

Stakeholder Policy: Complaints or allegations of Staff Misconduct or Reportable Conduct

Policy number	NSW	Version	1.0
Drafted by	MSA	Approved by Board on	March 2025
Responsible person	Principal	Scheduled review date	1 Year

Table of contents

1	Purpose and Scope	1
2	Definitions	2
3	Related Documents	2
4	Principles and Accessibility	2
5	Urgent Complaints or concerns	2
6	How to raise complaints or allegations of staff misconduct or employee reportable conduct	3
7	Internal action for MSA	4
	Employment and staff matters	4
	Investigations	4
	Recordkeeping	4
8	Privacy and confidentiality	5
9	Reportable Conduct Scheme	5
10	Protection of reporters and updates	5
11	Approval and Review	5
12	Flowchart	6

1 Purpose and Scope

- 1.1 This policy sets clear guidelines and expectations for stakeholders regarding complaints or allegations of staff misconduct or reportable conduct. It should be read in accordance with the others school policies, including:
- Child protection policy and procedures
 - Staff conflicts of interest policy and procedure
 - Responsible persons conflict of interest policy
 - Complaints handling policy
 - Supervision policy
 - Staff code of conduct.



- 1.2 This policy applies to Mastery Schools Australia (**MSA**), Sydney Olympic Park (NSW) (the **School**).
- 1.3 It applies to Board members, employees, and also to volunteers and contractors (collectively **Staff**) to the extent that they are captured by another policy referred to in this policy.

2 Definitions

- 2.1 Terms will have the meaning in the relevant School policy incorporated by reference into this policy.
- 2.2 In this Policy, a stakeholder means a parent, guardian or carer (**Family**) or community members.

3 Related Documents

- (a) Child protection policy and procedures
- (b) Staff conflicts of interest policy and procedure
- (c) Responsible persons conflict of interest policy
- (d) Complaints handling policy
- (e) Supervision policy
- (f) Staff code of conduct
- (g) Working with Children Checks policy
- (h) MSA Whistleblower Policy

4 Principles and Accessibility

- 4.1 Family and community members are encouraged to report any conduct that is in their view inappropriate, reportable or criminal conduct to the Principal or their delegate. All such reports will be dealt with in accordance with this Policy and otherwise the School's complaint handling procedures.
- 4.2 All complaints or allegations of staff misconduct or employee reportable conduct are taken seriously.
- 4.3 The School will act promptly on all allegations of staff misconduct or employee reportable conduct.
- 4.4 The School will make this policy and its child protection policies and stakeholder complaint procedures regarding staff misconduct and employee reportable conduct publicly available.

5 Urgent Complaints or concerns

- 5.1 Any person can call 000 whenever they believe a child is at immediate risk of child abuse or harm.
- 5.2 A Staff member who believes a child or student is at immediate or serious risk of child abuse or harm must:

- (a) telephone 000; and
- (b) take all reasonable steps to ensure their immediate safety, such as:
 - (i) staying with the child until action has been taken to reduce or remove the risk;
 - (ii) removing the child or student from any circumstances that could lead to further harm;
 - (iii) separating alleged victims and others involved; and/or
 - (iv) administering first aid.

6 How to raise complaints or allegations of staff misconduct or employee reportable conduct

- 6.1 If an individual stakeholder has a complaint, or wishes to make an allegation about staff misconduct or employee reportable conduct, then:
- (a) If they are a person bound another policy such as the Child Protection Policy (e.g. staff), they must follow the procedure in that policy;
 - (b) If they are not bound by another School policy, or do not know whether they are, they must make a report to:
 - (i) the Principal; or
 - (ii) where the complaint or allegation relates to the Principal, the Chair of MSA and Managing Director.
- 6.2** Making a report under this Policy does not discharge an individual stakeholder from:
- (a) their obligation to make a report under another School policy (for example, in relation to a reportable allegation, Staff are required to follow the relevant sections on Reportable Conduct under the Child Protection Policy); and
 - (b) any personal obligation they may have, for example as a Mandatory Reporter.
- 6.3 The report must include all of the following which are known:
- (a) the name, age and address of student;
 - (b) the reason for suspecting that the behaviour or injury is a result of abuse;
 - (c) an assessment of the immediate danger to the child or student;
 - (d) a description of the injury or behaviour observed;
 - (e) the current whereabouts of the child or student;
 - (f) any other information about the family; and
 - (g) any specific cultural details, e.g., English speaking, disability, etc.
- 6.4** All individual stakeholders are strongly encouraged to discuss complaints or allegations of staff misconduct or employee reportable conduct with the Principal,



who can help with following this Procedure (or, where the where the complaint or allegation relates to the Principal, the Chair of MSA or the Managing Director).

7 Internal action for MSA

- 7.1 Where the matter relates to Reportable Conduct, the School will follow the Child Protection Policy and Procedure.
- 7.2 Where the matter relates to staff misconduct, the School will follow the Staff Code of Conduct.
- 7.3 The School may be required to follow both the Child Protection Policy and Procedure and the Staff Code of Conduct.

Employment and staff matters

- 7.4 Where the School becomes aware of concerns or complaints that a Staff member or Volunteer may have engaged in conduct which could give rise to a risk of harm to a child, MSA may, at its discretion:
 - (a) stand the Staff member or Volunteer down;
 - (b) remove or limit their contact with children or students; and/or
 - (c) direct the Staff member or Volunteer to return any keys, passes or equipment and to provide access codes and passwords.

Investigations

- 7.5 Before commencing an investigation under the Child Protection Policy or this Procedure, or the Staff Code of Conduct, the Principal will consult with relevant authorities to determine whether the School can commence an investigation (e.g., the School will not commence an investigation if this would interfere with a Police investigation).
- 7.6 If the allegation is considered a reportable allegation, the Principal will notify the Office of the Children's Guardian of who is going to conduct the investigation and comply with timeframes required by the Reportable Conduct Scheme.

Recordkeeping

- 7.7 Staff must:
 - (a) create and maintain records of the report within the student's Compass (student management system) profile; and
 - (b) ensure all records pertaining to child safety or other confidential information are saved under restricted access; and
 - (c) actions are taken (and documented) to reduce or remove the identified risks.

Child safety is everyone's responsibility.
--

8 Privacy and confidentiality

- 8.1 Following a report, it is important to protect privacy and confidentiality, and the interests and safety of the child at all times.
- 8.2 The School will not share information about a child safety concern with a child or student's Family if the School considers this will create or increase a risk of harm to the child or student.
- 8.3 The identity of a person making a report is confidential.
- 8.4 Information about child safety concerns and complaints is confidential and will be handled according to the School's Privacy Policy, except when this information must be disclosed by law (for example, the Reportable Conduct Scheme).

9 Reportable Conduct Scheme

- 9.1 Staff should refer to the Child Protection Policy and Procedure for further detail or speak to the Principal.

10 Protection of reporters and updates

- 10.1 Any person who makes a report in good faith in accordance with their reporting obligations will be supported by the School, will not be penalised by the School for making the report and will be protected from prosecution and liability.
- 10.2 An individual may be entitled also to protection under Whistleblower legislation, in which case the MSA Whistleblower Policy also applies.

11 Approval and Review

This policy is reviewed periodically as detailed in the policy review schedule. The next review date is April 2027.

12 Flowchart

Action	Person responsible
Tell Principal (or Board Chair) about a complaint or allegation of staff misconduct or employee reportable conduct ↓	stakeholder
Reduce any immediate risks of harm ↓	Staff Any person in a position of power or control
Complete an incident report and make required records ↓	Staff
Help the staff member or volunteer complete the incident report. Add any identified child safety risks and risk mitigation strategies to the Child Safety Risk Register. Support staff members and volunteers to continue to implement immediate safety measures and discharge the duty of care. ↓	CSO
Continue to reassess risk controls and needs of student (Safety and wellbeing) to implement appropriate care and risk treatments and discharge the duty of care ↓	Principal CSO Child Safety Group All Staff
Report to Department of Communities and Justice (DCJ) if the child safety concern gives rise to a reasonable belief of a child being at risk of sexual abuse or physical injury and the parents cannot remove that risk. ↓	Mandatory reporters
If the child safety concern is a reportable allegation: - Report to OCG. - If deemed appropriate: appoint an investigator and/or stand down staff. ↓	Principal (Head of Entity)
Consider if child information sharing is appropriate or would help mitigate risks of harm. ↓	CSO
Report to the Board the concerns and steps taken to address those concerns. ↓	Principal
Evaluate the child safety measures the school has in place and instruct the Principal as to any changes to the School's child safe strategies. Determine if policies or procedures need to be updated.	Board