

Avalon College

COMPLAINTS RESPONDING PROCEDURE

1. Purpose

This procedure outlines the steps for responding to complaints or concerns relating to child abuse. It ensures Avalon College meets its legal and regulatory obligations under:

- **Ministerial Order No. 1359**
- ***Children, Youth and Families Act 2005 (Vic)***
- ***Crimes Act 1958 (Vic)***
- **Reportable Conduct Scheme**

This procedure applies to **all staff, volunteers, contractors and boarding supervisors**, and is to be read alongside the Avalon College Child Safety & Wellbeing Policy (**AC-CSP-001**) and Child Safety Code of Conduct (**AC-CSP-002**). Together, these documents define the expected standards of conduct relating to child safety.

2. Roles and Responsibilities

All individuals working with Avalon College have a duty to report concerns and act in the best interests of student safety. Specific responsibilities are as follows:

Mandated Reporters

Under the ***Children, Youth and Families Act 2005 (Vic)***, mandated reporters include teachers, principals, medical practitioners, registered nurses, psychologists and other prescribed roles. While all staff are expected to report, mandated reporters hold a legal obligation.

Key Roles

- **Child Safety Officer**
Primary contact for child safety complaints. Responsible for coordinating safety assessments, documentation and support for affected students.
- **Managing Director (Principal Executive Officer – Head of Organisation)**
Oversees all child safety complaints. Responsible for external notifications, including to the Commission for Children and Young People under the Reportable Conduct Scheme.

- **Education Manager or Senior Boarding Supervisor**
Acts as alternate complaint manager if a conflict arises. Escalates matters involving the Managing Director to the Education Manager and/or the Business Manager.
- **Staff and Volunteers**
Must immediately act on and report any reasonable belief of child abuse, cooperate with investigations and provide support to affected students.
- **Business Manager**
Oversees compliance, ensures record keeping meets Public Record Office Victoria standards and audit complaint processes.

3. Responding to a Child Safety Complaint or Concern

All actions must be **prompt, thorough and sensitive** and may occur concurrently.

A. Immediate Safety (Staff & Child Safety Officer)

- Assess and respond to the child's immediate safety needs within 24 hours.
- Implement protective measures (e.g. separation from alleged person, increased/adjust supervision, ensure safe environment).

B. Notification

- Staff must **immediately notify** the Child Safety Officer or Managing Director.
 - If the complaint involves the **Child Safety Officer** → Notify the **Managing Director**.
 - If the complaint involves the **Managing Director** → Notify the **Education Manager** and/or the **Business Manager**.

C. Mandatory Reporting (Staff & Child Safety Officer)

- Mandated reporters must report to the Department of Families, Fairness and Housing or Victoria Police where there is a reasonable belief that a child is in need of protection from physical or sexual abuse.
- Reporting must occur **as soon as practicable**.
- This duty is **personal and cannot be delegated**.

D. Reportable Conduct (Managing Director- Principal Executive Officer)

- Notify the Commission for Children and Young People within **3 business days** of becoming aware of a reportable allegation.
- Complete an investigation and report outcomes within **30 calendar days**.

E. Crimes Act Obligations (All Staff)

Staff must comply with obligations under the **Crimes Act 1958 (Vic)**, including:

- **Failure to Disclose:** Obligation to report child sexual offences.
- **Failure to Protect:** Duty to prevent risk where authority exists.
- Non-compliance may result in **criminal liability**.

F. Non-Mandatory Reporting (Child Safety Officer or Managing Director)

The Child Safety Officer or Managing Director may report concerns even if the threshold for mandatory reporting is not met, where this is in the best interests of the child to;

- Victoria Police
- Department of Families, Fairness and Housing
- Commission for Children and Young People

G. Recordkeeping (Child Safety Officer & Business Manager)

- Use the **Child Safety Concern Form (AC-CSP-008)**.
- Record and store complaints securely via **Orah** and in accordance with the **Record keeping and Information Management Procedure (AC-CSP-009)**.
- Retain records of child sexual abuse allegations **indefinitely**.

H. Communication and Support (Child Safety Officer & Boarding House Staff)

- Inform students and families using **age-appropriate, culturally safe** language.
- Offer **counselling and wellbeing services**.
- Provide ongoing monitoring and regular follow-up support.
- Notify parents/guardians unless it would place the child at further risk or compromise an investigation.

4. Protecting Children Throughout the Complaint Process

Avalon College will ensure the ongoing safety and wellbeing of any child related to a complaint.

Protective actions include:

- Risk assessment conducted within 24 hours and reviewed regularly.
- Removal or modification of duties of any staff or volunteer subject to an allegation, pending investigation outcome.
- Increased supervision of the child or student, boarding house environment or class setting.
- Adjustments to boarding or classroom arrangements if needed to reduce risk.
- Regular communication with the child and family about protective measures taken.
- Provision of counselling, wellbeing and cultural support services for the child.
- Ensuring the child has multiple, child-friendly ways to raise further concerns during the process.

These actions will remain in place until the complaint is finalised and Leadership determines there is no ongoing risk. Leadership reviews interim measures at least fortnightly to ensure they remain effective and proportionate.

5. Alternative Pathways

Where a conflict of interest or unavailability exists:

- If the Child Safety Officer or Managing Director are unavailable or conflicted, the **Education Manager** acts as Complaint Manager.
- If both the Child Safety Officer and Managing Director are involved, notify the **Education Manager and/or Business Manager**, who will assume responsibility for managing the complaint.

Note: Staff always retain their **personal legal obligation** to report directly to:

- **Victoria Police** – suspected criminal offences
- **Department of Families, Fairness and Housing** – reasonable belief of need for protection
- **Commission for Children and Young People** – reportable conduct matters

Internal reporting **does not override statutory obligations**.

6. Responsibilities Linked to Actions

Action	Responsible Role	Linked Obligation
Immediate safety assessment	Staff & Child Safety Officer	Ministerial Order No. 1359 – Duty of Care
Notify external authorities	Mandated Staff & Child Safety Officer	Children, Youth and Families Act 2005; Crimes Act 1958 (Vic)
Notify CCYP	Managing Director (PEO)	Reportable Conduct Scheme
Record complaint	Child Safety Officer & Business Manager	(AC-CSP-009); PROV Standards
Provide support to child	Child Safety Officer & Boarding Staff	Ministerial Order No. 1359 (Child Safe Standards)

7. Monitoring and Review

- The **Business Manager** conducts **quarterly audits** of complaints and concerns.
- The **Leadership Team** conducts an **annual review** of processes to support continuous improvement.

8. Record keeping for Complaints

All records must comply with **AC-CSP-009** and **Public Record Office Victoria Standards**.

A. Creation of Records

- Use **AB-GOV-011 Complaint Form** or **AC-CSP-008 Child Safety Concern Form**.
- Document **Who, What, When** and **actions taken**.
- Include both the concern and Avalon's response.

B. Securing Records

- **Electronic records:** Orah and Avalon secure servers with restricted access.
- **Physical records:** Locked filing cabinets, Business Office.
- Access limited to the **Managing Director, Child Safety Officer and Business Manager**.

C. Retention of Records

- **General complaints:** Retained for **7 years** minimum.
- **Child abuse allegations:** Retained **indefinitely**, per the ***Limitation of Actions Amendment (Child Abuse) Act 2015 (Vic)***.

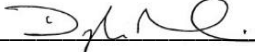
D. Disposal of Records

- Only disposed of per **PROV Standards** and relevant **Records Disposal Authorities**.
- Disposal requires a **Record Disposal Certificate**, signed by the Business Manager and Managing Director.

E. Staff Responsibilities

- All staff and volunteers must understand information sharing and recordkeeping duties.
- Training is provided at induction and refreshed **annually** in line with the **Annual Training and Compliance Procedure (AC-HR-003)**.

Approved by: Avalon College Managing Director

Signature: 

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