

## **Responding to Complaints and Allegations of Past Abuse in Uniting Church Children's Homes**

Uniting (NSW.ACT) has a policy and process for responding to and managing complaints from people who were once in Burnside's care.

This policy is based on important principles. These are:

- A commitment to natural and procedural justice.
- The right of people to bring complaints to Burnside.
- Complaints shall be treated with respect and consideration, and in alignment with the values of social justice, respect, integrity, care and responsiveness.
- Burnside will not allow for retribution against a person who brings a complaint.
- Complaints will be addressed in the shortest time practicable.
- Burnside will maintain confidentiality about complaints.
- Investigation into complaints will be conducted in an objective manner.

The complaint can be made to the Manager Aftercare who will talk to the person about the importance of having a support person to be with them throughout the process and will arrange one from within the Organisation, or the person can nominate someone from outside the Organisation.

Within 14 days of first talking with the Manager Aftercare, the complaint, if not already received, should be made in writing. This can be done with the assistance of the support person. The Manager Aftercare will then talk with the person about what they would like to see as a result of the complaint and outline the possible options available for them.

### **There are six possible options:**

1. Simply making the complaint to the Organisation and having it heard with compassion and understanding and that the Complainant may receive a response from a senior officer of the Organisation.
2. Making a written statement about what occurred and their experience of it. This will then be included in their file and helps ensure their experience is recognised.
3. Counselling or other forms of support.
4. Investigation through the Organisation's internal process, but with an external investigator.
5. Criminal investigation.
6. A civil litigation process.

Burnside always seeks to treat people with compassion and understanding and sometimes this can be sufficient for the person – that they have been heard and believed.

Counselling is by a qualified person who will help the person with any emotions, thoughts or behaviours that are interfering with their ability to progress their lives. The counsellor will be from outside the Organisation. Other forms of casework support may also be offered if the person feels that this would be useful.

The investigation aids a proper determination of the complaint. If the complaint is about allegations of abuse, then it will be done by an investigator independent of all concerned parties. If the investigation finds the substance of the complaint to have been established a number of different outcomes may occur - ranging from ensuring that our current policy and procedures will protect current service users from similar sources of complaint, a formal apology from the Organisation, plus offering a range of supports (including financial reparation<sup>1</sup>) to assist the person with any ongoing effect.

A criminal investigation is when the person makes allegations that they have been mistreated in ways that are against the law (e.g. sexual abuse) and therefore the perpetrator may be able to be charged by the police.

Any number of the above can be pursued but not necessarily at the same time.

If at any time a civil action is sought against the Organisation then any of the above assistance is required to cease until the legal matter is resolved. Civil action is when the person takes legal action against the Organisation for the alleged harm caused, with the aim of getting some form of redress.

Burnside takes all complaints very seriously and if the person is unhappy with the outcome of the investigation a review can be requested. After any complaint, the Organisation's practices and policies are reviewed to incorporate any lessons learnt and improvements to practice implemented.

Contact: The Manager Aftercare 02 9768 6890

or write to:  
The Manager Aftercare  
Uniting Burnside  
PO Box 7137  
Silverwater NSW 2128

*1. The upper limit is \$50,000 as stated in the Uniting Care NSW.ACT "Complaints and Allegations of Past Abuse in Uniting Church Children's Homes" Policy and Procedures.*