

CHILD SAFETY AND WELLBEING COMPLAINTS MANAGEMENT POLICY

INTRODUCTION

New Horizons Tasmania (NHT) is committed to handling all reports of child abuse and safety concern complaints made by children, members, employees, volunteers and members of the community, as promptly and confidentially as possible, with professionalism, fairness and sensitivity. All reports will be treated seriously, whether they are made by an adult or a child and whether they are about the conduct of an adult or a child.

NHT will always take immediate action to protect children at risk of harm or abuse, including calling 000 if a child is in immediate danger.

This Policy ensures everyone in NHT's community:

- understands how to report abuse allegations and raise child safety concerns, and
- feels comfortable and equipped if doing so.

NHT is committed to ensuring that anyone who reports allegations of abuse or a child safety concern is supported and feels that a fair process is followed.

This Policy is to be communicated to all members, staff and volunteers, and ensures that child safety and wellbeing-related complaints are handled in a timely, fair and transparent manner.

If a complaint includes an allegation or incident of child abuse or harm, then NHT must report it in accordance with this Policy.

CHILD-FOCUSED COMPLAINTS HANDLING

A child-focussed complaints handling process is important for helping members and others at NHT to make complaints, whether about child safety, wellbeing or otherwise. This Policy sets out how NHT (as a child safe organisation) has and implements a child-focussed child safety and wellbeing complaints handling system.

MAKING A CHILD SAFETY AND WELLBEING-RELATED COMPLAINT

NHT has developed this Policy, to enable:

- Simple and appropriate avenues for members, staff, volunteers and the wider community to make a complaint, including child safety and wellbeing related complaints.
- Confidentiality and accessibility for all members of the NHT community.

Who can make a complaint?

A report can be made by anyone, including a:

- Child
- Parent or carer
- NHT staff member
- NHT volunteer
- NHT Board member
- Community member

What can be reported?

Any concerns or complaints in relation to child safety and wellbeing may be reported, including:

- NHT's programs and activities
- A breach of the NHT Child Safety and Wellbeing Policy and/or Code of Conduct
- Allegations of abuse or misconduct by an employee, volunteer or any other person associated with NHT
- Disclosure of abuse or harm made by a child or young person
- The inadequate handling of a prior concern
- General concerns about the safety of a group of children or activity

How can a report be made?

Complaints regarding child safety and wellbeing can be made to:

- Chief Executive Officer (CEO)
- Executive Officer (EO)
- Board Member
- a trusted staff member

This can be done in person, in writing or over the phone. Details as follows:

Address: 292-294 Invermay Road, Mowbray TAS 7248

Email: info@newhorizonstas.org.au

Phone: 6326 3344

Non-child safety and wellbeing related complaints should be made via NHT's Grievance Policy, which is available by contacting the NHT Office.

RESPONDING TO A COMPLAINT

All staff must follow NHT's procedures for responding to and reporting child safety incidents, or concerns, including:

- Reporting a child safety incident or concern internally
- The Duty to Protect/Failure to Protect obligations
- The reporting of Reportable Conduct to the [Office of the Independent Regulator \(OIR\)](#)

Reportable conduct under the Reportable Conduct Scheme is broader than suspected criminal behaviour alone, and includes:

- Significant emotional or psychological harm
- Significant neglect
- Physical violence
- A sexual offence
- Sexual misconduct
- Grooming
- Relevant offences such as failing to report child abuse and female genital mutilation.

NHT requires all NHT workers (which includes employees, volunteers and Board members) to report any child safety and well-being related complaint that is made to them to the CEO or the EO, in addition to making any required external reports.

Complaints that involve the actions of a NHT member may require the Board to undertake disciplinary action/s as determined by NHT's Constitution.

COMPLAINT MANAGEMENT

The following must be managed pursuant to any relevant policies and procedures:

1. Complaints raising the possibility of or actual instance/s of child abuse, or other harm occurring at NHT or at an NHT event, or by a NHT worker.
2. Complaints alleging a breach of the Child Safety and Wellbeing Code of Conduct that involves, or raises the possibility of a risk of, child abuse or other harm by a NHT worker.

These kinds of child safety and wellbeing related complaints must be immediately referred to the CEO or the EO to be managed pursuant to relevant policies and procedures.

Procedures for managing Reportable Conduct are available on the [Office of the Independent Regulator website](#).

Receipt and Acknowledgment

NHT will acknowledge a complaint within 3 business days from the receipt of a complaint, either verbally or in writing. The acknowledgement will include an explanation of how the complaint will be handled and when the complainant will be contacted next.

Initial Response and Risk Management

NHT will prioritise children's safety, particularly when receiving a child safety concern or complaint. Depending on the nature and seriousness of the complaint, NHT may take action to manage the risks including:

- Calling 000 if the concern is life threatening or posing an immediate risk to the health and safety of anyone
- Ensuring children are safe (including while the complaint is being investigated)
- Telling the child's parents or carers about the complaint (as appropriate)
- Providing support to the child, member, parent, employee or volunteer
- Reporting to the authorities (Tasmania Police, OIR)
- Providing general details of the complaint to the NHT worker who is the subject of the complaint
- Altering the duties of the accused NHT worker including not permitting them to engage with children or have unsupervised contact with children (if the person is not stood down)
- Notifying the Board of the NHT
- Removing the accused NHT worker or volunteer from NHT's IT system and social media accounts
- notifying NHT's insurance broker

Reporting

Complaints against an employee or volunteer that involve allegations or suspicion of child abuse or harm, or other child protection concerns, or other criminal conduct (including grooming) will be reported by CEO or EO to the Police, Child Protection and/or the OIR in accordance with legislative requirements.

Note: *Under the Criminal Code Act 1924, failure to disclose a sexual offence committed by an adult against a child under the age of 16 to the police is a criminal offence. If there is any suspicion that the complaint relates to a sexual offence involving a person over 18 and a child under 16 then it must be reported to police.*

The CEO or EO will ensure appropriate reporting lines are followed in accordance with legislative requirements. Not all complaints require reporting to external authorities, however all complaints will be treated seriously and considered internally.

Assessment and Investigation

Following the initial response and risk management process, NHT will assess how the complaint will be managed and will consider the following:

- how serious, complicated or urgent the complaint is
- what communication support or other specific needs are required by the child
- the child diverse and/or cultural background
- NHT policies and procedures
- the impact and risks posed to children
- whether the complaint is suitable for informal or formal resolution
- whether an investigation is required
- the involvement of a child and/or their parent/carer in the complaint investigation and resolution process.

The CEO or EO should:

- advise the NHT worker that a complaint has been made against them and provide as much information as possible
- confirm that the NHT worker will be given the opportunity to respond to the allegations in writing or through an interview
- provide information about the complaints process and potential outcomes
- offer support to the NHT worker
- explain that the matter is to be kept confidential

Complaints that appear to have arisen from a misunderstanding or miscommunication may be resolved informally. Informally managed complaints may not require investigation.

Note: *if an allegation may involve criminal conduct and has been reported to the Police, NHT will not start our own investigation until and unless the police have advised NHT that an investigation can be commenced.*

Complaints that raise child safety concerns or allegations will usually undergo investigation and formal resolution.

The CEO or EO (or an external agency) will investigate the complaint and will:

- plan and document the investigation process
- ensure the rights, safety, cultural safety and wellbeing of children are upheld in the investigative process
- gather evidence
- assess the evidence
- finalise and report on the investigation
- communicate findings
- keep detailed and accurate records
- ensure all information collected is maintained and managed in accordance with the NHT privacy policy and legislation

Once an investigation has been completed and findings reached, the CEO or EO will determine what action should be taken as a result of the investigation. This may include:

- reporting to external bodies
- a written/verbal apology
- an acknowledgement of how the situation, service or conduct has affected the child and what they are entitled to expect in the further in terms of quality service
- an explanation of what happened or information that may be needed to address the complaint
- disciplinary action up to an including termination of a NHT worker

- training
- changes to the services provided by NHT
- changes to NHT policies, procedures and/or practices
- a media statement release
- re-issuing of the Code of Conduct to all NHT workers
- provision of counselling or other support
- changes to the NHT Risk Management Register

Response and Review

The complaint should be resolved within 14 days from the date of receipt. Following consideration of the complaint and any investigation into the issue raised, the CEO or EO will contact the child and their parent/carer and/or community member and advise them of:

- what action was taken to investigate the complaint
- the outcomes, decision or finding of the complaint
- the reason/s for the decision
- action taken, or to be taken, to address the complaint, including by whom and when, and
- any other remedy or resolution that have been proposed or put in place.

Note: *Privacy will be considered when deciding what to share about the findings or decisions made about an employer or volunteer who is the subject of the complaint.*

The NHT worker who is the subject of the complaint will also be notified of any findings or decisions.

NHT will review the complaint, the complaint handling process and outcomes to determine what can be done to improve child safety, wellbeing and empowerment and the quality of our services, policies, procedures and risk management.

Feedback

All feedback regarding NHT child safety complaints handling policy and procedures is welcomed. Please contact NHT on 6326 3344 or email – info@newhorizonstas.org.au

Confidentiality and Privacy Obligation

Complaints will be dealt with confidentially and respectfully and in accordance with the NHT privacy policy. Reasonable steps will be taken to protect personal information from loss, unauthorised access, use, disclosure or any other misuse during the complaint-handling process. NHT cannot give an assurance of absolute confidentiality given statutory obligations and principles of natural justice.

REVIEWS OF CHILD SAFETY AND WELLBEING-RELATED COMPLAINT

OUTCOMES

Complainants or other persons who are involved in a child safety and wellbeing related complaint, and who are not satisfied with the management of a complaint, or its outcome may request an internal review of:

- The procedures undertaken
- Findings made
- Disciplinary actions proposed or taken
- Other outcomes (including a decision not to make a finding or to take disciplinary or other action).

Request for internal reviews should be made to the CEO (or to the Chairperson of the Board if the complaint relates to the CEO).

GENERAL REVIEWS OF CHILD SAFETY AND WELLBEING COMPLAINTS MANAGEMENT

NHT regularly reviews child safety and wellbeing related feedback, comments and complaints to ensure that any feedback from the NHT community members and relevant stakeholders are captured, analysed and acted on where appropriate.

Approved by/date: Board 23/07/24

Next Review Date: 23/07/24

Last Review Date: 23/07/26