# Appendix B

## Complaint-handling process: An overview

### The complaints process – an overview

Organisations must have a robust complaint-handling process in place to receive, record, manage, resolve and report on complaints. This appendix outlines the complaints process.¹

1. **Receiving the complaint**

Complaints may be received in various ways, including in person, by phone, via an online complaint form, by email or by social media. Your organisation should provide multiple avenues for children and young people to make complaints. Unless the complaint is resolved at first point of contact, details of the complaint should be recorded along with other relevant information.

2. **Record the complaint and relevant information**

You should record the key complaint details, such as details about the complainant, any additional communication or support required; details about the subject of the complaint, the complaint issues, how the complaint was resolved/investigated; risks managed and the complaint outcome. See Guideline 9 and Appendix G: Complaint Record Form.

3. **Acknowledge the complaint**

- Complaints should be acknowledged at the time of receipt or as soon as possible afterwards. Children and young people are often wary about making a complaint, and want to be assured they are being listened to straight away.²
- Acknowledge the complaint by using the preferred communication method nominated.
- Identify a contact point for the child or young person and their parent or carer.
- Provide the child or young person with information about the complaint-handling process, the likely next steps and expected timeframe.

4. **Assess the complaint and address immediate risks**

- The initial assessment of a complaint should involve the following questions being asked:
- Does the complaint raise any immediate risks to the safety or wellbeing of a child or young person or other person?
- What other issues does the complaint raise?
- What steps need to be taken to address and manage risks throughout the complaints process?
- Does the child or young person affected by the complaint (or other children involved or impacted) require any additional supports during the complaints process?

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¹ For more information see the NSW Ombudsman complaint handling resources: [https://www.ombo.nsw.gov.au/complaints/Complaint-handling-resources](https://www.ombo.nsw.gov.au/complaints/Complaint-handling-resources)

² Commissioner for Children and Young People, Western Australia, Are you listening? Guidelines for making complaints systems accessible and responsive to children and young people, 2013.
What evidence needs to be immediately secured/protected/kept confidential?

How serious, complicated or otherwise urgent are the issues raised in the complaint (from both the perspective of the complainant, involved child or young person and the organisation)?

Are the issue/s raised within your organisation’s control?

Are the outcomes sought by the complainant viable?

If more than one issue is raised, will they need to be separately addressed?

What other authorities or agencies (e.g., police, health services) need to know about the issues raised by the complaint or be involved in the response?

What type of information should the complainant be provided following your assessment?

Is further information needed from the complainant in order to properly assess and resolve the complaint?  

If the complaint is not about something your organisation can respond to, you should ensure that the complainant is told this and (wherever possible) referred to a person or organisation that can help as quickly as possible.

Planning the involvement of the child or young person

Once the issues raised by the complaint have been assessed, you should develop a plan for involving the affected child or young person and their parent or carer at key stages of the complaint, including when and how information will be communicated to them throughout the process and how they will be supported.

You should record your rationale for all decisions in this area. It is critical that rapport is established with the child or young person early on by those involved in the complaints process. For example, with the contact person and the person undertaking an interview with the child or young person. It should also cover how the child’s parents or carer will be involved in the process.

Resolving complaints

After assessing the complaint, plan the actions required to manage and resolve it. Wherever possible, your organisation should try to resolve complaints promptly with a complainant and—particularly where the matter is minor—as soon as possible after the complaint is made. However, where the complaint relates to a serious allegation or incident, this may not be appropriate. It is critical that you keep the complainant adequately informed about what is happening with their complaint and clarify timeframes where there are delays.

3 For further information about handling complaints that require reporting to external agencies, see Guideline 2.
The more promptly a complaint is resolved, the more likely that the complainant will be satisfied and have a better regard for the organisation. Dissatisfaction tends to increase with time, especially if progress and/or reasons for delay are not communicated. During the initial assessment (noted above), you may have identified some issues that can be responded to more quickly than others. Staff should be required to keep records of any reasons for delays in responding to complaints, and any communication with the person making the complaint.

To resolve the complaint:

- work with the person making the complaint to see how the issues can be appropriately addressed
- make inquiries with the person or organisational team/unit the subject of the complaint, and/or
- conduct an investigation into the issues raised in the complaint, in cooperation with police/child protection authorities where relevant.

The nature and scope of any action taken will depend on a number of factors including:

- the circumstances of each case
- any statutory requirements
- the issue(s) complained about
- the parties involved
- the likely outcome.

More serious complaints will require an evidence-based rather than an outcome-focused approach. See Guideline 6.

### Conducting an investigation

The following steps are generally undertaken as part of an investigation:

- Action the relevant issues identified through the assessment process, starting with any immediate safety risks posed to a child, young person or class of children, and undertaking any risk management associated with the subject of complaint.
- Select the appropriate investigative approach by looking at any statutory requirements, consulting relevant external bodies (e.g. police and child protection agencies) and considering the nature of the issue or allegations raised and the likely outcome of the investigation.
- Develop an investigation plan, ensuring that, where appropriate, relevant authorities are consulted and involved in its design and implementation to ensure an organisation’s actions do not compromise a police or child protection investigation.
8 Provide regular updates throughout the complaints process

Let the complainant and—depending on the complainant’s needs, also their family, guardian and/or support person—know what is happening with their complaint, when they can expect to hear from you and who to contact for more information or if they have questions about the process.

The frequency of updates and the nature and quantity of information provided to the complainant should be determined in accordance with their specific needs and wishes, and privacy and confidentiality obligations. For more information on providing an update see Guidelines 1 & 3.

9 Provide the final outcome

Report final findings to the complainant, the subject of complaint and other stakeholders, considering privacy, confidentiality and procedural fairness obligations.

Explain to the complainant and the subject of complaint—using the most appropriate communication channel and putting in place any necessary supports—the key steps taken to investigate the complaint, the outcome (including the reasons for your decision), and available avenues for review and/or appeal if they are dissatisfied with the outcome and/or the complaints process. For more information on providing a final outcome see Guideline 8.

10 Close the complaint and record the outcome

Close the complaint and keep comprehensive records about:

- how the complaint was managed
- the outcome
- any recommendations and/or outstanding actions and how they have been addressed.

It is also a good idea to make a record of any systemic issues identified. Invite people to provide feedback at the conclusion of the complaints process.
11 Facilitating ongoing support for those involved in the complaint

As part of your process for finalising complaints, you should consider whether the person who made the complaint or a child or young person involved in the complaint (or their parents/carers) is likely to need or want ongoing support. This might include support you can provide within your organisation, as well as referrals that you can facilitate to other organisations where required (for example, referrals for counselling).

12 Continuous improvement

In addition to making adjustments to any systems or practice weaknesses identified by a specific complaint or general feedback, organisations should have a system for collecting, maintaining and reviewing complaints data to identify any broader trends with the aim of improving service delivery/performance. Look for opportunities to communicate with people who have made complaints, and with stakeholders broadly, about any changes or improvements brought about through the handling of complaints, or review of complaint data. This helps people to see the tangible benefits from making complaints, and may help people to feel more comfortable about raising other concerns in the future.