



Managing Child Safety Complaints Procedure

All registered schools in Victoria must comply with Ministerial Order 1359 - Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises, which provides the framework for child safety in schools and school boarding premises.

At OakTree College ('the College') all teachers, College staff, volunteers, contractors and other service providers must understand and abide by their professional and legal (duty of care) obligations to implement child abuse and child safety policies, protocols and practices.

Ministerial Order 1359 requires the College to have a child safety complaint handling process to address concerns or complaints raised in relation to child safety and abuse.

1. Purpose

This procedure aims to provide, in an accessible, child focused, culturally safe and easily understood manner:

- the process for raising and making a complaint about the College or the behaviour of any person within the College including a Board member, Executive Principal, Assistant Principal, College teaching and other staff, volunteers, contractors, students, parents, or community members (as relevant) about child safety and/or child abuse allegations
- the roles and responsibilities of leadership, College teaching or other staff and volunteers in relation to handling complaints about these matters.

This procedure addresses the requirements for responding to and reporting child abuse allegations as stipulated in Standard 7: Complaints Processes of Ministerial Order No. 1359 – Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises. It forms part of the College's student safety and wellbeing policies and procedures, including child safety.

For the purposes of this procedure 'child abuse' includes physical abuse, sexual abuse, grooming, family violence, emotional abuse, or neglect.

Other concerns or complaints not related to Child Safety can be raised in accordance with the **Complaints Policy and Procedures**.

2. Scope

This procedure applies to all College Board members, staff, volunteers and contractors or service providers engaged to perform functions on the College's premises, or at College organised activities and events.

This procedure extends to any other person who is engaged in student-connected work at the College, or that otherwise has direct and regular contact with the College's students (whether supervised or not).

3. Raising a Concern or Making a Complaint about Child Safety

Students, parents, carers, guardians, volunteers and school community members may raise concerns with or make a complaint to the College about child safety or child abuse allegations involving a student, directly with the Executive Principal, the Assistant Principal, staff or a member of the College Board.

The College has appointed the Executive Principal as the senior officer to manage concerns or complaints relating to child safety or child abuse allegations in the first instance. The Executive Principal is responsible for ensuring overall College compliance with child safety policies including the processes outlined in this procedure.

Due to the College student cohort from diverse backgrounds, including refugees and asylum seekers, where relevant, independent interpreters will be funded and provided by the College as part of the investigation process to students, parents, carers or guardians about the child safety requirements. In addition, dedicated meetings can be arranged.

Concerns can be raised directly with relevant staff verbally or in writing via oaktreecolleges@gmail.com. The person or persons raising the concern or complaint may be assisted by a support person of their choice. All child safety concerns or complaints will be dealt with formally and in writing.

- All concerns or complaints will be acknowledged in writing within 48 hours of receipt, however lodged;
- The Executive Principal will make every reasonable effort to investigate such matters within 15 working days of receipt. When this is not possible, the College will inform the complainant in writing of the delay and the reasons for it, and the expected timeframe for completion;
- In conducting the investigation, the process will comply with the overarching principles as outlined in the Complaints Policy and Procedure section, and complainant will be provided an outcome in writing, as well as a formal meeting will be arranged.
- If, at the conclusion of the investigation process, the complainant remains dissatisfied with the process, they may lodge a request for an external review with the Victorian Ombudsman, Victorian Equal Opportunity and Human Rights Commission or the Victorian Registration and Qualifications Authority and other appropriate agencies.

Where a concern relates to the Executive Principal or a College Board member, it should be referred to the Chair of the College Board for management.

Relevant contact details for the College leadership team are:

Responsible Officer	Name	Contact Details
---------------------	------	-----------------

Chair of College Board	Paula Kudi	Mob: xxxxx paula@ihna.edu.au
Executive Principal	Paul Adigun	Mob: 0424 833 606 E: oaktreecolleges@gmail.com

Written complaints can also be mailed to the College marked to the attention of the responsible officer at: 2/371 Somerville Road, West Footscray 3012

4. College Response and Actions

Concerns or complaints may be received by any member of the College community and staff will need to gather relevant information from the person raising a concern or making a complaint. The relevant College staff member will acknowledge a concern or complaint about child safety or a child abuse allegation involving a student by:

- Listening with an open mind and in a supportive manner and not making judgements about the allegation or truth of the concern or complaint.
- Ensuring all relevant details are sought and recorded including information about the party or parties involved.
- Confirming the relevant details, without seeking extensive information, or asking irrelevant, suggestive or leading questions (refer to PROTECT Identifying and responding to all forms of abuse in Victorian schools, for guidance on what and how to record relevant details of the concern or complaint).
- Taking (and retaining) a detailed file note (refer to PROTECT Recording your actions: Responding to suspected child abuse, for guidance on recording relevant information).
- Explaining when necessary that other people may need to be informed about the concern, in order to stop any inappropriate or unlawful behaviour and to comply with the College's legal obligations and procedures.
- Advising that the College takes all concerns or complaints of this nature seriously and will act on the information provided.
- Where required, ensuring that interpreters are provided to all parties by the College.
- Offering appropriate support to the student(s) or parties involved in the concern including their parents, carers, guardians or families. The College may need to refer parties to wellbeing and support services internally or external to the College (as required).
- Outlining the process that will be followed by the College in dealing with the concern or complaint as described in this procedure.

Staff **must** also ensure they comply with their personal reporting obligations as set out in the College's **Child Safety Responding and Reporting (including mandatory reporting) Policy and Child Safe Policy**.

Staff receiving the concern or complaint should notify the Executive Principal (or relevant officer if the concern or complaint involves the Executive Principal) as soon as practicable.

The decision-maker will usually be the Executive Principal, except where the concern relates to the alleged conduct or misconduct of the Executive Principal then the decision-maker will be the Assistant Principal. Where the Executive Principal or the Assistant

Principal are unable to manage the investigate, this will be referred to the Chair of the Board.

The Executive Principal (or relevant officer i.e. College Chair) will then take such steps as considered appropriate in line with the College processes to protect any student connected with a concern or complaint until it is resolved, including by ensuring that any mandatory or other reporting obligations are met. This may also require any allegations, suspicions or disclosures are made to relevant authorities (including but not limited to Victoria Police, Child Protection or Commission for Children and Young People), regardless of whether there is a legal obligation to report.

The Executive Principal is also required to ensure a record of the concern or complaint is retained securely and that the College response to the matters raised is similarly recorded and securely retained on file.

When complying with this procedure, it must be appreciated that fulfilling the roles and responsibilities contained herein will not displace or discharge any other obligations that arise if a person reasonably believes that a student is at risk of child abuse or reportable conduct.

5. Investigating and Resolving the Concern or Complaint

The Executive Principal will investigate the concern or complaint considering information already provided by staff or directly from a complainant or student, as well as relevant information or documents gathered during the investigation.

Any investigation will usually involve:

- Interviewing the subject of the concern and key witnesses or individuals (noting that more than one interview may be required).
- Reviewing relevant information, documents, correspondence and materials of substance, including CCTV footage.
- Taking notes of any interviews (or where appropriate, transcripts of audio recordings of any interviews) during the investigation.
- The relevant decision-maker determining whether, on the balance of probabilities, the concern is substantiated.

Where a concern involves allegations against a College staff member, the Executive Principal (or relevant officer i.e. College Board) will need to notify the staff member about those allegations (to the extent that it is appropriate to do so, which may initially involve only notification that there has been a concern), outline the process to be followed, and advise the staff member about the process pending the resolution of the concern or complaint. It may be appropriate in some instances to require the staff member to be removed from all duties, without judgement, while the concern or complaint is being resolved.

It may not always be appropriate or possible for the College to investigate where a concern or complaint is raised with the College and:

- An investigation by Victoria Police, CCYP or VIT relevant to the concern or complaint is ongoing or
- Civil or criminal proceedings relevant to the concern are ongoing.

In such circumstances, the College will seek and act on legal advice to comply with this procedure to the extent it is appropriate to do so (and in particular to protect the safety and wellbeing of all current students of the College).

The College may decide that in some cases legal advice should be sought to properly investigate or determine the concern or complaint.

6. Resolution of Concern or Complaint

If a concern or complaint is substantiated, the Executive Principal will take appropriate action. This may include, but is not limited to:

- terminating employment for serious misconduct
- cessation of voluntary duties of a volunteer
- removal of Board member from the College Board
- providing a staff member or all staff with further child safety training as well as cultural appropriate safety training where relevant
- requiring staff to undertake mandatory reporting refresher training
- reallocation of staff duties
- suspension of student enrolment
- termination of student enrolment
- reporting to the law enforcement agencies.

Where a concern is not substantiated, the findings made by the Executive Principal during the course of investigating the concern may, in certain cases, still result in disciplinary action (e.g. reallocation of duties, mentoring program, suspension etc).

Following the conclusion of its investigation, the Executive Principal will indicate the outcomes of the investigation to:

- The person (student and/or parents, etc) who raised the concern or complaint.
- The person subject of that concern or complaint (where appropriate).
- Any external authorities (including but not limited to Child Protection, Victoria Police or CCYP,) to whom a report is required to be made.

7. Recordkeeping

The Executive Principal will ensure that:

- clear and contemporaneous records of any concerns or complaints are taken, where possible, by the staff member or volunteer who received information about the incident, disclosure or suspicion
- detailed notes are taken of any immediate or ongoing action taken by the College to respond to the incident, disclosure, allegation or suspicion
- all relevant records relating to the incident, disclosure, allegation or suspicion, including the actions taken by the College, are stored securely and maintain privacy of affected persons as appropriate to the situation
- an incident report is provided to the College Board for appropriate oversight.

Appropriate confidentiality and procedural fairness will be maintained at all times when dealing with concerns and complaints under this procedure. Information will only be provided to those parties who have a right or legal authority to seek information.

8. Responding and Reporting Obligations

The mandatory and other reporting obligations that apply to the College and its staff are addressed in the College's separate Child Safety Responding and Reporting (including Mandatory Reporting) Policy and Procedures.

College staff are also required to adhere to the Child Safety Policy and follow the **Four Critical Actions** for complaints and concerns relating to adult behaviour towards a child and the **Four Critical Actions: Student Sexual Offending** for complaints and concerns relating to student sexual offending.

The College will cooperate with any external authorities (including but not limited to CCYP, Child Protection and Victoria Police) in relation to a concern, complaint or report (whether made under this procedure or otherwise).

9. Communication

The College will communicate this policy through:

- the College website
- the Teacher Handbook
- updates in our College newsletter
- induction programs for new staff, volunteers and College Board members
- annual professional development and/or training programs for all staff, volunteers and College Board members about Child Safety requirements and cultural diversity training
- direct provision of this procedure to new staff, volunteers (if applicable), College Board members, parents and students
- ensuring that key child safety policies are available on our website including this procedure, the Child Safety Code of Conduct, and the Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedure
- displaying PROTECT posters and information around the College
- ensuring that child safety matters, including any reported concerns or complaints, are listed as regular agenda items at senior leadership meetings, staff meetings and College Board meetings.

10. Related Policies

This procedure is to be read in conjunction with related policies, procedures, and codes. These include:

- Child Safety Code of Conduct
- Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedure
- Child Safety Risk Register
- Complaints Policy and Procedure
- Privacy Policy
- Records Management Policy
- Student Behaviour Management Policy
- Visitors Policy
- Volunteers Policy
- Anti-Bullying and Anti-Harassment Policy

11. Resources

The following resources provide appropriate guidance and support in implementing this procedure:

- [Identifying and Responding to All Forms of Abuse in Victorian Schools](#)
- [Four Critical Actions for Schools](#)
- [Identifying and Responding to Student Sexual Offending](#)
- [Four Critical Actions for Schools: Responding to Student Sexual Offending](#)
- [Recording your actions: Responding to suspected child abuse – A template for Victorian schools](#)

12. Approval and Review

Document owner:	Executive Principal
Approved by:	College Board
Approval date:	10 November 2024
Next review date:	June 2025 (and annually thereafter)