



DAUGHTERS OF
OUR LADY OF THE SACRED HEART
AUSTRALIAN PROVINCE

**COMPLAINTS HANDLING
POLICY**

2023

Purpose

The Daughters of Our Lady of the Sacred Heart ('**OLSH**') believe that all children and adults have the right to make a complaint or raise a concern when they are dissatisfied by actions or inactions of Sisters, employees, volunteers or contractors, or the services they provide. OLSH is committed to supporting all persons involved when a complaint is raised, including the alleged victim, witness(es), and the subject of the allegation. OLSH is committed to confidentiality and transparency in all complaints handling, as well as promoting positive and harmonious workplace relationships.

Scope

This Policy applies to OLSH, their employees, volunteers and contractors engaged across the Congregation in Australia.

Policy Review

This Policy is reviewed every 3 years and is checked against any associated relevant legislation.

Policy Statement

1. OLSH emphasises a holistic and trauma informed approach to complaints handling that understands people have specific needs and require a response that fits their needs. OLSH ensures complainants are:
 - provided with information about the complaint handling process.
 - provided with a number of accessible ways to make complaints.
 - listened to, treated with respect by OLSH, and actively involved in the process where possible and appropriate.
 - provided with reasons for decisions and any options for redress or review.
2. OLSH's complaints process must be accessible to all Sisters, partners in ministry and community members with whom OLSH engages, including children and adults at risk.
 - OLSH will provide information about how and where complaints can be made in a variety of ways including but not limited to:

- website;
 - social media profiles;
 - personal interaction i.e., informing those with whom we engage about the complaints process, and
 - displayed at any physical sites where OLSH engages with the wider community.
- OLSH will provide children and adults at risk with complaint forms and information in suitable formats about how to make a complaint.
 - Where necessary, OLSH will assist with providing access to interpreters.
- 3.** OLSH will take all complaints seriously.
- OLSH will act with fairness and impartiality to ensure all complaints are assessed as soon as practicable, with a goal of investigating and where possible resolving all complaints.
 - OLSH will accept anonymous complaints and will work to investigate them where there is enough information provided.
- 4.** OLSH is committed to continuous improvement.
- OLSH will utilise the learnings acquired during the complaints process to improve policies, procedures and practice, and to better identify key roles and responsibilities.
 - OLSH will improve the complaints handling process where a need to do so is identified.
- 5.** Anyone can make a complaint or provide feedback without fear of repercussions.
- OLSH will endeavour to ensure that a person making a complaint does not suffer adversely because they have made a complaint. OLSH acknowledges that it is often easier to not come forward with a complaint.
 - All complaints will be treated in the strictest confidence. Only those who need to know will be informed of a complaint.
- 6.** Safeguarding:
- OLSH will ensure that all people who wish to make a complaint are listened to, treated with respect, their concern is acknowledged, and they are provided with information and support, including referrals to other agencies, when appropriate or requested.
- 7.** Where a complaint relates to a child or adult at risk, their wellbeing or safety, OLSH will ensure all external reporting obligations are met without delay.

Roles and Responsibilities

Role	Responsibility
Provincial Leader	<p>The Provincial Leader is responsible for:</p> <ul style="list-style-type: none"> • Convening the Safeguarding / Professional Standards Committee. • Implementing the process for standing a Sister down during an investigation, if deemed necessary. • Assisting and providing oversight to the Safeguarding Coordinator with the complaint handling process.
Safeguarding Coordinator	<p>The Safeguarding Coordinator is responsible for:</p> <ul style="list-style-type: none"> • The handling of complaints related to the safety of a child or adult at risk that are received through the complaints handling process. • The handling of historical allegations of abuse of a child or adult at risk that are received through the complaints handling process. • Reporting complaints to the Provincial Leader immediately. • Ensuring all reporting obligations are met and comply with the relevant legislation.
All Sisters	<p>All Sisters are responsible for:</p> <ul style="list-style-type: none"> • Maintaining vigilance in safe practices according to the relevant policy and code of conduct. • Understanding their reporting obligations for the jurisdiction in which they live or minister. • Following the procedures on the telephone guidance sheet without delay.
All Employees	<p>All Employees are responsible for:</p> <ul style="list-style-type: none"> • Maintaining vigilance in safe practices according to the relevant policy and code of conduct. • Understanding their reporting obligations for the jurisdiction in which they work. • Reporting complaints to the Safeguarding Coordinator or Provincial or Community Leader without delay.
All Volunteers	<p>All volunteers are responsible for:</p> <ul style="list-style-type: none"> • Advising the coordinating person for the role they perform with regard to concerns or complaints received regarding safety of children or adults at risk.

Appendix 1: Complaint Handling Procedure

1. Receiving a Complaint

- 1.1. Complaints may be made to OLSH in the following ways:
 - a. Via email
 - b. Via post
 - c. Via telephone
 - d. Using our complaints form
 - e. Using our 'easy read' complaints form
 - f. In-person
- 1.2. Upon being notified of a complaint OLSH will:
 - a. Receive details about the complaint and any supporting information.
 - b. Determine contact information for the complainant.
 - c. Identify issues raised by the complainant and the desired outcome.
 - d. Identify any support that may be required for the complainant.
 - e. Log the complaint into our Complaint Register.
 - f. Where a complaint relates to the safety and wellbeing of a child, immediately notify the Provincial Leader or, in her absence, the Safeguarding Coordinator.
- 1.3. If any Sister in the Congregation receives a complaint from a caller on the telephone, from someone she meets socially or in the course of her ministry, she will listen with empathy and refer the person to the Safeguarding Coordinator who will then advise the Provincial Leader.

Where possible, the person who receives the complaint will address the issues at receipt. Some complaints may be immediately and easily rectified. Where this is not possible, complaints will be addressed in a timely manner.

2. Acknowledging a Complaint

- 2.1. OLSH will endeavour to acknowledge complaints within 48 hours (2 business days) of receipt but no later than 5 business days following a complaint notification. The acknowledgement will be offered in writing (including email) or via phone, depending on the most appropriate medium for contacting the complainant.
- 2.2. Where a complaint has been made that relates to the abuse or neglect of a child, OLSH will, as soon as practicable and/or within the relevant reporting time frame requirements, report this to the appropriate external authorities e.g., Police/ Reportable Conduct Scheme/Child Protection.

3. Assessing a complaint

3.1. The complaint will be assessed to determine:

- a. If the complaint raised is within the control of OLSH, as the responsible authority (e.g., some complaints may relate to a volunteer organisation, another church authority or incorporated entity).
- b. Whether the complaint relates to the health or safety of a child or young person.
- c. Where a complaint has been made relating to the health, safety or wellbeing of a child or adult at risk, an initial risk assessment will be conducted to identify and minimise risks e.g. where a complaint of alleged abuse has been made about a member of the Congregation, that person will be excluded from engagement with children and adults at risk while the complaint is being considered/investigated.
- d. Whether a report must be made to an external agency e.g., Police, Reportable Conduct Scheme or other authorities.
- e. Whether more information is required to continue an investigation or determine an appropriate outcome.
- f. The impact on the complainant.
- g. A timeframe for resolving the complaint.
- h. The correct role/person to manage the complaint.

4. Addressing a Complaint

4.1 In addressing a complaint, OLSH may:

- a. Offer an apology, information or explanation to the complainant.
- b. Seek information from the area and/or person/s that the complaint has been made about.
- c. Investigate the claims made in the complaint.
- d. Where a complaint has been made that relates to the suspected abuse or neglect of a child or adult at risk, OLSH will work in cooperation the relevant external bodies to investigate the complaint e.g., Police, State-based reportable conduct schemes, child protection authorities
- e. Where a complaint has been made that relates to a historical allegation of child abuse, OLSH will work in cooperation with external agencies e.g., Police/State-based reportable conduct scheme. They will assist the complainant to make a claim, if appropriate.
- f. Where a claim has been made directly through the National Redress Scheme, OLSH will participate in the Direct Personal Response process and work in cooperation with any external bodies that are required to be notified as a result of the claim, e.g., Police or State-based Reportable Conduct Regulator.

- 4.2 Throughout the process, OLSH will keep the complainant informed of the process and alert them to any changes to the timeline for resolution. OLSH will be led by the complainant on the medium for communication. Ordinarily, to enable a person's complaint to be addressed effectively and in good time, the Safeguarding Coordinator will liaise with the person making the complaint, the person against whom the complaint is made, and the relevant Office for Professional Standards (where applicable).
- 4.3 The Provincial Leader will ensure that a sister, employee, volunteer or contractor who is the subject of a complaint is given ongoing pastoral, psychological, spiritual and legal support throughout the process, as appropriate.

5 Determining the Outcome of a Complaint

- 5.1 Following consideration of a complaint, OLSH will identify the most appropriate outcome:
- a. *Substantiated*: there is sufficient evidence to support that the conduct occurred as alleged.
 - b. *Unsubstantiated – Insufficient Evidence*: There is insufficient evidence to support that the conduct occurred as alleged.
 - c. *Unsubstantiated – Lack of evidence of weight*: There is little evidence of weight outside the allegation itself to support that the conduct occurred as alleged.
 - d. *False* – There is clear evidence that shows the alleged conduct did not occur.
- 5.2 Where OLSH has reached an outcome, OLSH will contact the complainant and inform them of:
- a. The outcome of the complaint and the action taken (where possible).
 - b. The reasons behind the decision.
 - c. Changes/resolutions/risk management strategies proposed or put in place.
 - d. Any options for review (internal and external) that the complainant may seek if they are not satisfied by the outcome.

6 Pastoral Support

- 6.1 When an issue of complaint has been resolved, sisters are encouraged to continue a pastoral relationship with the person who has made a complaint, if the person wishes this and if the Provincial Leader, in consultation with all concerned, considers this to be appropriate, having considered any risk and the wellbeing of all parties.

7 Record Keeping and Confidentiality

- 7.1 Every sister and anyone associated with OLSH who is involved in receiving or addressing a complaint will respect the privacy and confidentiality of the person making the complaint.

7.2 Throughout the complaints process OLSH will keep contemporaneous, confidential notes about:

- a. How a complaint has been managed including any issues, barriers or delays.
- b. The outcome of the complaint including whether a complaint or elements of a complaint have been substantiated; recommendations made to address risks identified throughout the process, and decisions made on those recommendations.
- c. Responsible parties and due dates for follow-up actions/recommendations.

7.3 Any records of complaints related to concerns for children or adults at risk, or child abuse allegations (including historical allegations) will be maintained and stored securely indefinitely (but for no less than 50 years).

Appendix 2: Feedback and Complaints (General)

OLSH welcomes feedback, suggestions, compliments or expressions of dissatisfaction with the complaints handling process. Your feedback is important to us and will be used to help to improve our practice.

Complaints

Anyone who has come into contact with a ministry or service provided by OLSH and has reason for concern can make a complaint, either personally or where appropriate, using an advocate.

All complaints will be treated fairly, efficiently and transparently and will be responded to in a timely manner. We will treat all matters confidentially and in accordance with the *Privacy Act 1998*, except where we believe that the safety or wellbeing of someone is at risk, or we are required by law to report.

A person can make a complaint in the following ways:

- Our Child-Friendly Complaints Form can be accessed through the Daughters of Our Lady of the Sacred Heart website – www.olshaustralia.org.au
- Phone 02 9663 3599 and ask to speak to the Safeguarding Coordinator or email safeguarding@olshaustralia.org.au
- You can also make a complaint in person at any of the locations in which you engage/d with us.
- We may need to contact you about your complaint, so please provide your name and contact details. For anonymous complaints we will endeavour to follow our complaints handling policy with the information you have shared with us.

Information

Document version 2 prepared in April 2023 and authorised by the Provincial Leader of The Daughters of Our Lady of the Sacred Heart, Sr Philippa Murphy.

For any questions or feedback, please contact:

Safeguarding Co-ordinator
Daughters of Our Lady of the Sacred Heart
Provincial House
2 Kensington Road
KENSINGTON NSW 2033

Phone: 02 9663 3599

Email: safeguarding@olshaustralia.org.au

Website: www.olshaustralia.org.au