



Child Safe Program

Child Safety Complaints Management

For the purposes of this Policy, we refer to College Staff, Volunteers or Contractors together 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 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 College’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 College or a College event

- Reportable Conduct
- other staff misconduct (such as a procedural breach of the Child Safety 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 7 of the Victorian Child Safe Standards, the College must have and implement child-focused processes for managing complaints and concerns. To meet this Standard, Ministerial Order 1359 requires Seventh-day Adventist Schools (Victoria) Limited Board of Directors to (among other things):

- develop a complaints handling policy that meets a number of specific elements and that clearly outlines:
 - the process for making a complaint about the College, or the behaviour of any person within the College
 - the roles and responsibilities of leadership, school staff, and Volunteers in relation to complaints handling
 - the process for dealing with different types of complaints, breaches of relevant policies or the Child Safety Code of Conduct, and obligations to act and report
- have policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and cooperating with law enforcement
- ensure that record keeping, reporting, privacy and employment law obligations are met when responding to complaints and concerns
- have a clear procedure or set of procedures for responding to complaints or concerns relating to child abuse
- ensure that complaints are taken seriously and responded to promptly.

A child-focused complaints handling process is important for helping students and others at the College make complaints, whether about child safety wellbeing 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 safety-related complaints

This Child Safety 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.

This Policy is summarised in our public-facing Procedures for Managing Child Safety Incidents or Concerns At or Involving the School or its Staff. In our public-facing Community Complaints and Appeals Policy, we include details about how to make a Child Safety 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](#) and the Commission for Children and Young People's [Including Children and Young People in Reportable Conduct Investigations resources](#).

The College'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 (the variety of communities that are relevant to the College, such as Aboriginal and Torres Strait Islander communities, culturally and linguistically diverse communities, and other communities that make up our Staff and student cohort) about how to enable, support and respond to complaints in a culturally sensitive way.

Responsibilities for Child Safety 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 safety-related complaint
- understanding their internal and external reporting requirements relevant to child safety-related complaints and for complying with this Policy.

Child Safety Advocates 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 safety-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 safety-related complaint
- promptly and thoroughly managing the College's response to child safety-related complaints as set out below
- monitoring the College's compliance with this Policy.

Where a particular child safety-related complaint involves the Principal and they therefore cannot perform the above roles, the Chief Executive Officer undertakes these responsibilities.

Making a Child Safety-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 safety-related complaints
- confidentiality and accessibility for all members of the College community.

These are:

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

- the Principal
- a Child Safety Advocate
- a trusted staff member

in person, in writing or over the phone.

Non-child safety-related complaints should be made to the Principal, their delegate or the Chief Executive Officer.

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

- the Principal, who is the College's Senior Child Safety Officer, the Principal, by phoning (03) 9717 7300 or emailing principal@merndahills.vic.edu.au; or
- if the concern relates to the Principal, the Chief Executive Officer by phoning (03) 9264 7730 or emailing childsafety@asv.vic.edu.au.

3. **Students** have multiple pathways to make a complaint, including child safety-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 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 College suggestion box (physical or digital) which is located either online or outside the Wellbeing Office 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 Adsafe, Kids Helpline, Orange Door (Child First), Child Protection or the Police.

Responding to a Child Safety-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 safety-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

in the information provided in the **SDA Redress Scheme**.

The Seventh-day Adventist Church has been operating its own internal redress scheme to respond to allegations of child sexual abuse which took place in circumstances where the SDA Church was responsible for the care and welfare of that child. This includes schools owned and operated by the

SDA Church. The approach to redress that we have taken is part of the SDA Church's broader action to provide support to survivors of sexual abuse.

Redress is an acknowledgment by the SDA Church of the harm caused to survivors of child sexual abuse. All forms of sexual abuse is inexcusable under any circumstances. The SDA Church acknowledges the impact of this type of abuse is lifelong and by offering redress, the SDA Church hopes that survivors can be encouraged and assisted to a meaningful recovery.

View the SDA Church's Australian and New Zealand apologies [here](#).

To apply for the SDA Redress Scheme, click [here](#).

For further information about the SDA Redress Scheme, click [here](#) to view the FAQs.

Australian National Redress Scheme

In addition to our own internal redress scheme, numerous Australian SDA Church entities are also participants in the Australian National Redress Scheme so that survivors can choose to access redress either through the internal scheme or through the National Redress Scheme, depending on their preference.

By addressing past wrongs, the SDA Church wants survivors to know that we are committed to providing a safe environment for children and vulnerable people within our care. It is hoped that by addressing these wrongs and engaging with survivors we can learn from our mistakes in order to provide greater protection and support for our children and vulnerable people.

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 Child Protection](#)
- [Non-Mandatory Reporting to Child Protection](#)

- [Reporting to Police](#)
- [Reportable Conduct](#)
- [Reporting Teacher Misconduct to the Victorian Institute of Teachers](#)

Our internal reporting and Reportable Conduct policies require all Staff to report any child safety-related complaint that is made to them to a Child Safety Advocate 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 Chief Executive Officer.

How the College Manages Child Safety-Related Complaints

The College manages child safety-related complaints as follows:

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:

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 Safety 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-related complaints must be immediately referred to the Principal (or if the complaint involves the Principal, the Chief Executive Officer) 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 Advocate.

Relevant policies and procedures for managing these kinds of child safety-related complaints include, but are not limited to, [Reportable Conduct](#), [Reporting Teacher Misconduct to the Victorian Institute of Teaching](#), [Mandatory Reporting to Child Protection](#), [Reporting to Police](#) and [Duty to Protect/Failure to Protect](#).

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

The following child safety-related complaints must also be managed pursuant to any relevant policies and procedures in this Child Safety 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 Reporting Teacher Misconduct to the Victorian Institute of Teaching or Reportable Conduct policies)
3. complaints that the College has not correctly followed 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 Chief Executive Officer) 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 Advocate.

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

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

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

1. complaints alleging a breach of the Child Safety 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 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 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 College policies, the Principal, their delegate or the Chief Executive Officer or other person managing the complaint should – where appropriate - consult with a Child Safety Advocate as part of the investigation.

With respect to 3. above, given the high risk to the College 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 Seventh-day Adventist Schools (Victoria) Limited Board of Directors.

Relevant policies and procedures for managing these kinds of child safety-related complaints include, but are not limited to, our Community Complaints and Appeals Policy.

Guidance and Resources for Managing Child Safety-Related Complaints

The Community Complaints and Appeals 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 [Reportable Conduct](#) and [Reporting Teacher Misconduct to the Victorian Institute of Teaching](#) policies set out procedures that will be followed for complaints about inappropriate conduct by Staff.

Reviews of Child Safety-Related Complaint Outcomes

Internal Reviews

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 the parent/carer of a student involved in the complaint) and who are not satisfied with the management of a child safety-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 Board Chair, Seventh-day Adventist Schools (Victoria) Limited, on (03) 9264 7777 or childsafety@asv.vic.edu.au.

External Reviews for Overseas Students

If an overseas student is not satisfied with the outcome of the College'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 5117 3600.

Enquiries: 10:00am to 4:00pm 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/complaints/international-student-complaints>

The College 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-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 Safety Record Keeping policy.

Child safety-related complaints are also recorded in a separate Child Protection Incident Report Form.

General Reviews of Child Safety Complaints Management

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

In particular, the College and Seventh-day Adventist Schools (Victoria) Limited Board of Directors regularly analyse child safety-related complaints to identify causes and systemic failures to inform continuous improvement.

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

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