



WOODLEIGHschool

CHILD SAFETY COMPLAINTS MANAGEMENT POLICY AND PROCEDURES

POLICY CATEGORY: CHILD SAFETY

PUBLIC POLICY
STATUS: FINAL

PURPOSE

A child-focused complaints handling system is important for helping students and others at the School make complaints, whether about child safety or otherwise.

This Policy and its Procedures set out how the School, as a child safe organisation:

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

SCOPE

This policy applies to all Woodleigh School staff, visitors, volunteers, contractors and Board Directors.

This policy applies to all School activities during and outside of school hours. This includes School activities that are occurring on school campus, offsite, online, extracurricular, sport activities and programs, excursions, camps, interstate and overseas travel.

STATEMENT OF COMMITMENT TO CHILD SAFETY

Woodleigh School is committed to providing a child safe and child friendly environment, where children and young people are safe and feel safe to actively participate in decisions that affect their lives. We promote positive relationships between students and adults and between students and their peers. These relationships are based on trust and respect. Our child safe policies, strategies and practices are inclusive of the needs of all children and students.

At Woodleigh School we have no tolerance for child abuse and are committed to acting in children's best interests and keeping them safe from harm. The School regards its child safety responsibilities with the utmost importance. We take proactive steps to identify and manage any risks of harm to students in our school environments. When child safety concerns are raised or identified, the School treats these seriously and responds promptly and thoroughly.

At Woodleigh School, particular attention is given to the child safety needs of Aboriginal and Torres Strait Islander students, those from culturally and linguistically diverse backgrounds, international students, students with disabilities, those unable to live at home, children and young people who identify as lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+) and other students experiencing risk or those that are vulnerable students. Inappropriate or harmful behaviour targeting students based on these or other characteristics, such as racism or homophobia, are not tolerated at Woodleigh School and any instances identified will be addressed with appropriate consequences.

Child safety is a shared responsibility. Every person involved with the School has an important role in promoting child safety and wellbeing and promptly raising any issues or concerns about a child's safety. We regularly review our child safe practices, and seek input from our students, families, Staff, and Volunteers to inform our ongoing strategies.

DEFINITIONS

Of particular relevance to this Policy and its Procedures are the following key definitions:

| Term | Definition |
|----------------------------------|--|
| Child Abuse and other Harm | <p>We refer to all definitions and concepts that are set out in the multiple Victorian child protection laws and that are relevant to “child abuse” and “harm” to a child or young person as “child abuse and other harm.”</p> <p>Child abuse and other harm includes:</p> <ul style="list-style-type: none"> • sexual offences and sexual abuse • grooming behaviours, grooming offences and encouragement offences • physical violence and physical abuse • serious/significant emotional or psychological harm (including by exposure to family violence) • serious/significant neglect • being subjected to a sexual orientation or gender identity change or suppression practice. |
| Complaint | <p>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.</p> <p>A complaint might come from a number of sources, such as a student, former student, parent/carer, other family member, staff member, Volunteer, Contractor or member of the wider community.</p> |
| Child Safety - Related Complaint | <p>A “child safety-related complaint” is any disclosure, allegation, suspicion, concern or internal report of:</p> <ul style="list-style-type: none"> • a breach of the School’s Child Safety 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 • child safety incidents or concerns involving School Staff, Volunteers or Contractors • other staff misconduct related to the Child Safety Program (such as a procedural breach of the Child Safety Program). <p>A child safety-related complaint also includes 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 Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures.</p> |

POLICY

1. The School implements child safe complaints handling processes, as set out in Making a Child Safety-Related Complaint below, to enable:
 - simple and appropriate avenues for students, staff, volunteers, contractors, parents/carers and the wider community to make a complaint, including child safety-related complaints.
 - confidentiality and accessibility for all members of the School community.
2. The School, and its staff members, must respond to child safety-related complaints as set out below in:
 - Responding to Child Safety-Related Complaints – Staff Members’ Obligations
 - Managing Child Safety-Related Complaints – the School’s Obligations
 - Internal Reviews of Child Safety-Related Complaint Outcomes
 - External Reviews for Overseas Students
3. Records of complaints that contain information about child safety incidents or concerns must not be held within our general Complaints Handling record keeping system, because of the confidentiality and privacy issues that arise with respect to child safety incidents and concerns. These complaints are instead recorded as a child safety incident or concern, under our Child Safety Reporting and Record Keeping Procedures.
4. Analysis of child safety-related complaints and reviews of the Child Safety Complaints Management Policy and Procedures inform the continuous improvement of the School’s Child Safety Program and practices, as set out in General Reviews of Child Safety Complaints Management below.

PROCEDURES

1. MAKING A CHILD SAFETY-RELATED COMPLAINT

- a) Anyone can, at any time, make a child safety-related complaint to:

- the Principal
- a Child Safety Officer
- a trusted staff member
- in person, in writing or over the phone.

Non-child safety-related complaints should be made to the Principal or relevant Head of Campus.

- b) Parents/carers, family members and other community members who have child safety concerns about the School, its students or staff members are asked to contact:

- the School’s Child Safety Champion, Deputy Principal: Head of Minimbah Campus.
- the Principal
- if the concern relates to the Principal, the Woodleigh Board Chair.

- c) Students have multiple pathways to make a complaint, including child safety-related complaints, at the School. These include: disclosing child safety incidents or concerns, including abuse or other harm to themselves or of any other child or student aged 18 or under, to any staff member, including their teacher, tutor, coordinator or head of wellbeing.

This might be done:

- o verbally
- o in writing
- o through electronic means (such as email, Pulse Check)
- o indirectly (such as in written assignments, in artworks or in any other way)

2. RESPONDING TO A CHILD SAFETY-RELATED COMPLAINT – STAFF MEMBERS’ OBLIGATIONS

- a) Support for Complainants

Whenever a complaint containing information about child safety incidents or concerns is received, the complainant must be offered support and assistance under our Child Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures.

Where the complaint relates to a historical sexual offence or sexual misconduct, complainants must be informed about the National Redress Scheme for people who have experienced institutional child sexual abuse.

Internal and External Reporting of Complaint Information

All staff members must follow the School’s Child Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures 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
- Mandatory Reporting to DFFH Child Protection
- Non-Mandatory Reporting to Child Protection
- Reporting to Police
- Reportable Conduct
- Reporting Teacher Misconduct to the Victorian Institute of Teaching.

Our internal reporting and Reportable Conduct Procedures require all staff members to report any child safety-related complaint that is made to them to a Child Safety Officer or the Principal.

If the child safety-related complaint is about the Principal, the complaint must be referred to the Board Chair.

3. MANAGING CHILD SAFETY RELATED COMPLAINTS – THE SCHOOL’S OBLIGATIONS

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

- a) child safety-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 Safety Program

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

- 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
- complaints alleging a breach of the Child Safety Codes of Conduct that involve, or raise the possibility of a risk of, child abuse or other harm by a staff member.

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

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

Relevant policies and procedures for managing these kinds of child safety-related complaints include, but are not limited to, **Child Safety and Wellbeing Policy, Child safety Code of Conduct, Child Responding and Reporting Obligations (Including Mandatory Reporting) Policy and Procedures, Woodleigh School Student Duty of Care Policy**

- b) Other child safety-related complaints that are managed under the Child Safety Program

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

- 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
- 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 Reporting Teacher Misconduct to the Victorian Institute of Teaching or Reportable Conduct Policy and Procedures)
- complaints that the School has not followed specific legislative or regulatory requirements regarding child safety 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-related complaints must be immediately referred to the Principal (or if the complaint involves the Principal, the Woodleigh Board Chair) to be managed pursuant to relevant policies and procedures in the Child Safety Program.

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

Relevant policies and procedures for managing these kinds of child safety-related complaints include, but are not limited to, the Compliance and Breach (Child Safety) Policy and Procedures.

- c) child safety-related complaints that may be managed under other School policies and procedures

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

- complaints alleging a breach of the Child Safety Code 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 (for example, a complaint that a staff member has expressed personal views on sexuality in the presence of students)
- complaints alleging procedural breaches of the Child Safety 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)
- general complaints about our Child Safety 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-related complaints may be managed pursuant to other relevant School policies, the Principal or other person managing the complaint should – where appropriate - consult with a Child Safety Officer as part of the investigation.

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

Relevant policies and procedures for managing these kinds of child safety-related complaints include, but are not limited to, our Complaints Handling procedures and/or our Human Resources policies and procedures.

d) Guidance and Resources for Managing Child Safety-Related Complaints

The Complaints Handling procedure provides guidance on complaints handling principles and a step-by-step guide to managing a complaint.

Our Reportable Conduct Policies and Procedures and Reporting Teacher Misconduct to the Victorian Institute of Teaching Policy and Procedures set out procedures that the School will follow for complaints about inappropriate conduct by staff members.

4. INTERNAL REVIEW OF CHILD SAFETY-RELATED COMPLAINTS

Complainants or other persons who are involved in the matter (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-related complaint or its outcome may request an internal review of:

- 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 the Director of Wellbeing.

5. GENERAL REVIEWS OF CHILD SAFETY COMPLAINTS MANAGEMENT

The School regularly reviews child safety-related 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-related complaints are regularly analysed to identify causes and systemic failures to inform continuous improvement.

Our Child Safety Complaints Management Policy and Procedures is also itself regularly reviewed as part of our reviews of the Child Safety Program. Child Safety is a standing item on meeting agendas for all SLT and CLT/JCLT meetings.

6. 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
- 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
- Postal: Commonwealth Ombudsman, GPO Box 442 Canberra ACT 2601.

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

POLICY BREACH

A breach of this policy or procedure may lead to disciplinary action which is outlined further in our:

- Consequence and Breach Policy (in development)

All breaches, near misses and risks related to this policy should be reported to a member of the SLT

Compliance with this policy will be monitored by the Principal and the SLT and this may include independent audits and reviews.

RELEVANT POLICY AND REFERENCES

Key relevant policies to support our program include:

- Child Safety and Wellbeing Policy
- Child Safety Code of Conduct
- Child Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures
- Parents and Students Complaints and Grievances Policy

This policy should be read in conjunction with:

- Child Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures
- Parents and Students Complaints and Grievances Policy

Related legislative instruments

The following legislation, standards and regulations apply and this policy aligns with these mandated requirements:

- Ministerial Order 1359;
- Education and Training Reform Act 2006 (Vic); and

- Child Wellbeing and Safety Act 2005 (Vic).

APPROVAL

| REVIEW CYCLE | POLICY REFERENCE | OWNER | APPROVED BY |
|--------------|--|---------------|------------------|
| Triennial | CS-06 | Principal | SLT |
| VERSION | LOCATION | DATE APPROVED | NEXT REVIEW DATE |
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