Child Friendly Complaint Handling Procedure

1. Purpose

HOME in PLACE (Australia) Limited is committed to ensuring that any child or young person accessing HOME in PLACE services or affected by its operations has the right to make a complaint and have their complaint handled in a manner which prioritises children and young people's right to safety and wellbeing.

To effectively follow up a child protection report or concern lodged by a child, it is extremely important for HOME in PLACE to develop a set of clear, fair, safe and child friendly guideline(s)/ procedure(s) to guide our Worker through the complaints handling process. This will help our Worker to manage the report professionally and in a way that respects the best interests and legal rights of the child lodging the complaint.

2. Scope

The procedure applies to all workers, directors, and members of HOME in PLACE decision-making committees and advisory bodies and is explicitly endorsed by the HOME in PLACE Board. The procedure applies to third parties engaged to carry out activities on behalf of HOME in PLACE if stipulated by agreements.

References to HOME in PLACE in this procedure apply to all HOME in PLACE companies and workers carrying out activities on behalf of HOME in PLACE.

The Child Friendly Complaint Handling Procedure ensures the protection of children's rights, manages risks, respects privacy, incorporates child-specific factors like trauma and capacity, and upholds fairness, objectivity, and compliance with reporting and record-keeping protocols.

3. Procedure

HOME in PLACE will:

- Treat all concerns raised seriously and ensure that all parties will be treated fairly, and the principles of natural justice will be a prime consideration.
- Ensure that children and young people, their families, carers and advocates are encouraged and supported to raise any concerns they have about the service or organisation.
- Ensure all reports will be handled professionally, confidentially, and expediently. And that all reports made in good faith will be viewed as being made in the best interests of the child regardless of the outcome of any investigation.
- Will conduct investigations with integrity.
- Never prioritise an adult's opinion over that of a child where their opinions may differ.
- Adhere to privacy and confidentiality obligations.

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- Deal with complaints in a timely manner and aim to provide a response within 21 days of the complaint being received.
- Ensure that a complainant is not penalised in any way or prevented from use of services.
- Review and evaluate the accessibility and effectiveness of the Child Friendly Complaints Procedure and continually make improvements.
- Ensure that the interests of anyone reporting child abuse in good faith are protected. The rights and welfare of the child is of prime importance. Every effort will be made to protect the rights and safety of the child throughout the investigation.
- Will use skilled Workers to handle complaints (wherever possible someone who is trained in working with children and/or interviewing with children and who can be impartial and fair).

Children and community members with whom HOME in PLACE works will be provided with information about how to report any child protection concerns about HOME in PLACE Workers and Associates.

Child Protection Reporting Focal Points:

HOME in PLACE's designated Child Protection incident reporting/Complaint Focal Person is the Group Executive Manager, Governance (GEMG). This is established as part of the child protection reporting procedure. The GEMG is also responsible for monitoring the POL-003-02 Child Safeguarding Policy and providing advice and education to the organisation on child protection matters.

If the Child Protection incident reporting/Complaint Focal Person is not trained in working with children nor has the skills to interview children, they will engage an appropriate person who is trained in working with children or has the interviewing skills with children to conduct the interview. In this instance, the Child Protection incident reporting/Complaint Focal Person will attend the interview.

The Child Protection incident reporting/Complaint focal person will:

- Offer support to the child and or young person, the child or young person's parents, guardians, or carers and the individual who reported the incident where appropriate;
- Assess and remove any internal organisational risks to the child;
- Clarify the nature of the complaint; and
- Make a decision as to whether the matter should/must be reported to the Police or Child Protection authorities and make a report as soon as possible.

When Interviewing/Talking to Children about their Concern and Complaint

What to bear in Mind and Do

Some of the things to bear in mind when talking to a child about his/her concerns, fears and complaint:

- When a child tells you that he or she has been abused, they may be feeling scared, guilty, ashamed, angry and powerless;
- You, in turn, may feel a sense of outrage, disgust, sadness, anger and sometimes disbelief;
- If a child discloses abuse, whatever the outcome, the child must be taken seriously; and
- It is important for you to remain calm and in control and to reassure the child that something will be done to keep him or her safe.

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When a child discloses they are being harmed, you can show your care and concern for the child or young person by:

- Listening carefully
  - Telling the child, you believe him or her,
  - Telling the child, it is not their fault, and he/she is not responsible for the abuse, and
  - Telling the child, you are pleased he/she told you.

You may get the child to disclose their concerns and complaints through drawing or pictures.

What to bear in mind and not to Do

You will not be helping the child/young person if you:

- Make promises you cannot keep, such as promising that you will not tell anyone;
- Push the child into giving details of the abuse. Your role is to listen to what the child wants to tell you and not to investigate (beware of asking any leading questions as this may prejudice any subsequent investigation); and
- Indiscriminately discuss the circumstances of the child with others not directly involved.

HOME in PLACE Complaint Handling Procedure (in relation to handling complaints from a Child)

HOME in PLACE's complaints handling procedure in relation to handling a complaint from a child clearly outlines:

- The steps to be taken during an administrative/internal investigation;
- Roles and responsibilities including contact details for authorities, formal and non-formal child protection and support services (where they exist) to report and refer to;
- Information on local child protection legislation and the organisation's legal obligations;
- A list of what behaviour(s) constitutes a breach of HOME in PLACE's Child Safeguarding Policy or Code of Conduct (CoC) or a criminal offence to help guide and inform decision making;
- Reporting/interview/ investigation plan templates – for accurate records;
- Consideration should be given to the following in all cases:
  - Best interests of the child
  - Safety of all stakeholders
- Confidentiality- only passing information on a need-to-know basis or as required by law.

There are five (5) phases involved in managing a child complaint:

1. **Receive and Document/Record**
2. **Assess and Prioritise**
3. **Investigate and Action**
4. **Outcomes and System Improvement**
5. **Monitoring Effectiveness and Reporting**

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Receive and Document/Record

The primary function of receiving and documenting/recording a complaint from a child is to ensure that the child receives acknowledgement that their complaint is taken seriously, and it is recorded in Greentree for further action.

Greentree is the primary tool for the electronic collection of data in relation to complaints including complaints made by a child. Workers are required to record complaint details within Greentree in accordance with the Greentree Procedures Manual – NG-119 Complaint Service Requests. The record created is a **Complaint Service Request (SR)**.

The Child Protection incident reporting/Complaint Focal Person will be mindful of the child or young person's emotional wellbeing, communication and support needs when collecting and recording information.

Available mediums to lodge a complaint:

A child can make a complaint with HOME in PLACE via any mode of communication, such as in person, telephone, writing, email or via the website. If a child requires assistance to lodge a complaint, every possible effort should be made to organise an interpreter, translator, advocate, or support service to assist.

Receiving a complaint:

When receiving a complaint from a child, it is important that the child feels heard and their complaint is acknowledged and taken seriously.

Acknowledging a complaint:

Should a complaint from a child be received via writing, email or website, the child should be contacted, and their complaint acknowledged. Should the complaint be received in person or over the phone, immediate acknowledgement will be provided. The complaint will be lodged and documented in Greentree.

Home in Place will provide the child or young person with a point of contact and with information about the complaint handling process.

Privacy and personal information:

When collecting personal information, the Worker must provide the Privacy Notice to the child and any other person that may be requested to provide personal information while investigating the complaint. The privacy notice must be given to the child if practicable, before the collection of the personal information, or as soon as practicable after the collection.

Confidentiality:

HOME in PLACE will make every effort to keep families informed throughout the complaint process. Information shared will respect confidentiality obligations and not jeopardise the safety of the child or integrity of investigations. Communication will be guided by what can lawfully be disclosed, especially in cases of active police or child protection investigations.

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Confidentiality will be respected and always maintained within the constraints of the need to fully investigate a complaint, subject to any legal authorisation or requirements for disclosure and consistent with the principles of natural justice.

HOME in PLACE will accept anonymous complaints and investigate these as practically possible. They may be lodged in writing or accepted as an oral statement. Complainants will be encouraged to provide as much information as possible. Anonymous complaints will be treated with the same priority as other complaints.

When communicating with a child regarding their complaint, it is important to collect as much information as possible, including:

- Their name, address and best contact number;
- Identifying whether they are a HOME in PLACE tenant, applicant, or a member of the community;
- The basis of their complaint; ask for dates, time and place of any associated events;
- If the complaint is about a Worker, ask for the Worker's name; if they are not able to provide this information, ask for a description of the Worker and what service was being provided at the time;
- The name and, if possible, contact details of any witnesses;
- How the incident has affected the person;
- Any further information or evidence that supports the complaint and will assist in the assessment and resolution process; and
- Any relevant documentation relating to the complaint should be scanned and attached to the Complaint Service Request.

HOME in PLACE understands that parents/guardians or carers of a child or young person who is an alleged victim of abuse or mistreatment have a legitimate interest in being informed about the process of their child's investigation.

HOME in PLACE will disclose information to the parents or carers of the child, of the progress, findings and actions taken during the investigation process, except in cases where disclosure could:

- Jeopardise the child's safety;
- Prejudice a criminal, child protection, reportable conduct or formal investigative process;
- Prejudice a coronial inquest or inquiry;
- Prejudice proceedings in the Children's Court;
- Breach any legal professional privilege; or
- Expose the identity of a confidential source.

Assess and Prioritise

On raising a Complaint Service Request, a priority status needs to be applied to the complaint for it to be processed appropriately. For complaints made by a child, the priority is always 'High'.

HOME in PLACE will ask and address the following questions to determine the immediate and ongoing risks posed to the child or young person, or other children within the organisation and the broader community:

- Does the complaint pose any risk to the child or young person or any other people at HOME in PLACE?

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- Does the complaint raise other issues and if so, what are they?
- What steps need to be taken to immediately manage and mitigate the risks posed by the complaint?
- What risks could arise during the complaints process?
- What additional supports does the child or young person require during the complaints process?
- What evidence needs to be stored, protected or kept confidential?
- What authorities needs to know about the issues raised, and to be involved in the investigative/handling process?
- Is further information needed from the complainant in order to properly assess and resolve the complaint?

Investigate and Action

HOME in PLACE recognises that children can also be the source of harm to other children. In such cases, all children involved will be supported, and tailored risk assessments and actions will be undertaken, ensuring the rights and safety of all children are prioritised.

Following an allegation or report, HOME in PLACE will offer access to support services or counselling for the child or young person who made the report, and any other parties affected. The Child Protection Focal Person will provide guidance on the available internal and external supports.

Investigating

HOME in PLACE may undertake various methods to gather information to substantiate a complaint made by a child.

The investigation process must be objective, reasonable and conducted in good faith. Decisions must be made on the weight of evidence and on the balance of probabilities. Wherever possible, HOME in PLACE will use skilled Workers trained in working with children and/or interviewing with children and who can be impartial and fair to assist in investigating a complaint:

- Clarifying the details provided in a complaint;
- Identifying actions, if any, taken to resolve the issue before the complaint was lodged;
- Gathering and analysing information from relevant file notes, correspondence and/or other sources;
- Reviewing documentation submitted by the child making the complaint;
- Reviewing previous administrative decisions or actions;
- Interviewing the child, workers and/or other individuals involved in the complaint;
- Reviewing relevant policies, procedures and/or legislation; and
- Reviewing previous complaints about the same issue.

Records of each investigation should contain all correspondence including file notes of telephone conversations, interviews, and findings from investigations, recommendations and internal approvals. The file should also contain evidence of the steps taken to investigate the complaint including a summary of actions in respect of recommendations (if any) made.

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All information will be gathered and recorded in Greentree against the Complaint Service Request. Any relevant documentation/evidence that has been gathered should be scanned and attached to the Complaint Service Request. This process will assist should the complaint need to undergo an Internal Review.

It should be recognised that complex matters may require a more detailed, structured investigation to be conducted, and this should be communicated to the relevant parties.

Actions Taken to Address a Complaint made by a Child

Following completion of the investigation into the complaint, the investigation findings are to be recorded, and a written response provided, where practicable, to the child or, otherwise, the person supporting the child. Finalisation details are to be recorded in Greentree, including the reason/s for the decision and the steps taken to investigate the complaint.

HOME in PLACE will ensure that the complainant is aware of the avenues for reviewing and or appealing if they are not satisfied with the outcome.

Response Times

Complaints made by a child will be investigated as quickly as possible.

HOME in PLACE acknowledges that some complaints by a child may require a more detailed investigation and, therefore, will result in more extended time for resolving the complaint. In these circumstances, the extended time for resolving the complaint will be communicated to the child.

Finalisation

HOME in PLACE's designated Child Protection incident reporting/Complaint Focal Person will review the outcome of the complaint before closing the complaint. During the review process, consideration should be given to what remedy and systems improvement may be required.

A child who has made a complaint must receive advice about the outcome of their complaint.

Outcomes and System Improvement

When developing system improvement recommendations, consideration should be given to the extent the action will:

- Prevent the recurrence of similar complaints; and
- Improve service delivery.

System improvements can include:

- Policy and procedure change;
- Practice review; and
- Worker training and other professional development activity may also be recommended.

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HOME in PLACE's designated Child Protection incident reporting/Complaint Focal Person is to take into consideration the complaint monitoring reports and is responsible for investigating the validity and applicability of the recommendations made by the Complaints Officer in informing corrective actions or continuous improvement strategies.

Monitoring Effectiveness and Reporting

Recording of complaints information allows identification of any trends or system issues to inform improvements to the services we provide.

The reporting function is performed by the Complaints Officer/Team (Governance) and HOME in PLACE's designated Child Protection incident reporting/Complaint Focal Person.

Quarterly analysis of complaints data to identify and address any systemic issues, including improvements to products and services, policies and procedures and Worker training needs, will be undertaken by the Complaints Team (Governance) and HOME in PLACE's designated Child Protection incident reporting/Complaint Focal Person.

Based on the quarterly analysis, the Complaints Officer/Team (Governance) and HOME in PLACE's designated Child Protection incident reporting/Complaint Focal Person prepares a report which includes:

- The number, level, category and outcomes of complaints from a child received;
- The time taken to resolve complaints by a child; and
- Complaint issues and trends for continuous improvement opportunities.

Reportable Conduct Schemes

HOME in PLACE will adhere to the relevant jurisdiction's reportable conduct scheme when investigating allegations that a child was a victim of abuse or maltreatment.

Home in Place will disclose information to the child who was allegedly the subject of reported conduct, any parent of the child and any authorised carer of the child if the child is out of home care.

Home in Place will not give information about a reportable allegation to the parent or carer of a child or young person in out-of-home care except with the consent of the child protection authority.

Home in Place will only permit the disclosure of information about a child or young person in accordance with the Privacy Principles and will take reasonable measures to protect personal information from loss, unauthorised access, use, disclosure or any other misuse during the complaint-handling process.

Identifying Significant Risk of Harm

In line with national guidance and best practice, HOME in PLACE is committed to ensuring all staff and volunteers are equipped to identify signs of harm and take appropriate action. Harm may manifest in various forms of abuse, including the following recognised categories:

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1) Sexual abuse
Sexual abuse is the involvement of a child or young person in sexual activity that the child or young person does not fully comprehend, is unable to give informed consent to, is not developmentally prepared for, or which violates the laws or social taboos of society. Children and young people can be sexually abused by adults or other children and young people who are in a position of responsibility, trust or power over them.

2) Physical abuse
Physical abuse is the intentional use of physical force against a child or young person that results in, or has a high likelihood of resulting in, harm to the child's or young person's health, survival, development or dignity. This includes actions such as hitting, beating, kicking, shaking, biting, burning, poisoning, and suffocating.

3) Emotional or psychological abuse
Emotional abuse refers to a parent or caregiver's inappropriate verbal or symbolic acts toward a child or young person and/or a pattern of failure over time to provide a child or young person with adequate non-physical nurturing and emotional availability. It can include rejection, isolation, terrorising, ignoring, or corrupting behaviours.

4) Neglect
Neglect includes both isolated incidents and patterns of failure over time by a parent or caregiver to provide for a child's or young person's development and wellbeing. It may include failure to provide adequate health care, education, emotional development, nutrition, shelter or safe living conditions.

5) Witnessing family violence
Witnessing family violence involves children and young people being exposed to sustained violence within their household, often directed at a caregiver. It is a form of emotional and psychological abuse that places children and young people at increased risk of physical and sexual abuse and can lead to significant disruptions in their emotional and social wellbeing.

Responding to trauma-affected children or young people

In responding to trauma-affected children, it is important to understand and identify a range of trauma-related signs such as increased tension, irritability, reduced eye contact, inability to relax, self-harming behaviors, withdrawal, clinginess, anxiety, aggression, and other behaviors indicative of distress.

When managing a complaint from a trauma-affected child, relevant staff will focus on providing reassurance and a supportive environment. This includes acknowledging the child's courage in raising the complaint, ensuring their comfort by inquiring about their needs, and offering breaks as necessary.

Workers will remain aware of potential triggers or stressors and may provide referrals for services. They will also ensure that the child has access to a trusted adult, support person, or advocate, and will provide age-appropriate information, where relevant. The goal is to be sensitive to the child's needs and avoid overwhelming them with excessive information.

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Legislation and Compliance

HOME in PLACE complies with legislative requirements for mandatory reporting, as it relates to our organisation.

Workers must immediately report their concerns to their Manager using FOLIO incident reporting. The Manager or the Child Protection Focal Person will determine the appropriate escalation and where required by law, HOME in PLACE will report to the relevant child protection authorities and/or the Police. The decision and timing of external reporting will be guided by legislation and urgency of the matter.

Failure by Workers to report a concern relating to child or young person abuse or harm, in accordance with this Procedure, is considered serious misconduct and may result in disciplinary action, including dismissal. Further legal consequences may also apply depending on the jurisdiction and nature of the breach.

NSW

HOME in PLACE is a mandatory reporter and mandatory reporting is regulated by the Children and Young Persons (Care and Protection) Act 1998 (the Care Act).

Queensland

Mandatory reporting is regulated by the Child Protection Act 1999 and whilst HOME in PLACE is not a legal mandatory reporter under Queensland legislation, HOME in PLACE Workers are required to report any concerns to their immediate Supervisor through FOLIO incident reporting, where "they form a reasonable suspicion that a child has suffered, is suffering or is at an unacceptable risk of suffering significant harm caused by physical or sexual abuse, and may not have a parent able and willing to protect them."

Victoria

Mandatory reporting is regulated by the Children, Youth and Families Act 2005

Western Australia

Mandatory reporting is regulated by the Children and Community Services ACT 2004/Children and Community Services Amendment Act 2021 under section 124B and whilst HOME in PLACE is not a legal mandatory reporter under Western Australian legislation, HOME in PLACE Workers are required to report any concerns to their immediate Supervisor through FOLIO incident reporting, and to Western Australia Communities, where "they form a reasonable suspicion that a child has suffered, is suffering or is at an unacceptable risk of suffering significant harm caused by physical or sexual abuse, and may not have a parent able and willing to protect them."

New Zealand

The Children's Act 2014 regulated protecting and improving the lives of vulnerable children and organisations receiving government funding and providing services linked to child safety have an obligation to have a child protection policy and take steps to prevent child abuse and ensure the safety and wellbeing of children.

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4. Definitions and Acronyms Glossary

For clarification of any definitions or acronyms contained within this document, please click on the Glossary for information.

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