



## Child Safety and Wellbeing Complaints Management Policy

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For the purposes of this Policy, we refer to School Staff, Volunteers or Contractors together as “Staff” or “staff members”.

It is the Principal’s responsibility to ensure the efficient and effective organisation, management and administration of the School’s complaints handling processes.

### Key Definitions

#### Complaint

A “complaint” is an expression of dissatisfaction with an action taken, decision made, or service provided, or with the failure to provide a service, take action or make a decision at the School.

A complaint can be made by anyone including a student, former student, parent/carers, other family member, staff member or member of the wider community.

#### Child Safety and Wellbeing-Related Complaint

For the purposes of this Policy, a “child safety and wellbeing-related complaint” includes any disclosure, allegation, suspicion, concern or internal report of:

- a breach of the School’s Child Safety and Wellbeing Codes of Conduct
- a child safety incident or concern alleged to have occurred, be occurring or be at risk of occurring at the School or a School event
- Reportable Conduct
- other staff misconduct (such as a procedural breach of the Child Safety and Wellbeing Program)
- any complaint about the School’s response to or management of a child safety incident or concern, including complaints alleging non-compliance with our [Child Safety Reporting Obligations Policy](#) and our [Procedures for Managing Child Safety Incidents or Concerns](#).

### Child-Focused Complaints Handling

A child-focused complaints handling process is important for helping students and others at the School make complaints, whether about child safety, wellbeing or otherwise. This Policy sets out how the School, as a child safe organisation, has and implements a child-focused child safety and wellbeing complaints handling system.

This Child Safety and Wellbeing Complaints Management Policy is communicated to and understood by students, Staff and parents/carers, and ensures that child safety and wellbeing-related complaints are handled in a timely, fair and transparent manner.

This Policy is summarised in our public-facing [Procedures for Managing Child Safety Incidents or Concerns](#). In our public-facing [Complaints Handling Policy](#), we include details about how to make a Child Safety and Wellbeing complaint.

A child-friendly version of this Policy is also provided to students.

## Making a Child Safety and Wellbeing-Related Complaint

The School has developed complaints handling processes, to enable:

- simple and appropriate avenues for students, Staff, parents/carers and the wider community to make a complaint, including child safety and wellbeing-related complaints
- confidentiality and accessibility for all members of the School community.

These are:

1. **Anyone** can, at any time, make a child safety and wellbeing-related complaint to:

- the Principal
- a Child Safety and Wellbeing Officer
- a trusted staff member

in person, in writing or over the phone.

Non-child safety and wellbeing-related complaints should be made to the Complaints Manager.

2. **Parents/carers, family members and other community members** who have child safety and wellbeing concerns about the School, its students or staff members are asked to follow the procedures set out in our [Child Safety and Wellbeing Policy](#) and to contact:

- the School's Child Safety Champion, or the Principal; or
- if the concern relates to the Principal, the Deputy Principal.

3. **Students** have multiple pathways to make a complaint, including child safety and wellbeing-related complaints, at the School. These include:

- disclosing child safety incidents or concerns, including abuse or other harm of themselves or of any other child or student aged 18 or over, to any staff member. This might be done:
  - verbally
  - in writing
  - through electronic means (such as email)
  - indirectly (such as in written assignments, in artworks or in any other way)
- using the School's Anonymous Child Safety and Wellbeing Report Box which is located in low traffic student spaces across all campuses to disclose child safety incidents or concerns, including abuse or other harm of themselves or of any other child or young person, anonymously
- by contacting [ChildWise](#).



## Responding to a Child Safety and Wellbeing-Related Complaint

### Support for Complainants

Whenever a complaint containing information about child safety incidents or concerns is received, the complainant is offered support and assistance under our [Support Following Child Safety Incident or Disclosure Policy](#).

Where the complaint relates to a sexual offence or sexual misconduct that occurred before 1 July 2018, complainants must be informed about the [National Redress Scheme](#) for people who have experienced institutional child sexual abuse. The process for applications involving the School can be found by contacting the Business Manager.

### Internal and External Reporting

All Staff must follow the School's procedures for responding to and reporting child safety incidents or concerns if any information contained in a complaint that is made to them raises a concern that a student may have been subject to, or may be at risk of, abuse or other harm at the School or a School event, or from a staff member. This includes in particular:

- reporting a child safety incident or concern internally
- the Duty to Protect / Failure to Protect obligations
- Mandatory Reporting to Child Protection
- Non-mandatory reporting to Child Protection
- reporting to Police
- reporting Reportable Conduct to the Commission for Children and Young People (CCYP)
- reporting teacher misconduct to the Victorian Institute of Teachers

Our policies require all Staff to report any child safety and wellbeing-related complaint that is made to them to the Child Safety and Wellbeing Champion or the Principal in addition to making any required external reports. If a complaint is about the Principal, the complaint must be referred to the Deputy Principal.



## How the School Manages Child Safety and Wellbeing-Related Complaints

Child safety and wellbeing-related complaints are managed by the School as follows:

### **Complaints that involve, or raise the possibility of a risk of, child abuse or other harm to a child**

The following child safety and wellbeing-related complaints must be managed pursuant to any relevant policies and procedures in the Child Safety and Wellbeing Program:

1. complaints involving, or raising the possibility of a risk of, child abuse or other harm occurring at the School or a School event, or by a staff member, Volunteer or Contractor
2. complaints alleging a breach of the Child Safety and Wellbeing Codes of Conduct that involves, or raises the possibility of a risk of, child abuse or other harm by a staff member, Volunteer or Contractor.

These kinds of child safety and wellbeing-related complaints must be immediately referred to the Principal (or if the complaint involves the Principal, the Deputy Principal) to be managed pursuant to relevant policies and procedures in the Child Safety and Wellbeing Program.

The Principal may, where appropriate, delegate management of these kinds of child safety and wellbeing-related complaints to the Child Safety and Wellbeing Champion.

Procedures for managing these kinds of child safety and wellbeing-related complaints are summarised in the [Child Safety Reporting Obligations Policy](#) and [Procedures for Managing Child Safety Incidents or Concerns](#) which are available on our intranet and public [website](#).

### **Other complaints that are managed under the Child Safety and Wellbeing Program**

The following child safety and wellbeing-related complaints must also be managed pursuant to any relevant policies and procedures in the Child Safety and Wellbeing Program:

1. complaints about the School's investigation of and/or response to a specific incident of or concern about child abuse and other harm to a child
2. complaints that the School, when responding to a specific incident of, or concern about, child abuse and other harm to a child, has not correctly followed the School's own policies (for example, a complaint that we did not follow our [Procedures for Managing Child Safety Incidents or Concerns](#))
3. complaints that the School has not correctly followed legislative or regulatory requirements regarding child safety and wellbeing in relation to a specific incident of, or concern about, child abuse or other harm to a child (for example, a complaint that we shared information about a child safety incident or concern with an external agency when not permitted by law to do so).

These kinds of child safety and wellbeing-related complaints must be immediately referred to the Principal (or if the complaint involves the Principal, the Deputy Principal) to be managed pursuant to relevant policies and procedures in the Child Safety and Wellbeing Program.

The Principal may, where appropriate, delegate management of these kinds of child safety and wellbeing-related complaints to the Child Safety and Wellbeing Champion.

Relevant policies and procedures for managing these kinds of child safety and wellbeing-related complaints include, but are not limited to, the [Child Safety and Wellbeing Breach Management Policy](#) and the [Child Safety and Wellbeing Regular Reviews and Continuous Improvement Policy](#).



## Complaints that may be managed under other School policies and procedures

The following child safety and wellbeing-related complaints may be managed pursuant to other relevant School policies:

1. complaints alleging a breach of the Child Safety and Wellbeing Codes of Conduct that **do not** involve, and **do not** raise the possibility of a risk of, child abuse or other harm to a child by a staff member, Volunteer or Contractor (for example, a complaint that a staff member has expressed personal views on sexuality in the presence of students)
2. complaints alleging procedural breaches of the Child Safety and Wellbeing Program by Staff that **do not** involve, and **do not** raise the possibility of a risk of, child abuse or other harm to a child (for example, a complaint that a staff member has not renewed their WWC clearance)
3. general complaints about our Child Safety and Wellbeing policies and procedures themselves (for example, a complaint that our policies and procedures do not accurately reflect the law or that they do not take into account the needs of a particular student or community cohort).

Although these kinds of child safety and wellbeing-related complaints may be managed pursuant to other relevant School policies, the Complaints Manager or other person managing the complaint should – where appropriate - consult with the Child Safety and Wellbeing Champion as part of the investigation.

With respect to 3. above, given the high risk to the School of not having a compliant Child Safety and Wellbeing Program, it is likely that the outcome of these kinds of complaints will need to be reported to the School Board.

Relevant policies and procedures for managing these kinds of child safety and wellbeing-related complaints include, but are not limited to, our [Complaints Handling Policy](#).



## Resources for Managing Child Safety and Wellbeing-Related Complaints

The [Complaints Handling Policy](#) provides guidance on complaints handling principles and a step-by-step guide to managing a complaint.

The National Office for Child Safety publishes a guide for complaints that involve children and young people: [Complaint Handling Guide: Upholding the rights of children and young people](#).

Our [Child Safety Reporting Obligations Policy](#), our [Procedures for Managing Child Safety Incidents or Concerns](#) and our [Child Safety and Wellbeing Breach Management Policy](#) sets out procedures that will be followed for complaints about inappropriate conduct by Staff.

## Reviews of Child Safety and Wellbeing-Related Complaint Outcomes

Complainants or other persons who are involved in the child safety and wellbeing-related complaint (for example, a staff, member whose behaviour is the subject of the complaint, a student who is the victim of the alleged behaviour or their parent/carer) and who are not satisfied with the management of a child safety and wellbeing-related complaint or its outcome may request an internal review of:

- the procedures undertaken
- findings made
- disciplinary actions proposed or taken
- other outcomes (including a decision not to make a finding or to take disciplinary or other action).

Requests for internal reviews should be made to the Principal (or Deputy Principal if the complaint relates to the Principal).

## External Reviews for Overseas Students

If an overseas student is not satisfied with the outcome of the School's internal complaints handling process, they may lodge an external appeal through the Overseas Students Ombudsman (OSO) which investigates complaints about problems that overseas students or intending overseas students may have with private education and training in Australia. The services of the OSO are free. The contact details for the OSO are as follows:

- Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)
- Call: 1300 362 072 within Australia. Outside Australia call +61 2 6276 0111.
- Enquiries: 9:00am to 5:00pm Monday to Friday, Australian Eastern Standard Time (Australian Eastern Daylight Time when daylight savings is in effect)
- Postal: Commonwealth Ombudsman, GPO Box 442 Canberra ACT 2601.
- Website: <https://www.ombudsman.gov.au/How-we-can-help/overseas-students>

The School agrees to be bound by the OSO's recommendations and will ensure that any recommendations made are implemented within 30 days of receipts of the report.



## **Record Keeping about Child Safety and Wellbeing-Related Complaints**

Because of the confidentiality and privacy issues that arise with respect to child safety and wellbeing-related complaints, records of complaints that contain information about child safety incidents or concerns are not held within our general complaints handling record keeping system.

Child safety and wellbeing-related complaints are instead recorded under our [Child Safety and Wellbeing Record Keeping Policy](#).

Child safety and wellbeing-related complaints are also recorded in a separate Child Safety and Wellbeing Complaints Register.

## **General Reviews of Child Safety and Wellbeing Complaints Management**

The School regularly reviews child safety and wellbeing-related feedback, comments and complaints to ensure that any child safety-related feedback, comments or complaints from the School community members and relevant stakeholders are captured, analysed and acted on where appropriate.

In particular, child safety and wellbeing-related complaints are regularly analysed to identify causes and systemic failures to inform continuous improvement.

Our Child Safety and Wellbeing Complaints Management Policy is also itself regularly reviewed as part of our reviews of the Child Safety and Wellbeing Program.

For more information, refer to the [Child Safety and Wellbeing Regular Reviews and Continuous Improvement Policy](#) and the [Child Safety and Wellbeing Compliance Policy](#).