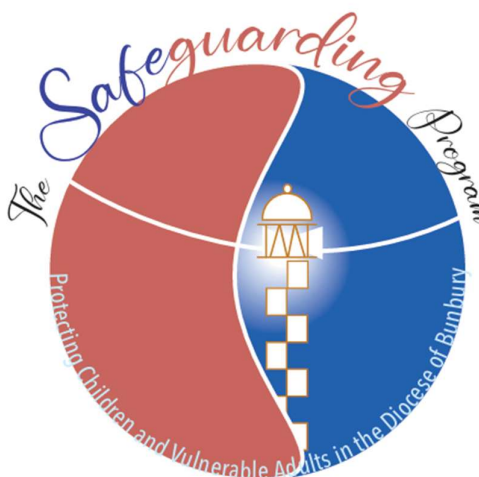




CATHOLIC DIOCESE OF BUNBURY

COMPLAINT MANAGEMENT POLICY

This Safeguarding Complaint Management Policy reflects the requirements contained
in the National Catholic Safeguarding Standards (NCSS) Edition 2



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1. INTRODUCTION

Safeguarding is at the core of the mission of the Catholic Diocese of Bunbury. The Diocese upholds the inherent dignity and fundamental right of every person, especially Children and Adults with Vulnerabilities, to feel safe and protected.

Catholic Diocese of Bunbury (*the Diocese*) is committed to effective complaint handling.

We value the feedback that complaints can provide to improve our organisation's services and supports to the community.

We aim to empower people to communicate their concerns and complaints without fear of retribution or discrimination by providing a transparent and responsive complaint-handling process. All complaints will be dealt with in a way that observes the principles of honesty, transparency and fairness. Complaints that involve disclosures of abuse or harm will be dealt with in a compassionate, trauma-informed and victim-centred manner that prioritises the safety and wellbeing of children and adults experiencing vulnerabilities.

We will try to resolve concerns and complaints as efficiently and effectively as possible, having regard to the seriousness of the complaint and any statutory obligations we may have to cooperate with other organisations, including police, child protection authorities and oversight and regulatory bodies.

This Safeguarding Complaint Management Policy establishes the overall framework by which the Diocese will welcome and respond to safeguarding complaints. It outlines the key principles and processes that inform our handling of complaints, as well as other sources of guidance signposted throughout, but does not provide detailed procedural guidance about the investigation of complaints as procedural guidance will be dependent of the nature of the complaint.

2. SCOPE

This Safeguarding Complaint Management Policy has been approved by the Bishop of Bunbury Catholic Diocese and applies to all 'Workers' engaged by the Diocese and agencies and is guided by Safeguarding Master Policy.

It provides a process for workers and members of the wider community to raise a safeguarding complaint related to any practice or policy of the Diocese however it is not intended to be a set of rigid procedures that must be followed whenever a complaint is raised, as the process for dealing with a particular concern will vary depending on the nature, circumstances and seriousness of the complaint.

3. DEFINITIONS

Worker means all clergy of the Diocese, employees, contractors, volunteers, work experience students, and trainees of the Diocese, including those working in or visiting the Diocese or its parishes; for the avoidance of doubt, the use of the term worker is not to be taken to have any effect on a person's status under the *Fair Work Act 2009* (Cth) or at common law.

Workers has the same meaning as worker.

Complaint is a term that can be interpreted broadly. It can include expressions of dissatisfaction about an organisation related to:

- its services or dealings with individuals or organisations;
- allegations about the conduct of its staff, volunteers or other individuals engaged by the organisation;
- or the handling of a prior concern.

For the purposes of this policy, a complaint encompasses any concern, report, allegation or disclosure about the Diocese, including any behaviour by current or former workers, that is brought to the attention of the Bishop.

Complainant means the person who has expressed the concern or made the report or disclosure on behalf of another affected person.

4. KEY PRINCIPLES

The Diocese acknowledges the potential for power imbalances between complainants and institutions and to address this will:

- act with integrity and without bias.
- have clear lines of accountability for handling complaints.
- uphold the right of individuals to complain and ensure that our complaint handling process is well promoted and accessible.
- apply the principles of procedural fairness to facilitate a just and impartial complaint handling process.
- promptly acknowledge complaints and address them according to urgency, keeping complainants and other involved parties informed throughout the process.
- offer and provide a just and compassionate response to complainants which safeguards the safety and wellbeing of involved parties throughout the process, recognising that some.
- complainants may be highly vulnerable and need additional pastoral and other support.
- maintain privacy and confidentiality, subject to relevant statutory requirements.
- provide fair and proportionate remedies to complainants that are consistently applied.
- comply with any relevant statutory and policy requirements, including meeting any criminal and/or civil reporting and other obligations (e.g. mandatory reporting and reportable.
- conduct), and the requirement to cooperate fully with all relevant external authorities.
- be observant of relevant canonical processes that may apply.
- use the data, insights and learnings from complaints to improve professional behaviour and practice within the Diocese and ongoing delivery of supports and services.

5. MAKING A COMPLAINT

A person wishing to report a concern or make a complaint may do so by contacting:

- Safeguarding Coordinator, safeguarding@bunburycatholic.org.au or 08 97210517 who can advise specific avenues by which a complaint can be made (e.g., phone, online complaint form, email, writing, in person), determine if a Mandatory Report is required, and provide relevant contact details.
- Online reporting form [Safeguarding Concern Report Form - Catholic Diocese of Bunbury - Fill out form](#)

5.1 Anonymous complaints

Complaints may be made anonymously. However, the Diocese recognises the difficulty with anonymous complaints in verifying relevant facts and being satisfied as to the legitimacy of the complaint, as well as the challenges that may arise in affording fairness to the person the subject of complaint in circumstances where the identity of the complainant is a central issue.

6. ALLOCATING RESPONSIBILITY FOR MANAGING COMPLAINTS

6.1 The Complaint-handler

The Safeguarding Coordinator will ensure that a suitable person is appointed to manage the complaint. The person responsible for investigating a complaint can be performed by different people within the Church Authority depending on the nature of the complaint, and certain individuals may perform particular aspects of a complaint process. However, it is preferable that one individual should be responsible for managing the complaint (complaint-handler).

The complaint-handler is required to:

- be a point of contact for the complainant and the person the subject of complaint (and other involved parties) including police or external agencies (if relevant);
- carefully listen to the complainant's concerns and their desired outcomes;
- consider and request (if necessary) further information from the complainant and/or from third parties in order to make a preliminary assessment including risk;
- refer to, or seek advice from relevant external authorities (e.g., police, child protection authority responsible for mandatory reporting, Ombudsman responsible for Reportable Conduct) when required and share relevant information;
- provide the complainant with a copy of this document and complaint process flowcharts explaining the complaint procedures and the support available;
- keep appropriate, confidential records of the matter;
- prior to any meeting with the complainant/person the subject of complaint, or other involved parties, note the issues and questions that should be covered and be responsive to what unfolds during the discussion;
- meet with the complainant and/or others involved in the complaint, fully informing them of their rights and support options unless prevented from speaking with the person involved under direction of WA Police.
- meet with and listen to the person the subject of complaint, fully informing them of the allegations made against them, making them aware of their right to a support person at the meeting and providing them with an opportunity to respond unless prevented from speaking with the person involved under direction of WA Police.
- review, respond to and resolve the complaint or, if it is not appropriate for the complaint-handler to resolve it, arrange for an appropriate person of authority to review, respond to and resolve the complaint;

- keep those involved appropriately and regularly informed about the progress of the matter;
- monitor the situation during and for the time soon after the resolution process, or longer as is deemed necessary.

6.2 The Complaint decision-maker

For complaints that do not involve alleged conduct of a serious nature (e.g., allegations of abuse of children or adults with vulnerabilities), the complaint-handler and the decision-maker can be the same person, particularly when informal resolution is adopted and disciplinary action regarding a member of personnel is an unlikely outcome of the complaint-handling process.

However, for complaints that are more serious (for example, complaints which have been the subject of an investigation process or where the outcome sought requires approval by a certain level within the Diocese, such as issuing a formal written apology or financial redress, a “complaint decision-maker” should be appointed.

In more serious matters, the decision-maker should not be directly involved in the investigation or resolution process but may receive updates about progress and give guidance and direction to the investigator. The decision-maker’s role is primarily to review the relevant issues, evidence and recommendations arising from the complaint handling/investigation process and then make a final determination about the appropriate outcomes.

If the decision-maker decides to make a different finding or substitute a different outcome from what has been recommended by the complaint-handler/investigator, the rationale for this should be documented.

A decision-maker should not be involved in a decision where a conflict of interests exists, even if the decision-maker has the proper delegation or authority.

6.3 Positions responsible for handling complaints about particular roles

Complaints made about individuals occupying the positions listed below should be reported to and handled by the ‘responsible person’ indicated.

Position	Responsible Person who receives report and manages complaint
Leader of Church Authority <i>(including Clergy/Religious)</i>	Bishop of Bunbury or delegate, supported by Safeguarding Coordinator.
Member of Diocese staff <i>(worker)</i>	Safeguarding Coordinator or Financial Administrator.
Parish Council member or financial services worker	Parish Priest supported by Safeguarding Coordinator
Volunteer	Parish Priest supported by Safeguarding Coordinator
Parishioner	Parish Priest supported by Safeguarding Coordinator
Third Party Service provider	Safeguarding Coordinator or Financial Administrator
Redress	WA Professional Standards Office

- 6.4** Internal References
- Safeguarding Master Policy:
 - Chapter 9 – Mandatory Reporting
 - Chapter 10 – Reportable Conduct Scheme
 - Chapter 11 – Reporting a Child at Serious Risk of Harm
 - Procedure - Responding to Reportable Conduct
 - Procedure – Mandatory Reporting
 - Procedure - Complaint Management

7. RESPONDING TO COMPLAINTS

Complainants will be treated with respect and compassion and protected from victimisation in a trauma informed manner. The complainant will be informed about the complaint management process and be kept up to date on the status of the complaint and any recommendations that may result from it. Complainants will be advised that they have the option of a support person present at any meetings. Ideally, complainants should actively participate in the resolution process.

Individuals who are the subject of a complaint will be treated with respect and compassion in a trauma informed manner. They will be provided with sufficient information about the complaint, where the complaint-handler is permitted to do so, to be able to adequately respond to it. They should be given a reasonable opportunity to respond to the complaint.

Subjects of complaint will be advised that they have the option to have a support person with them in any meetings. They will be given the opportunity to participate in relevant aspects of the resolution or investigation process, and will be kept informed of the status of the complaint and any recommendations that may result from it, unless prevented from doing so under direction of WA Police as . They should be made aware that they must not contact the person who raised the complaint about the complaint or victimise the person. Disciplinary action may be taken against personnel who victimise complainants.

Refer to the following flowcharts/practice guides for more detailed information related to this Chapter.

- Flowcharts for complainants (Appendix 1)
- Flowchart for subjects of complaint (Appendix 2).
- The Investigation Process (Practice Guide) (Appendix 3).
- Complaint Investigation Plan (Appendix 4) – New
- Investigation Running Sheet (Appendix 5) – New

7.1 Complaints about child protection concerns of safety concerns for adults with vulnerabilities.

For detailed information about responding to child protection concerns and disclosures (including mandatory reporting and reportable conduct matters and historical allegations of child abuse) see:

- Safeguarding Master Policy
- Bunbury Catholic Diocese Code of Conduct
- Department of Communities Mandatory Reporting Guide [Mandatory Reporting Guide Western Australia](#) and Information System: User Documentation [Mandatory Reporting Information System User Document](#)
- Ombudsman Reportable Conduct Scheme [Reportable Conduct FAQ's](#)
- Complaint Management Procedure
- Responding to Reportable Conduct Procedure
- Mandatory Reporting Procedure
- National Redress Scheme

7.2 Recording the complaint

The Safeguarding Coordinator will make a record of the complaint, including:

- The name and contact details of the complainant (if known)
- The issues raised by the complainant
- The name of any person who is the subject of the complaint
- The outcome sought by the complainant
- Information about any additional support required by the complainant
- Any other relevant information, including the names and contact details of potential witnesses, existing or potential sources of evidence.

The appointed complaint handler has overall responsibility for ensuring complaints are appropriately handled.

7.3 Acknowledging the Compliant

The Safeguarding Coordinator (or allocated complaint-handler) will acknowledge the complaint as soon as possible and within five working days of receipt.

The acknowledgement will include:

- A contact point for the complainant (complaint handler)
- A timeframe in which action will be taken
- The likely next steps
- If applicable (and known at the time), whether the matter must be reported to any external authorities (e.g. Police, child protection authorities, regulatory/oversight bodies not limited to mandatory reporting and reportable conduct schemes)
- Advice about support options.

The Safeguarding Coordinator (or allocated complaint-handler) will consider, on a case-by-case basis, the most appropriate method (e.g. phone, email, formal letter) for acknowledging a complaint. The date and method of acknowledgement will be recorded.

When complaints or reports are made verbally, a contemporaneous and detailed record of what was said will be documented. In most cases, it will be appropriate for this record to be sent to the complainant as part of an acknowledgement to confirm the completeness and accuracy of the information recorded.

The relevant complaint-handler is responsible for ensuring complaints are appropriately acknowledged.

7.4 Initial assessment and response

Complaints will be initially assessed by the Safeguarding Coordinator according to the Safeguarding Complaints categories.

The following factors will be considered as part of the assessment:

- did the issues raised occur within the person's role within the Diocese?
- is there any immediate or ongoing risk to any person's safety or wellbeing?
- does the complaint need to be reported to another agency (e.g., police or child protection authorities)?
- are the issue/s raised within Diocese's control to address?
- are the outcomes sought by the complainant viable?
- if more than one issue is raised, whether these will need to be separately addressed.
- the seriousness of the complaint and whether it should be resolved urgently.
- how the complainant is being affected by the issue/s raised and any additional support needs.
- if there are any risks if resolution of the complaint is delayed?
- if further information is needed to properly assess and resolve the complaint.

- whether the complaint needs to be investigated; or can be resolved informally via an alternative process without an investigation.

Chapter 14 of Safeguarding Master Policy will be used to guide this assessment.

Appendix 4: Complaint Investigation Plan will be used to record the initial assessment.

In accordance with Royal Commission Recommendation 16.52, if a complaint of sexual abuse is plausible, and there is a risk that the subject of the complaint may come into contact with children or adults at risk in the course of their ministry, that person will be stood down from ministry while the complaint is investigated.

If the complaint needs to be reported to another agency, the relevant position holder is responsible for ensuring that this occurs.

Reporting obligations to other agencies are detailed in *sections 9, 10 and 11 of the Safeguarding Master Policy*.

The Safeguarding Coordinator is responsible for ensuring complaints are appropriately assessed.

7.5 Options for resolving a complaint

After assessing the complaint, the complaint-handler will plan the actions required to manage and resolve it. Wherever possible, the person responsible will try to resolve complaints as soon as possible after they are made.

In many cases, it will be appropriate to informally resolve a complaint using an outcomes-based process. At other times, an evidence-based investigation will be required. It may not always be clear at the outset of managing a complaint which is the best process and sometimes, it may be appropriate to move from an informal process to an investigation, or vice versa.

The nature and scope of any action taken will depend on a number of factors including:

- the circumstances of each case, including the risks involved;
- any statutory requirements and whether other organisations (eg police/child protection authorities) are involved;
- the issue(s) complained about;
- the parties involved;
- the likely outcome.

7.5.1 Informal resolution

The complaint-handler will determine the best way of informally resolving the complaint.

Relevant considerations will include:

- the nature of the person's concerns
- how the person raised their concerns
- the person's preferences and what outcomes they are seeking

Sometimes, the person making the complaint may be satisfied with the opportunity to express themselves and be heard. Other possible options include providing an explanation, apology and/or making a practical change that addresses the person's concerns. It may be appropriate to arrange a facilitated discussion between the relevant parties, for example a conciliation or mediation. This could be handled by the complaint-handler or another senior representative of the Diocese, or it may be more appropriate to bring in an external, independent party.

The complaint decision maker is responsible for approving the proposed resolution method before it commences.

7.5.2 Investigating a complaint

If a complaint is unable to be resolved informally (or it is not appropriate to do so), the person responsible may decide to commence a formal investigation.

The appropriate investigative approach will depend on a range of factors including:

- the seriousness and/or complexity of the complaint
- the people affected by the complaint
- the possible outcomes including those sought by the complainant
- whether other authorities or agencies need to know about the complaint or be involved in responding to it.

The complaint decision maker is responsible for approving the proposed resolution method before it commences.

7.5.3 Key Investigation Principles

All investigation handling will be guided by the following principles:

- Confidentiality: All parties involved in an investigation will maintain strict confidentiality.
- Procedural fairness: Investigations will be fair and principled.
- Consistency: the application of investigative procedures and approaches will be consistent.
- Timeliness: investigations will be conducted as swiftly as practicable without compromising quality.
- Support: will be provided to all investigation participants when requested or required.

The overarching aim for any investigation is to resolve the relevant issue or concern in a fair, transparent and timely manner, using the least intrusive approach possible. Importantly, the manner and extent of an investigation must be proportionate to the seriousness of the issue under examination, and the approach should be continually reviewed depending on how the evidence unfolds.

For further guidance on conducting investigations: see Annexure 3: The Investigation Process.

7.6 Supporting complainants and persons subject of complaint

The Diocese is committed to the wellbeing of all parties during the complaint handling process.

7.6.1 Support for the complainant

Appropriate steps will be taken to support and safeguard the welfare and dignity of complainants. We recognise that some complainants may be highly vulnerable. We strive to identify when this is the case and to provide a compassionate response that is tailored to their needs.

Support for the complainant may include, but is not necessarily limited to:

- the offer of an independent support person to assist the complainant through the process
- medical treatment and/or psychological support and counselling

- in appropriate cases, interim payments to assist the complainant with certain expenses (such as counselling) or to ameliorate financial hardship
- advising the complainant that he or she has a right to independent legal advice
- an explanation of the range of options available to the complainant to pursue the matter or obtain redress, e.g., criminal charges, civil claim for damages, application to the National Redress Scheme, or request for ex gratia compensation; and
- ongoing communication about the progress of the complaint process.

In some cases, it may be appropriate to offer support to other people involved in or affected by the complaint, such as family-members of the complainant or staff or volunteers affected by the disclosure.

It is the responsibility of the complaint-handler to communicate with the complainant (or other involved parties) in relation to offers of support and, where necessary, put measures in place to make the support available.

When a complaint is finalised, the Bishop will consider whether any form of ongoing support should be offered to the complainant or other people involved in or affected by the complaint.

7.6.2 Support for the person who is the subject of a complaint

The Diocese will take appropriate steps to support and safeguard the welfare of any person who is the subject of a complaint, recognising that this can be a stressful experience.

Support for the person who is the subject of a complaint may include, but is not necessarily limited to:

- an offer to develop a support plan;
- medical treatment and/or psychological support and counselling;
- arrangements for a trusted friend or colleague to assist the person through the process;
- advising the person that he or she has a right to independent legal advice;
- an explanation of the process for managing the complaint, including the likely timeframe for resolution and what will be required of the person in the process; and
- ongoing communication about the progress of the complaint process.

It is the responsibility of the complaint-handler to communicate with the person who is the subject of a complaint in relation to their welfare and support needs.

7.7 Conclusion of the complaint

At the conclusion of the complaint resolution/investigation process, the complainant (and their parent/carer if the complainant is under 18, and it is safe and appropriate to do so) will be informed of the outcome, reasons for the decision, remedies available and options for review. The person who is the subject of the complaint will also be advised of the outcome, reasons for decision, and review options.

The complaint-handler will determine what action should be taken in respect of the complaint. Action resulting from a complaint may include:

- an acknowledgement;
- explanation;
- an agreement between the parties;
- a verbal or written apology;
- criminal action or child protection action;
- disciplinary action;

- management action (e.g. providing/referring the person the subject of the complaint with counselling, professional training);
- offering ongoing support to the complainant (e.g. counselling);
- offering financial redress to the complainant;
- improved policies or processes.

The complaint handler will then forward the completed investigation file to the complaint decision maker for final decision.

Note:

Where a complaint about the sexual abuse of a child or adult is substantiated, the appropriate action will be determined following a risk management process.

Where the subject of the complaint is involved in religious ministry, that person will be permanently removed from ministry and prohibited from in any way holding himself or herself out as being a person with religious authority. If the subject of the complaint is a cleric or religious, they may be dispensed from his or her vows or dismissed from the clerical state, as applicable.

The Safeguarding Coordinator is responsible for ensuring that complaints are satisfactorily finalised.

8. OTHER FACTORS TO BE CONSIDERED DURING THE COMPLAINT HANDLING PROCESS

8.1 Confidentiality and Privacy

All parties involved in handling a complaint must maintain strict confidentiality throughout the process. This does not prevent the complaint-handler from sharing relevant information with external agencies, subject to legislative provisions to facilitate information sharing set out in section 13 of the Safeguarding Master Policy.

During any complaint resolution or investigation process, it should be impressed upon all witnesses that they have an obligation to keep details of the investigation confidential. Confidentiality applies to all stages of a complaint process including after an outcome is provided and actions taken.

Specific Considerations

- Information and records relating to complaints will be treated as strictly confidential. Where the complainant is under the age of 18, information will be shared with the complainant's parents or guardian where it is safe and appropriate to do so.
- Information may be shared if it is necessary to address an immediate risk to the safety or wellbeing of any person, but only to the minimum extent necessary to address the risk.
- If the complaint involves conduct that is serious and/or potentially criminal, any legal obligations to report relevant information to bodies such as the police or child protection services, or to other prescribed bodies, for example, Ombudsman will override confidentiality.
- In certain circumstances, the obligation to be fair to the subject of a complaint may completely or partially override confidentiality. The Diocese will seek to balance fairness and confidentiality requirements and, as far as possible, safeguard the interests of all parties.
- On a strictly limited basis, information may be disclosed to a person who has a legitimate need to know the outcome of the matter, e.g., for ongoing risk management or for the purposes of managing or providing support to the person who is the subject of the complaint.
- If a complaint is investigated and the findings of the investigation indicate that another organisation/s may have a legitimate need to know about the complaint or concern, information may be disclosed to those other organisations, but only to the minimum extent necessary to address the legitimate need to know.

8.2 Complaint Review Options

If an individual is not satisfied with the outcome of a complaint, they may request an internal review be conducted by the Bishop. The request for review must be made within 14 working days from the date the finding is made known to the individual. Reasons outlining why the review is being requested are to be included in the request.

The Bishop has responsibility for making the final decision on a complaint, including whether to conduct the review, based on the information provided to them.

If an individual remains dissatisfied with how their complaint was handled, they may be able to take their complaint to an external agency such as a Court or Tribunal, the WA Equal Opportunity Commissioner or the Australian Human Rights Commission.

8.3 Maintaining Documentation

Documentation relating to complaints should be maintained, securely stored and kept confidential. The level of detail required will depend on the type of complaint that is raised. At a minimum, those who are responsible for managing a complaint should retain file notes on any discussions about the complaint.

Where the complaint is more complex, it may be necessary to maintain more comprehensive notes and/or create a specific file. Documentation should include sufficient information about the complaint, any steps taken to manage the complaint and any approach taken to resolve it.

Complaints that relate to incidents, allegations, disclosures, or concerns about the abuse of children or adults will be retained for a minimum of 50 years.

The Safeguarding Coordinator is responsible for ensuring compliance with the periodic review process.

9. CONTINUOUS IMPROVEMENT

The Diocese will regularly review complaints to identify particular patterns or trends and opportunities for continuous improvement, having regard to:

- any underlying factors that may have contributed to the issue/s giving rise to the complaint
- what could have been done to prevent or reduce the issue/s giving rise to the complaint
- what safeguards, policies or procedures could be put in place to prevent or reduce the risk of a recurrence of the behaviour in the future by the same person or by other Diocesan workers.

The Safeguarding Coordinator is responsible for ensuring complaints are regularly reviewed by Bishop who will take appropriate action in response to these reviews.

10. FURTHER GUIDANCE

National Catholic Safeguarding Standards (Second Edition)
Catholic Diocese of Bunbury Safeguarding Master Policy
Catholic Diocese of Bunbury Risk Management Strategy
Catholic Diocese of Bunbury Code of Conduct
Catholic Diocese of Bunbury Dispute Resolution Policy (*non-safeguarding disputes*)
Ombudsman of WA Reportable Conduct Scheme, Information Sheet 8, Reportable Conduct Investigations, Information Sheet 12, Procedural Fairness
Commonwealth Ombudsman, Unreasonable complaint conduct.

11. REVIEW OF COMPLAINT HANDLING POLICY AND RELATED DOCUMENTS

The Complaints Management Procedure and related documents will be reviewed at least every three years and as set out by Chapter 19 of the Safeguarding Master Policy, or in the event of:

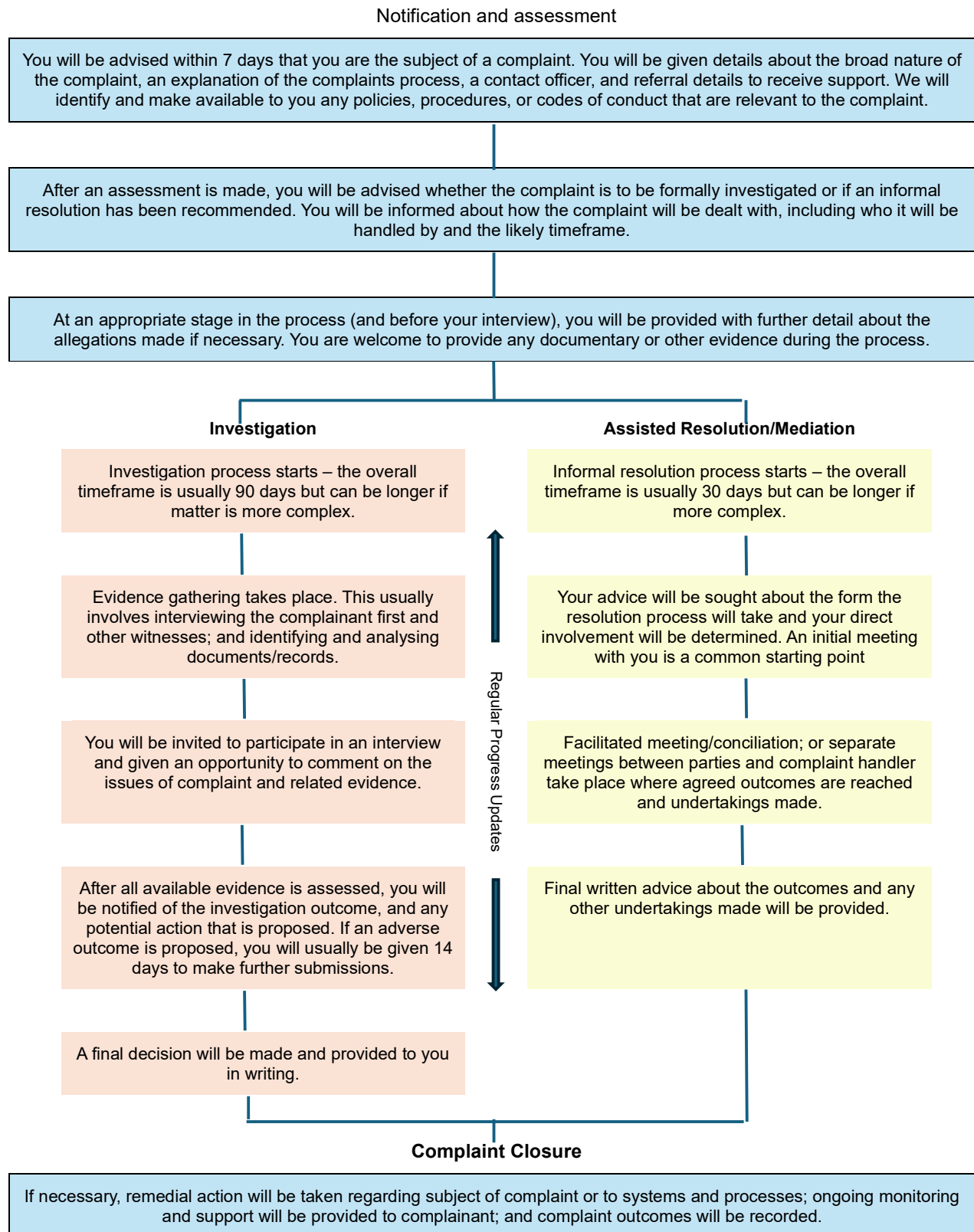
- Any critical safeguarding incident (including breach, or significant investigation outcome), or
- Any changes in relevant laws, regulations or safeguarding standards, including updates to the WA Mandatory Reporting or Reportable Conduct Schemes or NCSS.

Name of policy	Safeguarding Complaints Management Policy.
Description	This Policy sets out the considerations, requirements, and obligations of the Diocese, its Relevant Individuals, and related entities regarding the handling of safeguarding complaints.
Application	This Policy applies to the Diocese, its Relevant Individuals, and related entities.
Approval authority	Bishop of the Diocese
Document owner	Safeguarding Bunbury safeguarding@bunburycatholic.org.au
Approval date	20 August 2026
Approved by	Bishop George Kolodziej SDS DD Bishop of Bunbury
Next Review date	March 2027 – Initial Review See further Chapter 19, “Reviewing this Policy”.

Revision/Modification History

Date	Version	Current Title	Summary of Changes	Approval Date	Commenced Date
June 2026	1	Safeguarding Complaints Handling Policy	New	20 August 2026	20 August 2026

Appendix 1: Complaint Process Flowchart for Person the Subject of Complaint



Appendix 2: Complaint Process Flowchart for Complainant

Registration and Assessment

Complaints can be made via hard copy form, online or by contacting Safeguarding Coordinator at safeguarding@bunburycatholic.org.au or phone (08) 97210517. You will also be asked to give your contact details.

Your complaint will be acknowledged in writing within 7 days.

You will be given a copy of the complaint handling policy and an explanation of the complaint process.

You may be asked to provide further information. For example, details about your issues of complaint; relevant evidence; and the outcomes sought.

An appropriate supervisor/manager will undertake a preliminary assessment of your complaint. This process can take between 7 to 21 days, depending on the amount of information and complexity.

Your complaint will be allocated to an internal or external complaint handler/investigator as appropriate. A decision will be made about whether an investigation or informal resolution is the best approach.

You will be advised about the next steps in the complaint process, including who will be undertaking the investigation and/or resolution of your complaint within x days after the assessment has been completed.

Investigation

Investigation process starts – the overall timeframe is usually 90 days but can be longer if more complex.

Your direct involvement will be determined e.g. participating in a meeting/interview.

Evidence gathering takes place (including interviewing subject of complaint, witnesses and identifying and analysing documents/records).

A final determination will be made after all evidence is reviewed. You will be advised of the outcome, reasons, any remedial or other action to be taken, and internal/external review options.

Assisted Resolution/Mediation

Informal resolution process starts – the overall timeframe is usually 30 days but can be longer if more complex.

Your direct involvement will be determined e.g. participating in a meeting/conciliation.

Resolution meeting/conciliation held and agreed outcomes reached.

Final written advice about the outcomes and any other undertakings made will be provided.



Regular Progress Updates



If necessary, remedial action will be taken regarding the subject of complaint; ongoing monitoring and support to the complainant will be provided; and complaint outcomes will be recorded.

Appendix 3: The Investigation Process (*Practice Guide*)

1. Investigator Selection

There are two key tasks for the investigator:

- ascertain all relevant facts pertaining to the issue being investigated; and
- at the conclusion of the fact-finding exercise, report findings; the reasons for the findings, referring to the material on which they are based; and, if appropriate, make relevant recommendations.

Suitability of the investigator is generally determined by nature and the complexity of the issues under investigation, and whether there is any perceived or actual conflict of interest in a particular person being appointed as investigator. The person appointed to investigate should be an individual with appropriate experience in conducting investigations.

In addition to the above matters, when deciding whether to appoint an external investigator, other practical considerations might include:

- the need for the investigator to be seen as being at 'arm's length';
- the impact on resourcing and current commitments if the matter is handled in-house, even where a suitably qualified person is in place; and
- the costs associated with engaging an external investigator, which should be weighed against the level of risk to the affected individual.

2. Liaising with authorities

If an issue/allegation is of a criminal nature or other statutory reporting responsibility exists and therefore must be reported to Police or other external authorities, the Safeguarding Coordinator will ensure that it liaises closely with the relevant authorities to ensure that its own investigative activity does not compromise the external investigation.

Depending on the nature of the issue, the Diocese may be required to undertake concurrent inquiries, and will always be required to consider and take any necessary interim risk management action regarding involved personnel and/or other people (including children and adults with vulnerabilities) at potential risk and provide the necessary supports to the subject of investigation (and where relevant, to any complainant).

3. Rights

All individuals involved in the investigative process have the rights detailed below:

- All involved in an investigation will be informed of their role within the investigation.
- The complainant/alleged victim will be provided with information about their rights and avenues for support, including the opportunity to participate in the investigation process and being offered a support person if needed or requested.
- The person subject of investigation has the right to procedural fairness, including the opportunity to respond to allegations and recommended findings, and the evidentiary basis on which these are made.
- The complainant and the person subject of investigation will be offered a support person as needed or requested.
 - The support person may not influence or answer on behalf of the person to the interviewer, or in any way interfere with the interview.
 - The support person may be a parent, a family representative, advocate, carer or guardian, friend or work colleague not involved in the investigation.
 - The support person cannot also be a subject of the investigation and/or ideally not be a witness (however, there may be exceptions to this issue when a child is involved where the order of interview can remedy any risk of tainting evidence).
- All children or young people or adults at risk involved in an investigation must have a support person present during investigation interviews.
- All people involved in an investigation will be given the opportunity to ask questions about the process, including realistic timeframes for completion.

4. Avoiding conflict of interests

All investigations must be conducted without bias, in an impartial and objective manner.

No-one with an actual or perceived conflict of interest should be appointed or remain the investigator. The more serious the complaint/issue, the more important it is that the investigator be someone as independent of the events being investigated as possible or external to the organisation. Any conflict of interests should be addressed at an early stage in the investigation process.

5. Providing procedural fairness

All investigations will be conducted in accordance with the principles of procedural fairness:

- Reasonable enquiries will be undertaken, and decisions will be based on findings of fact using sound reasoning and relevant evidence.
- The investigator will be impartial, objective and properly trained.
- There will be no conflict of interest on the part of any of the people involved in conducting the investigation.
- The investigation will be completed without undue delay.
- At an appropriate time, a person who is the subject of the complaint under investigation will be given a full account of the allegations against him/her and have a proper opportunity to respond to these allegations. Any submissions will be considered before a final decision is made.

6. Not to be Victimised for Whistleblowing or Raising a Concern/Complaint

A person who has raised a concern about suspected wrongdoing or made a formal complaint, has the right to continue to work in a discreet, safe and collegiate environment without the threat of intimidation, judgement or victimisation.

7. Consent

Adults, children and young people involved in an investigation may provide verbal or written consent in order to acknowledge their willing participation in an investigation. Consent can be withdrawn at any time verbally or in writing.

Personnel who refuse involvement, including not answering specific questions during the investigation process will be notified that the investigation will proceed without their version of accounts and that findings will be based on the available evidence.

8. Working With The Parties Involved

8.1.1 *The complainant*

Manage the complainant's expectations to ensure they are based on a realistic understanding of what the complaint can achieve. Ensure their confidentiality and explain the importance of confidentiality generally. Provide them with support, information, and regular feedback. Inform them of the outcome of the complaint or other action, and the reasons.

The person who is the subject of the complaint/investigation Before approaching the person who is the subject of the complaint/investigation, the investigator should be satisfied that the allegations have some substance. If they have no substance and the person is unaware, then little is gained from raising the matter with them. Where there is a case to answer, ensure you provide the person with procedural fairness.

8.1.2 *Other witnesses*

Be sensitive to the needs of other witnesses, for instance in supporting them through any trauma they may experience as a result of being involved in the investigation process. Impress on them the requirements of confidentiality. Only tell them as much about the investigation as is strictly necessary for the purpose of obtaining the required information.

9. Steps in the investigation process

Note: for investigations relating to reportable conduct or reportable incidents, refer to the guidance provided by the relevant oversight body Ombudsman of Western Australia.

Step 1: Assess the complaint/issue

Not every complaint or concern arising needs to be the subject of a detailed or formal investigation. The majority of issues which arise will be able to be resolved informally. For example, many complaints involve communication problems or misunderstandings that can be resolved by discussion between the parties or with a supervisor. Relevant factors to consider in assessing the complaint include:

- whether an alternative and satisfactory means of redress is available
- whether the complaint is trivial, frivolous or vexatious
- the time that has elapsed since the events the subject of the complaint took place
- how serious the complaint is and the significance it has for the complainant and the agency
- whether it indicates the existence of a systemic problem, or
- whether it is one of a series of complaints, indicating a pattern of conduct or a widespread problem.

Some investigations are subject to particular legislative requirements (e.g., reportable allegations or work, health and safety incidents) and these must be adhered to during any investigation process.

Step 2: Determine the nature of the investigation

This includes determining whether it is about:

- policies, procedures and practices, or
- conduct of individuals.

The nature of the investigation has a bearing on the expertise required, and the nature of the possible outcome. At this stage, a decision should be made as to whether the complaint needs to be investigated internally or should be referred to an external investigator.

Step 3: Develop the investigation framework

It is critical that one person be responsible for the conduct of the investigation, and for establishing the framework for the investigation. This framework should include:

- the appropriate authorisation to conduct the investigation
- terms of reference which establish a focus and set limits on the investigation, and
- an investigation plan.

Ensuring that this planning stage is well done will have a major influence on the ultimate success of the investigation.

Step 4: Gather evidence

The role of the investigator is to prove or disprove, if possible, any matters of fact raised by the complaint/incident. The investigator does this by gathering evidence. In an investigation, the main sources of evidence usually are:

- oral evidence (recollections)
- documentary evidence (records)
- expert evidence (technical advice), and
- site inspection.

Although only one witness may be required to prove any fact or set of facts, additional evidence in the form of corroboration is desirable. If legal proceedings might arise at some future stage, evidence should be gathered in accordance with the rules of evidence. A basic awareness of these rules is useful to ensure that the evidence obtained is the best available and, where applicable, will be admissible in any subsequent legal proceedings that may arise.

Where it is necessary to interview a child or adult at risk as part of the investigation, this will only be done with the consent of the parents/carer/guardian and in the presence of an independent third party.

Step 5: Apply the appropriate standard of proof

In disciplinary and administrative investigations, allegations must be proved “on the balance of probabilities.” A finding will be made in relation to each allegation. In reaching findings, the civil standard of proof applies. It must be applied to each separate fact that must be established to reach a finding.

In deciding whether the case has been proven on the balance of probabilities, the investigator may consider the nature of the allegations and any defence, and the gravity of the matters alleged. The investigator must consider whether the allegations relate to conduct that is in breach of established standards that apply to the subject member of personnel e.g., the Code of Conduct.

A proven finding must be based on material that logically tends to show that all the facts necessary to establish the incident are made out to the reasonable satisfaction of the decision maker.

Step 6: Record and store information appropriately

Investigators must maintain a central investigation file, which is a complete record of the investigation, documenting every step, including all discussions, phone calls, interviews, decisions and conclusions made during the course of the investigation.

This file must be stored securely to prevent unauthorised access or alteration, and to maintain confidentiality.

Step 7: Prepare the investigation report

The investigator will prepare a final investigation report which will include details about any final submissions and recommendations about final findings, and the Diocese response. The report will include the details of all parties concerned and may be subject to outside scrutiny. Ensure you have observed procedural fairness in preparing your final report.

Step 8: Take disciplinary, management or other action

An investigation may lead to one of a range of possible outcomes, including:

- the initiation of disciplinary proceedings up to and including dismissal (with or without notice) and possible criminal proceedings (in relation to religious brothers, sisters and clergy, this may lead to them being removed from ministry and dispensed from his or her vows or dismissed from the clerical state, as applicable)
- referral of a matter to an external agency for further investigation or prosecution
- introduction of policies, procedures or practices
- changes to administrative policies, procedures or practices
- training and development

Step 9: Close the investigation

Complete and file all paperwork. It is best practice to conduct a review of the investigation, preferably done by someone more experienced than the investigator and independent from them, this role is preferably performed by the Director of WAPSO. This enables the investigation to be assessed and may highlight some improvements in investigative mechanisms for future reference.

For further guidance about conducting investigations, see:

Ombudsman Western Australia '*Information sheets and guidance about the Reportable Conduct Scheme*'.

Appendix 4: Complaint Investigation Plan

COMPLAINT INVESTIGATION PLAN			
Investigation details			
Date complaint received			
Internal reference number			
Type of Complaint (including level)			
Subject to Mandatory Reporting/Reportable Conduct Scheme: Yes/No Detail:			
Expected timeframe for completion of investigation			
Subject of allegation			
Name			
Phone number			
Email address			
Role in Organisation			
Date of Birth			
Working With Children Check Number			
Working with Children last known verification			
Complainant			
Name			
Date of birth			
Contact number/email			
Parent/guardian name			
Parent/guardian contact			
Vulnerability identification – Child/Disability/ATSI/Other			
Other relevant information			
Summary of allegation(s)			
Allegation	Details	Alleged Breach of Workplace Policy/Procedures	Reportable Conduct Allegation/Conviction Or Mandatory Reporting Required – add details of date/time of report

COMPLAINT INVESTIGATION PLAN



Investigation Summary

How did allegation(s) arise

Risks

Conflicts of interest

Assigned investigator

Investigator name

Investigator position/title

Investigator organisation (if external)

Contact phone number

Contact email

Scope of investigation

Decision maker

Current known information

Item/Document(s)	Source	Relevant
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Possible witness

Name	Role/Position	Relevance
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COMPLAINT INVESTIGATION PLAN



Possible evidence

Item/Document(s)	Source	Relevant

Investigation Action Plan

Action	Person to complete	Due date

Date Investigation Plan completed	
Person completing Investigation Plan	
Signature	

INVESTIGATION RUNNING SHEET

(Refer to Complaint Investigation Plan for all contact information)

Internal reference number

Subject to Mandatory Reporting/Reportable Conduct Scheme: Yes/No Detail:

Has the incident been on-reported, including to an external agency? Yes/No

	Bishop or Delegate		Department of Communities Mandatory Reporting
	WA Professional Standards		Ombudsman Reportable Conduct Scheme
	WA Police		Other:
Reported to:			
Name			
Position			
Contact			
Date		Time	
Reference number:			
Have Therapeutic Support Services been discussed with <u>Complainant</u> – Yes/No Details:			
Have Therapeutic Support Services been discussed with <u>Person Subject to Allegation</u> – Yes/No Details:			

[illegible]