



# COMPLAINTS & REPORTING POLICY

## PURPOSE

This policy provides a mechanism for the lodging of complaints and other reports and City on a Hill's response to them. It applies to all churches and ministries affiliated with or controlled by City on a Hill Movement Ltd.

City on a Hill encourages a culture of reporting in recognition that God loves and has compassion for all people. City on a Hill will act to ensure safety, care and love within our ministries. We are committed to ensuring children, young people and adults with specific challenges are safe, supported and can thrive.

City on a Hill welcomes reports on any matter including complaints, allegations of misconduct (against staff or volunteers), breaches of a Code of Conduct or other policies, occupational health and safety issues, reports of harm to children, privacy breaches, disclosures of abuse or any other matter.

Whistle-blower reports are the subject of the separate City on a Hill whistle-blower policy.

## DEFINITIONS

Refer to the [Safe Ministry Terminology](#) document for further definitions of terms.

### ***Kooyoora Ltd***

Kooyoora is an independent company that investigates and makes recommendations related to reports referred to it. Kooyoora provides this service for all City on a Hill ministries. For ministries located within the Anglican Diocese of Melbourne, Kooyoora has additional roles as defined in the Professional Standards Uniform Act 2016. Kooyoora also manages all regulatory reporting requirements under relevant state legislation.

### ***Decision Maker***

The person or body that makes determinations resulting from a report. The decision maker will vary depending on the matter, denominational authorities and severity. Decision makers include the Professional Standards Committee of the Anglican Diocese of Melbourne (managed by Kooyoora Ltd), the Movement Council of City on a Hill Movement Ltd, the Compliance Director or other appropriate persons.



### ***Referable Matter***

Behaviour by City on a Hill paid staff or volunteers which, if established, would on its face call into question—

1. the fitness of the person to hold a role office or position, or to be or remain in Holy Orders;
  2. the fitness of the person, whether temporarily or permanently, to exercise ministry or perform any duty or function of the role office or position; or
  3. whether, in the exercise of ministry or in the performance of any duty or function, the person should be subject to any condition or restriction —
- is a referable matter.

All instances of harm to children, as well as instances where you are concerned that a child is at risk of harm and their parents have not or are unlikely to protect them are referable matters.

Referable matters must be referred to Kooyoora.

### ***Reporter***

The person making a report. It is not necessary to be an attender of a City on a Hill church to make a report.

Reporters can be City on a Hill staff, attenders, visitors, volunteers, interns, members of the general public, church leaders or any other person. Reporters can make reports on behalf of someone else. Complainants are regarded as reporters in this document.

### ***Whistleblower Reports***

Reports made by certain people on particular matters to certain recipients are protected disclosures covered by the [Whistleblower Policy](#), a sub-policy of this policy. Please refer to the [Whistleblower policy](#) for details on whether a report falls under the additional protections and options under that policy.

## **PRINCIPLES**

The process for responding to reports will be guided by these seven principles. A fair process for all parties is also a safe process.

### ***Accessibility***

The mechanism for making reports will be known, easy to access and easy to use. Information about the resulting response to a report will be easy to access for those who need to know it.



### ***Responsiveness***

City on a Hill welcomes all reports and views them as invaluable to assist us to serve the community and Christ. We are committed to address reports to the best of our ability, and to use the information to improve our systems, policies and practices.

### ***Confidentiality***

Confidentiality is a necessary precondition for a robust and fair investigation. Information collected in the course of managing a report will only be disclosed to those who have a need to know, including those conducting an independent investigation. Reasonable steps will be taken to protect information from loss, unauthorised access, use, disclosure or any other misuse.

There may be circumstances where information needs to be disclosed to law enforcement, regulatory or professional standards bodies. There may be circumstances where information is publicly disclosed if it is in the public interest to do so. If a report involves a criminal matter, City on a Hill will take direction from the relevant law enforcement body regarding the disclosure or otherwise of information.

### ***Transparency and Accountability***

City on a Hill will follow the processes outlined in this document when responding to reports and will make these processes known. City on a Hill will provide explanations and reasons for its decisions when able. There may be limits to information sharing to protect people's privacy and confidentiality. Regular updates will be made to relevant parties whilst a report is being responded to.

### ***Timeliness***

City on a Hill will endeavour to respond to and resolve reports as soon as practicable. The process and timeframe for managing reports will vary according to the nature and complexity of the report.

### ***Fairness***

City on a Hill will endeavour to ensure that its management of a report is procedurally fair with respect to all parties. We will ensure that all parties are treated with courtesy and respect. Person(s) that respond to a report are to be free of actual, perceived and potential bias and conflict of interest.



### ***Pastorally Responsive***

City on a Hill will make best efforts to ensure that those adversely affected by the contents of a report are pastorally cared for. This may involve the appointment of pastoral staff not connected with the report management process to provide this care and/or referral to specialist practitioners. Reporters will not suffer any detriment or reprisals for making a report. We acknowledge that people's needs differ and we will be responsive and consider the individual, age, ethnicity and disability.

## **MECHANISM FOR MAKING A REPORT**

Reports can be submitted in multiple ways, either to City on a Hill or to Kooyoora.

### ***Compliance Director***

1. In writing by post to:  
Compliance Director – City on a Hill  
PO Box 664  
Carlton South VIC 3053
2. Via email to [report@cityonahill.com.au](mailto:report@cityonahill.com.au)
3. By phone, call 03 9640 0990 and ask to speak to the Compliance Director.
4. On a web-based form located at [cityonahill.com.au/safe-ministry](http://cityonahill.com.au/safe-ministry)

### ***Kooyoora***

1. In writing by post to:  
Director of Professional Standards  
PO Box 329  
Canterbury VIC 3126
2. Via email to [contact@kooyoora.org.au](mailto:contact@kooyoora.org.au)
3. By phone, call 1800 135 246

Reports can be submitted anonymously, however an anonymous report will significantly limit our ability to both investigate the report and to take action. Anonymous reporters are encouraged to establish a mechanism that enables ongoing two-way communication that preserves their anonymity (for example a temporary email address).

Complaints against the Compliance Director should be made to the Executive Pastor – Movement and Operations.



Complaints against Kooyoora should be made to the Compliance Director.

## INITIAL RESPONSE TO A REPORT

When Kooyoora receives a report, they will undertake the following actions.

- Determine if the report falls under the jurisdiction of a denominational authority and if so, proceed according to that denomination's protocols.
- If the report does not fall under the jurisdiction of a denominational authority, refer the matter to the Compliance Director who will determine how the report is to be responded to (which may involve referring the matter to Kooyoora).

Once a report has been received by the Compliance Director or has been informed by Kooyoora of a report, the Compliance Director will undertake the following actions.

1. Conduct the initial triage of the report and decide how the report will be responded to and who will do so (if the report does not fall under the jurisdiction of the Professional Standards Uniform Act 2016),
2. determine if the report meets the definition of a protected disclosure under the whistle blower provision of the Corporations Act 2001 and respond accordingly,
3. conduct a risk assessment and take immediate action, if necessary, to address safety concerns,
4. inform the relevant insurer if required,
5. refer the report to Kooyoora if it is a referable matter, otherwise respond to the report or project manage the response to the report if others are responding to the report, and
6. close the response to the report including overseeing the implementation of recommendations or determinations.

On receiving a report, the report will be assessed by the Compliance Director and one of the following three conclusions will be reached.

### ***1) The report does not require further action***

Possible reasons why a report does not require further action may include:

- the report is of a trivial nature,
- where the parties involved have already satisfactorily resolved the issue, and
- where the report is made for record keeping purposes only and does not require any further action.



In such case no further action will be taken, apart from informing the reporter of this decision, and/or engagement with the local ministry team if appropriate.

### ***2) The report is a referable matter***

If the report is a referable matter, then the report and the details of the reporter will be referred to Kooyoora. If the report was received by Kooyoora, the Compliance Director will be informed.

For City on a Hill ministries within the Anglican Diocese of Melbourne, the report will be investigated and responded to by Kooyoora as per the Professional Standards Uniform Act 2016.

For all other City on a Hill ministries, Kooyoora will gather the information, evidence and establish facts within an investigation report. This report will be considered by the Movement Council of City on a Hill Movement Ltd., or delegated committee.

### ***3) The report is not a referable matter***

If the report is not a referable matter it will be dealt with via an internal investigation and response.

## **TYPES OF REPORT AND RESPONDING BODIES**

Reports are generally categorised as follows, noting there is no wrong pathway and ultimately Kooyoora and the Compliance Director will assign responsibility for the response:

### ***Compliance Director:***

- human resource matters,
- minor breach of a City on a Hill policy,
- minor breach of law,
- occupational health and safety matters,
- minor privacy breaches.

### ***Kooyoora:***

- allegations of misconduct (against staff or volunteers),
- major breach of a City on a Hill code of conduct,
- major breach of law,
- reports of harm to children,



- disclosures of abuse.

Given the wide variety of reports, this policy does not attempt to offer a detailed prescriptive approach for responding to reports. However, at all times the responder to a report must ensure that the seven principles described in this document are followed throughout their response.

If the report relates to conflict within the church, wherever possible, matters should be resolved directly between the parties concerned, seeking advice or support from a third party if appropriate. This is direct resolution and does not require the submission of a report. However, if a report is made where direct resolution is the most appropriate resolution, every effort will be made to facilitate this. If direct resolution has been attempted and those concerned are not satisfied with the result, then it is appropriate to make a report.

For some reports it will be appropriate for the Compliance Director to respond directly; other reports may best be responded to at the local church level.

The table below illustrates an indicative scale of reports with the differing bodies that will respond to the report. The consequence of the behaviour outlined in the report will be determined by conducting a risk assessment using the City on a Hill risk management framework.

There may be situations where reports of insignificant, minor and moderate consequence are escalated to have a responding body and decision maker of a report of major or severe consequence. Reports of major and severe consequence will never be de-escalated to a decision maker and responding body of insignificant, minor and moderate consequence.

The exception is referable matters which will always be responded to by Kooyoora.

Consequence	Responding body
Negligible or Minor	Local church and/or Compliance Director
Moderate	Local church and/or Compliance Director
Significant or Severe	Compliance Director and/or Kooyoora



The Compliance Director will seek to involve the local church as much as is practicable in its response. However, there may be circumstances where this is not appropriate. The local church will be responsible for the provision of pastoral care, where appropriate.

It is not the responsibility of the responder to effect change within City on a Hill as a result of their response. Rather they are required to make recommendations to those responsible as to appropriate outcomes.

## **DECISION MAKERS**

### ***Referable Matters***

For referable matters, the decision maker for City on a Hill ministries located within the Anglican Diocese of Melbourne is the Professional Standard Committee, Board and Review Board as specified in the Professional Standards Uniform Act 2016.

For referable matters outside the Anglican Diocese of Melbourne the decision maker will be the Movement Council of City on a Hill Movement Ltd (or delegated committee) who will base their decision on the report presented to them by Kooyoora.

### ***Non-Referable Matters***

The decision maker for non-referable matters will generally be the Compliance Director or delegate. The Compliance Director has the discretion to refer non-referable matters to the Movement Council.

### ***Outcomes***

The outcomes from a response to a report will be varied depending on the nature of the report. In addition to findings of fact and recommendations made by the responder, additional outcomes can occur, including:

- acknowledgement of pain and suffering incurred,
- apology,
- explanation of findings,
- action taken as a result, including changes to processes,
- referral to third parties,
- disciplinary action against staff or volunteers, and
- provision of pastoral support.





## INFORMAL AND FORMAL REPORTS

City on a Hill does not distinguish between formal and informal reports. Both are regarded as equally important and will be treated the same way. A reporter has the option at any time to withdraw their report. City on a Hill will respect that decision but will continue to address the report with the information already received.

## STAFF RESPONSIBILITIES

City on a Hill staff who become aware of a matter that should be reported but hasn't been, are required to make a report. Reports received verbally are to be entered into the online report form as soon as practicable after receipt. City on a Hill staff are required to immediately report any instances, allegations, disclosures or reasonable concerns of abuse or neglect by people within City on a Hill. Failure to report is viewed as serious misconduct and grounds for disciplinary action which may include dismissal. Further legal implications may also apply.

## APPEALS

In the event an appeal is lodged against a response to a report, the Movement Council of City on a Hill Movement Ltd may arrange for a suitable person not connected to the original response to review the response. After this review the Movement Council will respond accordingly. An appeal process is documented in the [Professional Standards Uniform Act 2016](#) for ministries within the Anglican Diocese of Melbourne.

## HARM TO CHILDREN AND REPORTING OBLIGATIONS

Any adult who forms a reasonable belief that an offence has been committed by an adult against a child has a moral and legal obligation to report that information to police. Failure to disclose such information to police is a criminal offence in Victoria, Queensland and New South Wales.

Different states have different reporting obligations and different definitions of harm to children that will trigger a mandatory report to the police and/or other reporting bodies. In such cases, the report is to be referred to Kooyoora who will make an assessment and guide the reporter on what are the required steps to take. Some states have short timeframes in which a mandatory report is to be made, so it is important that Kooyoora is contacted immediately.

As an example, Victoria and New South Wales have the following definitions of reportable conduct.

Child Wellbeing and Safety Act 2005 (VIC):

- sexual offences committed against, with or in the presence of a child,
- sexual misconduct committed against, with or in the presence of a child,



- physical violence against, with or in the presence of a child,
- any behaviour that causes significant emotional or psychological harm to a child, and
- significant neglect of a child.

Other Victorian Acts require different reporting, for example when a person in religious ministry forms a belief that a child has or is likely to suffer significant harm as a result of physical injury or sexual abuse, and their parent has not protected or is unlikely to protect the child.

Children's Guardian Act 2019 (NSW):

- a sexual offence committed against, with or in the presence of a child,
- sexual misconduct with, towards or in the presence of a child,
- ill-treatment of a child,
- neglect of a child,
- an assault against a child,
- behaviour that causes significant emotional or psychological harm to a child, and
- any offence under section 43B or 316A of the Crimes Act 1900, whether or not, with the consent of the child.

## APPROVAL

This document is approved by the Movement Council of City on a Hill Movement Ltd.

## OVERSIGHT

The Compliance Director is responsible for the implementation of this policy. The Compliance Director will regularly report to the Risk Committee on the operation of this policy. The Risk Committee can, at its discretion, view the contents of reports and review the response to a report.

## RELATED DOCUMENTS

The [Whistleblower Policy](#) is a sub-policy of this policy.

The [Safe Ministry Terminology](#) document defines various terms.