

Procedures for Managing Child Safety Incidents or Concerns, including Child Safe Complaints, at or involving the School or its Staff, Volunteers or Contractors

Policy Audience: Public Document



1.0 Purpose

The purpose of these Procedures for Managing Child Safety Incidents or Concerns (including Child Safe Complaints) at or involving the School or its Staff, Volunteers or Contractors (Procedures) is to inform our community of everyone's obligations to:

- Act safely and appropriately towards children.
- Respond to and report child safety incidents or concerns.

Kilvington Grammar School (the School) is committed to providing a child safe environment. We believe our students have the right to feel and be safe. We have zero tolerance for child abuse and are committed to acting in our students' best interests and keeping them safe from harm.

These procedures:

- Are to be followed by all School Staff, Volunteers, Contractors and Board members whether or not they work in direct contact with students.
- Are to be followed in all physical and online school environments used by students during or outside of school hours, including other locations, such as school camps, excursions and those provided by third-party providers.
- Should be read together with the School's Child Safety and Wellbeing Policy and Child Safe Codes of Conduct.

For the purposes of this procedure, "staff" or "staff member" includes all teaching and non-teaching staff, Kilvington Grammar School Board members, volunteers, contractors and external providers.

The Director of Business is responsible for ensuring the efficient and effective organisation, management and administration of the School's complaint handling processes.

2.0 Child Safety Incidents or Concerns

A child safety incident or concern is any behaviour that may be:

- A breach of our Child Safe Codes of Conduct.
- Child abuse, grooming or other harm of a current or former student by:
 - Current or former staff members.
 - Current or former students.
 - Other people on Kilvington Grammar School premises or at Kilvington Grammar School events.
- "Reportable conduct" as defined in the Child Wellbeing and Safety Act 2005 (Vic).
- Other child safety-related staff misconduct.

3.0 Child Safety-Related Complaint

A Child Safety-Related Complaint is any report made in relation to a child safety incident or concern at or involving Kilvington Grammar School or its staff members. Such a complaint can be made by anyone including a current or former:

- Student.
- Parent/guardian/carer.
- Other family member.
- Staff member.
- Member of the wider community.

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It is critical that the School is informed about all child safety incidents or concerns that occur at or otherwise involve the School. A complaint can be made when the conduct or behaviour is by a staff member, another student, a parent/carer or any other person on the Kilvington Grammar School premises or at Kilvington Grammar School events. This enables the School to ensure the safety and wellbeing of students and to comply with its legal reporting obligations.

4.0 Kilvington Grammar School's Response

The School will take appropriate, prompt action in response to all child safety incidents or concerns, including allegations or disclosures of abuse or other harm that are reported to the School.

These include:

- Externally reporting all matters that meet the required relevant thresholds to Child Protection, the Police, the Social Services Regulator and/or the Victorian Institute of Teaching, depending on the issues raised.
- Fully cooperating with any resulting investigation by an external agency.
- Protecting any student connected to the incident or concern until it is resolved and providing ongoing support to those affected
- Taking particular measures in response to child safety incidents or concerns about an Aboriginal or Torres Strait Islander student, a student from a culturally and linguistically diverse background or a student with disability, and other vulnerable students (such as students who are unable to live at home or students who identify as lesbian, gay, bisexual, transgender or intersex)
- Sharing information with, or requesting information from, external people or agencies as permitted or required under the Child Information Sharing Scheme and/or the Family Violence Information Sharing Scheme
- Securing and retaining records of the child safety incident or concern and the School's response to it in accordance with government and legislative guidelines. For more information, please see below.
- Undertaking systematic reviews and implementing resulting improvements in how the School manages child safety incidents and concerns.

5.0 Breach of the Child Safe Codes of Conduct

The School requires all staff members, parents/carers, visitors and other adults in the School community to comply with our Child Safety Code of Conduct.

Staff members must also comply with the School's Staff and Student Professional Boundaries Policy.

6.0 Child Abuse, Grooming or Other Harm of a Student

Our Child Safety and Wellbeing Policy sets out the different definitions and key indicators of child abuse, grooming and other harm of students.

The following behaviours are covered by these definitions and indicators:

- Physical abuse.
- Sexual abuse.
- Psychological abuse.
- Emotional abuse.
- Neglect.
- Grooming.
- Exposure to family violence.
- Online/cyber abuse.
- Image-based sexual offences.

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7.0 Reportable Conduct

The School has a legal obligation to investigate and report to the Social Services Regulator of all incidents or allegations of “reportable conduct”, or of staff misconduct that may be “reportable conduct”, as defined in the Child Wellbeing and Safety Act 2005 (Vic).

For the purposes of the Reportable Conduct Scheme, these Procedures also apply to workers or volunteers provided by labour hire agencies, companies or other providers, as well as secondees, directors of companies and individual business.

Examples of these workers or volunteers include, but are not limited to:

- Casual relief teachers provided by a labour hire agency.
- Administrative staff, gardening, maintenance, IT or other staff performing supporting work at the School who are engaged through a labour hire company.
- Student teachers undertake a placement at the School, including the Early Learning Centre, as part of their teaching course.

Section 3 of the Child Wellbeing and Safety Act 2005 (Vic) defines “reportable conduct” as:

- “(a) a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded; or
(b) sexual misconduct, committed against, with or in the presence of, a child; or
(c) physical violence committed against, with or in the presence of, a child; or
(d) any behaviour that causes significant emotional or psychological harm to a child; or
(e) significant neglect of a child”

7.1 What is not Reportable Conduct?

Reportable conduct does not include:

- A person taking reasonable steps to protect a child from immediate harm.
- A person with responsibility for discipline taking lawful and reasonable disciplinary action, such as sending a child to sit in ‘time out’ for a period of time.
- An appropriately qualified person, giving medical treatment in good faith such as a first aid officer administering first aid.

Some examples of conduct that would not constitute reportable conduct include touching a child to get their attention, guide them or comfort them, a teacher raising their voice to attract attention or restore order in a classroom, or conduct that is established to be accidental.

8.0 Other Child Safety-Related Staff Misconduct

The School includes the following behaviours to be child safety-related staff misconduct:

- Breaches of key child safety and wellbeing policies and/or procedures.
- Purposeful neglect of duties and/or responsibilities.
- Alcohol and other substance abuse.
- Physically, verbally or emotionally abusive behaviour with or in the presence of students.
- Other behaviour or conduct that risks the safety or wellbeing of students or others at Kilvington Grammar School.

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9.0 Making a Child Safety-Related Complaint at Kilvington Grammar School

A complaint in relation to a child safety incident or concern may be as a result of: A breach of the School's Child Safe Codes of Conduct.

- Child abuse, grooming or other harm of a current or former student by:
- Current or former staff members.
- Current or former students.
- Other people on Kilvington Grammar School premises or at Kilvington Grammar School events.
- Reportable Conduct, as defined in the Child Wellbeing and Safety Act 2005 (Vic).
- Other child safety-related staff misconduct.

We understand the impact of child safety issues or concerns and the process of making a complaint on the wellbeing of our students. Wanting our students to feel empowered and safe we encourage them, their parents/carers, other family members and/or other community members to raise issues or concerns with the School.

9.1 Process for Students to Report Child Safety Incidents or Concerns

Before making a complaint, we encourage students wherever possible to write down as much information as they can recall, so they remember to raise this when talking to the trusted adult.

Students who wish to report a child safety incident or concern at or involving the School or its staff or any other member of the school community (including but not limited to volunteers, contractors or other students), can raise this with a trusted adult at the School. This may be their classroom teacher, Mentor, Head of Year/House, International Student Coordinator, one of the School's Child Safety Officers or any other member of staff.

The School's Child Safety Officers are:

- Head of Senior School
- Head of Junior School
- Deputy Head of Senior School
- Deputy Head of Junior School
- Head of Psychology Services
- School Psychologist
- Director of Human Resources and Operations

The School's Child Safe Champion is the Director of Business.

Students can also make a complaint (which can be anonymous) by leaving a message via a Drop Box. These drop boxes are located at:

- Main Reception.
- Junior School Reception.
- Senior School Reception.
- Music Reception.

Alternatively, students can ask their parent/carer or any other trusted adult outside of the School's community to make a complaint on their behalf.

If they do not feel comfortable speaking to someone they know, students can contact **Kids Helpline on 1800 55 1800** for advice.

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Depending on the details of the complaint, the Kilvington Grammar School Staff Member will follow the guidelines as prescribed in the School's Child Safety Incident Report Form or the Schools's Student Sexual Offending Form.

9.2 Process for Reporting Child Safety Incidents or Concerns At or Involving the School or its Staff (Excluding the Principal)

Where a child safety incident or concern relates directly to the School or a member of staff, parents/carers, family members and other community members can report their concerns by:

1. Directly contacting the School's Child Safe Champion, the details of which are:
 - Email: directorofbusiness@kilvington.vic.edu.au.
 - Telephone: (03) 9578 6231.
2. Directly contacting the School's Deputy Principal, the details of which are:
 - Email: deputyprincipal@kilvington.vic.edu.au.
 - Telephone: (03) 9578 6231.
3. Directly contacting the School's Director of Human Resources and Operations, the details of which are:
 - Email: directorofhumanresources@kilvington.vic.edu.au.
 - Telephone: (03) 9578 6231.
4. Directly contacting the Head of Senior School, the details of which are:
 - Email: hoss@kilvington.vic.edu.au.
 - Telephone: (03) 9578 6231.
5. Directly contacting the Head of Junior School, the details of which are:
 - Email: hojs@kilvington.vic.edu.au.
 - Telephone: (03) 9578 6231.

9.3 Process for Reporting Child Safety Incidents or Concerns Involving the Principal

Where a child safety incident or concern relates directly to the Principal of the School, parents/carers, family members and other community members can report their concerns by directly contacting the Chair of the Board, the details of which are:

- Email: chairofboard@kilvington.vic.edu.au.
- Telephone: (03) 9578 6231.

10.0 Investigating and Managing Child Safety-Related Incidents and Complaints

When investigating and managing child safety-related incidents or complaints, the School will follow the procedure outlined below.

10.1 Immediate Response

The School's immediate response will depend on the nature of the incident, complaint, allegation or concern.

After receiving the internal report or the child safety- related complaint, we will:

- Determine whether the conduct in question must be further investigated and reported to the Social Services Regulator Such conduct is that which amounts to:
 - Child safety-related staff misconduct (as defined above); and/or

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- Reportable conduct (also defined above).
- If required by law or by our child safety and wellbeing policies and procedures, report the matter to Child Protection, Victoria Police and/or other external agencies.

The School will conduct an initial risk assessment. If an external report has been made, the School consult with Child Protection or Victoria Police when conducting this risk assessment.

The School will provide support to any students, family members and staff members impacted by the incident, concern or complaint.

10.2 The Internal Investigation

Following the immediate response, the School will undertake an internal investigation of the incident or complaint. This will be led by the Principal or an external investigator.

If Victoria Police or the Child Protection are investigating the alleged conduct, that investigation takes precedence. Kilvington Grammar School's investigation will only proceed with the permission from Victoria Police or Child Protection.

All internal investigations are carried out in such a way that procedural fairness and confidentiality are maintained at all times. Information is shared with those who need to know.

10.3 Investigating and Managing Behaviour by a Student Against Another Student

When responding to alleged conduct of this nature, the School owes a duty of care to the student who is a victim and to the student who is the alleged perpetrator, as well as to other students. In these circumstances, the Principal will follow our school discipline policies.

10.4 Investigating and Managing Behaviour by Non-Staff Members on School Premises or at School Events

When the allegation does not involve a current or former student or current or former staff member, any investigation is generally limited.

This may include an initial risk assessment and, following the behaviour, a review of our policies and procedures to ensure future safety and wellbeing of our students.

10.5 Investigating and Managing Reportable Conduct and Breaches of the Child Safe Codes of Conduct that do Amount to Reportable Conduct

The Children Legislation Amendment (Reportable Conduct) Act 2017 (Vic) requires the head of Kilvington Grammar School to report to the Social Services Regulator any allegation of Reportable Conduct and to conduct an internal investigation.

When conducting this internal investigation, the School will follow the Social Services Regulator's Guidance for Organisations: Investigating a Reportable Conduct Allegation. This sets out the minimum standards that must be followed when planning and conducting reportable conduct allegations under the Child Wellbeing and Safety Act 2005 (Vic).

In addition, the School will conduct further risk assessments during and at the conclusion of each internal investigation.

The steps taken by the School when conducting investigations into reportable conduct include:

- Plan the investigation (including the involvement of the child).
- Gather information.
- Record the response by the staff member.

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- Ensure support is provided during the investigation.
- Make findings and determine outcomes or actions that need to be taken.
- Take actions as necessary.

10.6 Investigating and Managing Child Safety-Related Staff Misconduct and Breaches of the Child Safe Codes of Conduct that do not Amount to Reportable Conduct

In circumstances where child safety-related staff misconduct does not amount to reportable conduct and/or breaches of the School's Child Safe Codes of Conduct are minor, the Director of Human Resources will investigate and follow the policies and procedures relating to performance management and termination of employment.

If a child safety-related complaint has been made, and the internal investigation determines that there has been child safety-related staff misconduct that does not amount to reportable conduct and/or minor breaches of the School's Child Safe Codes of Conduct, the School will notify the complainant of this finding and of the corrective actions that will be taken as a consequence.

If the complaint involves the Director of Human Resources, the Deputy Principal will conduct this investigation.

11.0 Record Keeping About Investigations

At each stage of the investigation process, will include the retention of records:

- Received or created during the investigation. Examples include notes of interviews and documents received.
- Of findings.
- Of actions recommended and taken.

These records will be stored in a secure location.

When keeping records of disclosures of allegations of child abuse and/or student sexual offending, the School maintains confidentiality and privacy for our students and their families in accordance with federal and state privacy legislation.

In addition, the School will ensure these records are properly managed, protected and retained over time. As such, the School will adhere to the Public Record Office Victoria Record Keeping Standards.

For records relating to investigations of incidents and allegations of child sexual abuse, the School will abide by the requirements as prescribed in the Retention and Disposal Authority for Records of Organisational Response to Child Sexual Abuse Incidents and Allegations.

12.0 Reviews of Investigation Procedures and Outcomes

12.1 Internal Reviews of Complaints Outcomes

If the complainant and/or other people involved in the child safety-related complaint are not satisfied with the management or outcome of that complaint may request an internal review of:

- The procedures followed by the School.
- Findings made.
- Disciplinary actions recommended and/or taken.
- Other outcomes. For example, the decision to not make a finding, take or not take disciplinary action or other action.

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12.2 External Reviews for Overseas Students

If the complaint involves an overseas student and they are not satisfied with the outcome of the School's internal investigation, they may lodge an external appeal through the Overseas Students Ombudsman (OSO). The OSO investigates complaints about problems that overseas students or intending overseas students may have with the private education and training in Australia.

The OSO provides a free service, and their contact details are outlined below.

- Email:** ombudsman@ombudsman.gov.au
- Telephone:** 1300 362 072 within Australia
+61 2 6276 0111 outside Australia
- Enquiries:** 9:00am – 5:00pm Monday to Friday, Australian Eastern Standard Time (Australian Eastern Daylight Savings 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>

Kilvington Grammar School agrees to be bound by and, within 30 days of receipt of the report, will implement any recommendations made by the OSO.

13.0 Oversight of Reportable Conduct Investigations by the Social Services Regulator

The Social Services Regulator monitors compliance with the Reportable Conduct Scheme in Victoria and oversees investigations of reportable conduct undertaken by Kilvington Grammar School.

Any person who believes that Kilvington Grammar School has inappropriately responded to an allegation or reportable conduct can notify the Social Services Regulator.

The contact details are outlined below.

- Email:** contact@ssr.vic.gov.au

14.0 Disclosing Information to the Kilvington Grammar School Community

The School will firstly consult with Child Protection, Victoria Police or other relevant external authorities to determine when, what and by whom information can be shared.

14.1 Disclosing information to Parents/Carers and Students

We understand the parent/carer of a student who is an alleged victim of a child safety-related incident or concern occurring or involving the School has a legitimate interest in being informed of this information. They also have a legitimate interest in being told the nature of the incident, complaint or allegation.

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Moreover, the parent/carer and student have a legitimate interest in being informed of the process, progress and findings of any investigation, and of any action that may be taken at the conclusion of this investigation.

Nonetheless, there may be special issues that arise which require an adjustment to the standard information sharing practices. There may be legal impediments that impact the timeliness of any disclosure of information, the type or amount of information that is being disclosed and to whom the information is being disclosed. This is particularly in the case of reportable conduct allegations.

14.2 Disclosing Information to the wider Kilvington Grammar School Community

Before disclosing information, including the confirmation of an incident or allegation about a child safety incident, concern or a child safety-related complaint to the wider community, the School will assess the relevance and appropriateness of such a disclosure.

To protect the identification of the victim, generally Kilvington Grammar School will not disclose information regarding the incident, concern or complaint that may identify the victim without their consent and/or their parent/carer.

Nevertheless, if the matter involves reportable conduct, the School will not disclose that kind of information with the wider school community. This is because it is an offence to disclose information that would enable the identification of a person who notified the Social Services Regulator of the matter or of a child in relation to whom a finding of reportable conduct was made.

15.0 More Information

For more information regarding the School's policies and procedures to manage child safety incidents or concerns occurring at or involving Kilvington Grammar School or its staff members, child safety-related complaints or complaints handling more generally, please contact the School's Child Safe Champion, email: directorofbusiness@kilvington.vic.edu.au.

16.0 Relevant Legislation and Standards and Related Documents

16.1 Relevant Legislation and Standards

This Procedures is to be read and understood in conjunction with legislation, regulations, external policies and standards on child safety and wellbeing, including:

- Child Wellbeing Safety Act 2005 (Vic)
- Children, Youth and Families Act 2005 (Vic)
- Crimes Act 1958 (Vic)
- Education and Training Reform Act 2006 (Vic)
- Equal Opportunity Act 2010 (Vic)
- Family Violence Protection Act 2008 (Vic)
- Four Critical Actions: Student Sexual Offending
- Ministerial Order 1359 (Vic)
- National Principles for Child Safe Organisations
- Privacy Act 1988 (Vic)
- PROTECT: Four Critical Actions
- Reportable Conduct Scheme
- Retention and Disposal Authority for Records of Schools
- Victorian Child Safe Standards
- Worker Screening Act 2020 (Vic)
- United Nations Convention on the Rights of the Child

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16.2 Related Documents

This Procedures is to be read in conjunction with other related school policies, procedures, and codes, including:

- Child Safety and Wellbeing Policy
- Child Safety Code of Conduct.
- Complaints Resolution Policy (Parent, Guardian and Student)
- Kilvington Grammar School Child Safety Incident Report Form
- Kilvington Grammar School Student Sexual Offending Form
- Procedures for Responding to and Reporting Child Safety Incidents or Concerns (including Mandatory Reporting)
- Records Management Policy
- Staff and Student Professional Boundaries Policy
- Visitors Policy and Procedures
- VIT Code of Conduct
- Volunteers Management Policy

17.0 Evaluation

Procedures last reviewed: March 2026

Approval: The Board

Review cycle: 2 years