



# Child Safety Complaints Management

**For the purposes of this policy, we refer to College Staff, Volunteers and Contractors as “Staff” or “staff members”.**

It is the College Head’s responsibility to ensure the efficient and effective organisation, management and administration of the College’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 College.

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 safe-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 College or a College event
- reportable conduct by a staff member, Volunteer or Contractor

- 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.

### **Child-Focused Complaints Handling**

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

This Child Safety Complaints Management policy is communicated to and understood by students, Staff 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 Managing Child Safety Incidents or Concerns At or Involving the School or its Staff. In our public-facing Complaints Handling Policy available at <https://www.trinity.sa.edu.au/one-college/policies-resources>, we include details about how to make a child safe-related complaint.

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

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

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

- the College Head
- a Child Safety Officer

- a trusted staff member

in person, in writing or over the phone.

Non-child safe-related complaints should be made to the Complaints Officers.

**2. Parents/carers, family members and other community members** who have child safe concerns about the College are asked to follow the procedures set out in our Child Safe Policy and to contact:

- the College's Senior Child Safety Officer **Susan Hart-Lamont**, by phoning (08) 8522 0666 or emailing [hartlasu@trinity.sa.edu.au](mailto:hartlasu@trinity.sa.edu.au) or the College Head, ; or
- if the concern involves the College Head, the Chair of the Board.

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

- disclosing Child Safety incidents or concerns, including harm to themselves or any other child or young person, 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's anonymous Suggestion Box, which is located School Box to disclose Child Safety incidents or concerns, including harm to themselves or to any other child or young person, anonymously
- by contacting Kid's Help Line (1800 55 1800), Head Space (1800 650 890), Beyond Blue (1300 22 4636).

## **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 a Child Safety Incident or Disclosure policy.

Where the complaint relates to sexual abuse, 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 <https://www.nationalredress.gov.au/applying>.

### Internal and External Reporting

All Staff, Volunteers and Contractors 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, harm at the College or a College 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 College 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 College policies require all Staff to report any child safe-related complaint that is made to them to a Child Safety Officer or the College Head, after first making any required external reports. If a complaint is about the College Head, the complaint must instead be referred to the Chair of the Board.

### **How the College Manages Child Safety-Related Complaints**

Child protection-related complaints are managed by the College as follows:

**Child protection-related complaints that involve, or raise the possibility of a risk of, harm to a child are managed under the Child Safety Program.**

The following child safe-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, harm to a child or young person 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, 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 safe-related complaints must subsequently be immediately referred to the College Head (or if the complaint involves the College Head, the Chair of the Board) to be managed pursuant to relevant policies and procedures in the Child Safety Program.

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

Relevant policies and procedures for managing these kinds of child safe-related complaints include, but are not limited to, [Mandatory Reporting to DCP](#), [Reporting to Police Child Safety Incidents At or Involving the College or its Staff, Volunteers and Contractors](#), [Reporting Teacher Misconduct to the Teachers Registration Board of South Australia](#), and [Duty to Protect/Failure to Protect](#).

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

The following child safe-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 harm to a child
2. complaints that the College, when responding to a specific incident of, or concern about, 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 Teachers Registration Board of South Australia)

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, 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 safe-related complaints must be immediately referred to the College Head (or if the complaint involves the College Head, the Chair of the Board) to be managed pursuant to relevant policies and procedures in the Child Safety Program.

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

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

Child protection-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 Safety 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 Safety 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 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 safe-related complaints may be managed pursuant to other relevant College policies, the Complaints Officers 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 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 the College's governing body.

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

### **Guidance and Resources for Managing Child Safety-Related Complaints**

The [Complaints Handling Program](#) 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 [Child Safety Incidents or Concerns At or Involving the College 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 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 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 the Head of the College by phoning (08) 8522 0601.

### 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](mailto: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 (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/How-we-can-help/overseas-students>

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 safe-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 protection-related complaints are instead recorded under our Child Safety Record Keeping policy.

### **General Reviews of Child Safety Complaints Management**



The College regularly reviews child safe-related 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, child safe-related complaints are regularly analysed to identify causes and systemic failures to inform continuous improvement.

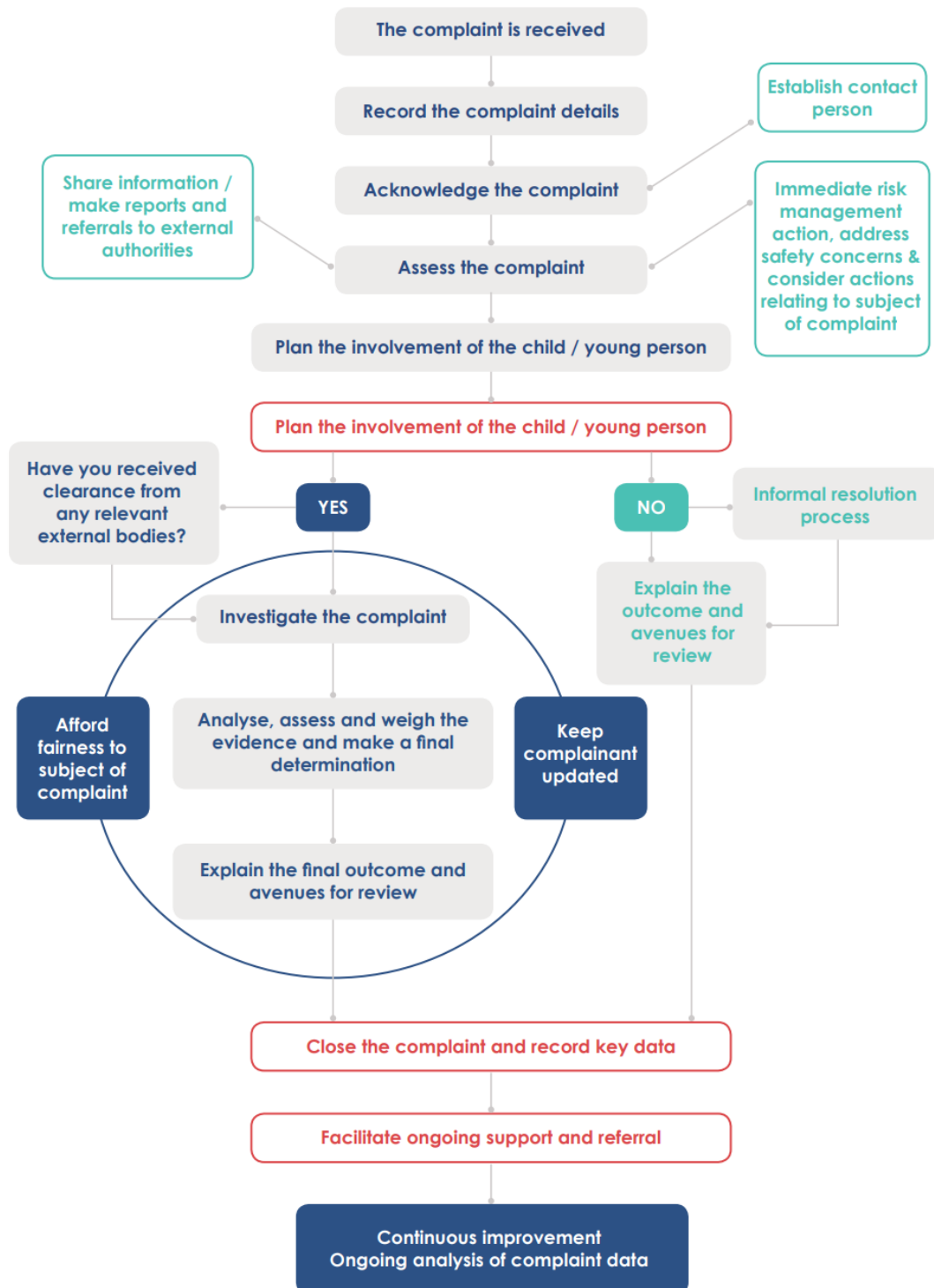
Our Child Safety Complaints Management policy is also itself regularly reviewed as part of our reviews of the Child Safety Program.

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

The College undertakes the following:

## Complaint Handling:

Upholding the rights of children and young people (an overview)



National Office for Child Safety, 2019, Complaint Handling Guide: Upholding the rights of children and young people, available at: <https://childsafety.pmc.gov.au/sites/default/files/2020-09/nocs-complaint-handling-guide.pdf>