

Policy Name	Complaints Policy and Procedures
Date Last Reviewed	December 2022
Scheduled Review Date	January 2024
Approved By	Board of Directors

Background

Skyline Education Foundation Australia is dedicated to safeguarding the safety, wellbeing, and participation of all children and young people under our care.

For non-English speakers who require assistance in understanding this policy, please contact info@skylinefoundation.org.au or call 0403 436 474.

This Policy is publicly available at www.skylinefoundation.org.au/childsafety. A copy can also be obtained via info@skylinefoundation.org.au. Additionally, all Skyline staff, volunteers, contractors, service providers undertaking child-related work, and Board members are provided with a copy before commencement.

This **Complaints Policy** outlines the process for students and adults to raise concerns or make a complaint to Skyline and how we will respond.

Please note that for any concerns or complaints related to child abuse or harm or a violation of our **Child Safety Code of Conduct**, please refer to our **Child Safety Responding and Reporting Obligations Policy and Procedures**, which applies in these circumstances. It specifies whom to contact at Skyline immediately - a Child Safety Officer - and how Skyline will respond, including taking immediate action to protect children and reporting to relevant authorities.

If a child's immediate safety is at risk, please call 000 (Triple Zero).

This Policy should be read in conjunction with Skyline's **Child Safety Code of Conduct** and all other child safety and wellbeing policies and procedures.

Purpose

Skyline is dedicated to creating a positive, child-centred, and culturally safe complaints culture. We encourage the raising of concerns and reporting of complaints to help us build a child-friendly and safe environment where all students and their families feel respected, valued, and foster continuous improvement.

The aim of this Policy is to provide accessible and easy-to-understand information for students and adults on how to raise concerns or make a complaint about Skyline or any person within Skyline, such as staff, volunteers, contractors, families, children or students. This Policy outlines Skyline's approach and the processes we will follow for dealing with different types of complaints, including the roles and responsibilities of leadership, staff, and volunteers at Skyline concerning complaints handling, to ensure that all concerns and complaints are taken seriously, and responded to promptly, thoroughly, and fairly.

Skyline is committed to achieving a clear outcome as part of resolving a complaint. This means that we will decide about what to do, wherever possible, after having properly considered the issue and the evidence, informed relevant parties about the decision, and taken appropriate action.

Scope

This Policy applies to all members of the Skyline community, including:

- Staff
- Students
- Families
- Visitors, volunteers, contractors, and service providers undertaking child-related work
- Board of Directors and Committee members.

It applies to all physical and online environments used by students during and outside of hours, including locations used for Residentials, mentoring opportunities, masterclasses, and other events.

However, this Policy does not apply to concerns or complaints of staff or volunteers in relation to employment or workplace matters. Such concerns or complaints should be raised with their immediate manager or the CEO in the first instance.

Procedural fairness principles

Skyline is committed to ensuring procedural fairness when working towards an appropriate resolution of any concerns or complaints raised within our community. To achieve this, we will:

- Respect the right of all parties to be heard and treated fairly;
- Respond to complaints promptly and thoroughly;
- Ensure that all parties understand the complaints policy and process;
- Give the person who the complaint is about an opportunity to respond to any allegations;
- Conduct investigations impartially, substantiate the facts of the matter, and maintain appropriate records;
- Appropriately communicate the reasons for any decision and any actions we intend to take;
- Meet privacy, employment, and other legal obligations; and
- Record complaints on a secure database with relevant levels of authorised access.

As part of our commitment to effective complaint handling, we have established an online complaints management register that enables us to capture, manage, and report on complaints. Regular analysis of complaints received and the implementation of rectification action, where deficiencies are identified, are also critical to our approach.

When raising a concern or making a complaint, we expect everyone involved to:

- Be considerate of each other's views and respect each other's role;
- Be resolution-focused;
- Act in good faith and cooperation;
- Behave with respect and courtesy;
- Respect the privacy and confidentiality of those involved, as appropriate; and
- Operate within and seek reasonable resolutions that comply with any applicable legislation and Skyline policies, including our Child Safety Code of Conduct.

However, when these expected behaviors are not demonstrated, it may not be possible to reach a resolution. We reserve the right to manage vexatious, querulous, frivolous, or malicious complaints through alternative processes at Skyline. To deal with these types of complaints effectively, a customised strategy may be required, which may not adhere to this Policy. The CEO will decide the plan for managing these types of complaints.

How to raise a concern or make a complaint

Informally:

Any child or adult with a Skyline related concern or complaint is encouraged to raise this informally in the first instance with the relevant Skyline staff member, volunteer or with the staff member or volunteer's Skyline supervisor.

Students experiencing issues with other students should contact their Program Manager in the first instance. Skyline believes that the majority of issues causing concern can be handled quickly and informally, and in most cases, these issues can be resolved through informal discussions.

Even if an issue is resolved informally, all Skyline staff are required to log the issues through our complaints management register, so we can identify any systemic issues and take appropriate rectification action. Volunteers are also required to inform their supervisor of any concern or complaint informally raised with them, so it can be logged.

If issues cannot be resolved informally, a more formal process can be started by the student or adult making the complaint (the complainant) as set out below.

Formally:

If you have been unable to resolve a matter informally, or wish to make a formal complaint, you can do so by taking any one of the following steps:

- Sending an email to ceo@skylinefoundation.org.au
- Writing a letter to Skyline addressed to the CEO
- If the complaint is about the CEO, sending an email/ letter to the Chair of the Board at chair@skylinefoundation.org.au.

All formal complaints will be logged into our register and managed in accordance with the following procedure.

Skyline's Internal Complaints Handling Process

Step 1: Complaint Registration

To ensure Skyline can manage any conflicts of interest, all formal complaints will be logged through Skyline's Complaint Register, where they will be screened by the CEO or, in the case of a complaint directly related to the conduct of the CEO or Skyline Board member, sent to the Chair of the Board.

Step 2: Complaint Acknowledgement

All valid complaints will be acknowledged in writing as soon as practicable, and always within 10 business days. They will be allocated a status, priority, and target resolution date. Skyline policy aims to commence an initial investigation and make a preliminary decision within 10 business days of acknowledging the complaint.

Step 3: Investigation and Decision

The CEO or delegate/Chair of the Board or delegate will investigate the issues raised, following principles of procedural fairness, and make a decision. The investigation will aim to establish the circumstances of alleged events and explore options for resolution. It may consist of interviews with involved parties or subject matter experts and/or documentation to understand the full circumstances leading to the complaint. Following completion of the investigation, the CEO or Chair of the Board will make a decision.

Step 4: Communication and Proposed Action

Following the decision, Skyline will communicate it to the relevant parties involved in the complaint and propose actions to be taken. If appropriate, the CEO or Chair of the Board will formulate a resolution and provide a written response to the complainant. The matter will be closed if the response is accepted.

Step 5: Internal Review

If the initial response is not acceptable to the complainant, the matter will be reviewed internally by the Board Child Safety Officer, who may seek additional information or submissions from the relevant parties. The Board Child Safety Officer or their delegate will aim to resolve all disputes within 20 business days of the acknowledgement of the complaint. The matter will be closed if the response of the Board Child Safety Officer or their delegate is accepted. Where appropriate, the matter may be escalated to the Chair of the Board.

Step 6: Corrective Action Request

All complaints received will be entered into Skyline's online complaints management register, and, where appropriate, a corrective action request will be made to address any underlying processes that the complaints investigation revealed may require improvement.

Step 7: External Resolution

If the matter remains unresolved, the complainant may pursue external resolution alternatives.

Note: Skyline reserves the right to revise its Internal Complaints Handling Process as necessary.

Escalation

At any point in the complaints handling process, a complainant may choose to escalate their complaint if it remains unresolved within the reasonable timeframe determined by Skyline. The escalation process may involve requesting that an alternate Skyline staff member or Board member review the complaint or initiating a formal investigation.

If agreed to by all parties involved, the complaint may also be resolved through alternative dispute resolution mechanisms, such as mediation or conciliation. Skyline will keep the complainant informed about the progress of the complaint throughout the escalation process. Review of decision
If a formal decision has been made by Skyline and the complainant is not satisfied with the process and/or outcome, the complainant can request a formal internal or external resolution alternatives. The internal review will independently re-consider all the information available and may make its own inquiries and provide a decision on the matter.

If the complainant remains dissatisfied, the matter may be escalated to the Board Chair at chair@skylinefoundation.org.au.

The CEO and Board Chair may consider Skyline's participation in avenues such as mediation and may also appoint an independent mediator to assist in this review and process.

Support

Ensuring that all complainants and everyone involved in the complaints process feels supported is crucial. Skyline is committed to working closely with students, parents, carers, and our wellbeing team to provide any additional support services that are available.

Each matter will be assessed on a case-by-case basis. Depending on the nature of the complaint, Skyline may provide referrals to counseling and support services to assist complainants and others involved in the investigation and review processes. For students, additional support might include referral to Skyline's Program Team, external specialist agencies, family counseling, or academic support.

Feedback

Skyline also values constructive feedback. We welcome you to provide any feedback to info@skylinefoundation.org.au.

Confidentiality

We understand that confidentiality and privacy are important concerns for those making complaints. Anonymous complaints are accepted by Skyline, but it is important to note that if additional information is required to investigate a complaint, the absence of identifying and contact information may prevent an investigation from being carried out.

Skyline is committed to maintaining confidentiality of information throughout the complaints process, and communication is handled on a 'need to know basis'. Confidentiality applies to both information about the complainant and any person against whom a complaint has been made.

Skyline actively protects personally identifiable information from disclosure, and this information will only be made available for the purpose of addressing the complaint (unless the complainant provides consent) or where required by law. However, confidentiality may not be maintained in certain circumstances, such as for the protection of children (e.g. criminal law and mandatory reporting obligations), the protection of others (e.g. occupational health and safety law obligations), or to ensure fair treatment of a person who is the subject of a complaint (e.g. employment law obligations).

Privacy and information sharing

Skyline collects, uses, and discloses information about children and their families in accordance with Victorian privacy laws and other relevant laws. For more information on how we handle personal information, please refer to our Privacy Policy, which is publicly available on our website at www.skylinefoundation.org.au/childsafety.

Records management

Records are kept of complaints made to Skyline and any actions taken to respond, including in our online complaints management register.

We acknowledge that effective records management practices are a critical element of child safety and wellbeing and manage our records in accordance with our Records Keeping Policy.

Breach

Any complaints about a breach of this Policy must be reported to Bridget Sutherland, the CEO of Skyline. Bridget can be contacted at ceo@skylinefoundation.org.au or on 0403 436 474.

Skyline staff, volunteers, contractors, and service providers who undertake child-related work and breach this Policy may be subject to disciplinary procedures in accordance with their employment agreement or relevant industrial instrument, professional code, or terms of engagement.

The disciplinary actions that may be taken depending on the relationship and the severity of the violation include (but are not limited to):

- remedial education
- counselling
- increased supervision

- restriction of duties
- suspension
- termination of employment, contract, or engagement in the case of serious breaches.

Compliance monitoring

Compliance with this Policy will be monitored by the Child Safety Officers and the CEO, and may include independent audits and reviews.

We regularly check that the Complaints Policy is fully implemented and being followed by everyone, including contractors and service providers undertaking child-related work.

In addition, we ensure that our leaders actively champion and model compliance with this Policy, by taking a proactive and outspoken approach on the importance of child safety and wellbeing. Our leaders are expected to "walk the talk" by demonstrating that they take child safety matters seriously, respond promptly and thoroughly to complaints, and help to embed child safety practices throughout Skyline.

Review

Skyline is committed to the continuous improvement of our Child Safety Program. We have established processes for the review and ongoing improvement of our child safe policies, procedures, and practices for overall effectiveness and to ensure compliance with all child safety related laws, regulations and standards:

- The CEO is responsible for reviewing and updating the Complaints Policy at least every two years or after any significant child safety incident or significant breaches of policy and seeking feedback from staff, volunteers, students, families and the Skyline community
- We consult regularly with stakeholders on child safety best practices to inform the development of our policies and procedures, and seek input from those relevant at Skyline.
- We record and analyse all complaints, concerns, and safety incidents to identify causes and systemic failures and inform continuous improvement – where any flaws or failings are identified in our policies, procedures and practices improvements are made to prevent the problem from occurring again
- We act with transparency and share reports on the findings of relevant reviews with staff, volunteers, families, students and the Skyline community.

Skyline policy and procedure linkages

- Child Safety Code of Conduct
- Child Safety and Wellbeing Policy
- Child Safety Responding and Reporting Obligations Policy and Procedures
- Privacy Policy
- Records Management Policy

Related legislation

The following legislation, standards and regulations apply and this policy aligns with these mandated requirements:

- *Child Wellbeing and Safety Act 2005 (Vic)* and the Child Safety Standards made pursuant to that Act.

Further information

Further information about this Policy can be obtained from the Child Safety Officers.