



Government of **Western Australia**
Department of **Health**

Navigating child safe complaints management

WA health staff guidance

For further details:

If you have any comments or feedback on this document, we would appreciate hearing from you.

Patient Safety Surveillance Unit
Patient Safety and Clinical Quality
Clinical Excellence Division
Department of Health Western Australian
189 Royal Street, EAST PERTH Western Australia 6004

Email: PSSU@health.wa.gov.au

Website: https://ww2.health.wa.gov.au/Articles/N_R/Patient-Safety-Surveillance

Disclaimer

The WA Department of Health has tried to make sure all information in this document is correct at the time it was written. However it is a guidance document only and should not be relied upon as a full statement of the policies relating to areas such as (but not limited to) open disclosure and clinical incident and complaint management. Please check the WA Health website for any updated processes since the time of this publication.

Suggested Citation:

Department of Health, Western Australia. Navigating child safe complaints management – WA health staff guidance (2023). Perth: Patient Safety Surveillance Unit, Patient Safety and Clinical Quality, Clinical Excellence Division.

Document Control:

Version	Published date
1.0	June 2023

Acknowledgments:

Clinical Excellence Division (CED) acknowledges that this document has utilised the public resources as guidance material available at the [National Office for Child Safety \(complaint handling guide\)](#) and [Commission for Children and Young People \(WA\) Child Friendly Complaint Guidelines](#). Whilst this document has utilised the above resources, this WA guidance document also includes processes and procedures specific to Western Australia.

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Introduction – why this staff guide?

The [Royal Commission into Institutional Responses to Child Sexual Abuse 2013–17 \(Royal Commission\)](#) outlined the challenges and difficulties children and young people face currently in making complaints.

In response, the [National Principles for Child Safe Organisations \(National Principles\)](#) was established in order to implement the child safe strategy. There are 10 principles which are essential for Australian organisations to implement.

The Patient Safety Surveillance Unit (PSSU) oversees the Complaints Management Policy which specifically intersects with National Principle 6 for Child Safe Organisations ([Processes to respond to complaints and concerns are child focused](#)).

It is acknowledged that there is work in progress addressing the [10 national principles](#). This guide is focused on Principle 6, supporting complaints management processes and suggestions on how staff can implement a child safe approach at a local level for complaints.

A “child rights approach”

A child-rights approach ‘**recognises, respects and protects** the human rights of children and young people in the development and implementation of laws, policies, practices and other decisions affecting them¹. These rights are set out in the Convention on the Rights of the Child, to which Australia is a signatory. The core tenets of child rights are contained in Articles 2, 3, 6 and 12.

A child friendly complaints system

Evidence does show that children and young people are considered a ‘vulnerable group’ who experience particular barriers when attempting to make complaints, accessing complaints systems and speaking up.

Regardless of how large or small the organisation is, the complaint-handling system should always seek to achieve the following:²

1. The rights, safety and wellbeing of children and young people are **promoted**.
2. Complaint-handling system is **accessible and responsive** to the needs of all children and young people and their parents/ carers.
3. Complaints are dealt with **promptly, thoroughly and fairly**.

This guide is a starting resource for health services staff to review how a child friendly complaints system intersects with the WA health system and suggested actions. It also has suggested templates and further resources on how complaints can be actioned with a child and youth focus. We encourage you to use the information below and tailor it to your specific local context.

¹ [Children's rights \(humanrights.gov.au\)](#)

²Page vii – KEY TERMS - [Complaint Handling Guide: Upholding the rights of children and young people | National Office for Child Safety](#)

What is a child focused complaint?

The Department of Health's Complaints Management Policy³ defines a complaint as an "expression of dissatisfaction by, or on behalf of, an individual consumer/carer regarding any aspect of a service delivered by an organisation."

The National Office for Child Safety (NOCS) Complaint handling guide⁴ has a similar but broader definition of a complaint as:

"Expressions of dissatisfaction about an organisation related to its:

1. Services or dealings with individuals
2. Allegations about staff conduct, volunteers, individuals engaged by the organisation
3. Another child or young person at the organisation
4. Handling of a prior concern"

See below under Policy Scope and Action for applicability between the two definitions.

Department of Health Complaints Management Policy

National Principle 6 relates to the WA health system's [Complaints Management Policy \(MP0130/20\)](#) (the Policy) of which the Patient Safety Surveillance Unit (PSSU) at the Department of Health is policy custodian. The current Policy came into effect in February 2020 and incorporates components to address Principle 6 of the National Principles both in the Policy and supporting information. Specifically:

1. Where a Health Service Provider delivers care to children and young people their **complaints management system must be child focused** in accordance with Principle 6 of the National Principles for Child Safe organisations.
2. **Page 2 – Collection of complaints** - Health Service Providers are required to collect feedback, including complaints about the services they provide, via a variety of mechanisms. These mechanisms should be visible, accessible and **appropriate to consumers and carers, including specific consumer groups** such as Aboriginal, Culturally and Linguistically Diverse, people with mental health issues, persons with a disability, **children and young people**, and LGBTIQ+ people. Feedback mechanisms may include but are not limited to email, letter, verbal, internet sources including social media and via local feedback forms/surveys.
3. **3.4 Assessment of Complaint** - Health Service Providers shall assess each complaint to determine the need to develop a **child safety investigation plan** if the complaint involves a child or young person
4. **3.9 Education and training** - Health Service Providers are required to **implement processes and systems to ensure staff are inducted and proficient in the skills required** for aspects of the complaint management process they are involved in, including complaints from specific consumer groups, such as Aboriginal, Culturally and Linguistically Diverse, people with mental health issues, persons with a disability, children and young people, and LGBTI people.

³ PAGE 9 - <https://ww2.health.wa.gov.au/About-us/Policy-frameworks/Clinical-Governance-Safety-and-Quality/Mandatory-requirements/Complaints-Management-Policy>

⁴ PAGE 4 - [Complaint Handling Guide: Upholding the rights of children and young people | National Office for Child Safety](#)

Implementing the Policy at your service

Roles and Responsibilities

To be effective, a child friendly complaints culture needs a whole of organisation approach and incorporates the following responsibilities at each organisational level.

Alongside the guiding principles in the Department of Health's Complaints Management Guideline⁵ the table below highlights roles and responsibilities as well as key items to consider as part of a child safe complaints culture.

Role	Who?	Key Responsibilities	Practical actions
Individuals	Children and Young People	<i>Feel safe</i> to speak up about their concerns	Promotional material to understand complaints process and how they can make a complaint
	Families	<i>Speak up</i> about their concerns and feel safe to do so	Promotional material to understand complaints process and how they can make a complaint
	Staff/Volunteers	Adhere to best practices ⁶ for a child safe complaints culture, policy and processes including reporting responsibilities Knowing and recognising behaviours particularly bullying	Ongoing staff education on how to manage complaints and to understand the changing landscape on any legal and/or other reporting responsibilities
Private Facilities, Non Government Organisations	Private health services	This Policy is applicable to all Health Service Providers to the extent that the requirements contained within this Policy are applicable to the services purchased from contracted health entities. Health Service Providers and the contract teams are responsible for ensuring these requirements are accurately reflected in the relevant contract and managed accordingly.	Contract managers to review contracts and align with best practices for child safe complaints processes

⁵ Department of Health's Complaints Management Guideline; Appendix 2, page 23;
<https://www.health.wa.gov.au/About-us/Policy-frameworks/Clinical-Governance-Safety-and-Quality/Mandatory-requirements/Complaints-Management-Policy>

⁶ CCYP – Checklist for staff and volunteers - [Child Safe Organisations WA | Managing staff and volunteers \(ccyp.wa.gov.au\)](https://www.ccyp.wa.gov.au)

Health Service Providers	Public Hospitals, Community health services	Compliance with the Policy Supporting staff in complaints management Supporting children, young people and their families in understanding complaints management Executive support to actively support a child safe complaints culture Promote a child safe focused complaints culture	Clear and publicly available information regarding child safe principles Promotional material from the organisation which encourages child safe principles Ongoing training, education at induction and refreshers Consider cultural considerations for vulnerable groups in materials.
Department of Health	State government	Oversight of changes required for the Policy and processes	Guidance and communicating up to date information on child safety principles.

WA health Policy - scope and action

For public services (applicability): Whilst the NOCS guideline discusses that a complaint can be any of the scenarios described earlier (page 5), the current Department of Health's complaints policy definition is about a **service** provided by an organisation. The other points may or may not fall within the Department of Health definition and thus may be required to be managed by a different policy depending on the circumstances - some suggested policies and resources are provided below.

For Private providers of public health services (applicability): The Policy is only in scope for Health Service Providers (as per public health services as defined in Section 26 the Health Services Act 2016). For contracted health services, Health Service Providers and the contract teams are responsible for ensuring these requirements are accurately reflected in the relevant contract.

What to do

- 1. Speak with your safety and quality team:** Speak with your local safety and quality consumer feedback team if there has been an event. Confirm governance and actions at a local context.
- 2. Data collection:** Note as per Policy that any type of feedback can still be lodged and it is highly encouraged to do so. It is managed in the same ICT system used for complaints management ([Datix Consumer Feedback Module](#)) and defined as a compliment, contact or concern.
- 3. Management of the event:** Follow any other complaint policies and local processes within the organisation for management of complaints. Be aware that some types of complaints or concerns will have extra reporting responsibilities to other authorities (e.g. police, child protection) in addition to local processes.
- 4. Other:** For other events that don't fall within the complaints policy scope, see below for some further guidance material.

Resources

- **WA health - Information Access Use and Disclosure Policy** - Sharing of information - [Information Access, Use and Disclosure Policy \(health.wa.gov.au\)](https://www.health.wa.gov.au/Information-Access-Use-and-Disclosure-Policy)
- **WA health - Staff misconduct** - <https://ww2.health.wa.gov.au/About-us/Policy-frameworks/Integrity>
- **WA health - Child abuse** - Mandatory reporting of child sexual abuse training policy, recognising, responding, recording and reporting - [Mandatory Reporting of Child Sexual Abuse Training Policy \(health.wa.gov.au\)](https://www.health.wa.gov.au/Mandatory-Reporting-of-Child-Sexual-Abuse-Training-Policy)
- **WA Ombudsman** – Reportable conduct scheme [Ombudsman Western Australia](https://www.ombudsman.wa.gov.au/)
- **WA Government resources on reporting** - [Safer WA for Children and Young People \(www.wa.gov.au\)](https://www.wa.gov.au/Safer-WA-for-Children-and-Young-People)
- **National Office for Child Safety** - [Complaint Handling Guide: Upholding the rights of children and young people | National Office for Child Safety](https://www.nocs.gov.au/Complaint-Handling-Guide)

Staff and Volunteers - ongoing training and education

Things to consider

Staff and volunteers are identified as important in helping a child feel safe. As per the Policy, staff should be aware of and receive training on their responsibilities around complaints management. Specifically, more targeted training for consumer groups such as children and young people are also required.

For volunteers, local policies should address and ensure that they are aware and trained in their responsibilities for complaints management for children and young people as well. It is good practice to ensure that this is periodically refreshed, as there are continual changes in this space. A staff and volunteer induction and ongoing refresher course for all staff and volunteers is recommended.

Topics include understanding a child focused complaint and how it can be different to an adult initiating a complaint and its processes, refresher on changing reporting obligations, considering all obligations from local Health Service Provider level, state agencies (health and other) and commonwealth bodies.

Below are also key considerations in training and education, specifically for children and young people. It is good practice to also discuss and obtain feedback from local consumer groups as well.

IDENTIFYING COMPLAINTS

- Knowledge of children and young people's rights, educating, supporting and empowering them to speak up.
- Implementing positive behaviours such as active connection with children, taking their concerns seriously and being non-judgmental.
- Monitoring other behaviours, particularly bullying.
- Knowledge of different ways children and young people express concerns or distress, including the disclosure of harm.
- Creating safe spaces for disclosure, as negative experiences may discourage children from speaking up. It is important to offer the opportunity of having a safe trusted adult to guide them through the complaints process.

REPORTING CONSIDERATIONS

- Know their local processes for complaints including who they can go to and who the staff can go to as well for guidance.
- Identification of which policies are applicable and govern the event.

- Any specific obligations to report to external authorities, managing disclosures. See below for ones that are common for children and young people.
 - Criminal conduct – WA Police - [How to report child abuse | Western Australia Police Force](#)
 - State Mandatory reporting to child protection agencies - [Mandatory Reporting Information and Training in Western Australia \(dcp.wa.gov.au\)](#)
 - Reportable conduct obligations to the Ombudsman - [Ombudsman Western Australia](#)
 - Other bodies (AHPRA, education, foster care) - [Australian Health Practitioner Regulation Agency - Making a mandatory notification \(ahpra.gov.au\)](#)
- Note that some reporting schemes are local and affect certain groups of professionals. Volunteers are also considered in some schemes but check from the organisations for latest updates.

DURING ANY PROCESS

- Assume the child is capable of being involved in the process and adapt accordingly (ie. ask a young person how much they would like to be involved, preference in communication styles. Likewise, a parent with a young child would mean a parent may be more involved).
- Ensure you ask children what would make them feel safe during this process – adult views of safety may differ from a child’s view.
- If a child or young person is involved in an investigation, ensure there are specific plans for their involvement, safety and wellbeing throughout.
- Sharing information and consent for child focused complaints – Consent and sharing of information is complex and dependent on the individual circumstances of the complaint. Ensure that any local guidance is not in conflict with mandatory policies such as information access and use of information. If in doubt, escalate your queries to your legal services for advice.

OTHER CONSIDERATIONS⁷

- Be aware that a child or young person may already be a vulnerable group **and** may have additional barriers in participation such as
 - Historical /current abuse, trauma
 - Legacy impact of past government policies and interventions for Aboriginal and Torres Strait Islanders and other cultures and faiths.
 - Cultural factors – fear of / abiding by authority, experiences of retribution
 - Dependency on the institutions they are complaining about (foster care)
- This includes access for staff to provide child friendly versions of materials, translated documents or understanding that certain children will have preferences on who they disclose to.
- Trauma informed approaches for front line staff handling complaints and volunteers to be trauma aware and sensitive.

⁷ Page 15 - [Complaint Handling Guide: Upholding the rights of children and young people | National Office for Child Safety](#)

Resources⁸

IMPORTANT ORGANISATIONAL FRAMEWORKS

National Office for Child Safety (NOCS) – Complaint Handling Guide

- <https://www.childsafety.gov.au/resources/complaint-handling-guide-upholding-rights-children-and-young-people>
- This 140 page document on Principle 6 outlines for organisations things to consider for a consistent approach to foster child safety and wellbeing in the complaints process. Use this as a reference guide if there is uncertainty in adapting the information at local level for inhouse training and promotional material.
- This guideline is very comprehensive and has child focused material in the document. Note that many of the complaints management principles are also best practice principles for complaints management and also present within the WA Policy frameworks – Policy and Guidance material for complaints management.
- Locally, consider how other national child safe principles may also intersect with complaints processes Principle 6 and who is responsible for implementation.

Investigations - The appendices within the National Office for Child Safety – Complaint Handling Guide have some specific checklists and tips which can be used during the investigation process.

- **NOCS Guideline Appendix J – Planning an investigation** – factors to consider Page 20 – related legal requirements for investigation, who should be involved.
- **NOCS Guideline Appendix K- Tips for interviewing** children and young people Page 21, Use this as a template for local adaptation for interviewing children

Commissioner for Children and Young People (CCYP) - Child Friendly Complaints Guideline

- [Child Safe Organisations WA | Child friendly complaint systems \(ccyp.wa.gov.au\)](http://ccyp.wa.gov.au)
- The WA Commissioner’s guidelines provide short documents to help assist organisations to support and strengthen processes surrounding complaints

Reporting Responsibilities

- **Australian Human rights commission** – These learning modules cover introductory content on all the National Principles- [E-learning modules \(humanrights.gov.au\)](http://humanrights.gov.au).
- **WA mandatory reporting online training** – This covers what is mandatory reporting in WA in regard to sexual abuse [Mandatory reporting of Child Sexual Abuse in WA | Western Australian Government \(www.wa.gov.au\)](http://www.wa.gov.au)
- **NSW practical toolkit** – A NSW toolkit designed by practitioners on training staff on understanding and responding to sexual abuse [See, understand and respond to child sexual abuse - Caseworker resources and tools | Family & Community Services \(nsw.gov.au\)](http://nsw.gov.au)

Sharing of information – considerations, principles

- **NOCS Guideline** - <https://www.childsafety.gov.au/resources/complaint-handling-guide-upholding-rights-children-and-young-people>
- **NOCS Guideline – Assessing Capacity – Page 10**
- **NOCS Guideline – Reporting Responsibilities – Page 30**

⁸ Please note that these resources are suggestions and have not been checked for recency since publication.

- **NOCS Guideline – Confidentiality and Privacy – Page 47**

Trauma informed services and vulnerable group considerations

Consider the below guidance material when creating local content for complaints management processes.

- **Cultural safety and the National Principles for Child Safe Organisations** – Documents on cultural safety for Aboriginal and Torres Strait Islanders in child safe organisations - <https://www.snaicc.org.au/policy-and-research/child-safety-and-wellbeing/keeping-our-kids-safe/>
- **CCYP VICTORIA Tipsheets for vulnerable groups**– The Victorian CCYP have tipsheets to embed cultural safety for vulnerable groups including children with disability and from culturally and linguistic diverse backgrounds. <https://ccyp.vic.gov.au/resources/child-safe-standards/#TOC-19>
- **Orygen** – Free training from a Victorian not for profit organisation outlining core concepts of trauma informed care aims and barriers in **youth health services**. [Trauma-informed care in youth health services: from principles to practice](#)
- **Trauma-informed care in child/family welfare services** - [Trauma-informed care in child/family welfare services | Australian Institute of Family Studies \(aifs.gov.au\)](#)

Promotional material – the complaints process

Below are examples of wording that can be used in promotional material (an A4 poster, a booklet, Take 5 education to provide) to assist children and young people to understand the complaints process easily. Ensure:

- ✓ A focus that one can **always** speak up, they have a **right** to do so and will be **supported**.
- ✓ They can do it in **many ways**.
- ✓ **Age and intellect level appropriate** language (below is an example of jargon free, simple language that is intended to provide just enough information but consider how a busy parent with a young child or a teenager may have different needs).
- ✓ When adapting, also involve your own **local consumer groups** to provide feedback.
- ✓ **What sort of education or programs** the organisation offers to understand the process.
- ✓ For staff, information which highlights **why children and young people have other characteristics to consider** during complaints management and where to find more information.

STAFF/VOLUNTEER INFORMATION

NOTE: This is general guidance. It is recommended that HSP adapt the material to be applicable at the local level in consultation with relevant consumer groups.

When a child wants to raise a complaint

DO YOU WORK WITH CHILDREN AND YOUNG PEOPLE?

Did you know...

Evidence shows that children and young people experience particular barriers when attempting to make complaints.

- ✓ A history of trauma can make it difficult for a child to complain.
- ✓ Children are likely to speak up if they *feel* safe, not just be safe.
- ✓ Being a dependent means they can fear the perceived consequences if they complain.

Things to consider...

- ✓ Children are likely to speak up if they know their views are valued and welcomed.
- ✓ They are likely to disclose to someone they trust.
- ✓ Think about their language and communication needs and the skills for you to handle different abilities.
- ✓ Consider factors such as disability, Aboriginal and Torres Strait Islander and diverse backgrounds, faith.

What can you do in your area?

- ✓ Ensure a safe time and place that children know they can go to.
- ✓ Be proactive in seeking out and talking about what a complaint can be, and how can they make one
- ✓ Make sure they feel their concerns are valid and feel safe (ask how you can help them to feel safe, discuss their rights to complain and reassure that they will be protected if they do complain)
- ✓ Check in regularly with your local team about training, education and refreshers in managing complaints with a child friendly focus.
- ✓ If they request someone trusted they feel comfortable with, ensure it is honoured as much as possible (eg. Gender specific, interpreters, a trusted nurse or doctor)

For more information

Name HSP Local Safety Quality team

Phone:

CHILDREN AND YOUNG PEOPLE PROMOTIONAL INFORMATION

NOTE: This is general guidance. It is recommended that HSP adapt the material to be applicable at the local level in consultation with relevant consumer groups.

Speak up!

It's always ok to speak up if you are unhappy with any care you have been given. We will always take your concerns seriously.

Remember:

- You **have the right** to make a complaint
- You **will not get in trouble** for making a complaint.
- A complaint can be **about the care you have received (or did not receive)**.
- It **does not affect the way you are treated** in a hospital or health service.

What is a complaint?

A complaint can be about anything that happened (or did not happen and should have) during your care. It could be:

1. Problems with the health service
2. Feeling uncomfortable or unsafe
3. The way you were spoken to or treated by an adult or others in the service.

Who and when can I complain?

- You can do it - don't be afraid to make a complaint about your healthcare.
- Someone trusted can help.
- It can be made at any time after the care has happened.

How do I do it?

1. **Find Support** - find someone you trust like your parent, friend or carer who can help you.
2. **Find out which service it is** – where did you receive the treatment / care?
3. **Do you want to try speaking to them first?** If yes, tell them you would like to make a complaint. Tell them why you are unhappy, what the problem is, how it made you feel and what would help to fix this. Try your best. Ask them what will happen now - who will get back to you, how long will it take, and how they will get back to you.
4. **If you prefer, you can make a complaint in writing.** Ask instead how you can lodge a complaint.

Help from other places

There are other places you can contact for help too:

- [Health and Disability Services Complaints Office \(HaDSCO\)](#) HaDSCO helps to resolve issues between you and the health service(s).
- [Care Opinion](#) is an online website which you can anonymously provide any feedback about health services– good and bad.
- [AHPRA](#) – If you are concerned about a health practitioner you can complain here too.

For more information

Name HSP Local Safety Quality team

Phone:

Email:

If you have a preferred person to speak to, let us know.

CAREGIVERS OF YOUNG CHILDREN PROMOTIONAL INFORMATION

NOTE: This is general guidance. It is recommended that HSP adapt the material to be applicable at the local level in consultation with relevant consumer groups.

Speak up for your child

It's always ok to speak up if you are unhappy with any care your child has been given. We will always take your concerns seriously.

Making a complaint on behalf of your child

- You **have the right** to make a complaint.
- A complaint can be **about the care your child received (or did not receive)**.
- It **does not affect the way you are treated** in a hospital or health service.

What is a complaint?

A complaint can be about anything that happened (or did not and should have happened) for you and/or your child during their health care.

Who and when can I complain?

- Find out which service can help you to direct your complaint.
- It can be made at any time, even after the care has happened.

How do I make a complaint?

- You can complain through many ways - online forms, email, phone, post or in person
 - When you lodge the complaint, it can be noted that you as the carer are complaining on behalf of your child.
- 1. Talk to the staff first**
We encourage you to speak and make a complaint directly to the staff first who were involved - tell them why your unhappy, what the problem is and how it's made you feel and what would help to fix this.
 - 2. Next steps**
Ask them what will happen now, who will get back to you and how long it can take. Make sure you ask how they will get back to you too.
 - 3. Make the complaint in writing**
If you feel it was not resolved by talking to the staff directly, you can write to the service and make a complaint.

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OTHER PROMOTIONAL INFORMATION

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What should I write in a complaint?

- **Date and name** of the health service
- **Address** the letter to the area
- **Introduce** yourself as the carer and anyone else (ie. your child) you are making the complaint on behalf of
- Write out your **experience**
 - try keep the events in order of how things happened
 - how has it made you feel.
 - put it in dot points if that makes it easier.
- What you would like **achieved** – an explanation? apology? refund?
- Tell them how you would like them to **respond** to you – email, phone, in person?
- Sign off – it can be from you only or from someone you trust as well

There are further resources in the [Health Consumers Council Individual Advocacy Section](#) as well to guide you.

What do WA health services do with complaints?

- The [WA Complaints Management Policy](#) are the rules in WA about public health care complaints.
 - Your complaints are acknowledged within five working days.
 - Your complaint is looked into and ways to solve it are completed in 30 working days.
 - If the matter cannot be resolved within three months, it will be escalated within the service.
 - If there are delays, the service will let you know.

This document can be made available in alternative formats on request for a person with disability.

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