

**This guide is intended to assist Foster and Kinship carers (Carers) understand the process of submitting a complaint regarding a decision issued by the Department for Child Protection (DCP).**

As a Carer, if you are unhappy with a DCP decision or experience, you have the right to make a complaint. There are different ways to go about making a complaint depending on the nature of the decision.

#### **Why should I submit a complaint?**

Carers may submit complaints for many reasons, e.g. seeking action or resolution on a DCP decision, tabling an incident of a negative experience or identifying concerns of overall treatment and behaviour. Areas of complaint may include, but are not limited to:

- care concern process;
- poor process approach;
- miscommunication and/or lack of communication;
- removal of a child and/or young person from an existing alternative care placement;
- contact arrangement/determination as a function of case management.

During your time as a Carer, you may experience times where the level of support and/or process approach is of concern. Making a complaint may feel uncomfortable and worrying, however making a complaint effectively and respectfully is an important skill.

Submitting a complaint will ensure your voice as a Carer is heard and your rights under the Children and Young People (Safety) Act 2017 are upheld. Providing a complaint assists in the provision of necessary feedback to identify areas of ongoing quality improvement for all stakeholders involved.

#### **How do I submit a complaint?**

A complaint is different to a decision that is changed or overturned. If a significant decision is made that has dramatically effected the care arrangement for the child or young person in your care and you wish to challenge it, please consider steps four or five listed below or speak with one of the Connecting Foster & Kinship Carers SA (CF&KC-SA) Advocacy team.

#### **Step 1: Seek clarity and support from your Agency/Kinship worker**

If a decision is made that you are unhappy with or you have experienced a poor process approach from DCP, the first step includes openly voicing your concerns with your Foster Care Agency support worker or Kinship Carer support worker. This may include a phone conversation or an email.

#### **Step 2: Seek clarity from DCP**

In addition to contacting your support worker, you may also consider formulating a clear, concise and respectful email advising the areas concern to the child or young person's DCP worker.

Below are some helpful tips when voicing your concern or formulating the content of your email before contacting your child or young person's DCP worker:

- Know your rights as a Carer by familiarising yourself with the Children and Young People (Safety) Act 2017;
- Know what you want out of making this complaint;
- Be clear and honest about what you want;
- Be clear about what you are requesting, e.g. case conference, care team meeting, mediation; and
- Make sure you have any relevant information on hand when making the complaint e.g. emails reflecting communications, requests you have made, phone call log, documents regarding the decision

If you have made contact and are not satisfied with the outcome or haven't received a response in a reasonable time frame, contacting your child or young person's DCP supervisor and/or manager is suggested prior to submitting a formal complaint via the DCP Complaints & Feedback Management Unit (see step 3).

#### **Step 3: DCP Complaints & Feedback Management Unit**

After talking to a supervisor and/or manager you feel as though the complaint is not satisfactorily resolved, you may consider submitting a formal complaint through the DCP Complaints & Feedback Management Unit. The Complaints & Feedback Management Unit oversee all complaints made. Each complaint is allocated to an Assessment & Resolution Officer to review and address with fresh eyes.

There are two platforms for submitting a complaint to the Central Complaints Unit:

1. Completing the online complaints form found on the DCP website
2. Telephoning the Complaints & Feedback Management Unit on 1800 003 305

It may take up to four weeks to receive a response regarding the formal complaint, as the investigation process is more in-depth. If you do not receive a response after four weeks, you are encouraged to telephone or email the Complaints & Feedback Management Unit.

#### **Step 4: Internal Review**

If you believe the complaint is still not resolved or suitably acknowledged, you may elect to pursue it further. If the decision is reviewable under the Children and Young People (Safety) Act 2017 you may pursue the internal review process, thirty days from being informed of the decision in writing.

If the decision is not reviewable under the Children and Young People (Safety) Act 2017, you may make an application to the Ombudsman. Please see the CF&KC-SA Carer Guides regarding the Ombudsman and Reviewable Decisions, both available at [www.cfc-sa.org.au](http://www.cfc-sa.org.au).

If you are unsure and need clarification on which pathway to take, please contact CF&KC-SA to speak with one of our Advocates. Our Advocates will listen to your situation and help you make an informed decision on which pathway to take.

*Please note: This is the most serious option and may be initiated first if the complaint is regarding a DCP decision that has serious impact upon you as a Carer. At this point, you have the option to submit an internal review or submit a complaint to the Ombudsman.*

#### **Step 5: External Review**

If you are dissatisfied with the outcome of the internal review undertaken by DCP, in some cases you may be able to apply for an external review through the South Australian Civil and Administrative Tribunal (SACAT). Reviews cannot proceed to SACAT unless an internal review process has been completed by DCP. If the decision is taken to SACAT, the decision may no longer be considered by the Ombudsman. Our advocates from CF&KC-SA can guide you through this process providing guidance on the assorted complaint pathways, within the timeframes supplied.

#### **Carer support**

For more information, or to discuss your personal circumstances, please contact CF&KC-SA to speak with our team:

Email: [support@cfc-sa.org.au](mailto:support@cfc-sa.org.au)

Freecall: 1800 732 272