



# MANJUSHRI BUDDHIST CENTRE

40 Wason St, Milton, NSW, 2539

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## Complaints and Allegations Policy

January 2024

*We want children who participate in our programs to have a safe and happy experience. We support and respect our children, their families, and our volunteers.*

### Introduction

Our policy guides our committee members, members, and friends of Manjushri Buddhist centre on how to report a complaint or allegation in regard to our Child Safety Policy. The policy focuses on the process to report a complaint or allegation whilst keeping in line with appropriate confidentiality requirements and legal requirements.

This policy is an expression of the first and fourth ethical precept taught by the Buddha: to avoid harming living beings and refrain from being dishonest. It is in line with NSW child protection policy and legislation.

### The purpose of this policy

This document aims to provide

- Friends, Members and Committee Members the confidence that complaints will be dealt with honestly and fairly.
- Friends, Members and Committee Members the confidence in reporting inappropriate behaviour around children.
- Guidelines on how to report any concerns about the safety or welfare of a child or young person immediately.

# Reporting Obligations

## NSW Reporting obligations

### Department of Family and Community Services

Any person who has reasonable grounds to believe that a child or young person is at risk of significant harm may report to Department of Family and Community Services.

### Phone 132 111 to report child abuse or neglect (24 hour service).

Some people must report if they have reasonable grounds to suspect a child is at risk of significant harm. They are legally 'mandatory reporters' and must report concerns about risk of significant harm to children, to the Department of Family and Community Services. (FACS)

<https://reporter.childstrong.nsw.gov.au>

A person who is paid to provide the following services and a person (paid or unpaid) who is in a management position in these services are mandatory reporters:

- Health care (e.g. doctors, nurses etc.)
- Education (e.g. teachers)
- Children's services (e.g. childcare centres)
- Residential services (e.g. refuges)
- Law enforcement (e.g. police)

### NSW Ombudsman

The NSW Ombudsman supervises the complaints process of all state and local government agencies as well as schools, childcare centres and agencies providing Out-of-home care. People using these services can complain to the Ombudsman and the Ombudsman can check that the service has handled the complaint properly. Complaints Management Policy Sample The NSW Ombudsman's 'Complaint Handling Tool Kit' and 'Child Protection for the Workplace' Guidelines are available at:

[www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)

### Office of the Children's Guardian

Reporting bodies have a legal obligation to report findings of sexual misconduct and serious physical assault involving children by a child-related worker to the Office of the Children's Guardian.

Under Schedule 1 of the *Child Protection (Working with Children) Act 2012* the conduct that must be reported is:

1. sexual misconduct committed against, with or in the presence of a child, including grooming of a child
2. any serious physical assault of a child.

Under the legislation, reporting bodies must investigate allegations of such conduct to make an informed finding as to whether or not the conduct occurred.

To determine whether or not the conduct meets the criteria, reporting bodies must consider the nature of the conduct itself and the context in which it occurred. If the investigation results in a finding that sexual misconduct or serious physical assault occurred, the reporting body must report this finding to the Office of the Children's Guardian.

Under the *Child Protection (Working with Children) Act 2012* only findings of sexual misconduct and serious physical assault must be reported, although the Ombudsman may report other misconduct to the Office of the Children's Guardian.

## Types of complaints

All complaints should be reported, this includes:

- Disclosure of abuse
- Inappropriate behaviour around children
- Suspicion of abuse or harm to a child

## Responsible workers

All complaints must be reported to the Child Safety Contact Officers.

**Anthony Grenfell (President) – 0450 214 749**

If Anthony is unavailable, then report to:

**Benjamin Adcock (Vice President) – 0415 931 204**

## Making a complaint

A child or young person, or any Committee Member/ Member/ Friend can make a complaint or raise a concern by:

- Face to face meeting
- Phone call Anthony 0450 214 749
- Email - [mbcmilton@gmail.com](mailto:mbcmilton@gmail.com)
- Letter – Manjushri Buddhist Centre, 40 Wason St, Milton, NSW, 2538

## Complaint process

Complaints and allegations will be collected via the complainants preferred medium (face to face, phone call, letter) and directed to the President Anthony Grenfell.

The allegations will be heard/read and determined if it is a reportable allegation. If unsure we call the OCG enquiries line on: **02 8219 3800**

*If reportable:*

1.	Complaints will be recorded on the 'Complaint Record Form' and reported to the Office of the Children's Guardian (OCG) within 7 business days.
2.	If the allegation involves criminal conduct such as a sexual offence or physical assault this will be reported to the NSW Police Immediately.
3.	If the allegation has a child or children at risk of significant harm it will be reported to the Dept. of Communities and Justice Child protection Helpline – <b>132 111</b>
4.	We will inform the complainant of the requirement to make this report.
5.	The President will start investigation planning and submit an Interim Report to the OCG within 30 days.
6.	The President will carry out the investigation.
7.	The President will report on their findings taking the mandatory considerations and evidence into account using a clear rationale.
8.	The President will complete the Entity Report and submit this with all the investigation documents and correspondence to the OCG.

If the complaint involves inappropriate behaviour and a breach of the Code of Conduct, the President will take action in accordance with the internal code of conduct.

## Privacy and Confidentiality

Child safe organisations need to ensure they are following obligations defined under the Privacy and Personal Information Protection Act 1998.

- Complaints and allegations will be collected via the complainants preferred medium (face to face, phone call, letter) and directed to the President Anthony Grenfell.
- Complaints will be recorded on the 'Complaint Record Form' and will be stored on the Manjushri Buddhist Centres Google Docs Drive (accessible only by the President and Secretary).
- The complaint will be reviewed, recorded and reported to the Office of the Children's Guardian.
- If the allegation involves criminal conduct such as a sexual offence or physical assault this will be reported to the NSW Police Immediately.
- If the allegation has a child or children at risk of significant harm it will be reported to the Dept. of Communities and Justice Child protection Helpline – **132 111**

Complaints will be kept confidential; the information will only be shared with the above agencies and will not be discussed broadly with the Committee. We will protect the privacy of those involved in accordance with obligations under the Privacy and Personal Information Protection Act 1998.

## Communication and support for stakeholders

Child safe organisations ensure that all stakeholders (including Committee Members, Members, Friends, Families and Children) know how to make a complaint and or raise a concern.

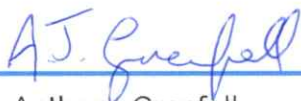
This can be achieved by:

- Information sessions about the policies and practices of the organisation (including the complaints and allegations policy and how it applies to Committee Members, Members, Friends, Families and Children.
- Resources (including fact sheets/ brochures/ posters) on what to report, and who to report to
- Internally or externally provided training in the complaints and allegations processes for workers
- Age-appropriate discussion with children explaining what to do if they feel upset or concerned.

## Reviewing our policies annually

This document will be reviewed annually by the President and Executive Committee of Manjushri Buddhist Centre.

Published by the Executive Committee Members of Manjushri Buddhist Centre and signed on their behalf by:



Anthony Grenfell  
President

Date: 12/1/2024



Benjamin Adcock  
Vice President

Date: 12/1/2024