



Child-centred Complaints Handling

Best Practices
Guide

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Published by the Policy and Advocacy Unit, CREATE Foundation.

A PDF version of the document can be downloaded from: create.org.au/publications

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CREATE acknowledges the Australian Aboriginal and Torres Strait Islander peoples of this nation. We acknowledge the traditional custodians of the lands on which our company is located and we pay our respects to them, their culture, and to Elders past, present and future.

Best Practices Guide: Child-centred Complaints

Handling

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About CREATE

CREATE Foundation (CREATE) is the national consumer body for children and young people with an out-of-home care experience. We represent the voices of over 45,000 children and young people currently in care, and those who have transitioned from care up to the age of 25.

Our vision is that all children and young people with a care experience reach their full potential.

Our mission is to create a better life for children and young people in care.

To do this we:

Connect children and young people to each other, CREATE and their community to

Empower children and young people to build self-confidence, self-esteem, and skills that enable them to have a voice and be heard to

Change the care system, in consultation with children and young people, through advocacy to improve policies, practices and services and increase community awareness.

We achieve our mission by facilitating a variety of programs and services for children and young people in care and developing policy and research to advocate for a better care system.

CREATE has extensive experience in working and consulting with children and young people in care and has previously undertaken significant consultation processes informing the development of major government policies. CREATE is committed to consulting with children and young people with a care experience, in a way that enables them to have their voices heard, empowers them, and values their unique, individual experiences.

Introduction

The act of making a complaint is a basic human right—irrespective of age—to feel safe, have a voice, and be treated with dignity and respect as outlined in the United Nations Convention on The Rights of the Child (UNCRC, 1989, Articles 2, 3, & 12). In addition to this, the United Nations Guidelines for the Alternative Care of Children (2010), Condition 99 states *‘children in alternative care should have access to a known, effective and impartial mechanism whereby they can notify complaints or concerns regarding their treatment or conditions of placement.’*

CREATE’s position on complaints

CREATE Foundation (2015) believes listening and responding to the views of children and young people in out-of-home care systems is a cornerstone of best practice. A well-functioning child protection system is underpinned by an independent, transparent, child-and-young-person-friendly, accessible and responsive complaints mechanism. Independent oversight of out-of-home care systems is essential to ensure children’s and young people’s individual and systemic concerns are heard and addressed. CREATE Foundation believes that an ideal complaints mechanism would have the following characteristics:

- Safe, open, and independent of the providers of out-of-home care;
- Easy to access online or face-to-face for children and young people;
- Allows a support person to accompany a child or young person at any face-to-face meetings;
- Includes individual advocacy services to have complaints resolved;
- Provides a timeline noting expected dates for reporting and/or resolution of the matter; and
- Reports on systemic advocacy issues to improve the care experience for all children and young people.

(CREATE Foundation, 2015, p. 1)

What children and young people tell us

The knowledge and voices of children and young people with a care experience drive CREATE's work and research. A common theme in our research reports is that complaints systems are not user-friendly, children and young people feel like their voices aren't heard, or they do not know how to make a complaint, or who to submit their complaint to.

In 2019, CREATE's *Voices in Action (ViA)* conference brought together young people, carers, service professionals, and decision-makers to learn from each other and workshop key issues to improve the lives for children and young people with a care experience. The complaints advocacy workshop sought the views of young people on how to create a responsive complaints system by asking the question, *"how do we ensure young people are supported to tell their story, and that it is always at the centre of all responses to complaints they may be sharing?"* This workshop canvassed many issues, ideas and concerns regarding people's experiences within navigating complex complaint systems, ramifications when complaining or providing feedback, and needing additional information and support during the process.

When asked how the complaints process could be improved, many ViA conference participants responded with *"ask us and listen"* or *"listen and adapt."* The problem of not being listened to prompted one young participant to say, *"If the first person doesn't listen, keep going until someone does listen."* Another participant suggested that listening and being heard often fails at the first level of reaching out to someone. One young participant expressed the need for service providers, advocates, and department staff to find, *"different ways of walking through the complaints process"* with young people so they feel more supported to use the service (CREATE, ViA Conference, 2019). In addition to this, gatekeeping and adult-controlled processes meant that some children and young people did not even know what a complaints process was: *"I didn't know I could make complaints. I tried to speak to the Department of Child Protection but every time I did, they just moved me. I was moved a lot in houses, from two weeks up to one year."* (Young Participant, CREATE ViA Conference, 2019). Others stressed the need for complaints to be promoted in a more positive way; they perceived that making a complaint was often seen by adults as a form of troublemaking, rather than advocacy.

Key themes from the workshop were the need for support; alternate communications and methods to make complaints; the right to access information; accessible language; simplification of the complaints

processes; transparency; caseworkers' training and no repercussions for people who made complaints.

CREATE appreciates that the people who work with and care for children and young people in out-of-home care, have a genuine interest in providing quality services and care. This Best Practice Guide has been informed by the voices from our conference workshop combined with other research to help you and your organisation develop child-friendly complaints and service improvement processes.

What is the benefit of an effective complaints system?

Developing complaints and feedback mechanisms that are child-centred and user-friendly delivers multiple benefits:

- Delivers on the child's rights and participation
- It is clear and easy to use
- Improves relationships and trust between children and their carers
- Everybody understands who is involved and the role they play
- Provides consistency and clarity
- Creates a safer environment for children and young people, and reduces incidents and issues for organisations and carers
- Improved systems that swiftly address and/or prevent issues
- Saves time and prevents frustrations for everyone.



Principles for a good complaints system

The eight principles below are essential elements for a good complaints system:

1. Use language that is easy to understand and jargon free

Best practice tips:

- Easy to understand – not everyone's reading levels and ages are the same
- Free from legal jargon and complex terms
- Shares and collects information in simple and flexible ways
- Respectful and does not dumb things down – just make it easy to use
- Strength-based and uses inclusive and empowering language to encourage people to provide information
- Use other words to describe complaints, like 'Feedback', 'Comments' and 'Have your Say' to encourage children and young people to share their information.

2. Train staff receiving complaints to respond appropriately and empower children and young people to speak up

Best practice tips:

- LISTEN – not all complaints are raised formally first and staff need to know how to respond
- Train staff/carers in how to deal with complaints in the right way – do not take it personally
- Focus on the person in front of you and not what the file says – they are not the same
- Remember it is what the child or young person thinks is wrong – not the system/caseworker saying what is wrong
- Be aware of child's rights and put them into everyday practice
- Always see every complaint as an individual one and take it seriously
- Involve young people in training workers
- Have consistent training across the organisation and state so people know what is available and provide consistent advice
- Refresh training regularly

- Centralise information and training resources, use regular reminders and screen savers for tips and great idea sharing across teams
- Build complaint/feedback response times and outcomes into KPIs and improvement systems
- Encourage accountability for actions and ways to improve.

3. Provide support or access to an independent support person during complaints process

Best practice tips:

- Child/young person should have the choice of having a support person, who it is and how and when they are supported
- Support should be available to all children in care –no matter what
- Support should be reliable and consistent – including meeting times and availability
- Discussions should be non-judgemental and issues raised should not be used against the young person
- Independent – someone who is not taking sides –this prevents bias and complications
- Be culturally sensitive and match the support person's experience to the young person's needs.

4. Prioritise complaints, follow up in a timely manner and inform young people when the complaint is finalised

Best practice tips:

- Respond and action promptly – prioritise safety and welfare issues
- Own the issue and the resolution – keep track of where it is, follow up and seek outcome
- Remember children and young people experience time differently to adults
- Keep the child/young person in the loop – the progress, any delays and THE OUTCOME!
- Remember not all complaints happen during business hours – have after-hours options available.

5. Promote and display information on how the system works and who to speak with about any issues

Best practice tips:

- Display information on the process in many locations and forms
- If the process is across departments and people, make this process behind-the-scenes and not for the child/young person to navigate
- Keep information up-to-date and make sure contacts are current
- Have information in different formats to suit needs of children and young people – and in accessible language and audio versions
- Let people know their rights and what to expect including timeframes for responses
- Use a “No Wrong Door” approach to complaints/feedback collection.

6. Develop simple, user friendly and culturally inclusive complaints processes

Best practice tips:

- Keep it simple and easy to follow
- Involve children and young people in development and review of processes
- Use a One-stop-shop to making a complaint –internally refer issue
- No ‘Hot Potato’ – minimise referrals
- Offer private places to share information and complaints independent from caseworker/carer if necessary
- Tailor resources, methods and practises to suit who is in care
- Develop culturally inclusive processes and practices
- Match the process to the age group and needs of the child/young person.

7. Offer multiple options to make complaints and encourage feedback

Best practice tips

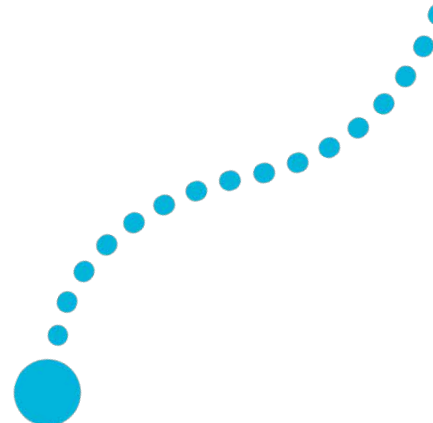
- Use multiple forms of media to communicate complaints and feedback process

- Appreciate not everyone feels comfortable providing feedback face-to-face and offer other ways to share feedback/make a complaint like online, phone, text, drawings and video
- Offer verbal and written ways to make a complaint
 - including voice-to-text options
- Offer a communications diary for people who prefer to write things down
- Make a storybook so young people do not have to tell their story again
- Use satisfaction surveys and regular check-ins as other ways to share how people are feeling and tracking.

8. Ensure safety and no ramifications for those who speak up

Best practice tips:

- People should not be made to feel bad or guilty for speaking up
- Do not let previous complaints determine or impact impressions of young people
- Results of complaints should not blow back or punish the young person who made them
- Ensure the complaint investigation process is confidential and sensitive to the care situation.



Monitoring and evaluation

Open reporting and monitoring of complaints and feedback is essential, and this transparency encourages children and young people to have a say. Remember receiving complaints and feedback does not necessarily mean everything is wrong. While it does show areas for remedy and improvement, it should also be seen that the complaints system is working, demonstrating children and young people feeling safe to raise issues and share information.

Good systems improvement is founded on learning from the complaints and implementing changes to address issues identified. Proactively seeking children and young people's feedback, both good and bad, shows that they have a say and that people are interested in what they say. Young people's experiences of the complaints process should be canvassed (i.e. their level of satisfaction with the process) to inform complaints authorities of how their system is meeting their needs. This can be done through online surveys and checking in post-resolution of the complaint.

Conclusion

Good complaints processes are respectful. This means that they are easy to use and responsive to the needs of the children and young people using them. Staff working with children and young people in out-of-home care should be aware that trusting people can sometimes be hard, and that your tone, attitude and speed of response all contribute to how comfortable a child feels to make a complaint or raise an issue.

LISTENING is so important, and meaningful engagement may prevent or reduce how many issues are taken further to the complaints process.

Follow up on areas that may be mentioned during check-ins or conversations BEFORE they become big issues with people left feeling unheard. Sometimes this can be testing the waters to see how you respond and if you can be trusted, before the child/young person feels comfortable to share other issues.

Recording information needs to be factual and respectful. Communicate openly and be transparent with what has been shared, so the child/young person is fully aware. Also remember the files are records of their lives and will potentially be read by them in future years.

For children and young people, raising issues about where they live is important, and they factor in the potential consequences for them, which go far beyond a workplace situation. This is their home, their lives and their future and all discussions and complaints should be handled promptly and mindfully.



Resources and References

Rights-based mechanisms

Relevant rights-based mechanisms for best practice

United Nations Convention on the Rights of the Child

[unicef.org/child-rights-convention](https://www.unicef.org/child-rights-convention)

United Nations Guidelines for the Alternative Care of Children

[unicef.org/protection/alternative_care_Guidelines-English.pdf](https://www.unicef.org/protection/alternative_care_Guidelines-English.pdf)

United Nations Declaration on the Rights of Indigenous Peoples

[un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html](https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html)

Aboriginal and Torres Strait Islander Child Placement Principle

[snaicc.org.au/wp-content/uploads/2017/07/Understanding_applying_TSI_CCP.pdf](https://www.snaicc.org.au/wp-content/uploads/2017/07/Understanding_applying_TSI_CCP.pdf)

State based Complaints contacts

[create.org.au/something-not-right-speak-up](https://www.create.org.au/something-not-right-speak-up)

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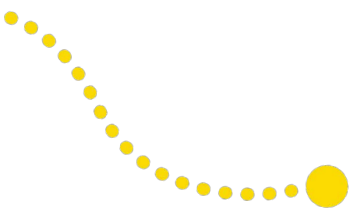
[app/uploads/2018/02/14433_OCO_child-centred-complaints_covers_WEB-1.pdf](https://www.oco.ie/app/uploads/2018/02/14433_OCO_child-centred-complaints_covers_WEB-1.pdf)

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[unicef.org/child-rights-convention/convention-text](https://www.unicef.org/child-rights-convention/convention-text)

United Nations. (2010). Guidelines for the Alternative Care of Children (64/142). The United Nations General Assembly.

[unicef.org/protection/alternative_care_Guidelines-English.pdf](https://www.unicef.org/protection/alternative_care_Guidelines-English.pdf)



Principles for a good **complaints system**: Key messages from children and young people with a care experience.

CREATE appreciates the people who work with and care for children and young people in out-of-home care, have a genuine interest in providing quality services and care. This poster and accompanying Best Practice Guide have been informed by the voices from our 2019 Voices in Action conference workshop combined with other research to help you and your organisation develop child friendly complaints and service improvement processes. The eight principles below are essential elements for a good complaints system:

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4. Prioritise complaints, follow up in a timely manner and inform young people when the complaint is finalised
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7. Offer multiple options to make complaints and encourage feedback
8. Ensure safety and no ramifications for those who speak up

Key Messages from Young People at the 2019 ViA Conference:

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"Become creative in delivering information to young people. Use the young person's preferred method of communication."

"Always see every complaint as an individual one... Take it seriously."

"Have a culture around it being positive to actually complain. A complaint shouldn't be a mark against your name."

"Walk with us through the process... Having someone who isn't on anyone's side prevents bias and complications."

Appendix

CREATE has developed the below resource to highlight the key messages of this guide. Please head to create.org.au to download this resource.