

	
Safeguarding Complaints Handling Procedure	Version: 1.0
Date of Approval	13 April 2021
Approved by	Sr Mary-Louise Petro
NCSS Ref	6.1.1, 6.1.2, 6.1.4, 6.1.5, 6.1.6, 6.1.7, 6.2.1, 6.3.1, 6.3.2, 6.3.3, 6.3.4, 6.3.7, 6.3.5, 6.6.2.
Date of Next Review	April 2024

Safeguarding Complaints Handling Procedure

1.0. RESPONSIBILITIES

- 1.1** The Safeguarding Co-ordinator is the initial contact for safeguarding complaints. On receiving a complaint, the Safeguarding Co-ordinator immediately informs the designated member of the Leadership Team (Councillor - Professional Standards) who determines the procedure appropriate to the complaint.
- 1.2** Minor infringements (eg. blurring of professional boundaries) are handled by the Councillor-Professional Standards or her delegate as appropriate.
- 1.3** Major complaints including all allegations of sexual abuse, both historical and contemporary, are handled by the Councillor-Professional Standards, in consultation with the Congregation Leader and where appropriate, the Safeguarding Advisory Panel and other specialist services, including civil authorities. Where a complaint of sexual abuse is made by a child (as distinct from an adult bringing a complaint of abuse suffered as a child), the Councillor-Professional Standards will seek the advice of a qualified expert in child sexual abuse, at the beginning of the process.
- 1.4** Complaints against the Safeguarding Co-ordinator are referred to the Congregation Leader.

- 1.5 Complaints against the Councillor-Professional Standards are referred to the Congregation Leader.
- 1.6 Complaints against the Congregation Leader are referred to the Metropolitan Archbishop (Archbishop of Sydney).
- 1.7 Where other Church Authorities are involved in a complaint, the Congregation will collaborate with them in seeking a resolution.

2.0. INITIAL ASSESSMENT

- 2.1 The Councillor-Professional Standards, on receiving a safeguarding complaint, disclosure, allegation, or suspicion of abuse, conducts an immediate assessment to identify and minimize any risk to children or adults at risk.
- 2.2 Where a complaint of sexual abuse is assessed as plausible and there is a risk that the alleged perpetrator might come into contact with children or adults at risk, that person is stood down from their role or ministry while the complaint is investigated.

3.0. HANDLING MINOR COMPLAINTS

The Councillor-Professional Standards or her delegate:

- 3.1 Assesses the likely risk to children and adults at risk and minimises any risk as per **2.0 Initial Assessment** above.
- 3.2 Informs the Congregation Leader.
- 3.3 Establishes a file in accordance with the Safeguarding Information and Record Keeping Policy.
- 3.4 Acknowledges the complaint and provides the complainant with information on the Congregation's complaint handling processes. Offers pastoral support to the complainant.
- 3.5 In consultation with the Congregation Leader, notifies the respondent and provides sufficient information for the respondent to make a response. Advises the respondent of the Congregation's complaint handling processes and her/his legal rights including the right to independent legal advice. Offers pastoral support.
- 3.6 Reports to internal and external authorities as required.
- 3.7 Determines and handles the complaint process, in consultation with the Congregation Leader as required.
- 3.8 Determines appropriate outcomes in accordance with the Safeguarding Complaints Handling Policy and with the Congregation Leader, where the complaint is against a Congregation member.

- 3.9 Informs the complainant and the respondent of the outcome and the provision for appropriate ongoing support. Where the outcome is not acceptable to the complainant and/or the respondent, informs her/him of further options that may be pursued, including an appeal to the Congregation Leader. Congregation members may also appeal to the Holy See.
- 3.10 Finalises and stores all records in accordance with the Safeguarding Information and Record Keeping Policy.
- 3.11 Reports to the Congregation Leader.
- 3.12 Reviews policies and procedures to ensure continuous improvement and makes recommendations to the Leadership Team as required.

4.0. HANDLING MAJOR COMPLAINTS, INCLUDING ALL COMPLAINTS OF SEXUAL ABUSE

The Councillor-Professional Standards:

- 4.1 Assesses the likely risk to children and adults at risk and minimises any risk as per **2.0 Initial Assessment** above.
- 4.2 Informs the Congregation Leader of the complaint.
- 4.3 Establishes a file in accordance with the Safeguarding Information and Record Keeping Policy.
- 4.4 Acknowledges the complaint and provides the complainant with information on the Congregation's complaint handling processes. Offers pastoral support to the complainant.
- 4.5 In consultation with the Congregation Leader, notifies the respondent and provides sufficient information for the respondent to make a response. Advises the respondent of the Congregation's complaint handling processes and her/his legal rights including the right to independent legal advice. Offers pastoral support.
- 4.6 Reports to internal and external authorities as required.
- 4.7 Determines, in consultation with the complainant, the Congregation Leader and other relevant bodies, the appropriate process for handling the complaint, based on principles of restorative justice, for example, mediation. This may include a formal investigation by an independent investigator and may take place within a legal context. Where an allegation relates to criminal conduct and has been reported to police, no investigation is undertaken by the Congregation until police have advised that it can proceed.
- 4.8 Oversees the process in accordance with the Safeguarding Complaints Handling Policy.
- 4.9 Informs the Congregation Leader, the complainant and the respondent of the outcome and the provision for appropriate ongoing support. Where the outcome is not acceptable

to the complainant or the respondent, informs her/him of further options that may be pursued, including an appeal to the Congregation Leader. Congregation members may also appeal to the Holy See.

4.10 Finalises and stores all records in accordance with the Safeguarding Information and Record Keeping Policy.

4.11 Reports to the Congregation Leader.

4.12 Reviews policies and procedures to ensure continuous improvement and makes recommendations to the Leadership Team as required.

5.0. REVIEW

This document will be reviewed every three years.

6.0. DEFINITIONS

“**Abuse**” means any intentional harm or mistreatment of a child under 18 years of age or an adult at risk. The most common categories include physical abuse, psychological/emotional /spiritual abuse, neglect, sexual abuse, grooming and exposure to family violence.

“**Adult at risk**” means any person aged 18 years and over who is at increased risk of abuse, such as those who:

- * are elderly
- * have a disability
- * suffer from mental illness
- * have diminished capacity
- * have cognitive impairment
- * are subject to significant power imbalance
- * are experiencing transient risks, such as bereavement or relationship breakdown (or other such adversity) or have any other impairment that makes it difficult for that person to protect themselves from abuse or exploitation

“**Child**” means any person under the age of 18 years

“**Congregation member**” means a professed member of the Congregation of the Sisters of Mercy Parramatta.

7.0. SUPPORTING DOCUMENTS

Safeguarding Complaints Handling Policy