



Commissioner for Children and Young People
Western Australia



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Are **you** listening?

**Guidelines for making complaints systems
accessible and responsive to children and young people**

Updated June 2013



Contents

Opening messages _____	3
About these guidelines _____	4
The importance of child-friendly complaints system _____	5
Feedback from children and young people _____	7
Key elements of a child-friendly complaints system _____	8
Assessing and improving your complaints system _____	10
Conclusion _____	12
Further reading _____	13
Acknowledgements _____	14
Appendix one _____	15

Alternative formats

On request, large print or alternative format copies can be obtained from the office of the Commissioner for Children and Young People.

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ISBN: 978-0-9872881-7-2



Opening messages



Message from the Commissioner for Children and Young People

“We don’t get many complaints from kids...”

This was a comment I heard regularly when I began asking government agencies what kinds of complaints they were

receiving from, or on behalf of, children and young people. Some believed that the absence of complaints indicated that children and young people had nothing to complain about. Increasingly, evidence from consumer studies and inquiries into child abuse and neglect indicate that children and young people experience a unique range of barriers to making complaints.

Children and young people are among the most vulnerable members of our community and we have a responsibility to ensure they know what to do when they experience mistreatment or abuse, or have concerns about products and services they utilise. The revised version of these Guidelines has been developed to better assist agencies to build complaints systems that are accessible and responsive to the needs of children and young people. This is essential if we are to ensure that children and young people’s views are heard, their rights respected and their safety and wellbeing prioritised.

Michelle Scott
Commissioner for Children and Young People



Message from the Equal Opportunity Commissioner

Children and young people are affected by unlawful discrimination in the same way that adults are and they shouldn’t have to put up with it. Most complaints we receive from children and young people relate to the

provision of services for children with special needs in child care and schools, access to services and sporting clubs, and employment, particularly sexual harassment. Many of these complaints are made with the help of parents and advocates, but increasing numbers of young people are making their own complaints. In the past three years the Equal Opportunity Commission has received more than 88 formal complaints from people under 20 years of age. The Commissioner welcomes these updated guidelines which will assist the Commission to make the complaint process more accessible, easier to use and more responsive to children and young people who experience discrimination or harassment.

Yvonne Henderson
Commissioner for Equal Opportunity



Message from the Health and Disability Services Complaints Office (HaDSCO)

As the Director of an agency that deals with complaints related to health and disability services in Western Australia, I commend the Commissioner for this excellent piece of research.

HaDSCO has been pleased to collaborate with the Commissioner’s office to make complaints processes child-friendly. The challenge now is to apply these guidelines to the way the agency manages complaints and encourage stakeholders to do the same.

HaDSCO has started working with service providers to raise awareness of these issues and support them in making their complaints processes accessible and responsive to children and young people. In doing so, the agency hopes to increase opportunities to engage this important group in our community. If we are to ensure that our services meet the needs of children and young people, we need to improve our ability to listen to them – and this is the aim of the guidelines contained within this document.

Anne Donaldson
Director, Health and Disability Services Complaints Office





About these guidelines

These guidelines have been produced to encourage all organisations, government and non-government, to review their feedback processes from a child-friendly perspective and to see if there are ways they can improve their systems to make them more accessible and responsive to children and young people.

This publication is an update of the first complaints guidelines published in 2009 which was influenced significantly by a theatre-based consultation with a group of children and young people. The information and views of this group is still strongly reflected in these updated guidelines, along with other consultation projects involving children and young people.

You are also invited to undertake your own consultation with children and young people to ensure your complaints system is accessible and responsive. See the Commissioner for Children and Young People's *Involving Children and Young People – Participation Guidelines* for more information on how to involve children and young people in your project. Available to download at www.cryp.wa.gov.au

Examples of initiatives undertaken by agencies to improve their complaints systems for children and young people are also located on the Commissioner for Children and Young People's website at www.cryp.wa.gov.au

You are welcome to provide any feedback on these guidelines.

Tel: 6213 2297 Email: info@cryp.wa.gov.au



What is a 'complaint'?

The Australian Standards* define a complaint as:

Any expression of dissatisfaction made to an organisation, related to its products [or services], or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected.

Children and young people who participated in the consultations described complaining as a way of resolving conflicts, stopping harassment and abuse, as well as an effective method of ensuring one is being treated fairly.

"I think complaining is something that when you don't really like something and if you complain about it, might get better but if you never complain you never know." young person

(*Australian Standard, Customer Satisfaction - Guidelines for complaints handling in organisations (ISO 10002:2004, MOD), Standards Australia, 2006, p 2.)

The importance of child-friendly complaints systems

Complaints systems are a fundamental part of ongoing organisational development to ensure that services are meeting the needs of the intended consumers. They are also an important mechanism for correcting mistakes and for protecting people from abuse and mistreatment.

Government agencies play a significant role in the lives of children and young people. They have an impact on education, transport, health, housing, sport and recreation experiences, both for children and young people directly as service users in their own right and, indirectly, when they are in the care of adults who are accessing the services. A significant impact is potentially experienced by children and young people in care, with disability and those who are in the youth justice system or are vulnerable or disadvantaged in some other way.

The Australian Standards require that ‘no complainant is disadvantaged’

Government agencies in WA are required by the Public Sector Commission¹ to have a complaints system that complies with the *Australian Standards for Customer Satisfaction – Guidelines for complaints handling in organisations*² (The Australian Standards). The Ombudsman of Western Australia’s *Guidelines on Complaint Handling*³ provides comprehensive advice on developing effective complaints systems. The Australian Standards require that ‘no complainant is disadvantaged’ in accessing a complaints system. It is an obligation of all

government agencies to establish systems that will enable all users, including children and young people, to express their views – whether as a complaint, as feedback or as a question or a comment. Non-government organisations too have much to benefit from hearing the views of children and young people in this way.

Most adults have experienced a situation where they have needed to make a complaint or question a decision about a product or a service. In describing the process, adults often talk about their frustrations in having to manoeuvre through bureaucracy and the need to be assertive in their pursuit of a resolution. Children and young people do not make very many complaints themselves. Specialist services for children and young people report receiving complaints directly from children and young people at between 10 per cent and 30 per cent⁴.

Agencies that have higher rates of contact directly from children and young people undertake outreach activities such as visiting schools and other centres where children and young people are to raise awareness about complaints systems. Agencies can undertake a range of initiatives to make themselves more visible to children and young people, and welcoming of their feedback.



1 Public Sector Commissioner’s Circular 2009-27: Complaints Management

2 (Australian Standard, Customer Satisfaction—Guidelines for Complaints handling in organisations (ISO 10002:2004, MOD), Standards Australia, 2006, p 6.)

3 Ombudsman Western Australia Guidelines on Complaint Handling www.ombudsman.wa.gov.au

4 See annual reports from Children’s Commissioner for Wales www.childcomwales.org.uk; British Columbia Representative for Children and Youth www.rcybc.ca for examples.



Increasingly, evidence is showing that children and young people experience particular barriers to accessing complaints systems.⁵⁶ Young people particularly have been identified as 'vulnerable' consumers when purchasing products and services.⁷

Further, independent inquiries into child abuse, in Australia and internationally, consistently cite the same reasons that children and young people give for not reporting abuse. These include not knowing how or who to complain to and fear of not being believed or other repercussions if they do make a complaint.

In a consultation held by the Commissioner for Children and Young People in 2008, children and young people were asked how they knew that they were being taken seriously by adults. They said:

"They listen to you and don't ignore you."

"They are paying attention."

"They acknowledge you."

"They look at you."

"[They] take your phone number."

"[They] say they'll get back to you."

"They listen, are understanding and respectful."



5 Children's Commissioner for Wales (2005) Children Don't Complain www.childcomwales.org.uk

6 British Columbia Representative for Children and Youth (2010) Hearing the voices of children and young people:

A child-centred approach to complaints resolution. A joint special report. Representative for Children and Youth and the Ombudsperson for British Columbia, Canada.

7 Fieldgrass, L. Brotherhood of St Laurence (2011) Mobile Matters: The Youth Advocates Project.

Developing a youth participatory action research and advocacy program. Australian Communications Consumer Action Network, Sydney. (p11)



Feedback from children and young people

In 2009, consultations were held with children and young people to understand the issues and challenges they face when making a complaint. In summary, children and young people said that complaints systems should:

1 Make the system accessible to them

Agencies need to have complaints systems that are very visible. Complaints systems must be accessible, easy to locate and as clear as possible. Agencies need to take every opportunity to promote themselves and their feedback systems to children and young people.

2 Take them seriously

Children and young people are concerned about not being taken seriously by adults and, in many cases, they will change their behaviour or circumstances rather than make a complaint. Agencies can put steps in place to make sure that complaints made by children and young people are always taken seriously.

3 Make the system responsive

Complaints systems, in all agencies, need to be as responsive as possible. Children and young people are often wary about making a complaint and want to be assured they are being listened to straight away. Agencies need to be flexible in how they receive complaints — wherever possible, children and young people should have the opportunity to lodge a complaint face-to-face.

4 Support advocates of children and young people

Children and young people often prefer to use an advocate rather than make a complaint themselves and will seek advice from their friends, parents, guardians and teachers. This may be particularly true for children and young people who are vulnerable or disadvantaged. It is important for agencies to raise awareness of the complaints systems available so advocates and peers can help with this information when needed. Agencies can support advocates to lodge complaints on behalf of children and young people.

5 Be respectful and avoid additional barriers

Children and young people want people who are responsible for receiving complaints to be respectful, willing to listen, understanding and willing and able to take action where necessary. The boundaries of confidentiality need to be considered and carefully explained to avoid breaches of trust.



“I guess it’s more about respect, their attitude. That they would actually consider the fact ‘OK we will talk to these children’, not ‘OK go away, we’ll get to you two months later’... we want the actual respect where they say ‘Ok I’ll make an appointment for you, we will take you seriously.’” young person

More detail on children and young people’s views are included at Appendix one.

Key elements of a child-friendly complaints system

The *Australian Standards for Customer Satisfaction – Guidelines for complaints handling in organisations* set out the guiding principles for the effective handling of complaints. The Ombudsman of Western Australia's *Guidelines on Complaint Handling* provide comprehensive information on developing complaints systems.

Based on feedback from children and young people and the evidence⁸ available, six key elements of a child-friendly complaints system have been identified, to be used in conjunction with the publications listed above.

For examples of practical initiatives undertaken by agencies to make their complaints systems more accessible and responsive to children and young people see the Commissioner for Children and Young People's website at www.ccyp.wa.gov.au

1. Focus on children and young people

It is important that children and young people in the care of adults who are accessing an agency's services are themselves recognised as service users, either directly or indirectly.

- Ensure that children and young people in the care of adults are acknowledged as service users in agency policy and procedures.

2. Visibility

Strategies to publicise complaints systems need to include a range of methods that are effective in communicating with children and young people (e.g. SMS, in person, email, online, telephone).

- Make sure the child/young person's comments are invited. For example, have publications with big, bold lettering saying 'You are welcome to come and talk to us'.
- Advise children and young people of their right to complain to your agency by putting a few facts on a card — don't go overboard with too much information.

- Keep publications bright and appealing. Children and young people suggested using oranges, blues and greens so that the process of complaining does not appear antagonistic or overly formal.
- Use relevant technology to engage children and young people, such as, online surveys, online complaints registration forms, SMS functions etc. However, don't rely solely on technology as, like adults, children and young people have a variety of views regarding the use of different technologies.
- Bear in mind the different age groups and abilities of the children and young people who are using your service. It may be that a range of different approaches will be required to cater for different groups. For example, use different language and graphics for younger children and adolescents.

3. Accessibility

Accessibility involves making sure children and young people know who to make a complaint to, and how, and that a variety of methods exist to make complaints.

- Ensure that your system has a number of methods for lodging a complaint including the opportunity to talk to someone face-to-face.
- Make sure the system is easy to find – wherever possible, take the complaints system to the child or young person, rather than waiting for the child or young person to find the complaints system. Create opportunities for children and young people to talk about their experiences with your agency, their rights, how to make a complaint and what will happen if they do.
- Make a set of child-friendly complaints publications. Make them colourful, use 'comic strip style' to convey key messages and use age-appropriate language. Include an easy diagram of the process they can expect when they lodge a complaint.

⁸ For further reading, see page 13

- As most children and young people make complaints through an advocate make sure that your agency has the capacity to accept complaints via an advocate and has appropriate policies and procedures in place to do this. Ensure that the child or young person is provided with opportunities to participate directly in the process if they would like to, where appropriate.
- Consider allocating specific staff to help children and young people who do not have an advocate to support and assist them to make their complaint and follow it through the process. This person is not necessarily a part of the investigation or resolution process within the agency.

4. Responsiveness

It is important to ensure the system is responsive to children and young people once they have complained, and that staff are trained to respond quickly and listen actively.

- Respond to the child or young person as soon as possible, even just to acknowledge receipt. Ensure policies are in place to prioritise issues and make sure that any concerns about the safety of a child or young person are dealt with as a matter of urgency.
- Make sure that the person dealing with the child or young person's complaint has experience in working with children and young people and is helpful, understanding and responsive.
- Check with the child or young person that they understand any information provided to them and invite them to ask questions. Consider procedures such as following up any written information sent to a child or young person with a phone call to discuss any questions they might have and clarify any further steps to be taken.
- Give the child or young person the option to choose how and when they will be kept informed of the progress of the investigation into their complaint.

5. Confidentiality

Concerns about confidentiality and privacy are often cited as reasons by children and young people for not making complaints or raising any concerns they have. All complaints systems should treat complainant's information as confidential. Where children and young people are involved confidentiality becomes more complex.

- Ensure that appropriate policies and procedures are in place for dealing with confidentiality and consent issues when responding to a complaint from a child or young person.
- Ensure staff are trained in these policies and procedures and that the boundaries of confidentiality are clearly explained to children and young people at appropriate times throughout the complaints process.

6. Accountability and continuous improvement

It is important that the specific needs of children and young people are recognised in accountability and continuous improvement processes.

- Ensure that appropriate data is kept to enable reporting and monitoring of complaints involving children and young people.



Assessing and improving your complaints system

A quick-reference table has been devised to help agencies ensure their internal complaints systems are child friendly. The right hand columns provide the space to record the various ways this has been achieved, identify any gaps and make improvements where necessary.

	What do we do to meet children and young people's needs?	Do our current actions and systems meet the requirements of a child-friendly complaints system?	What else could we do?
<p>Focus on children and young people</p> <p>Are children and young people recognised as users of this agency?</p>			
<p>Visibility</p> <p>Are complaints/comments clearly invited from children and young people?</p> <p>Are a range of methods used to advertise complaints system?</p> <p>Are publications colourful and age-appropriate for a variety of ages?</p>			
<p>Accessibility</p> <p>Can complaints be lodged by different methods, eg. Facebook, sms?</p> <p>Is simple, clear information available for children and young people?</p> <p>Is an outreach service used to take complaints information to young people?</p> <p>Are there policies and procedures in place to receive complaints from advocates on behalf of children and young people.</p> <p>Are publications colourful and age-appropriate, for a variety of ages?</p>			

Continued >>

	What do we do to meet children and young people's needs?	Do our current actions and systems meet the requirements of a child-friendly complaints system?	What else could we do?
<p>Responsiveness Are complaints managed in a timely way? Is the person receiving complaints trained and respectful to children and young people? Can the young person decide how often, and by what method, they would like to be informed about the progress of their complaint?</p>			
<p>Confidentiality Are there appropriate policies and processes regarding children and young people and confidentiality? Are staff knowledgeable and skilled in dealing with this issue?</p>			
<p>Accountability Are children and young people included in our reporting and accountability processes?</p>			
<p>Continuous improvement Is data on complaints made by children and young people captured and reported to monitor agency performance? Is feedback from children and young people included in satisfaction survey processes?</p>			



Conclusion

Children and young people have significant barriers to overcome if they want to lodge a complaint with an agency. The power imbalance is one hurdle, as is their general fear of not being listened to or taken seriously. All agencies, but particularly those who deal with or deliver services to children and young people, have a responsibility to minimise these barriers and encourage the voices of children and young people to be heard.

The advice the children and young people have provided through various consultations, and which is described through these guidelines, is practical, useful and highlights changes that can be made, often without significant extra investment, to existing systems. It demonstrates that complaints systems can be made child-friendly by making relatively small adaptations, all within the bounds of existing best practice guidelines. It does not have to be an overwhelming process; it just has to be a considered one.

The suggestions included in these guidelines are in no way exhaustive. It is recommended this information be used as a blueprint for further exploration and that agencies conduct their own consultation exercise with children and young people to find out how their right to be heard can be met — it is guaranteed they'll have some ideas!

Further reading

The following publications are recommended for agencies interested in making their complaints processes more accessible and responsive to children and young people:

1. New South Wales Ombudsman: *Guidelines for Dealing with Youth Complaints, 2008*

This publication provides useful, practical advice about how to engage with children and young people when they are lodging a complaint. It gives guidance about managing expectations, and the best ways to communicate with children and young people throughout the process. These guidelines are available on the NSW Ombudsman's website at www.ombo.nsw.gov.au

2. Commissioner for Children and Young People: *Involving Children and Young People – Participation Guidelines*

The Commissioner has produced guidelines to assist agencies who want to engage with children and young people. The guidelines provide practical advice and best practice examples on the what, why, when, who and how of participating and consulting with children and young people. These guidelines are available on the Commissioner's website at www.ccyp.wa.gov.au



3. The Ombudsman of Western Australia – Guidelines on complaint handling

The Ombudsman is an independent and impartial person whose office investigates complaints from individuals about Western Australian Government agencies, statutory authorities, local governments and public universities. The Ombudsman has produced a number of useful guidelines on complaints processes and how to improve them, which are available at www.ombudsman.wa.gov.au

4. The Australian Standard Customer satisfaction: *Guidelines for complaints handling in organisations (AS ISO 10002 - 2006)*

The Australian Standard outlines the correct process for dealing with complaints and sets out guiding principles for effective complaints handling. These guidelines are available at www.standards.org.au

5. Public Sector Commissioner's Circular – Complaints Management (Number 2009-27)

To promote effective complaints management across agencies the Public Sector Commissioner's Circular requires all WA State Government agencies covered by the Public Sector Management Act 1994 to have in place a complaints management system that conforms to the Australian Standard on Complaints Handling (AS ISO 10002-2006). This circular is available from the WA Public Sector Commission's website at www.psc.wa.gov.au

6. Good practice examples of complaints systems that are accessible and responsive to children and young people

The Commissioner for Children and Young People has published examples of initiatives undertaken by agencies to improve their complaints systems. The examples provide ideas of what can be achieved and ideas on the strategies used to inform development of complaints systems to ensure their suitability for the children and young people who are using your service. The good practice examples are available at www.ccyp.wa.gov.au

Acknowledgments

These updated guidelines have been produced by my office in collaboration with the Equal Opportunity Commission and the Health and Disability Services Complaints Office.

Additional information has been drawn from subsequent consultations with children and young people conducted by my office on a variety of topics including; wellbeing, reducing alcohol-related harm and mental health.

The work of the Equal Opportunity Commission, the Health and Disability Services Complaints Office, the Western Australian Ombudsman and the Department of Education in reviewing this version of the Guidelines

is greatly appreciated, as is their ongoing collaboration with my office in our joint work to improve access to complaints systems for children and young people in WA.

Most importantly, sincere thanks go to all of the children and young people who participated in the various consultation processes and shared their experiences and advice.

Michelle Scott
Commissioner for Children and Young People





Appendix one

Information from children and young people – more detail

Government agencies must have complaints systems that are very visible.

Children and young people do not make very many complaints themselves. Specialist services for children and young people report receiving complaints directly from children and young people at between 10 per cent and 30 per cent and agencies that have a broader catchment have much lower rates, if they get any at all. Agencies that have the most success undertake direct outreach activities, such as visiting schools and other centres where children and young people are, to raise awareness about complaints processes. Agencies must work at making themselves more visible to children and young people, and more welcoming of their feedback. One young person recommended agencies write in big, bold letters on their publications, offices and websites, 'You are welcome to come in and see us'.

This is even more important for vulnerable or disadvantaged children and young people. For example, children in care or children in the justice system should be given every available opportunity to express themselves if they feel something is wrong and they should be supported by the agency in the process. The agency should not be a passive bystander waiting for the child to initiate contact.

When asked about how the Commissioner could make sure that children and young people knew how to complain if they had a bad experience when dealing with her office, children and young people suggested handing out postcards at consultations explaining how to make a complaint. They advised: "Don't go overboard with a brochure, just a few facts on a card". Others suggested that pamphlets should be colourful, should use comic-strip style to convey key messages and should use child-friendly language specifically targeted at young people.



Agencies need to be flexible in how they receive complaints and should be able to receive them via face-to-face, telephone and writing (email & letter).

Children and young people's preference for talking through an issue face-to-face was a recurring theme of the consultations. Having a complaint heard by a respectful and helpful person who offered advice and took action was the most commonly portrayed complaints system that young people described positively. Being told by the person hearing the complaint that they would be in touch to inform them of the outcome or action was seen very positively and as a sign that they were being taken seriously and treated with respect.

Some young people said that they thought making complaints via phone would be ineffective, "They'll just put you on hold [if you call]." Emails were also described by some as not being effective due to the belief that they wouldn't be answered: "They never listen to emails." Other children and young people portrayed these methods as effective tools for complaining. One young person commented, "It's better if you write it down because then you don't have to confront them," while another felt that speaking was always better than writing. This demonstrates that a variety of ways to access complaints systems are necessary to meet the different needs of children and young people and that they need to have confidence in the mechanisms available.

Agencies should put processes in place to make sure that complaints made by children and young people are always taken seriously.

Children and young people described incidents where they felt they were not taken seriously when complaining. They described fears of their claims being considered trivial, untruthful, malicious or imagined. In these scenarios of conflict, adults were commonly characterised as too busy, not bothered or rude.

“People don’t listen; it’s the stereotype of the teenager.”

“Yeah, they probably think we are stupid and stuff and just making up lies.”

A key theme that resonates throughout consultations was that children and young people often feel frustrated that their ideas and concerns are not taken seriously by adults – that they are offered lip service with no real outcomes.

Many of the children and young people said if their complaint was not taken seriously or if the situation was not resolved, the only course of action was for them to change their behaviour. Actions such as changing schools, changing buses, changing teams and changing phone plans were identified, often in the first instance, as a solution rather than making a complaint.

Young people particularly are also very wary of how their information will be treated and worry about confidentiality issues.

The boundaries of confidentiality and how the information they provide will be treated needs to be carefully explained to avoid breaches of trust.

“I went to one teacher to talk to them and I ended up talking to a completely different teacher and I didn’t really want to.”

“They send you to someone else to talk to. It’s kind of like, I just told you that in confidence – you could help me.”

Children and young people would prefer to use an advocate rather than complain themselves. This may be particularly true for children and young people who are vulnerable or disadvantaged.

Mostly children and young people seek the support of someone to advocate on their behalf in order to make a complaint. Parents and teachers are the two most consistent allies in the complaints process. Many of the children and young people could describe situations where their parents had advocated on their behalf in the complaints process and they appeared most comfortable relying on their parents to help. As one young person said, “Get your mum to do it.”



Two stories were told by young people who had been underpaid and whose parents had made complaints via phone and letter writing and the young person had been compensated for being underpaid.

“My boss wasn’t paying me right and all this sort of stuff, so we rang up the people who are supposed to tell you how much you are supposed to get, like Wageline or something like that. My Mum is really good at writing letters of complaint and she wrote this massive letter saying what we should be getting paid and what we should be getting and stuff and they had to go through every one’s hours... I got paid \$447 more for all the work that I’d been doing... it was really awesome and we got it so we could have breaks and stuff.”

Children and young people without access to willing or capable advocates are likely to be more vulnerable. It is recommended that agencies that work with particularly vulnerable or disadvantaged children and young people should engage with them about what would help them feel comfortable enough to complain. Again establishing outreach strategies to engage with children and young people are important to facilitating their direct access to complaints mechanisms.

Your agency might like to consider establishing internal advocates to assist children and young people to access your complaints system

Children and young people will seek advice from their friends. It is important for agencies to raise awareness of the supports available so peers can help with this information when needed.

Children and young people seek advice and support from their friends about what to do and where to go when they need help. This is particularly the case for high school aged young people and at times this was stressful for young people.

Systems therefore need to support young people to help their friends access appropriate sources of advice and support.

“You need more time with your friends because they are the ones you talk to about your problems.”

“I confide in my best friends because they know how I feel.”

“Sometimes if friends ask for your advice on something it really gets you worried.”

In the school environment, teachers should be equipped and supported to handle complaints effectively as, along with friends and parents, they are often the first people approached about a situation.

Teachers are very important sources of support for children and young people outside of the family and friendship networks. There were descriptions of teachers who responded well to complaints from students and change occurred as a result.

“My teacher lodged a complaint to the government and the smokers were removed and the place made to be a smoke free area.”

Although teachers and school staff were often cited as one of the first lines of support for making a complaint, they were also portrayed as, at times, unhelpful or inaccessible.

“I find it hard at school... but when you get in trouble with the teachers they don't really try to understand your point of view.”

“[I'd like] more trust between the teachers and the students... I don't feel I'd be able to go to a teacher with a problem because I don't know them well enough.”

This reflects the complex role that schools have and emphasises the need for teachers to be equipped and supported to handle complaints effectively.

Complaints systems in all agencies need to be as responsive as possible. Children and young people are often nervous and wary about complaining and want to be assured they are being taken seriously straight away.

Many adults were portrayed as uncaring, unapproachable, too busy or disbelieving of the reason for the complaint.

Where a complaint was about a teacher or principal, children and young people described their confusion or fear of repercussions.

“[You'd feel] mixed emotions probably because one part of you might be going, ‘uh oh am I going to get into trouble?’ and the other part might be relief because, ‘thank gosh somebody's actually doing something about it’.”

“[You might be anxious] because you might not know if anything has been done, because if the school doesn't take you seriously you might not know if anything has been done about it.”

A young person shared her understanding and experience of a complaints system that was in effect through her netball club. She felt that it was a good system because officials issued complaint forms straight after the game and encouraged team members to describe the event and nature of any complaint they wanted to lodge.

“The officials came up to us afterwards... We’ve got forms and you are allowed to fill them out... and every player in my team could say what happened in their own words.”

She understood the complaint was then lodged with the netball association, and was confident they would take action. This young person said that her whole netball team felt that this was an effective way of lodging complaints.

Young people described how follow up phone calls directly to them - not the school, workplace, sporting association etc - enabled them to feel the complaint had been effectively handled.

“I guess it’s more about respect, their attitude. That they would actually consider the fact ‘OK we will talk to these children’, not ‘OK go away, we’ll get to you two months later’... we want the actual respect where they say ‘Ok I’ll make an appointment for you, we will take you seriously’.”

Additional barriers should not be put in place to limit or restrict the number of complaints received.

A young person described how her netball club was advised by the overarching association that a fee had been introduced for lodging complaints in response to ‘overuse’ of the complaints system. Players now had to pay \$20 to complain. She described this scenario to the group who all felt that while this might be a good way of preventing people complaining about “not so important stuff”, it would be difficult for young people to find \$20 if they legitimately needed to lodge a complaint.

The Australian Standards recommend as a guiding principle that complaints systems are free of charge.



People who are responsible for receiving complaints from children and young people must be respectful, willing to listen, understanding and willing/able to take action where necessary.

The children and young people were asked to describe their 'ideal' situation of how they would be dealt with during and after making a complaint. When the children and young people were acting out the 'adults' in these scenarios they always had the following attributes/mannerisms:

- They **listened** actively and respectfully while the child/young person stated their case.
- They were **understanding** and encouraged the child/young person to explain their situation in their own time.
- They were **respectful** of the child/young person, always believing what they were saying, taking it seriously and noting it down.
- They were **helpful**. They offered advice and information about the complaints process and provided information about what their next steps were going to be and what the child/young person could expect to happen.
- They **took action**. They wrote notes, did what they said they would do and acted on the complaint.
- They **kept the child/young person informed**. They contacted them when they had said they would to let them know of progress.

The young people were clear that when they are asked for their opinion or ideas, they felt that it is crucial that they see positive results to demonstrate that their point of view is implemented in a way that is relevant and truly reflects their opinion.

When the children and young people were asked how they knew that they were being taken seriously by adults, they said:

"They listen to you and don't ignore you."

"They are paying attention."

"They acknowledge you."

"They look at you."

"[They] take your phone number."

"[They] say they'll get back to you."

"They listen, are understanding and respectful."

This feedback from the children and young people reinforces advice offered by the New South Wales Ombudsman:

Effective communication is one of the most important aspects of handling a youth complaint. It is crucial for you to develop skills in communicating with young people so you can facilitate their involvement with the process.⁹

It should be noted that while these guidelines are based on the advice children and young people gave in the consultations, they are not exhaustive. The guidelines should form the basis for further investigation in this area by individual agencies, according to their specific needs and client groups.

⁹ Guidelines for Dealing with Youth Complaints, NSW Ombudsman, 2008, p5.



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