



# Catholic Diocese of Darwin

## Complaints Regarding Children and Youth Policy

### Introduction and Purpose

The Catholic Diocese of Darwin is committed to the wellbeing, care and protection of children and young people.

The purpose of this Complaints Regarding Children and Youth Policy is to establish a framework for the handling of complaints and grievances regarding the safeguarding of children. The Catholic Diocese of Darwin seeks to resolve issues through direct discussion between the persons concerned. However there may be instances in which this is not possible, or doing this does not resolve the matter. It is in such cases that the Complaints Regarding Children and Youth Policy and associated procedure should be utilised.

**If the complaint is a disclosure of abuse, or where a belief of harm or abuse is formed, a report must be made to the Child Protection Hotline or the Police and the *Mandatory Reporting: Harm to a Child or Young Person* form must be filled in.**

The Diocese of Darwin seeks to establish healthy patterns of complaint, reconciliation and healing. It is our aim to provide an environment where complaints can be raised and addressed in an appropriate manner and consistent with scriptural principles. Complaints will be addressed in a timely and confidential manner at the lowest appropriate management level, in order to prevent minor problems or concerns from escalating. The dignity and rights of both complainant and respondent will be respected.

### Policy Statement

The Catholic Diocese of Darwin is committed to providing a safe, fair, responsive, accessible and transparent environment in which complaints and grievances regarding the safeguarding of children can be raised by children, families, volunteers, employees, religious and clergy. Complaints will be resolved promptly and where this cannot be addressed immediately, a professional, efficient, fair and accessible grievance process will be followed.

### Definitions

**Complaint:** (in relation to this policy) A complaint is defined as an issue of minor nature regarding safeguarding of children that can be resolved promptly or within 48 hours e.g. supervision of children. They may be dissatisfaction with the Diocesan policies, systems, procedures, quality of service provided or regarding acts of a person or persons acting for or on behalf of the Diocese. It can be a written or a verbal complaint. Complaints do not include employment or work health and safety matters unless related to the safeguarding of children.

**Complaints and Grievance Register:** A record of information about complaints and grievances received, together with a record of outcomes.

**Grievance:** A formal statement of complaint which cannot be addressed immediately and involves matters of a more serious nature, e.g. a breach of the Code of Conduct in regards to the safeguarding of children or dissatisfaction with the Diocesan policies, procedures, quality of service provided or with a person or persons acting for or on behalf of the Diocese.

**Report:** A report is the verbal or written notification to Territory Families' Child Abuse Hotline Central Intake Team or the Police that a person reasonably believes that a child has suffered or is likely to suffer harm or exploitation or where there is a disclosure of harm or exploitation. The *Mandatory Reporting: Harm to a Child or Young Person* form is used to document the report and this is emailed to the Integrity Officer / Child Safety Coordinator. This report is followed through after the external investigation process by Territory Families or Police is complete.

**Conflict of Interest:** a conflict of interest occurs when the personal interest of an individual conflicts with their responsibility to act objectively or in the interests of the Church with regards to this policy. Conflict of interest can be actual, perceived or potential. A conflict of interest can exist in many different situations for example:

- a member of the parish council has family interests that conflict with his/her position on the parish council;
- a person who has a position of authority that conflicts with his or her interests in caring for parishioners;
- a person who has conflicting responsibilities.

## Scope

This document applies to children, families, volunteers, employees, religious and clergy in parishes and ministries of the Catholic Diocese of Darwin.

Catholic Education, CatholicCare NT and other Ministries and agencies may have their specific policy and procedures in regard to managing complaints according to their requirements.

## Core Principles

The Catholic Diocese of Darwin will:

- Recognize children and young people's right to respectful and safe play, learning and pastoral environments;
- Provide training to Safeguarding Coordinators, Diocesan and parish leadership in handling of complaints and responding to disclosures;
- Listen attentively to children, young people and adults as complaints and reports are being shared;
- Manage complaints and grievances objectively, noting and following procedures for identifying and managing conflicts of interest to maintain the integrity of complaint management;
- Conduct a Risk Assessment to identify and mitigate any risks to children and young people when a grievance is received and review the risk Assessment throughout the investigation;
- Deal with complaints fairly, respectfully, consistently and confidentially at the lowest level possible;
- Respect diversity and cultural differences, making adjustments to meet the needs of all persons;

- Record, track, acknowledge and process complaints in a timely manner;
- Attempt early, informal resolution of complaints and compromise wherever possible;
- Follow clear and transparent procedures for lodgement and processing of grievances;
- Involve the complainant in the process as far as is practicable and appropriate;
- Ensure the complainant is aware of the process, timeframes, their likely involvement, the possible outcomes of the grievance and any other necessary information;
- Notify complainants of their internal and external review options;
- Record and report complaints and grievances in accordance with legislative requirements;
- Support and provide options for pastoral care to all parties through the process;
- Commit to using complaints and grievances as a basis for continuous improvement.

## Responsibilities

**Diocesan Leadership** is responsible for implementing this policy and associated procedures across the Catholic Diocese of Darwin. Identify all conflicts of interest as it relates to themselves at any particular time.

**Parish Councils** are responsible for implementing this policy and associated procedures across their parishes. Identify all conflicts of interest as it relates to themselves at any particular time.

**Governance boards / Leadership of Church Ministries** are responsible for implementing complaints management policies and procedures that meet their particular requirements, but are consistent with the Catholic Diocese of Darwin Complaints Regarding Children and Youth Policy and associated procedures. Identify all conflicts of interest as it relates to themselves at any particular time.

**Safeguarding Contacts and personnel** are responsible for implementing this policy and associated procedures as part of their work ensuring the safety and wellbeing of children. Identify all conflicts of interest as it relates to themselves at any particular time.

### Investigator

- Identifying all conflicts of interest as it relates to him/herself at any particular time.
- Keeping the Bishop, respective Church leader or delegate informed
- Informing complainant and respondent of process and timelines
- Following the process outlined in the Complaints Regarding Children and Youth Procedure
- Maintaining impartiality,
- Maintaining confidentiality

### Complainant and Respondent

- Participate in interviews
- Provide evidence confirming the accuracy or otherwise of the interview statement
- Be open and honest
- Maintain confidentiality

### Interviewees

- Participate in interviews
- Provide evidence confirming the accuracy or otherwise of the interview statement
- Be open and honest
- Maintain confidentiality

## Related Policies, Legislation and Documents

The Diocesan Complaints Regarding Children and Youth Policy and associated procedure is compliant with relevant Church Documents, Northern Territory and Commonwealth Government Legislation.

- Age Discrimination Act (Cth) 2004;
- Anti-Discrimination Act (NT) 2011;
- Australian Human Rights Commission Act (Cth) 1986;
- Disability Discrimination Act (Cth) 1992;
- Racial Discrimination Act (Cth) 1975;
- Sex Discrimination Act (Cth) 1984;
- Workplace Health & Safety Act and Regulations (NT) 2011;
- Australian Government, National Office for Child Safety, 2019, *Complaint Handling Guide: Upholding the rights of children and young people*

## Support Material

This Policy document has an associated procedure: Complaints Regarding Children and Youth Procedure.

The following documents should be used to support the Complaints Regarding Children and Youth Policy.

- i. Catholic Diocese of Darwin Complaints Regarding Children and Youth Procedure
- ii. Catholic Diocese of Darwin Safeguarding Children and Vulnerable Adults Prevention and Protection Policy
- iii. Catholic Diocese of Darwin Child and Risk Management Strategy
- iv. Catholic Diocese of Darwin Mandatory Reporting: Harm to a Child or Young Person Form
- v. Catholic Diocese of Darwin Safeguarding Non-Mandatory Reporting Form
- vi. Information Sharing Guidelines (1 July 2012) (Northern Territory)
- vii. Code of Conduct
- viii. Volunteer Code of Conduct
- ix. Integrity in Ministry
- x. Integrity in the Service of the Church
- xi. Towards Healing
- xii. Complaint Handling, Better Practice Guide, Commonwealth Ombudsman (<https://www.ombudsman.gov.au>)
- xiii. Australian Government, National Office for Child Safety, 2019, *Complaint Handling Guide: Upholding the rights of children and young people*