

Rationale

SDN acknowledges that people who use or interact with our services have a right to complain when dissatisfied with that service. SDN encourages feedback and we understand that complaints are inevitable, valuable and must be managed effectively.

SDN recognises when complaints are properly handled and analysed they help to improve service delivery for complainants, for all children and families who access the service. SDN records and analyses trends from complaints to drive organisational policy development and continuous improvement.

SDN recognises our responsibility to facilitate ways for children and young people to raise their concerns about our services.

Scope

This policy, and its associated documents, applies to the entirety of SDN Children's Services and the entirety of its wholly owned subsidiaries.

This policy applies to all SDN services.

This policy does not apply to staff grievances - refer to SDN's *Grievances Policy*.

This Policy does not cover protected disclosures under the Corporations Act 2021 by whistleblowers as defined by that law - refer to SDN's *Whistleblowers and Protected Disclosures Policy*.

Key Terms

Complaint

An expression of dissatisfaction with any aspect of an SDN service provided will be recorded as a complaint.

Complainant

A party that makes a complaint.

Policy

SDN values all complaints, compliments and feedback as they allow us to:

- build relationships with our stakeholders
- improve our programs and services

Minor/ legislative amendment or modification history June 2025	Details: Addition of section to address how to manage harmful sexual behaviours
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- seek to resolve issues.

SDN is a Child Safe Organisation and the best interests of children and young people and their protection must be the first priority.

If the complaint is alleging that a staff member is harming a child call the SDN Incident Line 1300 838 152 urgently.

If the complaint is alleging that a child or young person is exhibiting harmful sexual behaviours refer to the specific section below.

Making a complaint

Complaints may be made anonymously or using a pseudonym. However, we may not be able to respond fully and/or take the desired actions to such complaints.

Any service user or stakeholder can make a complaint. If possible, the complainant is encouraged to discuss the matter with the person who is the subject of the complaint (if applicable). Sometimes this will resolve the complaint without lodging a formal complaint.

Where this is not possible, the complainant may choose to lodge a formal complaint.

A complaint can be made by:

- telling an SDN Manager or Centre Director in person or in writing
- calling the SDN Family Engagement Team on 1300 831 445
- using the enquiry form on the SDN website contact page <https://www.sdn.org.au/contact-us/>

SDN will:

- acknowledge complaints promptly
- explain the process, what we are going to do with the information they have given us, and what they can expect to happen next
- give the opportunity for questions and answer to the best of our ability
- not make promises we cannot keep. For example, guaranteeing that the complaint will remain confidential or anonymous if it cannot be
- aim to resolve all complaints as efficiently as possible and will notify delays, including the reasons to relevant parties
- try to reach a local resolution wherever possible; however where this is not possible, SDN will support complainants to access external complaint handling agencies wherever necessary
- investigate thoroughly when an investigation is needed
- maintain open and transparent communication with the complainant throughout the process
- manage complaints in a responsive, fair, efficient, effective, and equitable manner

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- not discriminate against a person making a complaint and treat each person making a complaint with respect and create a safe environment for making complaints
- make different channels for making a complaint available and identify and address barriers to complaints and help complainant/s to participate in the complaints process as needed
- be responsive to diverse cultural and communication needs of complainants and encourage participation through:
 - continuous and easy access to meaningful and culturally relevant information
 - the opportunity to have a chosen support person to assist or represent them
 - the provision of support to complainant which reflects their individual, cultural and communication needs
- communicate the *Complaints Policy* and *Procedure* clearly
- provide options on when and how to communicate about the matter
- enable children to express their views and provide opportunities to participate in decisions that affect their lives
- facilitate child-friendly ways for children to communicate and raise their concerns
- inform the complainant at each stage of the process and of the outcome of the complaint
- monitor complaints as part of SDN’s continued quality improvement.

Complaints alleging a child is exhibiting harmful sexual behaviours

If there is a complaint or allegation that a child or young person is exhibiting harmful sexual behaviours this must be reported to the SDN Incident Line on 1300 838 152.

Children or young people exhibiting sexual behaviour which causes harm to another child or young person is a serious issue which will be handled sensitively.

The response to concerns that a child or young person is exhibiting harmful sexual behaviours will include measures to ensure safety and wellbeing and reduce risk to any children or young people. SDN will conduct a risk assessment and take action to mitigate or eliminate any risk to children and young people. SDN will also assess the alleged behaviour using the Traffic Lights Framework and use this to inform the risk assessment and response. The Traffic Lights Framework categorises behaviours based on:

- Red – sexual behaviours which indicate or cause harm and signal the need to provide immediate protection and follow up support
- Orange – sexual behaviours which cause concern signal the need to monitor and provide extra support
- Green – sexual behaviours which are part of normal and healthy development and provide opportunities to talk, explain and support.

The Traffic Lights Framework also factor in the age and development of the child or young person exhibiting the behaviours and any child or young person experiencing or witnessing the behaviour.

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SDN will work with all stakeholders involved, including any children or young people who may have been impacted by harmful sexual behaviours, as well as the child or young person who may have exhibited these behaviours, their families, staff and relevant authorities. SDN will communicate sensitively with families regarding any allegations or concerns and ensure confidentiality. SDN will also offer support and advice to families, including referral to services which may be able to assist.

Harmful sexual behaviour can be an indication that a child or young person has been a victim of abuse or is at risk of harm. Therefore, the matter will be reported to Child Protection in line with the procedure for *Responding to Concerns of Risk of Harm*.

SDN will also ensure reporting to authorities as required including regulatory authorities and police.

For responding to a complaint, refer also to *Complaints Management Procedure*.

Related SDN Documents

Policies

- GI-HLP-1.04: Equity, Social Justice and Social Inclusion
- GI-HLP-1.09: Privacy and Protection of Information
- GI-HLP-1.10: Code of Conduct
- GI-OP-1.14: Communication with Families
- GI-OP-1.19: Complainant Conduct
- GI-HLP-1.33 Child Protection
- HR-HLP-3.02: Equal Employment Opportunity and Good Working Relationships
- HR-OP-3.09: Grievances

Procedures

- GI-PRO-1.13-01: Complaints Management
- GI-PRO-1.14-01: Feedback Management
- GI-PRO-1.19-01: Complainant Conduct
- GI-PRO-1.33-01: Reporting an Allegation of Possible RC or Reportable Incident
- GI-PRO-1.33-02: Responding to Concerns of Risk of Harm
- HR-PRO-3.02-03: Working with Children and Vulnerable People, NDIS Worker and Police Checks
- HR-PRO-3.09-01: Grievances

Forms/Templates

- GI-FRM-1.13-01-01: Complaints Form
- GI-FRM1.13-01-02: Complaints Register

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Other SDN Document

- GI-ADD-1.13-01-02-A: Completing the Complaints Register Work Instructions

Relevant Legislation/Regulations

- Child Safe Standards (NSW)
- The National Principles for Child Safe Organisations
- National Standards for Disability Services
- Children's Guardian Act 2019 (NSW)
- Education and Care Services National Law Act 2010, sections 172(f) and 174(2)(b)
- Education and Care Services National Regulations 2011, regulations 168(2)(o), 173(2)(b) and 176
 - Schedule 1: National Quality Standard, standards 7.2 and 7.3, elements 7.3.1, 7.3.3 to 7.3.5
- Education and Care Services National Amendment Regulations 2013
- Health Records Information Privacy Act 2002
- Privacy Act 1988
- Privacy Amendment (Private Sector) Act 2000
- Anti-Discrimination Act 1977 (NSW)
- Discrimination Act 1991 (ACT)
- Human Rights Act 2004 (ACT)
- Human Rights Commission Act 2005 (ACT)

Other References/Related Documents

- The NSW Ombudsman has general advice about making a complaint:
<https://www.ombo.nsw.gov.au/Making-a-complaint>
- NSW Ombudsman (2017) *Effective complaint handling guidelines*.
https://www.ombo.nsw.gov.au/_data/assets/pdf_file/0020/131096/Effective-complaint-handling-guidelines-Third-edition.pdf
- NSW Office of the Children's Guardian *Guide to the Child Safe Standards 2020*

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