



Child-Focused Complaint Handling – Core Components 2019

The following table is an extract from the Commissioner’s 2019 [Monitoring of complaints systems](#) report.

Child-Focused Complaint Handling Core Components 2019	
Strategies to encourage and respond to complaints	<p>A. Provide children and young people with a variety of safe ways to share concerns.</p> <p>B. Respond appropriately to any complaints, disclosures or suspicions of harm.</p> <p>C. Review all complaints and achieve systemic improvements.</p>
A. Provide children and young people with a variety of safe ways to share concerns.	
Leadership, governance and culture	<p>Leaders create and maintain an organisational culture where:</p> <ul style="list-style-type: none"> • the prevention of child abuse is the responsibility of all staff and volunteers • children, parents, carers, staff and volunteers, feel confident to safely discuss any child safety concerns.¹ • barriers children experience in making complaints are understood and overcome.² <p>Organisations should have a clear code of conduct that:</p> <ul style="list-style-type: none"> • outlines behaviours towards children that are unacceptable, including concerning conduct, misconduct or criminal conduct • requires staff to report any concerns, breaches or suspected breaches of the code to a person responsible for handling complaints in the institution or to an external authority when required by law and/or the institution’s complaint process • outlines the protections available to individuals who make complaints or reports in good faith.³
Empowering children to participate and involving their families	<p>Children and young people know it is their right to feel safe at all times, and that the organisation has a responsibility to promote their safety and wellbeing. Organisations do this by:</p> <ul style="list-style-type: none"> • building children and young people’s confidence and assisting them to develop skills in participation and speaking up • identifying any barriers experienced by vulnerable children and young people, such as those with a disability, gender diversity, Aboriginal children and young people or from culturally and/or linguistically diverse backgrounds, in residential or care settings and those who

	<p>have experienced trauma, and by developing and implementing strategies for promoting the empowerment of these children</p> <ul style="list-style-type: none"> • encouraging children and young people to speak up if they have a problem, concern, need help or are not feeling safe and ensuring they are clear about the ways they can do so • providing education such as child sexual abuse prevention programs to empower children to speak up and to persist in talking to safe adults about any concerns • involving children and young people in the design of complaints processes and options, website information, or written materials/posters • seeking feedback from children who use the complaints process about the process itself and how it can be improved.
<p>Prepared workforce</p>	<p>Professionals are adequately informed and able to identify risk factors for child abuse, to recognise harmful sexual behaviours in children and young people and unsafe behaviours by staff and volunteers. Staff:</p> <ul style="list-style-type: none"> • understand the different ways children and young people express concerns or distress such as changing their behaviour or circumstances • are proactive in checking in with young people and making sure they are able to raise issues • discuss and invite feedback and complaints with young people • are trained and feel confident to respond to all types of concerns from young people, including disclosures of harm • are clear how informal concerns and complaints contribute to and link to the formal complaints processes • are clear about their own obligations to raise concerns and make reports within their organisation.
<p>Policy and processes</p>	<p>The core components of a complaint handling policy in child safe organisations are:</p> <ul style="list-style-type: none"> • a child-focused complaint-handling process that is understood by children, young people, families, staff and volunteers • an effective policy and procedures which clearly outline roles and responsibilities, and approaches to dealing with different types of complaints, and covers: <ul style="list-style-type: none"> ○ making a complaint – including anonymous and historical complaints ○ responding to a complaint ○ investigating a complaint ○ providing support and assistance ○ resolving the complaint and providing feedback ○ achieving systemic improvements following a complaint

<p>Clear accessible system</p>	<ul style="list-style-type: none"> • all complaints are taken seriously, responded to promptly and thoroughly, and reporting, privacy and employment law obligations are met. <p>The organisation:</p> <ul style="list-style-type: none"> • provides information about its complaint handling process, including how to make a complaint and what to expect • provides information in accessible, age-appropriate and meaningful formats to children and families, mindful of their diverse characteristics, cultural backgrounds and abilities • ensures children understand the code of conduct for staff, volunteers and rules of behaviour for other young people in the organisation and children know they should be speak up if these are not met • offers a variety of avenues for children to make complaints • has an open culture that supports safe disclosure of risks of harm to children. <p>Children and young people are aware they may speak up or make complaints about:</p> <ul style="list-style-type: none"> • equipment, facilities, activities, services (problems with these, or lack of these) • the way they are treated by other children and young people, including bullying or being hurt in any way • behaviour online (cyberbullying) or feeling unsafe online (being approached for special favours or relationships) by adults or other young people • the way they are spoken to or treated by adults in the organisation • the behaviour of an adult towards themselves or other children and young people.
<p>B. Respond appropriately to any complaints, disclosures or suspicions of harm.</p>	
<p>Appropriate responses to all types of complaints</p>	<p>Staff and volunteers:</p> <ul style="list-style-type: none"> • are aware when children and young people are encouraged to speak up about feeling safe and respected or to make complaints they may raise concerns about something happening within the organisation, within their home, within the community, online, through mobile devices or in another organisation and be clear how to progress each of these • are confident to respond to any concerns raised by children and young people and/or are aware of specialist staff/support people within the organisation they can contact to assist in progressing any type of complaint

Disclosures of harm (about other children, staff or volunteers in families, online, anywhere)

- are aware children and young people will seek advice from their friends, parents, and others and involve the natural advocates of the child in the process
- offer the child a support person to help them in the complaint process.

Child-focused responses to complaints emphasise the needs of the child during the process whilst attending to reporting obligations.

Staff are confident to respond to disclosures of harm in a child-focused manner.

Staff are clear about reporting obligations and processes for different types of disclosures and can provide an appropriate level of information about next steps to the child.

Staff will:

Listen⁴

- move to suitable space for the child to talk free of distractions
- listen calmly, patiently, supportively, letting the child use their own words
- avoid leading questions, only asking questions needed to inform the next steps.

Reassure

- believe the child, take them seriously and acknowledge their bravery to speak up emphasise what occurred was not their fault
- address any concerns about the child's safety
- respond appropriately to the child's questions.

Respect

- respect the child may only reveal some details
- manage the child's expectations and avoid making promises you can't keep
- ask the child what outcome they are hoping for and what they need from your organisation so they can feel safe and involved in the process⁵
- explain the next steps in how the complaint will be followed up
- support their involvement in decision-making about the complaint process to the extent that is appropriate given their age and development
- be clear that to keep them safe others will need to be told about their experience
- discuss the boundaries of confidentiality to avoid breaches of trust
- talk with them about support people, an independent advocate or services⁶
- talk with them about involving parents or carers cognisant of any safety concerns that may have been identified

<p>Reporting requirements</p>	<ul style="list-style-type: none"> • talk with them about your ongoing role in the complaints process, how you will be able to support them and provide continuity where possible • write down the disclosure in the child's words at the first opportunity to form part of reporting requirements • take action and follow through on any commitments made to the child. <p>Staff follow reporting obligations and processes for different complaints or disclosures:</p> <ul style="list-style-type: none"> • equipment, facilities, activities, services (problems with these, or lack of these) • breaches of the code of conduct by staff or volunteers including: <ul style="list-style-type: none"> ○ concerning conduct ○ misconduct or ○ criminal conduct • harmful sexual behaviours or physical harm by other children and young people within the organisation or outside the organisation • harm occurring within the family environment • harm occurring in the community or in another organisation • harm or unsafe behaviours occurring online or through mobile devices.
<p>Responses and investigations</p>	<p>Staff receive support and guidance in following internal and external reporting procedures and are aware of alternative reporting mechanisms if they have concerns about the process or complaints not being progressed.</p> <p>Complaints are responded to impartially and with objectivity. Staff are aware of the potential for bias, or discounting the views of children and manage any conflicts of interest.</p> <p>Investigations are carried out by the appropriate internal or external body and are planned, proportionate, child focused, thorough and quick⁷.</p>
<p>Information sharing</p>	<p>Information sharing obligations and related processes are clearly set out in the complaint handling policy and understood by staff and volunteers. The primary consideration in sharing of information and communicating with stakeholders is the safety and wellbeing of children, this includes the child who may have complained and other children potentially impacted by the complaint.</p>
<p>Communication fairness and privacy</p>	<p>Communication with parents/carers of the child who has made the complaint is clear and support is offered, including warm referrals to support services to assist them in navigating the service system.</p>

<p>Outcomes and review</p> <p>Record keeping</p>	<p>Communication and support for others is considered e.g. other children identified in the complaint or in the organisation, their parents/families, staff, and the media.</p> <p>Risks arising from a complaint, particularly to children, but also to relationships, investigations and the agency are identified and managed.</p> <p>Fairness is afforded to the person subject to the complaint, and privacy and legal obligations are met. Support for the person and their family is offered particularly when the person is also a child. Advice about appeal options is also provided.</p> <p>Some complaints take time to investigate and resolve, efforts need to be made to restore or preserve relationships between the child, family and organisation by regular checking in, providing any information that is possible, updating timeframes, reoffering support options and agreeing on any possible interim actions.</p> <p>Information is given to children, young people and their families about the role of external bodies or avenues for independent review.</p> <p>Best practice principles for institutional records and record keeping are implemented⁸ and children and young people and their families are informed about the recordkeeping, what is kept, for how long, how they can access records, including in the future.</p>
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C. Review all complaints and achieve systemic improvements.

<p>Complaints review and monitoring</p>	<p>Complaints processes will identify who is responsible for:</p> <ul style="list-style-type: none"> • the oversight of all complaints made and analysis of <ul style="list-style-type: none"> ○ any systems issues within an organisation ○ all complaints made previously about individuals (multiple concerns over time) • tracking implementation and completion of actions arising out of complaints. <p>Organisations will demonstrate complaints are taken seriously by:</p> <ul style="list-style-type: none"> • determining a fair remedy appropriate for each complaint • using complaints to inform continuous improvement • informing children and young people about the ways in which services, activities, behaviour of others have changed, because of children speaking up, give examples • seeking information from those who use the complaints processes to gain feedback and improve the complaints processes themselves • monitoring the efficacy of the policy and procedures • being open to external independent review of their complaints systems and responses to individual complaints.
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Endnotes

¹ Commissioner for Children and Young People WA 2016, *Child Safe Organisations WA: Guidelines* pg. 11 Commissioner for Children and Young People.

² NSW Ombudsman (n.d.), *Guidelines for dealing with youth complaints* Ombudsman New South Wales.

³ Royal Commission into Institutional Responses to Child Sexual Abuse 2017, *Final Report Volume 7, Improving institutional responding and reporting* Recommendation 7.8 Commonwealth of Australia

⁴ Commissioner for Children and Young People WA 2016, *Child Safe Organisations WA: Self-assessment and Review Tool* pg. 11 Commissioner for Children and Young People.

⁵ NSW Ombudsman (n.d.), *Guidelines for dealing with youth complaints* Ombudsman New South Wales.

⁶ Australian Government (n.d.), *Responding to children and young people's disclosure of abuse* Australian Institute of Family Studies, Child Family Community Australia, Australian Government.

⁷ Royal Commission into Institutional Responses to Child Sexual Abuse 2017, *Final Report Volume 6, Making Institutions Child Safe* Appendix A pg. 428i Commonwealth of Australia.

⁸ Royal Commission into Institutional Responses to Child Sexual Abuse 2017, *Final Report Volume 8, Recordkeeping and information sharing* Commonwealth of Australia.

Other resources

The Department of the Prime Minister and Cabinet has published the following resources:

- Complaint Handling Guide: Upholding the rights of children and young people
- Complaint Handling Guide: Fact Sheet
- Complaint Handling Guide: Reference Sheet

Available at pmc.gov.au/resource-centre/domestic-policy/complaint-handling-guide-upholding-rights-children-and-young-people