



# MISSIONARY SOCIETY OF ST PAUL COMPLAINT HANDLING POLICY - SAFEGUARDING

This Complaint Handling Policy reflects the requirements contained in the National Catholic Safeguarding Standards (NCSS) Edition 2, Self-Report Pathway.

**December 2024**

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## 1. Introduction

This Complaint Handling Policy establishes the overall framework by which the MSSP will welcome and respond to safeguarding complaints.

We aim to empower people to communicate their concerns and complaints without fear of retribution, discrimination or non-action by providing a transparent and responsive complaint-handling process, observing the principles of honesty, fairness and compassion for all involved parties, including the complaint maker and the person subject of the complaint. Our complaint-handling will prioritise the safety and wellbeing of children and adults at risk and have regard to any statutory obligations we may have to cooperate with other organisations.<sup>1</sup>

## 2. Scope

This Complaint Handling Policy has been approved by the Provincial Leader and applies to all personnel engaged by the MSSP. It covers all aspects of service provided by the MSSP, in any location.

It provides a process for personnel and members of the wider community to raise a safeguarding complaint, including disclosures, allegations or concerns about current or historical abuse of a child or adult related to the MSSP. It also details guidance on the response and action to be taken by the MSSP for different types of safeguarding complaints, recognising that the process for dealing with a particular concern will vary depending on the nature, circumstances and seriousness of the complaint.

The Complaint Handling Policy is supported by and should be read together with the following related documents:

- Safeguarding Commitment Statement
- Code of Conduct
- Safeguarding Policy<sup>2</sup>

Nothing in this policy affects the expectations outlined in other relevant Church documents or in civil law.

## 3. Definitions

“Personnel” includes religious brothers, sisters and clergy, employees and volunteers engaged by the MSSP. It also includes contractors engaged by the MSSP to provide services to children and adults at risk.

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<sup>1</sup> See the MSSPs Safeguarding Policy for definition of ‘children’ and ‘adults at risk’.

<sup>2</sup> NCSS 6.3.1 The Complaints Handling Policy is aligned, and operates in conjunction, with the Code of Conduct, HR, and other policies.

For the purposes of this policy, a “complaint” encompasses any safeguarding concern, report, allegation or disclosure about the MSSP, including any behaviour by current or former MSSP personnel, including:

- breaches of the MSSPs Code of Conduct;
- disclosures, allegations, or concerns of current abuse of a child;
- an adult bringing forward a complaint of abuse suffered as a child; and
- an adult bringing forward a complaint of current or past abuse experienced as an adult.

“Complainant” means the person who has expressed the concern or made the report or disclosure on behalf of another affected person.

## 4. Key Principles

The MSSP acknowledges the potential for power imbalances between complainants and institutions and to address this will:

- have clear lines of accountability for handling complaints
- uphold the right of individuals to complain and ensure that our complaint handling process is well promoted and accessible
- apply the principles of procedural fairness to facilitate a just and impartial complaint handling process
- promptly acknowledge complaints and address them according to urgency, keeping complainants and other involved parties informed throughout the process
- offer and provide a just and compassionate response to complainants which safeguards the involved parties throughout the process, recognising that some complainants may need additional pastoral and other support
- provide fair and proportionate responses to complainants
- comply with any relevant statutory and policy requirements or canonical processes

## 5. Making a Complaint

A person wishing to report a safeguarding complaint related to the MSSP may do so by contacting:

- The Provincial Leader of the MSSP
- Complaints may be made by phone, email, writing or in person:

Fr John Taliana

PROVINCIAL HOUSE MSSP,  
477 ROYAL PARADE, PARKVILLE VIC 3052  
T: +61 3 9387 7433

E: [PAULISTMISSIONARIES.ORG](mailto:PAULISTMISSIONARIES.ORG)

### ▪ 5.1 Anonymous complaints

Complaints may be made anonymously. However, the MSSP recognises the difficulty with anonymous complaints in verifying relevant facts and being satisfied as to the legitimacy of the complaint, as well as the challenges that may arise in affording fairness to the person the subject of complaint in circumstances where the identity of the complainant is a central issue.

### ▪ 5.2 Whistle-blower provisions

A person who has raised a concern about suspected wrongdoing or made a formal complaint, has the right to continue to work in a discreet, safe and collegiate environment without the threat of intimidation, judgement or victimisation.<sup>3</sup>

## 6. Allocating Responsibility for Managing Complaints<sup>4</sup>

### 6.1 The complaint-handler

The MSSP will ensure that a suitable person(s) is appointed to manage the complaint. The complaint-handler is required to:

- be a point of contact for the complainant and the person the subject of complaint (and other involved parties) including police or external agencies (if relevant)
- conduct an initial assessment of the complaint, including carefully listening to the complainant's concerns and their desired outcomes
- seek advice from relevant external authorities (e.g., police, child protection authorities) when required and share relevant information
- keep appropriate, confidential records of the matter
- inform the complainant of their rights and support options (see sections 8.5.1 and 8.5.2 for supporting complainants and persons the subject of complaint)
- meet with and listen to the person the subject of complaint, fully informing them of the allegations made against them, making them aware of their right to a support person at the meeting and providing them with an opportunity to respond (see sections 8.5.1 and 8.5.2 for supporting complainants and persons the subject of complaint)
- respond to and resolve the complaint or, if it is not appropriate for the complaint-handler to resolve it, arrange for an appropriate person of authority to review, respond to and resolve the complaint
- keep those involved appropriately and regularly informed about the progress of the matter

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<sup>3</sup> National Catholic Safeguarding Standards (NCSS) 6.3.6 The Complaints Handling Policy and procedures empower and support personnel to raise, in good faith, concerns and allegations about unacceptable behaviour towards children and adults by other personnel.

<sup>4</sup> NCSS 6.1.5 The Complaints Handling Policy spells out who has responsibilities in relation to handling complaints and when procedures are enacted.

- monitor the situation during and for the time soon after the resolution process, or longer as is deemed necessary.

## 6.2 The complaint decision-maker

For complaints that do not involve alleged conduct of a serious nature (e.g. allegations of abuse of children or adults at risk), the complaint-handler and the decision-maker can be the same person, particularly when informal resolution is adopted and disciplinary action regarding a member of personnel is an unlikely outcome of the complaint-handling process.

However, for complaints that are more serious (for example, complaints which have been the subject of an investigation process or where the outcome sought requires approval by a certain level within the MSSP, such as issuing a formal written apology or financial redress), a “complaint decision-maker” should be appointed.

In more serious matters, the decision-maker should not be directly involved in the investigation or resolution process but may receive updates about progress and give guidance and direction to the investigator. The decision-maker’s role is primarily to review the relevant issues, evidence and recommendations arising from the complaint-handling/investigation process, and then make a final determination about the appropriate outcomes.

If the decision-maker decides to make a different finding or substitute a different outcome from what has been recommended by the complaint-handler/investigator, the rationale for this should be documented.

A decision-maker must not be involved in a decision where a conflict of interests exists, even if the decision-maker has the proper delegation or authority.<sup>5</sup>

## 6.3 Positions responsible for handling complaints about particular roles

Complaints made about individuals occupying the positions listed below should be reported to and handled by the ‘responsible person’ indicated along with their contact details

Position	Responsible Person who receives report and manages complaint
Provincial Leader	Fr John Taliana mssp
Provincial Council	Fr Jude Pirotta mssp Fr Silvio Bezzina mssp
Finance person	Ms Joyce Cutajar
Safeguarding Person	Ms Geralyn McCarthy

<sup>5</sup> NCSS 6.1.3 The Complaints Handling Policy outlines how perceived or actual conflicts of interest are managed

## 7. Handling Disclosures, Allegations, or Concerns of Abuse<sup>6</sup>

Any personnel who becomes aware of a concern about the safety of a child or adult at risk, whether by a direct or indirect disclosure or any other means, must report it as soon as practical to the Provincial Leader or a member of his Council.

If the concern relates to the Provincial Leader or a member of his Council, see section 6.3 of this policy for alternative reporting options. Those required to make a report under legislation, policy or pursuant to any other requirement (reporters) may also contact the National Executive Director, CRA, for general guidance.

The Provincial Leader will provide advice and guidance on how the matter should be handled, including whether the conduct is 'reportable' and external authorities need to be notified (see below). The Provincial Leader may also contact the National Executive Director, CRA, for general guidance about external reporting obligations.

### 7.1 Current Concerns About Children

#### **Reporting criminal conduct to Police**

Conduct towards a child/children which may be a criminal offence<sup>7</sup> if proven will be reported to Police as soon as possible (and before making a mandatory child protection report). The Safeguarding Officer in conjunction with the Provincial Leader is responsible for ensuring that the Police report is made.

#### **Reporting Children at Risk of Harm**

Where there are reasonable grounds to suspect that a child or young person or a 'class of children' is at risk of harm, according to the relevant jurisdiction reporting threshold, a report will be made to the relevant statutory child protection authority.

The Safeguarding Officer in conjunction with the Provincial Leader is responsible for determining if a child protection report is required and if so, ensuring that the report is made. However, this responsibility does not prevent personnel from immediately making a child protection report.

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<sup>6</sup> NCSS 6.1.2 There are clear procedures that provide step-by-step guidance on the response and action to be taken for different types of complaints, including: breaches of Codes of Conduct; disclosures, allegations, or concerns of current abuse of a child; an adult bringing forward a complaint of abuse suffered as a child; and an adult bringing forward a complaint of current or past abuse experienced as an adult; NCSS 6.4.1 The Complaints Handling Policy requires that: concerns and complaints of child abuse occurring within an entity be reported to the appropriate statutory authority/ies; concerns and/or complaints of serious offences against adults be reported to statutory authorities; and personnel cooperate with law enforcement procedures and directives.

<sup>7</sup> See Glossary

A mandatory reporter has a duty to report, as soon as practicable, the name, or a description, of the child and the grounds for suspecting that the child is at risk of harm. Mandatory reporters are legally protected against retribution for making or proposing to make a report.

### **Notifying Reportable Conduct**

The Provincial Leader of the MSSP must notify the CCYP if he receives a report or becomes aware of a reportable allegation<sup>8</sup> or reportable conviction against any personnel [or relevant contractors] delivering services to children.

The notification must be made within the timeframe stipulated in legislation. The Provincial Leader in collaboration with the Safeguarding Officer is responsible for determining if a notification of reportable conduct is required and if so, ensuring the notification is made.

The MSSP must also investigate the reportable allegation and report findings to the relevant oversight body according to their requirements.

The Provincial Leader can seek guidance from the National Executive Director, CRA about meeting their reportable conduct obligations, including the engagement of an independent investigator.

## **7.2 Historical Child Abuse**

Where the MSSP becomes aware of an allegation of historical child abuse (abuse experienced by a child who is now an adult), it will take the following steps:

- A child protection/risk of harm report will be made to the relevant statutory child protection body if there are grounds for suspecting that a child or class of children are at current risk of harm (eg. because an alleged offender has current access to children), as per legislated threshold
- A report will be made to Police in the following circumstances:
  - If the MSSP knows or believes that a child under 18 years has been abused (sexual abuse, serious physical abuse or extreme neglect of a child) or knows or believes that they have information that might materially assist in securing the apprehension, prosecution or conviction of the offender, unless there is a 'reasonable excuse' for not reporting to Police, according to the relevant legislative definition.
  - If the MSSP knows that an adult working at the MSSP poses a serious risk of abusing a child (sexual or serious physical abuse).

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<sup>8</sup> See Glossary



The Provincial Leader is responsible for ensuring that a child protection/risk of harm and/or Police report is made, if required, in response to a historical child abuse matter in accordance with legislative requirements.

### **7.3 Concerns About Adults at Risk**

The Provincial Leader in collaboration with the Safeguarding Officer is responsible for assessing if a concern about the safety of an adult at risk should be reported to an external agency such as Police, a health service or adult safeguarding agency. The assessment will have regard to:

- legislative requirements
- whether an alleged offender is employed or engaged by the MSSP
- the views and wishes of the involved adult
- any diminished capacity on the part of the involved adult to make an informed decision
- the seriousness of the concerns, and
- any potential or actual risks to other children or adults.

NB: For information about how concerns are handled relating to the protection of adults at risk which are covered by independent oversight and regulatory arrangements, see the relevant agency's safeguarding procedures.

#### **Criminal Offences**

Where the concerns involve a potential criminal offence (eg. physical or sexual assault) by a person engaged by the MSSP a report will be made to Police as soon as possible. Where the concerns involve a potential criminal offence by any other person, the Provincial Leader will offer to source the support for the alleged victim to report the matter to Police. In circumstances where we identify that the alleged victim has diminished capacity to make an informed decision about whether to report the matter to Police, the MSSP will do so on their behalf. The Provincial Leader is responsible for ensuring that the Police report is made.

#### **Safety Concerns about Older People or People with Disability**

Several cohorts of adults at risk are covered by legislative schemes and regulatory/oversight bodies, these include:

- Safety concerns for an adult in an aged care facility, respite and day care service or support services delivered in the home should be reported to the Aged Care Quality and Safety Commission
- Safety concerns that relate to the provision of a National Disability Insurance Scheme (NDIS) service should be reported to the NDIS Quality & Safeguards Commission
- Safety concerns that relate to the abuse, neglect or exploitation of an adult with disability or older person living in their home (conduct by a member of the person's

family, other informal supports, or members known to them from the community) should be reported to the relevant external body.

The Provincial Leader is responsible for ensuring that a report about the safety of an older person or person with a disability is made, if required.

### **Concern that an Adult at Risk May Harm Themselves or Any Other Person**

In an emergency, the MSSP will contact Police if there is concern that an adult at risk may harm themselves or another person.

### **Other Concerns About Adults at Risk**

Where appropriate, the MSSP may seek specialist advice and/or provide referrals to other agencies that can provide support to adults at risk. To facilitate this, we will ensure that we have access to community-based services, government agencies or other organisations that can offer information, advice and/or receive referrals.

NB. In accordance with Royal Commission Recommendation 16.52, if a complaint of sexual abuse is plausible, and there is a risk that the subject of the complaint may come into contact with children or adults at risk in the course of their ministry, that person will be stood down from ministry while the complaint is investigated.

## **8. Responding to Complaints**

When a safeguarding complaint is received by the MSSP the complaint will be recorded, acknowledged and initially assessed by Fr John Taliana, Provincial Leader

### **8.1 Recording the complaint**

The MSSP will make a record of the complaint, including:

- the name and contact details of the complainant
- the issues raised by the complaint
- the name of any person who is the subject of the complaint
- the outcome sought by the complainant
- information about any additional support required by the complainant
- any other relevant information, including the names and contact details of potential witnesses, existing or potential sources of evidence
- the date and method of acknowledgement of the complaint

The Provincial Leader has overall responsibility for ensuring complaints are appropriately handled.

## **8.2 Acknowledging the complaint**

The MSSP will acknowledge the complaint as soon as possible and within five days of receipt.

The acknowledgement will include:

- a contact point for the complainant
- timeframe in which action will be taken
- the likely next steps
- if applicable (and known at the time), whether the matter must be reported to any external authorities (e.g., police, child protection authorities, regulatory/oversight bodies)
- advice about support options

The Provincial Leader is responsible for ensuring complaints are appropriately acknowledged.

## **8.3 Initial Assessment**

The following factors will be considered as part of the assessment:

- did the issues raised occur within the person's role with the MSSP?
- is there any immediate or ongoing risk to any person's safety or wellbeing?
- does the complaint need to be reported to another agency (e.g., police or child protection authorities)?
- are the issue/s raised within the MSSP control to address?
- are the outcomes sought by the complainant viable?
- if more than one issue is raised, whether these will need to be separately addressed
- the seriousness of the complaint and whether it should be resolved urgently
- how the complainant is being affected by the issue/s raised and any additional support needs
- if there are any risks if resolution of the complaint is delayed
- if further information is needed to properly assess and resolve the complaint
- whether the complaint needs to be investigated or can be resolved informally via an alternative process without an investigation.

Appendix 1: Initial Risk Management Checklist will be used to further guide the initial assessment.<sup>9</sup>

#### **8.4 Options for resolving a complaint**

After assessing the complaint, the complaint-handler will plan the actions required to manage and resolve it. Wherever possible, the MSSP will try to resolve complaints as soon as possible after they are made.

In many cases, it will be appropriate to informally resolve a complaint using an outcomes-based process. At other times, an evidence-based, formal investigation will be required. It may not always be clear at the outset of managing a complaint which is the best process and sometimes, it may be appropriate to move from an informal process to an investigation, or vice versa.

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

- the circumstances of each case, including the risks involved
- any statutory requirements and whether other organisations (eg police/child protection authorities) are involved
- the issue(s) complained about
- the parties involved
- the likely outcome

##### **8.4.1 Disclosures, allegations, or concerns of abuse**

Any disclosures, allegations, or concerns of abuse will be immediately responded to in accordance with the procedures outlined in section 6 of this policy.

##### **8.4.2 Informal resolution**

The complaint-handler will determine the best way of informally resolving the complaint. Relevant considerations will include:

- the nature of the person's concerns
- how the person raised their concerns
- the person's preferences and what outcomes they are seeking

Sometimes, the person making the complaint may be satisfied with the opportunity to express themselves and be heard. Other possible options include providing an explanation, apology and/or making a practical change that addresses the person's concerns. It may be appropriate

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<sup>9</sup> NCSS 6.3.2 The Complaints Handling Policy commits to an initial risk assessment if a complaint of abuse is received, to identify and minimise any risk to children and adults. Ongoing risk assessments are conducted throughout investigation processes.

to arrange a facilitated discussion between the relevant parties, for example a conciliation or mediation. This could be handled by the complaint-handler or another senior representative of the MSSP or it may be more appropriate to bring in an external, independent party.

The Provincial Leader is responsible for approving the proposed resolution method before it commences.

#### **8.4.3 Investigating a complaint**

If a complaint is unable to be resolved informally (or it is not appropriate to do so), the MSSP may decide to commence a formal investigation.

The appropriate investigative approach will depend on a range of factors including:

- the seriousness and/or complexity of the complaint
- the people affected by the complaint
- the possible outcomes including those sought by the complainant
- whether an independent investigation is required
- whether other authorities or agencies need to know about the complaint or be involved in responding to it.

The Provincial Leader is responsible for approving a complaint investigation before it commences. The Provincial Leader may contact the National Executive Director, CRA, for assistance with engaging an independent investigator.

### **8.5 Supporting complainants and persons the subject of complaint**

The Provincial Leader is committed to the wellbeing of all parties during the complaint handling process.

#### **8.5.1 Support for the complainant<sup>10</sup>**

Appropriate steps will be taken to support and safeguard the welfare and dignity of complainants and their families. We recognise that some complainants may be highly vulnerable. We strive to identify when this is the case and to provide a compassionate response that is tailored to their needs.

Support for the complainant may include, but is not necessarily limited to:

- the offer of an independent support person to assist the complainant through the process
- medical treatment and/or psychological support and counselling
- referrals to support services

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<sup>10</sup> NCSS 6.5.1 Appropriate pastoral care is provided to complainants; NCSS 6.3.4 Trauma-informed and victim-centred support and care is offered to any child or adult who has experienced or is alleging abuse.

- in appropriate cases, interim payments to assist the complainant with certain expenses (such as counselling) or to ameliorate financial hardship
- advising the complainant that he or she has a right to independent legal advice
- an explanation of the range of options available to the complainant to pursue the matter or obtain redress, e.g., criminal charges, civil claim for damages, application to the National Redress Scheme, or request for ex gratia compensation; and
- ongoing communication about the progress of the complaint process.

In some cases, it may be appropriate to offer support to other people involved in or affected by the complaint, such as family-members of the complainant or staff or volunteers affected by the disclosure.

It is the responsibility of the Provincial Leader to communicate with the complainant (or other involved parties) in relation to offers of support and, where necessary, put measures in place to make the support available.

When a complaint is finalised, the Provincial Leader will consider whether any form of ongoing support should be offered to the complainant or other people involved in or affected by the complaint.

#### **8.5.2 Support for the person who is the subject of a complaint**

The MSSP will take appropriate steps to support and safeguard the welfare of any person who is the subject of a complaint, recognising that this can be a stressful experience.

Support for the person who is the subject of a complaint may include, but is not necessarily limited to:

- an offer to develop a support plan
- medical treatment and/or psychological support and counselling
- arrangements for a trusted friend or colleague to assist the person through the process
- advising the person that he or she has a right to independent legal advice
- an explanation of the process for managing the complaint, including the likely timeframe for resolution and what will be required of the person in the process; and
- ongoing communication about the progress of the complaint process.

It is the responsibility of the Provincial Leader to communicate with the person who is the subject of a complaint in relation to their welfare and support needs.

## **8.6 Conclusion of the Complaint**

At the conclusion of the complaint resolution/investigation process, the complainant (and their parent/carer if the complainant is under 18, and it is safe and appropriate to do so) will be informed of the outcome, reasons for the decision, remedies available and options for review. The person who is the subject of the complaint will also be advised of the outcome, reasons for decision, and review options.

The Provincial Leader will determine what action should be taken in respect of the complaint.

Action resulting from a complaint may include the MSSP:

- an acknowledgement
- explanation
- an agreement between the parties
- a verbal or written apology
- criminal action or child protection action
- disciplinary action
- management action (eg providing/referring the person the subject of the complaint with counselling, professional training)
- offering ongoing support to the complainant (eg counselling)
- offering financial redress to the complainant
- improved policies or processes

Note: Where a complaint about the sexual abuse of a child or adult is substantiated, the appropriate action will be determined following a risk management process. Where the subject of the complaint is involved in religious ministry, that person will be permanently removed from ministry and prohibited from in any way holding himself or herself out as being a person with religious authority. If the subject of the complaint is a cleric or religious, they may be dispensed from his or her vows or dismissed from the clerical state, as applicable.

The Provincial Leader is responsible for ensuring that complaints are satisfactorily finalised.

## **9. Other factors to address during the complaint-handling process**

### **9.1 Confidentiality and Privacy**

All parties involved in a handling a complaint must maintain strict confidentiality throughout the complaint process, including after an outcome is provided and actions taken.

Information may be shared if it is necessary to address an immediate risk to the safety or wellbeing of any person, but only to the minimum extent necessary to address the risk.

This does not prevent the MSSP from requesting relevant information from external agencies, subject to legislative provisions, to facilitate necessary information sharing, or from fulfilling obligations to report relevant information to bodies such as the police or child protection services, or to other prescribed bodies.<sup>11</sup>

## **9.2 Complaint Review Options**

If an individual is not satisfied with the outcome of a complaint, they may request an internal review be conducted by the MSSP. The request for review must be made within 14 working days from the date the finding is made known to the individual. Reasons outlining why the review is being requested are to be included in the request.

The Provincial Leader has responsibility for making the final decision on a complaint, including whether to conduct the review, based on the information provided to them.

If an individual remains dissatisfied with how their complaint was handled, they may be able to take their complaint to an external agency such as a Court or Tribunal, the NSW Anti-Discrimination Board or the Australian Human Rights Commission.

## **9.3 Maintaining Documentation**

Documentation relating to complaints should be maintained, securely stored and kept confidential. Documentation should include sufficient information about the complaint, any steps taken to manage the complaint and any approach taken to resolve it.

Complaints that relate to incidents, allegations, disclosures, or concerns about the abuse of children or adults will be stored, protected and retained according to the Privacy Act, for a minimum of 50 years.<sup>12</sup>

The Provincial Leader is responsible for ensuring compliance with the periodic review process.

See Appendix 2 for a Complaints Handling Register Template.

## **10 Further Guidance**

National Catholic Safeguarding Standards (Second Edition)

MSSP Safeguarding Policy

MSSP Code of Conduct

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<sup>11</sup> NCSS 6.3.5 Sharing information relating to complaints adheres to the Australian Privacy Principles and relevant legislation

<sup>12</sup> NCSS 6.1.6 Abuse complaints, incidents, allegations, disclosures, concerns and referrals are recorded, and confidential information is stored, protected and retained according to the Privacy Act, and for 50 years.



[Complaint Handling Guide: Upholding the rights of children and young people](#), National Office for Child Safety and NSW Ombudsman

NDIS Quality & Safeguards Commission website fact sheets

## 11 Review of Complaint Handling Policy

The Complaint Handling Policy will be updated as required and reviewed at least every three years. The MSSP will consult stakeholders as part of reviewing the Complaint Handling Policy and related documents.

<b>MSSP Complaint Handling Policy approved December 2024</b>	Fr John Taliana – Provincial Leader	Next Review – December 2027
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## Appendix 1: Initial Risk Management Checklist

<p><b>Initial risk management checklist<sup>13</sup></b></p> <p>This checklist can be used to guide the initial risk management response to an incident, disclosure or complaint that relates to the safety of a child or adult at risk.</p>
<p><b>Immediate safety</b></p>
<p>Is immediate medical assistance required for any person?</p>
<p>Is there a risk to the immediate safety of the child or adult affected by the incident, disclosure or complaint, or any other child or adult, that requires necessary action to address the risks posed?</p>
<p>Have you considered the safety of the person who made the disclosure, report or complaint (other than the affected child or adult), provided appropriate advice, and made relevant referrals to Police and/or other emergency services?</p>
<p><b>Evidence</b></p>
<p>Have you made sure that any physical/ electronic evidence is immediately secured, and future evidence (eg. from witnesses) is not compromised?</p>
<p><b>Reporting</b></p>
<p>Does the incident, disclosure or complaint raise any allegation of criminal conduct?</p>
<p>Do the issues raised by the incident, disclosure or complaint warrant a report or notification to an external authority, in accordance with legislative obligations (eg. Police, child protection authority, reportable conduct oversight body, NDIS Quality and Safeguards Commission)?</p>
<p><b>Person affected by the incident/disclosure/complaint</b></p>
<p>Does the affected child or adult require a referral to a support service or counselling?</p>
<p><b>Person the subject of complaint</b></p>

<sup>13</sup> Adapted from National Office of Child Safety, *Complaint handling guide: Upholding the rights of children and young people*, 2019. Appendix I: Conducting an initial risk assessment <https://chilfsafety.pmc.gov.au/sites/default/files/2020-09/nocs-complaint-handling-guide.pdf>

<p>If the person who is the subject of the complaint is a staff member or volunteer, what actions should be taken?</p> <ul style="list-style-type: none"> <li>• Should they remain in their current position, be moved to another area, or be suspended?</li> <li>• 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 or adults at risk in the care of the organisation. Relevant factors to consider include the vulnerability of the children or adults they would be in contact with, eg. the age of the children, their communication skills, or disability.</li> </ul>
<p>What type of support and information should the subject of complaint be given to ensure the complaints process is fair?</p>
<p>What risk management action should be taken if the incident/disclosure/complaint involves a peer of the child or adult affected by the complaint?</p>
<p><b>Confidentiality and information sharing</b></p>
<p>Have you informed the involved parties of the need to treat the matter confidentiality?</p>
<p>Have you explained to affected person (and their family/carer if appropriate) reasons why certain information may need to be shared, eg. to protect safety and/or comply with reporting obligations?</p>
<p>Do others outside of the parties to the complaint/incident need to be informed?</p>
<p><b>Conflict of interests</b></p>
<p>Have you identified and put steps in place to address any actual or potential conflict of interests?</p>
<p><b>Other initial risk management</b></p>
<p>Are there any other steps that should be taken to prevent any further harm or risk?</p>

## Appendix 2: Safeguarding Complaints Register Template

Safeguarding Complaints Register Template <sup>14</sup>	
This template can be used/adapted to consistently record safeguarding complaints about children or adults at risk.	
<b>1</b>	<b>Affected person</b>
	Name:
	Age:
	Gender:
	Do they identify as Aboriginal or Torres Strait Islander? If yes, specify:
	Are they from a culturally and linguistically diverse background? If, yes, specify:
	Do they have a disability? If, yes, provide any relevant details:
	Are they living in residential or out of home care?
	Do they have communication and other support needs? If yes: <ul style="list-style-type: none"> <li>▪ Have they been offered an interpreter?</li> <li>▪ Have they been offered a communication assistant?</li> <li>▪ Have they been offered a support person, advocate, family member?</li> <li>▪ Any other supports?</li> </ul>
	Provide any other relevant information relating to the person's preferred communication methods, support needs, and involvement in the reporting process:
	If the affected person has a disability, provide any relevant details relating to their guardianship, advocacy or other decision-making arrangements (eg. the name and contact details of any nominees authorised to receive information on their behalf):
<b>2</b>	<b>If the concern was reported by someone other than the affected person</b>
	Name:
	Age:
	Gender:
	Relationship to affected person (if relevant):

<sup>14</sup> Adapted from National Office of Child Safety, *Complaint handling guide: Upholding the rights of children and young people*, 2019. Appendix M: Complaint record form <https://childsafety.pmc.gov.au/sites/default/files/2020-09/nocs-complaint-handling-guide.pdf>



	<p>Signed:</p> <p>Date:</p> <p>Print name:</p>
<b>10</b>	<p><b>Person receiving this safety concern report</b></p> <p>Signed:</p> <p>Date:</p> <p>Print name:</p> <p>Next steps:</p>