

CCW Policy 4

Child Safeguarding - Child Safe Complaints Management

Controlled Document

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Document Owner:	Executive Manager, Quality & Risk		Approved by:	Chief Operating Officer	
Reviewed by:	Quality & Risk Child Safeguarding Committee CELT				

Statement

CatholicCare Wollongong is committed to being a Child Safe Organisation and commits to ensuring that any child or young person using CatholicCare Wollongong services or 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
- comply with record keeping and reporting practices.

Scope

The purpose of this policy is to set the expectations of employees, foster carers, advisors and consultants employed by CatholicCare Wollongong when children and/or young people make a complaint against the agency.

This policy does not include the disciplinary actions when CatholicCare Wollongong employees are not obliging to this policy.

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

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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

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 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	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.

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	<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>
Neglect	<p>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.</p>
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>

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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	<p>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.</p>
Harm	<p>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.</p>
CatholicCare Executive Leadership Team (CELT)	<p>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.</p>
Quality Systems Committee (QSC)	<p>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</p>
Child Safeguarding Committee	<p>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.</p>
Employees	<p>A person employed by CatholicCare Wollongong, or a person who volunteers for CatholicCare Wollongong, but excludes Authorised carers</p>
Contractors	<p>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.</p>
Authorised carer	<p>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</p>

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	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 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	<p>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</p> <p>A person under the age of 16 years - Children and Young Persons (Care and Protection) Act 1998</p>
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	<p>A reportable allegation is an allegation that an employee (including Foster Carers) has engaged in conduct that may be reportable conduct.</p> <p>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.</p>

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Roles and Responsibilities

Role	Responsibility
Chief Executive Officer	<ul style="list-style-type: none"> • Legally responsible and must ensure the agency implements the Child Safe Standards through systems, policies and procedures • Assess, review and approve agency policies to be distributed • Ensure risks and management of those risks is an agenda item at CELT and CatholicCare Advisory Council meetings • Ensure complaints and management of those complaints is an agenda item at CELT and CatholicCare Advisory Council meetings
The Principal Officer	<ul style="list-style-type: none"> • Assess, review all complaints that involve out of home care children and young people • Report as required to the internal and external stakeholders
CELT	<ul style="list-style-type: none"> • Support the assessment, review, socialisation and training of employees in policies and associated procedures. • Monitor employees in compliance to the policies and associated procedures • Publicise and promote this policy to all relevant stakeholders • Formally induct this policy as part of agency procedures •
Executive Manager Quality & Risk	<ul style="list-style-type: none"> • Report any non-compliance to Child Safe policies & procedures to CELT.
Executive Manager or delegate	<ul style="list-style-type: none"> • Consult all relevant stakeholders including employees, families and foster and other carers when developing and implementing the Child Safeguarding – Complaints Management Policy • Ensure children and young people are given avenues to contribute to the complaints management strategy by having a say about what makes them feel safe and unsafe in the agency, and how things could be better, and • Assess, review, socialise and train employees in policies and associated procedures • Ensure complaints and management of those complaints is an agenda item at employee meetings.

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	<ul style="list-style-type: none"> • Ensure risks and management of those risks is an agenda item at employee meetings • Ensure employees are competent in identifying signs of child-specific harm, abuse, neglect, and grooming. See CCW Policy 1 Child Safeguarding and CCW Policy 2 Child Safeguarding Risk Management
Child Safeguarding Committee	<ul style="list-style-type: none"> • Assess and review child safeguarding documentation and procedures and report non-conformance or improvement opportunities to CELT
QSC	<ul style="list-style-type: none"> • Provide support in assessing, reviewing, and collaborating on policies and associated procedures and forms to have ready for CELT
Managers overseeing child related services	<ul style="list-style-type: none"> • Understand the legal and regulatory obligations to lead and report children and young people care • Hold employees accountable for adhering to the Child Safeguarding policies and procedures • Monitor employees in compliance to the policies and associated procedures • See assess, review, socialise and train employees in policies and associated procedures • Timely escalation of concerns or issues that are unable to be resolved at this level
Line Managers	<ul style="list-style-type: none"> • Hold employees accountable for adhering to the Child Safeguarding policies and procedures • Monitor employees in compliance to the policies and associated procedures • See assess, review, socialise and train employees in policies and associated procedures
Employees	<ul style="list-style-type: none"> • Be competent in identifying signs a child may have experienced harm, abuse, neglect and grooming • Inform their Line manager and/or the Child Safeguarding Committee if they have concerns regarding the contents of this policy • Be competent in working with children and young people with managing complaints • Ensure families and/or carers are aware that program Line Managers are responsible for managing and resolving child and young person complaints, and • Follow this policy

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Children, Young People and other Stakeholders	<ul style="list-style-type: none"> • Participate in the evaluation, input and feedback of policies and procedures that impact on the care provided to them from CatholicCare Wollongong.
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Induction and ongoing training

- Induction and ongoing training will be implemented, within a month of commencement and during employee meetings as required, focusing on this policy and related procedures.
- Communications through internal channels as required.
- Training occurs through socialisation as part of policy review and annual training.

Monitoring, Evaluation and Review

This policy will be monitored to ensure compliance with legislative and standard requirements and unless deemed necessary through the identification of practice gaps, or incident or feedback, the agency will review this policy annually.

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

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- 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)
- 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