



Child Safe Program

Child Safe Complaints Management

For the purpose of this Policy, we refer to College Staff, Volunteers or Contractors as “Staff” or “staff members”.

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 College.

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

Child Safe-Related Complaint

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

- a breach of the College’s Child Safe Codes of Conduct
- a child safety incident or concern alleged to have occurred, be occurring or be at risk of occurring at school or a College event
- Reportable Conduct
- other staff misconduct (such as a procedural breach of the Child Safe Program)

- any complaint about the College's response to or management of a child safety incident or concern, including complaints alleging non-compliance with our procedures for [Responding to and Reporting Child Safety Incidents or Concerns](#).

Background

Under Standard 6 of the NSW Child Safe Standards and Principle 6 of the National Principles for Child Safe Organisations, the College must have and implement child-focused processes for managing complaints and concerns.

A child-focused complaints handling process is important for helping students and others at the College make complaints, whether about child protection and safety or otherwise. This Policy supports the creation of a culture for students and their families to have their complaints heard, considered and responded to, and a culture of transparency in our complaints management processes.

It sets out how the College, as a child safe organisation:

- has and implements a child-focused complaints handling system
- manages child safe-related complaints.

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

This Policy is summarised in our public-facing [Procedures for Handling Allegations of Staff Misconduct and Reportable Conduct](#) and our public-facing [Procedures for Managing Child Safety Incidents or Concerns At or Involving the College](#).

In our public-facing [Complaints Handling Policy and Procedure](#), we include details about how to make a Child Safe complaint.

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

Child-Focused and Culturally Safe Complaints Handling

The College's system for handling complaints that involve students (whether as complainant, victim, witness or person being complained about) is child-focused, and follows the National Office for Child Safety's [Complaint Handling Guide: Upholding the rights of children and young people](#).

The {SchoolCAPS}'s system for handling complaints that involve students (whether as complainant, victim, witness or person being complained about) is culturally safe. We consult with relevant communities about how to enable, support and respond to complaints in a culturally sensitive way.

Responsibilities for Child Safe Complaints

Management

The Principal is responsible for ensuring the efficient and effective organisation, management and administration of the College's complaints handling processes.

All Staff are responsible for

- responding appropriately to a student who raises or is affected by a child safe-related complaint
- understanding their internal and external reporting requirements relevant to child safe-related complaints and for complying with this Policy.

Child Safe Officers and the Principal are responsible for:

- providing assistance and advice to Staff about their obligations under this Policy
- ensuring that the College takes all child safe-related complaints seriously, and escalates, reports and responds to these appropriately
- ensuring that the College responds appropriately to a student who raises or is affected by a child safe-related complaint
- promptly and thoroughly managing the College's response to child safe-related complaints as set out below
- monitoring the College's compliance with this Policy.

Where a particular child safe-related complaint involves the Principal and they therefore cannot perform the above roles, the College Council Chair undertakes these responsibilities.

Making a Child Safe-Related Complaint

The College 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 safe-related complaints
- confidentiality and accessibility for all members of the College community.

These are:

1. **Anyone** can make a child safe-related complaint:

- to the Principal
- a Child Safe Officer
- a trusted staff member

in person, in writing or over the phone.

Non-child safe-related complaints should be made to the College Principal.

2. **Parents/carers, family members and other community members** who have child safe concerns or who wish to make a child safe-related complaint about the College, its students or staff members are asked to follow the procedures set out in our [Child Safe Policy](#) and to contact:

- the Principal, who is the College's Senior Child Safe Officer, Mrs Megan Hastie, by phoning 02 42976029 or emailing principal@shellharbourac.nsw.edu.au; or
- if the concern relates to the Principal, the College Council Chair by
College Council Chair
Marked "Confidential"
PO Box 4147
Shellharbour PO 2529

3. **Students** have multiple pathways to make complaints, including child safe-related complaints, at the College. These include:

- disclosing child safety incidents or concerns, including abuse or other harm of themselves or of any other child, young person or student aged 18 or over, to any staff member or a Child Safe Officer. 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)
- disclosing child safety incidents or concerns, including abuse or other harm of themselves or of any other child, young person or student aged 18 or over, anonymously, using the College's suggestion box, online form ShellharbourCares, which is located in the Senior and Junior School Library
- by contacting Office for the Advocate for Children and Young People.

Responding to a Child Safe-Related Complaint

Support for Complainants

Whenever a staff member receives a complaint containing information about child safety incidents or concerns, the staff member must offer the complainant and any student involved in the complaint (if they are not the complainant) age and culturally appropriate support and assistance under our [Support Following Child Safety Incident or Disclosure](#) policy. The College will also support students, families and relevant Staff involved in a child safe-related complaint as set out in that 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 College can be found on the [National Redress Scheme](#) website.

Internal and External Reporting

All Staff must follow the College'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 College or a College event, or from a staff member. This includes in particular:

- [Reporting a Child Safety Incident or Concern Internally](#)
- [Duty to Protect/Failure to Protect](#)
- [Mandatory Reporting to DCJ](#)
- [Voluntary Reporting to DCJ](#)
- [Reporting to Police](#)
- [Reportable Conduct](#)

Our internal reporting and Reportable Conduct policies require all Staff to report any child safe-related complaint that is made to them to a Child Safe Officer 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 Chair of the School Council.

How the College Manages Child Safe-Related Complaints

The College manages child safe-related complaints as follows:

Child safe-related complaints that involve, or raise the possibility of a risk of, child abuse or other harm to a child are managed under the Child Safe Program

The following child safe-related complaints must be managed pursuant to any relevant policies and procedures in this Child Safe Program:

1. complaints involving, or raising the possibility of a risk of, child abuse or other harm occurring at the College or a College event, or by a staff member, Volunteer or Contractor
2. complaints alleging a breach of the Child Safe 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 safe-related complaints must be immediately referred to the Principal (or if the complaint involves the Principal, the Chair of the School Council) to be managed pursuant to relevant policies and procedures in the Child Safe Program.

The Principal may, where appropriate, delegate management of these kinds of child safe-related complaints to a Child Safe Officer.

Relevant policies and procedures for managing these kinds of child safe-related complaints include, but are not limited to, Reportable Conduct, Mandatory Reporting to DCJ, Reporting to Police and Duty to Protect/Failure to Protect.

Other child safe-related complaints that are managed under the Child Safe Program

The following child safe-related complaints must also be managed pursuant to any relevant policies and procedures in this Child Safe Program:

1. complaints about the College'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 College, when responding to a specific incident of, or concern about, child abuse and other harm to a child, has not correctly followed the College's own policies (for example, a complaint that we did not follow our Reportable Conduct policies)
3. complaints that the College has not correctly followed legislative or regulatory requirements regarding child safe 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 safe-related complaints must be immediately referred to the Principal (or if the complaint involves the Principal, the Chair of the School Council) to be managed pursuant to relevant policies and procedures in the Child Safe Program.

The Principal may, where appropriate, delegate management of these kinds of child safe-related complaints to a Child Safe Officer.

Relevant policies and procedures for managing these kinds of child safe-related complaints include, but are not limited to, [Disciplinary Actions \(Child Safe\)](#) and [Regular Reviews and Continuous Improvement](#).

Child safe-related complaints that may be managed under other College policies and procedures

The following child safe-related complaints may be managed pursuant to other relevant College policies:

1. complaints alleging a breach of the Child Safe 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 Safe 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 Safe 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 safe-related complaints may be managed pursuant to other relevant College policies, the Complaints Handling Officer or other person managing the complaint should – where appropriate - consult with a Child Safe Officer as part of the investigation.

With respect to 3. above, given the high risk to the College of not having a compliant Child Safe Program, it is likely that the outcome of these kinds of complaints will need to be reported to Anglican Schools Corporation Board and College Council.

Relevant policies and procedures for managing these kinds of child safe-related complaints include, but are not limited to, our [Complaints Handling Policy and Procedure](#) and/or our [Human Resources](#) policies and procedures.

Guidance and Resources for Managing Child Safe-Related Complaints

The [Complaints Handling Policy and Procedure](#) 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 [Reportable Conduct](#) policies set out procedures that will be followed for complaints about inappropriate conduct by Staff.

Reviews of Child Safe-Related Complaint Outcomes

Internal Reviews

Complainants or other persons who are involved in the child safe-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 the parent/carer of a student involved in the complaint) and who are not satisfied with the management of a child safe-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 Chair of Council.

Record Keeping about Child Safe-Related Complaints

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

These complaints are instead recorded as a child safety incident or concern, under our [Child Safe Record Keeping](#) policy.

Child safe-related complaints are also recorded in a separate Child Safe Complaints/Incident Register.

General Reviews of Child Safe Complaints Management

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

In particular, the College and Anglican Schools Corporation Board and College Council regularly analyse child safe-related complaints to identify causes and systemic failures to inform continuous improvement.

The College also regularly reviews our Child Safe Complaints Management Policy itself as part of our reviews of the Child Safe Program.

For more information, refer to [Regular Reviews and Continuous Improvement](#).