



procedure

abuse or harm complaints

Document number	POL-2265	Approval date	8 November 2024
Approved by	Chief Executive Officer	Next review date	8 November 2026
Document owner	Safeguarding and Investigations Officer		
Applies to	All yourtown		

Table of Contents

flowchart	2
purpose	2
scope	2
commitment	3
responsibilities	3
Receiving the complaint of abuse or harm	3
Team members	3
People Leaders and yourHeads	3
Assigning a Complaints Manager	3
yourHeads	3
Complaint or alleged abuse or harm investigation	3
Complaint Manager	3
Team members	4
Police or other authority	4
procedure	4
1. Assess the nature of the complaint	4
2. Develop an investigation plan	5
Allegations referred to the police or other authority	6
3. Carry out the investigation (non-police/authority reports)	6
Investigation principles	6
4. Close the investigation, record, and report final findings	7
5. Close the loop and embed change	8
Close the loop	8
Embed change	8
consequences	9
records management	9
reference and related documents	9
governance	9
terms and definitions	10
document review details	10

abuse or harm complaints	DN:	POL-2265
COMPANY CONFIDENTIAL Correct when printed from the Document Portal. Printed documents are uncontrolled.		Page: 1 of 10

flowchart



purpose

This procedure informs on processes that must be followed when receiving a complaint and conducting an investigation into an abuse or harm allegation as a result of **yourtown**.

yourtown acknowledges that each allegation requiring a response and possible further workplace and/or disciplinary action will be different. This procedure has been developed to advise how investigations, specifically internal workplace proceedings, should be conducted.

scope

This procedure applies to the management and investigation of all abuse or harm complaints or allegations received by **yourtown** about **yourtown** (recent or historical).

All client incidents (including complaints) are taken seriously by **yourtown** and are managed and investigated as per relevant external and internal governance requirements.

This procedure does not apply to disclosures, allegations or observations of abuse or harm received by **yourtown**, that are unrelated to **yourtown**. These should be managed or responded to under **yourtown** Duty of Care or Mandatory Reporting requirements.

For the purpose of this procedure a 'complaint' is a broad term used to define the many ways **yourtown** may receive an allegation of abuse or harm.

abuse or harm complaints	DN:	POL-2265
COMPANY CONFIDENTIAL Correct when printed from the Document Portal. Printed documents are uncontrolled.		Page: 2 of 10



commitment

[Royal Commission into Institutional Responses to Child Sexual Abuse Report \(2017\)](#)

demanded both clarity and consistency in the way allegations of abuse are responded to and investigated.

yourtown's has a 'no wrong door' approach to feedback or complaints, and this is communicated widely, across the **yourtown** community.

Allegations of abuse or harm may be received by **yourtown** in any way.

yourtown is committed to providing complaints systems that is accessible to all people, particularly children, young people, and adults at risk and their representative/s.

responsibilities

Receiving the complaint of abuse or harm

Team members

To understand responsibilities of the 'first responders', i.e., team members that are the first to receive a complaint or abuse or harm allegation, please see **yourtown**'s [Complaints Handling Guideline](#).

All allegations or complaints of abuse or harm as a result of **yourtown** must be:

- taken seriously,
- receive an appropriate immediate response,
- be escalated to an appropriate leader, and
- be recorded in QIS (see [Feedback and Complaints Guideline](#))

People Leaders and yourHeads

People leaders are responsible for ensuring that their team/s are aware of their responsibilities and are appropriately trained in complaint handling (including allegations against **yourtown** of abuse and harm).

People leaders are responsible for ensuring the right owners have been included in the QIS FACT, reviewing and escalating complaints of alleged abuse or harm as per [Feedback and Complaints Policy](#) and other relevant policies, such as the Performance Management Policy.

Assigning a Complaints Manager

yourHeads

yourHeads are responsible for:

- identifying relevant governance
- identifying other department stakeholders
- determining the need to initiate an abuse or harm investigation and if further escalation is required
- assigning an appropriate Complaints Manager
- directing team members and stakeholders on engagement with Complaints Manager.

Complaint or alleged abuse or harm investigation

Complaint Manager

The Complaint Manager is responsible for:

- taking over management of the complaint once escalated and assigned

abuse or harm complaints	DN:	POL-2265
COMPANY CONFIDENTIAL Correct when printed from the Document Portal. Printed documents are uncontrolled.		Page: 3 of 10

- investigating the complaint
- following the investigation processes outlined in this policy
- identifying the primary objectives of the investigation in relation to legislation in the relevant jurisdiction
- ensuring any historical abuse or harm allegations or complaints relating to **yourtown** ministry staff are escalated immediately to the CEO
- ensuring any criminal allegations or reportable conduct allegations are managed in accordance with **yourtown** Reportable Conduct Policy and reported to the police and/or appropriate authorities.

NOTE: If reported, the police will determine the investigations process and advise on any steps to be taken.

The Complaint Manager should also have regard to People and Culture policies and processes and consult People and Culture, where relevant, during the investigation of the complaint.

Team members

yourtown team members are required to cooperate with the complaint investigation process and all requests for information, with appropriate regard to privacy and confidentiality requirements.

Police or other authority

It is the role of Police and statutory authorities to investigate criminal allegations of child abuse. If an allegation relates to criminal conduct and has been reported to police, **yourtown** must not start their own investigation until police have advised **yourtown** they can proceed.

It is the role of Lasallian District to follow up with and manage any historical allegations of abuse or harm by ministry staff. If an allegation meets this criteria **yourtown** would play a supporting role only and must be guided by District Policies and Procedures.

procedure

1. Assess the nature of the complaint

On being assigned a complaint, the Complaint Manager must:

- Assess and clarify the nature and severity of the complaint
- Identify any power imbalance and conflict of interest that exists and ensure that care and attention is given to ensuring effective management
- Conduct an initial risk assessment to identify any potential risk, what mitigation strategies have already been implemented and any additional strategies that may be necessary in the immediate, short, and longer term.
- Consider external governance requirements for conducting alleged abuse or harm investigations and whether the matter needs to be referred to an external authority (see governance section).
- As soon as practicable, advise members of the Safeguarding Committee/Safeguarding Committee Chair of all allegations of sexual abuse and/or serious misconduct.

When conducting an initial assessment of the nature of the complaint, the Complaint Manager must:

- 1.1 Review all details recorded at the initial receipt of the complaint, including:
 - what happened,

- how it happened,
- where it happened, and
- who was affected.

1.2 Assess the nature of the complaint including:

- Any risks relating to children, young people or adults at risk and consider the following:
 - does the child/ren, young person/s or adult/s at risk require specific protection and personal, therapeutic, or emotional support?
 - is the welfare of the child/ren, young person/s, or adults at risk, threatened?
 - is there a risk of self-harm?
- Any specific communication, cultural, gender, disability or other support needs of people involved that must be considered before an investigation commences?
- Is there an appropriate adult in the child or young person's life that is able and willing to support them through the investigation process, or do they need an independent adult to support them?
- Any risks relating to **yourtown** team members and consider the following:
 - do they require any personal support?
 - should they remain in their current position?
 - People and Culture and the relevant Department Head are responsible for determining an appropriate course of action in relation to this matter.
 - The Complaint Manager must refer this consideration to them for action where relevant.
- Any risks relating to other persons and consider the following:
 - what changes need to be actioned to ensure the safety and wellbeing of those who may have witnessed or are aware of the allegation.

1.3 Consider any mandatory reporting obligations or reportable conduct scheme obligations. For further guidance, refer to **yourtown**'s Reportable Conduct Scheme Policy.

1.4 Where the complaint relates to an incident, consider whether the incident requires containment. If so, the Complaint Manager will need to implement containment strategies to minimise harm or risk of harm to others.

1.5 Assess whether the complaint evidences a pattern of inappropriate or concerning behaviours related to **yourtown** team members or the behaviour of third-party providers.

1.6 Where allegations relate to team members, have People and Culture been notified to ensure appropriate processes are followed and actions taken? Where allegations concern third party providers, the Complaint Manager must advise the Procurement Manager to ensure they maintain oversight of all complaints and their resolution.

2. Develop an investigation plan

2.1 The Complaint Manager must develop an investigation plan to determine the purpose of the investigation. The plan should include:

- how they will conduct the investigation
- who needs to be notified, and
- any immediate action that needs to be taken.

2.2 The investigation plan forms a critical component of internal record keeping and at a minimum must include:

- what **yourtown** intends to do
- who is responsible for doing what
- why it is being done

- how it will be done, including how all persons involved will be kept updated, informed and engaged in the process and their rights respected
- a timeline of milestones and deliverables
- what information needs be gathered
- when the investigation needs to be completed by
- when/who to contact to provide information to the complainant and/or their supporter about the progress of the investigation, findings and action taken in response to the findings
- when a final risk assessment will be conducted and how/when mitigation strategies will be implemented.

Allegations referred to the police or other authority

Where an allegation has been referred to the police or other authority, the **yourtown** investigation must not proceed until advice has been received indicating the investigation can be either resumed or closed. The police or authority body are responsible for determining investigations' processes reported to them, and for advising on future steps.

Where a matter is reported to the police, the Complaint Manager must inform the complainant that the matter has been referred to the police and that the police will undertake the investigation process.

3. Carry out the investigation (non-police/authority reports)

Investigation principles

The Complaint Manager will undertake the investigation in accordance with the investigation plan having regard for the following principles:

3.1 Confidentiality and record keeping

- The investigation process must preserve the safety, dignity and wellbeing of children, young people, adults at risk, all clients, team members and third parties.
- All documentation related to the investigation process must be stored securely with access limited to those involved in the investigation process.
- When interviewing witnesses and gathering information, the need for confidentiality must be stressed with all parties involved.
- Records of interviews must be read, signed (either electronically or physically), and dated by the witness and/or their supporter. Support must be offered to witnesses to assist in understanding or reviewing the records they have provided as required in accordance with their age, developmental needs, cultural, disability or other identified need.
- If the witness and/or their supporter refuses to sign the record of the interview, the Complaint Manager must record both the request and refusal to sign, and where possible, the reason.

3.2 Procedural fairness and natural justice

- Where the complaint involves an allegation against **yourtown** team members, the affected team member has a right to be informed of:
 - the allegation
 - their right to put forward their case and an opportunity to respond to any adverse comments before a decision on the matter is made
 - the investigation findings
 - any recommended disciplinary actions
- A reasonable investigation into the matter must be undertaken before deciding on actions, ensuring that inquiry has been made of all relevant persons who are likely to

know the facts of the complaint, and all files or documents relevant to the complaint have been reviewed.

- The investigation must be conducted without unreasonable delay and should be overseen by the Head of People and Culture.
- Reasonable notice must be given for interview times and dates.
- All persons being interviewed must be offered a support person of their choice.

3.3 Unbiased and fair

- The Complaint Manager must identify and manage any real or perceived conflicts of interest.
- The Complaint Manager must seek appointment of an alternative Complaint Manager if they identify any personal, real or perceived conflict of interests that will compromise the integrity of the investigation.
- Any decision resulting from the investigation process must be based on the evidence and will be determined on the balance of probability principle.
- On review of the initial complaint, there may be circumstances (particularly with serious allegations) where the Head of People and Culture will be required to appoint an external investigator.

3.4 Proportionate

- The nature of any investigation, review or other actions following an incident, particularly incidents involving clients, will be proportionate to the harm caused to the client and the risk of future harm to the client/s.

3.5 Appropriate action

- All risks identified in the initial risk assessment and implemented mitigation strategies must be monitored throughout the investigation process to minimise any potential for future and developing risk.
- The Complaint Manager must ensure all affected parties are protected from intimidation or retribution for bringing forth their concerns.
- Affected parties must be offered ongoing support, where appropriate.

3.6 Safety

- Child witnesses should not be interviewed formally without parental, guardian, or authorised nominee consent.
- Where there is no parent or guardian willing or able to support the child, an independent adult that the child trusts must be present for the interview.
- A parent, guardian or supporter must be present for the interview in a support role but should not participate unless directed by the Complaint Manager.
- When interviewing witnesses and gathering information, the Complaint Manager must have regard for the developmental stage and cultural background of all witnesses. Questions must be planned and should be open, not leading questions.

4. Close the investigation, record, and report final findings

The Complaint Manager is responsible for communicating the outcomes of the **yourtown** investigation to the relevant internal parties.

Where matters have been investigated and closed by the police, the Complaint Manager should close or continue the paused **yourtown** complaint process depending upon the outcomes of the police investigation and actions taken.

The following documentation is required before the investigation can be closed:

4.1 Details of the complaint

abuse or harm complaints	DN:	POL-2265
COMPANY CONFIDENTIAL Correct when printed from the Document Portal. Printed documents are uncontrolled.		Page: 7 of 10

- a. Where the complaint involved an allegation against **yourtown** team members, when/how the team member was informed and asked to respond to the allegation, and a record of how they chose to respond
- b. The investigation plan conducted by **yourtown**; or the details of the referral to the police where the investigation was undertaken by police
- c. Information on assessment and risk assessment processes and, where relevant, what mitigation strategies were implemented
- d. Evidence of what supports were offered to all affected parties
- e. Evidence of ongoing communication with the complainant and/or their supporter
- f. A statement on the findings of the complaint and whether they were substantiated, not substantiated, misconceived, or proven false and the evidence that led to this conclusion
- g. Recommendations and actions (whether internal, or external action taken by police)
 - Any actions taken (including legal or police action taken)
 - Referrals to other organisations or supports for persons involved
 - Any recommendations accepted for action (both public and confidential) identified or made following the investigation process.
- f. Records of all witness interviews/statements signed and dated where the investigation was undertaken by **yourtown**.

NOTE: Where the complaint involved an allegation against **yourtown** team members, the final report must be provided to the affected team member. The affected team member should also be given the opportunity to respond to the findings report. Their response must be given due consideration.

- g. Where the investigation confirms wrongdoing, poor practice, mistakes made by the organisation, a formal apology to the complainant by the organisation is considered (and undertaken should there be no legal or other justifiable reasonable reason for this not to occur).

The Complaint Manager must also ensure all documents related to the investigation are appropriately and securely stored and retained.

5. Close the loop and embed change

Close the loop

At the conclusion of a **yourtown** investigation, the Complaint Manager or delegate must inform the complainant and/or their supporter that the investigation process has been completed.

While the responsibility for communicating outcomes of police investigations is the remit of the police, **yourtown** should advise the complainant of any learnings and changes proposed to be embedded in **yourtown** in response to the findings and action taken in relation to the complaint.

An explanation of complaint outcomes, decisions, and options for review or escalation should be provided to the complainant and/or their supporter (noting that it is not possible to provide information relating to internal performance or conduct investigations).

Embed change

Learnings from the complaint's investigation processes will be used to improve **yourtown**'s complaints management procedure and overall governance, operations, and culture.



The relevant Department Head is responsible for ensuring the learnings are disseminated enterprise wide.

consequences

yourtown values trust, learning, and accountability. People leaders and team members who do not follow the requirements or intent of this procedure will be asked to remediate their actions, realign and work consistently with the procedure. Persistently, or intentionally failing to align with our documented processes may result in disciplinary action up to and including termination of employment.

records management

Records are to be retained in alignment with **yourtown** retention and disposal schedule.

reference and related documents

yourtown documents referenced within this procedure include:

- Safeguarding in Practice Policy
- Code of Conduct Policy
- Reportable Conduct Scheme Policy
- Performance Management Policy
- Feedback and Complaints Policy
- Feedback and Complaints (QIS) Guideline
- Complaints Handling (Safeguarding) Guideline

governance

As a Lasallian organisation, **yourtown** is required to comply with relevant District Policy and Procedures and as an organisation of catholic denomination, the Lasallian District is required to follow the National Response Protocol for any complaints of alleged abuse or harm against ministry staff.

This procedure is governed by:

External:

- [National Redress Scheme](#)
- Church Authorities in Australia
 - [National Response Protocol](#)
 - [National Response Framework](#)
- De La Salle District of Australia New Zealand Pakistan and Papua New Guinea (ANZPPNG)
 - [Abuse or Harm Complaints Management Policy](#)
 - [Response to Abuse or Harm Allegations Procedures](#)

yourtown:

- Code of Conduct Policy
- Performance Management Policy
- Safeguarding Principles
- Safeguarding in Practice Policy
- Practice Governance Principles
- Reportable Conduct Scheme Policy
- Feedback and Complaints Policy

abuse or harm complaints	DN:	POL-2265
COMPANY CONFIDENTIAL Correct when printed from the Document Portal. Printed documents are uncontrolled.		Page: 9 of 10



terms and definitions

Term	Definition
Complaint	Complaints are defined as formal criticism of yourtown and include any matter ranging from a general expression of dissatisfaction with a service or program provided by yourtown , a particular experience with a person or persons involved with yourtown , an allegation of misconduct, policy non-compliance, abuse or exploitation, or an issue with the complaints management process.
Complaint Manager	The Complaint Manager is responsible for determining the correct course of action to address a complaint or allegation of abuse or harm, including yourtown 's management and investigation of, and the response to be provided to the complainant.
Feedback	Feedback is any information we seek or receive about yourtown that is used to inform service delivery and improvements. Feedback, as opposed to complaints, involves less serious matters that do not require a formal investigation.
Team members	Team members includes staff who are employed by yourtown , as well as those engaged by yourtown on a sub-contract basis (third-party providers) and those engaged by yourtown on a voluntary or unpaid basis. It includes volunteers, trainees and Board members.

document review details

Review Details	Review Date	Revision
New Document	October 2022	
Reviewed as required per review schedule and in consideration of and alignment with: • yourtown internal Governance • Lasallian District Governance • Catholic NCSS requirements	October 2024	V1.