



CHILD SAFE COMPLAINTS MANAGEMENT

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

It is the Principal’s responsibility to ensure the efficient and effective organisation, management and administration of the Learning Community’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 Learning Community.

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

Child Safety-Related Complaint

For the purposes of this policy, a child safety-related complaint includes any disclosure, allegation, suspicion, concern or internal report of:

- a breach of the [Learning Community’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 Learning Community or a Learning Community event
- reportable conduct by a staff member, Volunteer or Contractor
- other staff misconduct (such as a procedural breach of the Child Safe Program)
- any complaint about the Learning Community’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 Incident or Concerns](#).

Child-Focused Complaints Handling

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

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

Making a child safety-related complaint

The Learning Community 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-related complaints
- confidentiality and accessibility for all members of the Learning Community.

These are:

1. 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 Complaints Officer.

2. Parents/carers, family members and other community members who have child safety concerns about the Learning Community are asked to follow the procedures set out in our [Child Safe Policy](#) and to contact:

- the Learning Community's Senior Child Safety Officer David Field, by phoning 0419 850 978 or emailing david.field@mls.sa.edu.au, or
- if the concern relates to the Principal, the Chair of School Council.

3. Students have multiple pathways to make a complaint, including child safety-related complaints, at the Learning Community.

These include:

- disclosing child safety incidents or concerns, including harm to themselves or to any other child or young person, to any staff member. This might be done:
 - verbally
 - in writing
 - through electronic means (such as email) or
 - indirectly (such as in written assignments, in artworks or in any other way)

Responding to a child safety-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 a complaint involves 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.

Internal and External Reporting

All Staff, Volunteers and Contractors must follow the Learning Community'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, harm at the Learning Community or a Learning Community event or from a staff member. This includes in particular:

- [Duty to Protect/Failure to Protect](#)
- [Mandatory Reporting to DCP](#)
- [Voluntary Reporting to DCP](#)
- [Reporting to Police](#)
- [Reporting a Child Safety Incident or Concern Internally](#)
- [Child Safety Incidents or Concerns At or involving the Learning Community or its Staff, Volunteers and Contractors](#)
- [Reporting Teacher Misconduct to the Teachers Registration Board of South Australia](#)

Our internal reporting and managing child safety incidents or concerns at/involving the Learning Community policies require all Staff to report any child safety-related complaint that is made to them to a Child Safety Officer or the Principal, after first to making any required external reports. If a child safety-related complaint is about the Principal, the complaint must be referred to the Chair of the School Council.

How the Learning Community Manages Child Safety-Related Complaints

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

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

The following child safety-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, **harm** to a child or young person occurring at the Learning Community or a Learning Community 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, **harm** to a child or young person by a staff member, Volunteer or Contractor.

After reporting to CARL and, if necessary, to the Police in the first instance, these kinds of child safety-related complaints must subsequently 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 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 Incidents At or Involving the Learning Community or its Staff, Volunteers and Contractors](#), [Reporting Teacher Misconduct to the Teachers Registration Board of South Australia](#), [Mandatory Reporting to DCP](#), and [Reporting to Police](#).

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

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

1. complaints about the Learning Community'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 Learning Community, when responding to a specific incident of, or concern about, child abuse and other harm to a child, has not correctly followed the Learning Community's own policies (for example, a complaint that we did not follow our Reporting Teacher Misconduct to the Teachers Registration Board of South Australia)
3. complaints that the Learning Community has not correctly followed legislative or regulatory requirements regarding child safety in relation to a specific incident of, or concern about, harm to a child or young person (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 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 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, **Disciplinary Actions (Child Safe)**, **Child Safe Program Breach Management** and **Regular Review and Continuous Improvement**.

Child safety-related complaints that may be managed under other Learning Community policies and procedures

The following child safety-related complaints may be managed pursuant to other relevant Learning Community policies:

1. complaints alleging a breach of the Child Safe Codes of Conduct that **does not** involve, and **does not** raise the possibility of a risk of, harm to a child or young person 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, harm to a child or young person (for example, a complaint that a staff member has not renewed their WWCC)
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 safety-related complaints may be managed pursuant to other relevant Learning Community policies, the Complaints Officer or other person managing the complaint should – where appropriate – consult with a Child Safety Officer as part of the investigation.

With respect to (3) above, given the high risk to the Learning Community 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 the Learning Community's governing body.

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

Guidance and Resources for Managing Child Safety-Related Complaints

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 Incidents or Concerns at or Involving the Learning Community or its Staff, Volunteers, and Contractors](#) and [Reporting Teacher Misconduct to the Teachers Registration Board of South Australia](#) policies set out procedures that will be followed for complaints about inappropriate conduct by Staff, Volunteers and Contractors.

Reviews of Child Safety-Related Complaint Outcomes

Complainants or other persons who are involved in the child safety-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 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 David Field.

Internal reviews are undertaken by David Field, Principal and School Leadership team.

Record Keeping about Child Safety-Related Complaints

Because of the confidentiality and privacy issues that arise with respect to child safety-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-related complaints are instead recorded under our [Child Safe Record Keeping](#) policy.

General Reviews of Child Safe Complaints Management

The Learning Community regularly reviews child safety-related complaints to ensure that any child safety-related feedback, comments or complaints from Learning 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 Safe Complaints Management policy is also itself regularly reviewed as part of our reviews of the Child Safe Program.