fulfilling CatholicCare Wollongong's responsibilities under the Children & Young Persons (Care and Protection) Act 1998 and the Children & Young Persons (Care & Protection) Regulation 2012 the Executive Manager, Children & Youth Services, Michelle Ferrara, is the designated Principal Officer (in her absence, Executive Manager, Family Services, Roseanne Plunket) and also has overall responsibility for supervising CatholicCare Wollongong's arrangements for providing Out of Home Care.
Office of the Children's Guardian (OCG)	An independent statutory authority in NSW Government, promoting, regulating, and overseeing the quality of child

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Term	Definition
	safe organisations in NSW to uphold children and young people's right to be safe. Includes administration of the Reportable Conduct Scheme.
Consultants	A person or agency engaged or on a temporary basis to provide advice and recommendations to a service program.
Advisors	A person who gives others advice or guidance.
Child	A person under the age of 18 years (unless otherwise specified in relevant legislation) – Children's Guardian Act 2019 and Child Protection (Working with Children) Act 2012 A person under the age of 16 years - Children and Young Persons (Care and Protection) Act 1998
Young Person	A person who is aged 16 years or above but who is under the age of 18 years - Children and Young Persons (Care and Protection) Act 1998.
Complaint	Is an expression of dissatisfaction made to CatholicCare Wollongong regarding its employees or services that warrants response or resolution.
Reportable Allegation/Conduct	A reportable allegation is an allegation that an employee (including Foster Carers) has engaged in conduct that may be reportable conduct. It includes sexual offences or sexual misconduct, assault, ill-treatment or neglect of a child or young person or any behaviour that causes psychological or emotional harm to a child or young person or any offences relating to failure to report, or failure to reduce or remove a risk of, child abuse.

Induction and ongoing training

- Upon commencing employment with CatholicCare, employees will undergo an induction process that includes training on the principles and guidelines outlined in this policy. Furthermore, ongoing training and educational resources will be made available to ensure that employees maintain a thorough understanding of these principles and guidelines throughout their tenure with CatholicCare.
- Regular updates and reminders may also be provided to keep employees informed about changes in best practice.

Monitoring, Evaluation and Review

This policy will be reviewed periodically to ensure its effectiveness and relevance. Any necessary updates or modifications to ensure compliance with legislative and standard requirements will be communicated to all employees, contractors, and representatives of CatholicCare Wollongong.

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Other situations may include:

- Following an incident, to identify gaps and strengthen data protection measures.
- adoption of new tools or systems.
- mergers, restructuring, or shifts in services that impact on current processes.
- As part of routine evaluations to ensure policies remain effective and aligned with best practices.
- If client/s provide feedback or complaints, prompting a review for improvement.
- When inefficiencies or errors are identified.

The agency will formally review this Policy every three years as part of the policy's known life cycle period.

References

Legislation

- Anti-Discrimination Act 1977
- Care and Protection Act 1998
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Children and Young Persons (Care and Protection) Regulation 2012
- Children and Young Persons (Care and Protection) (Child Employment) Regulation 2015
- Child Protection (Working with Children) Act 2012
- Child Protection (Working with Children) Regulation 2013
- Children's Guardian Act 2019
- Crimes Act 1900
- Disability Inclusion Act 2014 (NSW)
- Education and Care Services National Regulations (2011 SI 653)
- Family Law Act 1975 (Commonwealth)
- National Disability Insurance Scheme Act 2013
- NDIS (Quality & Safeguards Commission and Other Measures) Act 2018

Standards

- Council of Australian Governments – National Principles for Child Safe Organisations
- Early Childhood Australia's Code of Ethics
- Office of the Children's Guardian – NSW Child Safe Standards
- Office of the Children's Guardian – NSW Child Safe Standards for Permanent Care
- United Nations Convention on the Rights of the Child
- National Catholic Safeguarding Standards
- NSW Charter of Rights for Children and Young People in Out of Home Care
- NQF – My Time, My Place: Framework for School Aged Children for Australia
- NQF – Being, Belonging and Becoming: The Early Learning Years Framework for Australia
- NQF – Education and Care Services National Laws and National Regulations
- Australian Children's Education & Care Quality Authority (ACECQA)

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- Department of Social Services - Families and Children Activity Administrative Approval Requirements
- NDIS Quality and Safeguards Commission – NDIS Practice Standards

Organisation Policies

- Code of Ethics and Conduct
- Child Safe Code of Conduct
- CS Policy 9 - Preventing and Responding to Harm and Abuse of Vulnerable People
- CCW Policy 1 Child Safeguarding
- CCW Policy 2 Child Safeguarding – Risk Management
- CCW Policy 3 Child Safeguarding – Equity and Inclusion for Children and Young People
- CCW Policy 5 Child Safeguarding – Disciplinary and Misconduct
- WS Policy 2.1 - Recruitment and Selection
- WS Policy 2.5 - Employment Screening
- WS Policy 2.7 - Employee Files
- WS Policy 2.8 - Position Descriptions
- WS Policy 4.1 - Performance Planning and Review
- WS Policy 5.1 - Training & Development
- WS Policy 4.3 - Management of Reportable Conduct Allegations against an Employee

Forms, record keeping, other documents

- CSFO 4.1 Client & Stakeholder Feedback
- Child Safe Risk Register
- Child Safe Risk Assessment Template
- Child Safe Risk Management Plan

Approval Rating	Type of Policy
<p style="text-align: center;">Approval rating 1</p>	<p>New agency policy/adjustments that are legislated or are a Diocesan directive. Minimal collaboration required.</p>
<p style="text-align: center;">Approval rating 2</p>	<p>High level agency policies that are developed at executive management level (such as employee entitlements) go to CELT for final review before COO recommendation for approval by the CEO.</p>
<p style="text-align: center;">Approval rating 3</p>	<p>Operational agency policies are endorsed by the QSC to ensure policy is applicable across all program areas. Then go to CELT for final review before COO recommendation for approval by the CEO.</p>
<p style="text-align: center;">Approval rating 4</p>	<p>Program specific where it is only the individual program that need to ensure that the policy meets practice requirements. No QSC, CELT or CEO. However, if it is a new policy, courtesy email outlining what they are should go to the CEO, COO and EM Quality & Risk (EM Q&R) for information only.</p>