



Government of Western Australia
Department of Communities



Resolving your complaints

**Complaints Kit -
Understanding how to
make a complaint related
to child protection matters**





What is resolution?

Resolution is when the outcome of a complaint is satisfactory to both parties. Sometimes this is really difficult to achieve, particularly when the Department of Communities (the Department) is making decisions of a child protection nature about your family that you may not agree with.

Resolution means making a real effort to talk about the problem, being listened to respectfully, having the reason why decisions have been made explained, and being told what your rights are.

Working together is the best way to fix many problems for children and their families. The Department genuinely wants to resolve your disputes as quickly and as easily as possible.

What is a complaint?

A complaint is a formal way of telling us that you are dissatisfied or concerned with something we have done. Complaints are when the director, manager or their delegate use the formal complaints procedure to try to resolve the problem.

Informal complaint

An informal complaint is when your problem can be resolved by talking with your case worker or team leader.

This is often a good start to sorting out the problem. You can meet with the officers, talk about the issues and come to an agreement that you are both satisfied with. Many problems can be resolved this way; it helps to keep working together where possible.

If this doesn't work and you are not satisfied, then you can make a formal complaint (see page 4) as the director, manager or their delegate will need to commence the formal complaints procedure.

What CAN be complained about?

A complaint may be about any child protection related services that are provided by the Department.

You may wish to complain about not receiving a service that you believe is reasonable to expect from the Department.

You may also wish to complain about a decision that has been made, policies that have affected you, or about the actions of a particular officer of the Department.



Complaints we CANNOT deal with

You can talk to us about all your complaints which relate to child protection matters; however, there are some complaints that are not part of the Department's Complaints Policy.

Please talk to the Complaints Management Unit (CMU) if you need information on complaints about these areas:

- Any complaints related to the Department of Communities', Housing Authority, Disability Services Commission, Regional Services Reform, Youth Justice and Community Grants, Funding and Initiatives divisions. To progress a complaint associated with any of these services, please refer to www.communities.wa.gov.au.
- Any complaint that is subject to current legal action in a court or tribunal (legal practitioner or Legal Aid)
- Decisions made by the Children's Court or Family Court of Western Australia (legal practitioner or Legal Aid)
- Formal care plan decisions (Care Plan Review Panel)
- Recommendations of the Care Plan Review Panel (State Administrative Tribunal)
- The death of a child (Coroner's Office of Western Australia)
- Decisions made by the Adoptions Application Committee
- Decisions made about funding and purchasing of community services as part of a tendering process
- Decisions and actions of the Working With Children Check regarding the issuing of notices (these are addressed using the Working With Children Complaints Resolution Process)
- Decisions to refer a person to Centrelink for Income Management (reviewed by district director)
- Complaints and/or grievances from departmental employees
- Decisions to record a person as 'Person Responsible or Person Assessed as Causing Significant Harm' to a child (reviewed by District Director)
- Decision to revoke a foster carer's approval
- Matters of a personal nature involving staff
- Anonymous complaints.



STEP 1 – LODGE A COMPLAINT

The first step is to make your complaint to the director, manager or their delegate at the office that made the decision about your family or was responsible for the service you received.

Ways you can lodge a complaint:

- Complete the complaints form attached – see notes to assist.
- Telephone the director, manager or their delegate.
- Make an appointment with the director, manager or their delegate.
- Telephone the CMU on (08) 9222 2594.
- Visit www.communities.wa.gov.au and follow the link to the Child Protection and Family Support website. Complete the online complaint form in the 'Compliments and Complaints' box and select 'Lodging a Complaint'.

What will happen next?

1. Within two working days of receiving your complaint, the director, manager or their delegate will write to say they've received it.
2. The director, manager or their delegate will phone you within seven working days of receiving your complaint to discuss the complaint and to try to resolve it if possible. They may need extra information to help them.
3. They may send you a letter outlining what complaints they are looking into. When they have completed the investigation they will send you an **Outcome Letter**.

How long will it take?

Altogether, the director, manager or their delegate will try to resolve your complaint within 21 working days. If this isn't possible the CMU will advise you of the completion date.

What if I am not satisfied with the outcome?

If you don't agree with the **Outcome Letter**, you may choose to take your complaint further. You can do this by taking **Step 2** and contacting the CMU.

You **MUST HAVE** an **Outcome Letter** from Step 1 **BEFORE** you move on to Step 2.



STEP 2 – THE COMPLAINTS MANAGEMENT UNIT (CMU)

The CMU manages the complaint process state-wide for child protection services provided by the Department. They will provide you with information and advice about the complaint process, and may investigate your complaint if resolution at Step 1 has not been successful.

Complaints Management Unit
Department of Communities
189 Royal Street, East Perth, WA 6004
Tel (08) 9222 2594 or 1800 013 311 (country free call)
Fax (08) 9222 2929

What will happen next?

1. The CMU staff will talk to you by telephone or in person to discuss your complaint and assess how your complaint can be progressed.
2. The CMU will send you a letter saying how your complaint will be progressed. The CMU will keep you informed about what's happening.
3. The CMU will send you a ***Complaint Investigation Outcome Letter***.

How long will it take?

The CMU will try to complete the investigation within 21 working days. If this isn't possible, they'll write and tell you.

What if I am still not satisfied?

Once your complaint has been assessed or investigated by the CMU, then the Department has done all that it can to try to resolve your issue. At this point there is no further review available within the Department's complaint process.

You may choose to take your complaint for ***external review***; **Step 3**.

STEP 3 – EXTERNAL REVIEW

If you want to take your complaint outside the Department you can contact:

Ombudsman Western Australia
Telephone (08) 9220 7555 or 1800 117 000 (country free call).

Complaint form



Complete this form to make a formal complaint about child protection matters related to the Department of Communities.

Your complaint will be forwarded to the relevant director or manager of the office or work unit that your complaint is about.

Personal details (You must give your name or we cannot progress your complaint.)

First name: _____ Last name: _____

Address: _____

_____ Postcode: _____

Telephone: Home _____ Work _____

Mobile _____

Signed: _____ Date: _____

Name of the office or work unit (You can include more than one office or work unit)

Your complaint

Explain what your complaint is about. Be clear about the details of your complaint, the people involved, and what you've already done to resolve it. Add extra pages if necessary and attach copies of relevant documents (please keep the originals).



Legal Aid

Telephone 1300 650 579

www.legalaid.wa.gov.au

Aboriginal Legal Service of WA (Inc.)

Telephone (08) 9265 6666

www.als.org.au

Appeals

Care Plan Review Panel - reviews case planning decisions for children in the Department's care. Telephone (08) 9222 2593.

Support and advocacy

Advocate for Children in Care - for children or young people in the Department's care, or people concerned about them. Telephone (08) 9222 2518 or 1800 460 696 (country free call) or mobile 0429 086 508.

Freedom of Information - creates a legal right of access to documents held by Department. Telephone (08) 9222 2555.

Foster Care Association of WA Inc. - supports foster carers. Telephone 9242 4222 or 1800 641 911 (country free call).

RUAH Community Services – Aboriginal Resources Directory. Telephone 13 78 24 (13 RUAH) or www.ruah.org.au

FinWA – The Family Inclusion Network of Western Australia Inc – for parents and family members who have had their children placed in 'out of home care' i.e. foster care or relative care.

Telephone (08) 9328 6434 or www.finwa.org.au

For your local Department of Communities district office details telephone (08) 9222 2555 or visit www.communities.wa.gov.au and follow the link to Child Protection and Family Support.