Appendix I
Conducting an initial risk assessment – key actions and factors to consider when responding to a complaint or incident

☐ Is immediate medical assistance required for any person?

☐ Is there a risk to the immediate safety of the child or young person affected by the complaint/incident, or any other children or young people, and take necessary action to address the risks posed?

☐ Does the complaint or incident raise any allegation of criminal conduct?

☐ Have you considered the safety of the person who made the complaint (other than a child or young person), provided appropriate advice, and made relevant referrals to police and/or other emergency services?

☐ Do the issues raised by the complaint/incident, warrant a mandatory report or referral being immediately made to an external authority, in accordance with legislative obligations (e.g. police or child protection authorities)?

☐ Are the issues raised by the complaint/incident of a type requiring early notification to a regulatory body?

☐ What actions should be taken in relation to the staff member or volunteer the subject of complaint?
  » Should they remain in their current position, be moved to another area, or be suspended?
  » If the staff member remains in the workplace, a decision should be made about the duties that they will undertake and who will monitor and assess the risks associated with them having access to children in the care of the organisation.
  » In this regard, relevant factors will include the vulnerability of the children and young people they would be in contact with at work, e.g. the age of the children, their communication skills, or disability.

☐ Does the child or young person involved in the complaint (allegation or incident) require a referral to a support service or counselling?

☐ What type of support and information should the subject of complaint be given to ensure the complaints process is fair?

☐ What action should be taken if the complaint/incident involves a peer of the child or young person affected by the complaint?
  » Where possible, the child or young person’s daily circumstances should remain unchanged; however, it is critical that steps are taken to manage any ongoing risk without alienating and stigmatising the child or young person who is alleged to have caused the harm.

☐ Are the issues raised by the complaint/incident of a type requiring notification to an external oversight body administering a reportable conduct scheme and/or the NDIS Quality and Safeguards Commission for disability services, that is, a ‘reportable allegation’ or ‘reportable incident’?

---

1 As noted in Guideline 2, many jurisdictions have introduced and strengthened failure to report and failure to protect offences.
Have you maintained confidentiality throughout the investigation (subject to exceptions outlined in Guideline 3), and explained to the child/young person and their family reasons why certain information may need to be shared, e.g. to protect safety and/or comply with reporting obligations? There should be a process in place to deal with any breaches of confidentiality.

Have you addressed any actual or potential conflicts of interest?

Have you made sure that any physical/electronic evidence is immediately secured, and future evidence (e.g. from witnesses) is not compromised?

Do others outside of the parties to the complaint/incident need to be informed?

» Staff need to be aware of the need to carefully manage communications with people who are not directly involved in the complaint to ensure that the privacy and confidentiality rights of those directly involved are respected (see Guideline 4).

Do you have a plan for keeping relevant stakeholders informed, in so far as possible, throughout the complaints process?

» Some complaints will take time to investigate and resolve. It is important for the organisation to keep relevant stakeholders informed to avoid damage to the ongoing relationship between the organisation and the affected child/young person and their family.

Are there any potential reputational risks arising from the complaint? How can these be effectively managed in a way that promotes and protects children’s rights?

» Child safety and wellbeing is your priority. Potential reputational risks to your organisation may also be considered in the context of, for example, informing strategies for communicating with your broader organisation’s community after a complaint is made that raises child safety concerns.

What other steps should be taken to prevent any further harm or risk?