



# Child Safeguarding Complaints Management Policy and Procedures

THE HAMILTON AND ALEXANDRA COLLEGE

The Hamilton and Alexandra College is a regional, co-educational, independent day and boarding school where every student is known, valued and challenged. Educating students from Early Learning through to Year 12, the school is committed to the safety, wellbeing and participation of all children and young people in an inclusive and secure environment.

The College takes seriously its responsibility to provide a safe educational environment where students are empowered to understand their rights and responsibilities, and to support them to speak up about important and sensitive matters.

The school's approach to handling concerns, grievances and complaints is based on The Hamilton and Alexandra College's values of respect, gratitude, compassion, resilience and optimism.

The Hamilton and Alexandra College Board has approved this Child Safeguarding Complaints Management Policy and Procedures.

To be a child safe environment, the College must have and implement child-focused processes for managing complaints and concerns. To meet this Standard, Ministerial Order 1359 requires the College Board 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 Boarding House, or the behaviour of any person within the College or the Boarding House
  - the roles and responsibilities of leadership, school staff, school boarding premises 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 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.

## 1. PURPOSE

The Hamilton and Alexandra College is committed to protecting the children and young people in its care. College values the school community and works together with students, parents and staff in an environment of open communication, trust and respect.

The College welcomes feedback from all members of the community and takes all concerns seriously. This policy is designed to assist you to understand our complaints management process.

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

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

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

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## 2. PRINCIPLES

The College is committed to ensuring the safety, wellbeing, and participation of all children and young people under our care.

We have a moral, legal and mission-driven responsibility to create nurturing school environments where children and young people are respected and their voices heard, and where they are safe and feel safe.

Ministerial Order 1359 and the College's Statement of Commitment to Child Safety set out the principles that guide the College Board in the development and regular review of the Child Safeguarding Complaints Management Policy and Procedures.

### **The Hamilton and Alexandra College principles:**

- All children have the right to be safe.
- The welfare and best interests of the child are paramount.
- The views of the child and a child's privacy must be respected.
- Clear expectations for appropriate behaviour with children are established in our Child Safety Code of Conduct and Staff and Student Professional Boundaries Policy.
- The safety of children is dependent upon the existence of a child safe culture.
- Child safety awareness is promoted and openly discussed within the School community.
- Procedures are in place to screen all staff, volunteers, and external education providers who have direct contact with children.
- Child safety and protection is everyone's responsibility.
- Child safety training is mandatory for all Board members, school staff and volunteers who have direct contact with children.
- Procedures for responding to alleged or suspected incidents of child abuse are simple and accessible for all members of the School community.
- Children from culturally or linguistically diverse backgrounds have the right to special care and support including those who identify as Aboriginal or Torres Strait Islander.
- Children who have any kind of disability have the right to special care and support.

## 3. SCOPE

For the purposes this Policy and its Procedures, references to the College include the Boarding House.

This Policy and its Procedures apply to all Staff, Volunteers and Contractors (together referred to as "Staff" or "staff members" for the purposes of this Policy and its Procedures).

They apply in all school and Boarding House environments (together referred to as school environments), including physical, virtual and online environments, and on-site and off-site school grounds (e.g. extra-curricular activities such as sport and other programs, camps and excursions, interstate and overseas).

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### 4. DEFINITIONS

Definitions of particular terms used in this Policy and its Procedures can be found in Child Safeguarding Program Definitions and Child Safeguarding (Responding and Reporting Obligations) Policy and Procedures. Of particular relevance to this Policy and its Procedures are the following additional key definitions:

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"> <li>• sexual offences and sexual abuse</li> <li>• grooming behaviours, grooming offences and encouragement offences</li> <li>• physical violence and physical abuse</li> <li>• serious/significant emotional or psychological harm (including by exposure to family violence)</li> <li>• serious/significant neglect</li> <li>• being subjected to a sexual orientation or gender identity change or suppression practice.</li> </ul> <p>For more information, refer to the Definitions section of Child Safeguarding (Responding and Reporting Obligations) Policy and Procedures.</p>
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 College.</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"> <li>• a breach of the College’s Child Safeguarding Codes of Conduct</li> <li>• a child safety incident or concern alleged to have occurred, be occurring or be at risk of occurring at the College or a School event</li> <li>• child safety incidents or concerns involving School Staff, Volunteers or Contractors</li> <li>• other staff misconduct related to the Child Safeguarding Program (such as a procedural breach of the Child Safeguarding Program).</li> </ul> <p>A child safety-related complaint also includes any complaint about the College’s response to or management of a child safety incident or concern, including complaints alleging non-compliance with our Child Safeguarding (Responding and Reporting Obligations) Policy and Procedures.</p>

### 5. ROLES AND RESPONSIBILITIES

In addition to relevant roles and responsibilities as set out in Child Safeguarding Responsibilities, the following people have particular responsibilities under this Policy and its Procedures.

Principal  
 Deputy Principal  
 Head of Junior School  
 Director of Boarding  
 Early Learning Centre Director  
 Head of Year 12  
 Head of Middle Years

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### 6. POLICY

1. The College 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 College, and its staff members, **must** respond to child safety-related complaints as set out below in:
  - Responding to Child Safeguarding-Related Complaints – Staff Members’ Obligations
  - Managing Child Safeguarding-Related Complaints – the College’s Obligations
  - Internal Reviews of Child Safeguarding-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 Safeguarding Record Keeping Policy and Procedures.
4. Analysis of child safety-related complaints and reviews of the Child Safeguarding Complaints Management Policy and Procedures inform the continuous improvement of the College’s Child Safeguarding Program and practices, as set out in ***General Reviews of Child Safeguarding Complaints Management*** below.

### 7. PROCEDURES

#### 7.1. Making a Child Safeguarding-Related Complaint

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

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

Non-child safety-related complaints should be made to the Principal.

(b) Parents/carers, family members and other community members who have child safety concerns about the College, its students or staff members are asked to follow the procedures set out in our Child Safeguarding (Safety and Protection) Policy and Procedures and to contact:

- the College’s Senior Campus Child Safety Champion, Kristen Waldron  
[kwaldron@hamiltoncollege.vic.edu.au](mailto:kwaldron@hamiltoncollege.vic.edu.au)

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- the College's Junior Campus Child Safety Champion, Stephen Nelson  
[snelson@hamiltoncollege.vic.edu.au](mailto:snelson@hamiltoncollege.vic.edu.au)
- the Senior Boarding House Child Safeguarding Officer, Andrew Monk  
[amonk@hamiltoncollege.vic.edu.au](mailto:amonk@hamiltoncollege.vic.edu.au)
- the Principal, [principal@hamiltoncollege.vic.edu.au](mailto:principal@hamiltoncollege.vic.edu.au)
- if the concern relates to the Principal, the Board Chair Rosie Merrin  
[rosie.merrin@hamiltoncollege.vic.edu.au](mailto:rosie.merrin@hamiltoncollege.vic.edu.au)

(c) 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, Volunteer or Contractor. 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 reporting form available on the College website <https://my.hamiltoncollege.vic.edu.au/child-safety/report> 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 Western District Health Service – Frances Hewett Community Centre 03 5551 8450 or Sexual Offences and Child Abuse Investigation Team (SOCIT) 03 5560 1180

### 7.2. Responding to a Child Safeguarding-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 Safety 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.

#### (b) Internal and External Reporting of Complaint Information

All staff members must follow the College's Child Safety 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 College or a College 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.

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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 Safeguarding Officer or the Principal.

If the child safety-related complaint is about the Principal, the complaint must be referred to the Board Chair Rosie Merrin [rosie.merrin@hamiltoncollege.vic.edu.au](mailto:rosie.merrin@hamiltoncollege.vic.edu.au).

### 7.3. Managing Child Safeguarding-Related Complaints – The College’s Obligations

Child safety-related complaints are managed by the College 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 Safeguarding Program*

The following child safety-related complaints must be managed pursuant to any relevant policies and procedures in this Child Safeguarding 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
2. complaints alleging a breach of the Child Safeguarding Code 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 Board Chair Mrs Rosie Merrin [rosie.merrin@hamiltoncollege.vic.edu.au](mailto:rosie.merrin@hamiltoncollege.vic.edu.au)) to be managed pursuant to relevant policies and procedures in our Child Safeguarding Program.

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

Our Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures are relevant to managing these kinds of child safety-related complaints.

*(b) Other child safety-related complaints that are managed under the Child Safeguarding Program*

The following child safety-related complaints must be managed pursuant to any relevant policies and procedures in this Child Safeguarding 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 Policy and Procedures)
3. complaints that the College 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 Board Chair Rosie Merrin [rosie.merrin@hamiltoncollege.vic.edu.au](mailto:rosie.merrin@hamiltoncollege.vic.edu.au)) to be managed pursuant to relevant policies and procedures in the Child Safeguarding Program.

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

Our Compliance and Breach (Child Safeguarding) Policy and Procedures and Regular Reviews and Continuous Improvement Policy and Procedures are relevant to managing these kinds of child safety-related complaints.

### (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:

1. complaints alleging a breach of the Child Safeguarding 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 (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 Safeguarding 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 Working with Children clearance)
3. general complaints about our Child Safeguarding 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 or other person managing the complaint should – where appropriate - consult with a Child Safeguarding Officer} as part of the investigation.

With respect to 3. above, given the high risk to the College of not having a compliant Child Safeguarding Program, it is likely that the outcome of these kinds of complaints will need to be reported to the College Board.

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

### (d) Guidance and Resources for Managing Child Safeguarding-Related Complaints

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

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### 7.4. Internal Reviews of Child Safeguarding-Related Complaint Outcomes

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.

Internal reviews are undertaken by the Principal.

### 7.5. General Reviews of Child Safeguarding Complaints Management

The College 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 Safeguarding Complaints Management Policy and Procedures is also itself regularly reviewed as part of our reviews of the Child Safeguarding Program.

For more information, refer to Regular Reviews and Continuous Improvement Policy and Procedures.

### 7.6. 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:

The College 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.



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### 8. IMPLEMENTATION

This Policy and its Procedure are made available to all Staff, Volunteers, and Contractors, via the College's intranet. They are included in induction training and in ongoing refresher training for Staff and relevant Volunteers and Contractors. For more information, refer to Child Safeguarding Training and Supervision Policy and Procedures.

They are made available to parents/carers, students and the wider school community in summary in our Complaints Handling Policy and public-facing Child Safety Responding and Reporting Obligations (Including Mandatory Reporting) Policy and Procedures, which are available on our public website as well as the College App and Newsletters. They are also available in hard copy by request.

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

### 9. BREACH

The College enforces this Policy and its Procedures. In the event of any non-compliance, we will instigate a review that may result in a range of measures including (depending on the severity of the breach):

- remedial education
- counselling
- increased supervision
- the restriction of duties
- suspension
- in the case of serious breaches, termination of employment, contract or engagement.

For more information, refer to Compliance and Breach (Child Safeguarding) Policy and Procedures.

### 10. POLICY AND PROCEDURES REVIEW

A review of the Child Safeguarding Complaints Management Policy and Procedures is conducted every two years or earlier if required, such as due to changes in legislation.

The College Board is responsible for ensuring that this Policy and its Procedures are reviewed and updated as needed and for approving this Policy and its Procedures.

### 11. RELATED POLICIES AND PROCEDURES

- Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures
- Child Safeguarding Record Keeping Policy and Procedures
- Child Safeguarding (Safety and Protection) Policy and Procedures
- Compliance and Breach (Child Safeguarding) Policy and Procedures
- Information Sharing Policy and Procedures
- Complaints Policy
- Continuous Improvement Policy and Procedures

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- Regular Reviews and Continuous Improvement Policy and Procedures
- Reportable Conduct Policies and Procedures
- Reporting Teacher Misconduct to the Victorian Institute of Teaching Policy and Procedures
- Aboriginal and Torres Strait Islander Students Policy and Procedures (Child Safeguarding)
- [Add any other relevant policy].

## 12. SOURCE OF OBLIGATIONS AND RELATED LEGISLATIVE INSTRUMENTS

- [Victorian Child Safe Standards](#), Standard 5
- [Ministerial Order 1359](#), Clause 11

## 13. RESOURCES AND REFERENCES

National Office of Child Safety, [Complaint Handling Guide: Upholding the rights of children and young people](#)

## 14. APPROVAL

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