

Policy	ACF-OPS6.1	Reporting Policy	Date Approved
			Review Date

Victoria Police Legacy (VPL) is a not-for-profit charitable organisation established to provide ongoing support to:

- **the families of deceased serving sworn members of Victoria Police and police veterans, and**
- **sworn serving members and police veterans who have lost a spouse or partner.**

Support is also provided to a member, their partners and families and police legatees experiencing grief or hardship caused by imminent or actual death or permanent (or prolonged) disability.

For VPL purposes, a police veteran is a person who was a sworn member of Victoria Police for a minimum period of 20 years.

This policy is part of VPL's commitment to being a child safe organisation.

Guiding Values

In keeping children and young people safe, the following values are a mechanism for guiding our actions and assisting in decision-making, they are a reference to which personnel can refer, to ensure their responsibilities to children and young people are upheld:

- Safeguarding children and young people is a shared responsibility, it is reliant on all individuals within our organisation to keep children and young people safe in our care.
- Any form of abuse or neglect towards children and young people will not be tolerated and immediate action will be taken upon report of any suspected harmful or abusive behaviours.
- The best interest of the child will be the primary consideration in all actions and decisions concerning the safety or wellbeing of a child or young person.
- We are accountable to the children and young people we work with by fostering high ethical standards in a culture of openness and transparency.

We empower children by informing them of their rights and responsibilities and support them to speak up about any matters of importance to them, including if something goes wrong. We work to include the participation of children and young people in decision making regarding any services or other matters affecting them.

1. Purpose

This policy forms part of our zero-tolerance towards abuse and neglect of children and young people

The purpose of the Reporting Policy is to ensure all instances, allegations, disclosures or reasonable concerns of abuse or neglect involving children and young people, are accurately reported and responded to in a consistent, timely and sensitive manner.

This policy also outlines the responsibility of personnel to report any concern with breaches or actions of other personnel within our organisation that contravene our policies and procedures, such as outlined in our Code of Conduct

Compliance with this policy ensures all incidents are reported and managed in a way that is responsive to the immediate circumstances of the incident, the rights of those involved, and wherever possible, any risks of recurrence are minimised.

This policy assists personnel to:

- recognise the different types of abuse and neglect.
- respond to the immediate needs of individuals involved in an incident (including personnel).
- guide responses to allegations and matters of concern, including breaches of our Code of Conduct.
- follow our organisations' reporting procedures.
- ensure their legal responsibilities when working with children and young people are upheld.

Our policies and procedures reflect child safe legislation and promote best practice and care for the children and young people within our organisation. Our Board of Management approves and endorses our VPL Reporting Policy.

2. Scope

The Reporting Policy applies to all personnel, including employees, casual staff, Board and committee members, volunteers and contractors involved with VPL.

This policy applies in all our operational environments and without fail wherever children and young people are participating in our organisation's activities, programs, services and / or facilities.

3. Responsibilities

All personnel within our organisation have a duty of care, and at times a legal obligation, to ensure that 'reasonable steps' are taken to prevent harm to children and young people. All personnel are responsible for supporting a transparent culture, whereby any actions by personnel that go against our Code of Conduct and Safeguarding Children and Young People Policy, however minor, are reported and documented.

Consequences of breaching policy

If our personnel fail to report instances, allegations, disclosures or concerns in relation to abuse or neglect of a child or young person – by personnel within our organisation or by others – we view such failure as a serious matter that, depending on the circumstances, may result in disciplinary action or be grounds for dismissal. Failure to report incidents of abuse, neglect and harm of child or young person may be classed as a criminal offence under state law.

Our personnel are obligated to report any information relating to:

- Incidents, allegations, disclosures or reasonable concerns in relation to abuse or neglect of a child or young person, either by personnel within our organisation or by others
- Any breaches or actions of other personnel within our organisation that contravene our policies and procedures, such as outlined in our Code of Conduct.

Our policy prohibits all personnel from:

- discussing any concerns or allegations with unauthorised personnel – within or outside our organisation – such prohibition not being designed to limit, in any way, their rights and responsibilities to report their concerns or allegations, but rather as part of our organisation's commitment to ensuring privacy, confidentiality and natural justice.
- making deliberately false, misleading or vexatious allegations.

All children and young people within our organisation are informed of our policy and provided with the support and mechanisms to feel empowered to speak up if they feel unsafe, hear something or see something that doesn't feel right. Our organisation upholds a child's rights to be heard, protected and supported.

In adhering to this policy, personnel of VPL will promote equity and respect diversity of the children and young people and their parents/care givers who access our services and inform children and young people of their rights to feel and be safe. This includes Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds and children, young people with a disability, LGBTQI+ children, and children who cannot live at home. Our organisation upholds a family's right to have their concern resolved and done so in a culturally respectful and safe way.

The responsibility of each role in relation to the development and compliance of the VPL Reporting Policy is detailed in Section 11 of this policy.

Complaints Handling

VPL prioritises children and young people's rights, safety and wellbeing, including the right to make a complaint via formal or informal mechanisms. A complaint can include expressions of dissatisfaction about:

- the VPL services or dealings with individuals
- allegations of abuse or misconduct by personnel or another individual associated with the organisation
- disclosures of abuse or harm made by a child
- the conduct of a child at VPL
- the inadequate handling of a prior concern
- general concerns about the safety of a group of children or activity

Any complaint made by a child or young person will be responded to and investigated promptly in-line with VPL Complaints Handling Policy OP02

Prevention and Preparedness

All our personnel are provided with our Code of Conduct and Safeguarding Children and Young People Policy which clearly detail the behavioural expectations of personnel around children and young people. Personnel are advised that any breaches, including minor breaches, to these policies are required to be reported.

It is all personnel's responsibility to identify and assess potential risks in ongoing programs and one-off activities. Personnel should consider the online, physical or psychological risks associated with activities, and develop and implement risk mitigation strategies to address those risks, in line with our organisation's Risk Management Policy.

Our organisation creates a safe environment for children and young people. Our personnel use strategies to support and encourage children and young people to practice safe behaviours amongst personnel and their peers and speak up if they feel unsafe.

4. Key Steps

There are four critical steps that everyone in our organisation must follow regarding all incidents, allegations, disclosures or reasonable concerns of abuse or neglect, or breaches of policy where appropriate:

1. Responding
2. Reporting
3. Sharing of Information
4. Supporting

4.1 Responding

Responding to an incident

Immediate responses include the care, support and communication actions that take place immediately following an incident to mitigate further harm and ensure the safety of children and young people / other service users, families and personnel.

1. **Reduce the harm and risk of harm** to those impacted by the incident including by:
 - making the surroundings safe to prevent immediate recurrence of the incident, for example
 - removing potentially harmful person(s)
 - increase supervision of children and young people
 - move uninvolved children and young people away from incident.
 - moving to a safe place
 - alerting others to risks that extend beyond the local environment, for example, other areas within the organisation.
 - Calling Emergency Services if required on 000
2. **Provide immediate care and support** to child or young person / other service users, families, personnel and others involved in the incident including addressing:
 - physical well-being e.g., providing first aid or arranging medical treatment if a person suffers any harm or injury because of the incident; and
 - emotional well-being (including psychological) e.g., arranging for coverage of duties and supervision facilitating access to counselling, debriefing and support for others involved in the incident.
3. **Where possible, preserve evidence in situations where allegations or suspicions of abuse and neglect has occurred. This can include:**
 - ensuring that clothes worn by the person who may have perpetrated the abuse and the child or young person who has been subject to the abuse remain in their clothing, or the clothing is not washed and is sealed securely in a bag.
 - not cleaning or disturbing the area in which the abuse has occurred.
 - protecting any physical items such as weapons from being touched or removed.

Responding to a disclosure/allegation

When responding to a disclosure or allegation by a child or young person, personnel should respond by:

- listening to the allegation or disclosure supportively, without dispute
- clarifying the basic details, without seeking detailed information or asking suggestive or leading questions, guided by our organisation's Incident Report Form.
- providing reassurance that the child or young person has done the right thing in telling you, are believed and our organisation will take immediate action in response to the disclosure / allegation.
- explaining to the child or young person that other people may need to be told, to stop what is happening. Do not promise to keep any information a secret.

- reporting the matter as per organisational policy requirements to the Safeguarding Children and Young People Coordinator.
- Record notes as early as possible to ensure all information is captured before completing our organisation's Incident Report Form.

In your responses you will need to consider the specific needs of the child or young person. Consider the unique qualities of a child including, for example, whether the child is Aboriginal or Torres Strait Islander, has a disability, identifies as LGBTQI+ has a culturally and linguistically diverse background and/or is unable to live at home.

Responding to a complaint

Information on how an adult or child can make a complaint can be found in our Complaints Policy OP02. When responding to a complaint made by a child or young person (or by another individual on behalf of a child or young person) all personnel should follow the steps outlined in the VPL Complaints Policy OP02. Where the complaint relates to a disclosure or allegation against a member of personnel, follow the same steps listed in the above 'Responding to a disclosure/allegation' section.

Personnel should also:

- answer any questions the child or young person asks;
- give clear advice about what will happen next ;
- provide any information about how they will be supported .

Responding to alleged abuse and harm of a child by another child/young person

Responding to harm and abuse of a child by another child or young person may require Child Protection intervention, and/or other additional support services for all children/young people involved.

Children and young people who display harmful sexual behaviours require specific responses and supports that carefully examine the nature of their behaviours, developmental considerations, and any other contextual and contributing factors.

Any allegation or incident of this nature should immediately be reported to the Safeguarding Children and Young People Coordinator to determine the appropriate internal and external reporting requirements.

Responding to a breach of policy or procedure

Whilst an incident and or disclosure / allegation could include a breach of the Code of Conduct and Safeguarding Children and Young People Policy, if there is no immediate response required as identified above, it is still deemed an incident, and therefore required to be reported and documented as with all other incidents.

4.2 Reporting

Once the immediate response to the situation is completed, it is important to fulfill the internal and external reporting requirements.

Our personnel are required to report any reasonable concerns or instances of abuse or neglect (cases in which a child or young person has suffered, or is likely to suffer, significant harm from abuse or neglect) by any person immediately, or if that is not possible, no later than before ending that person's shift or session of work with our organisation.

Personnel are also required to formally report any concerns about breaches to our organisation’s policies and procedures by other personnel within our organisation.

It is not the role of personnel to identify or investigate an allegation / concern, however personnel must continually report each new instance of suspicion of harm and / or breach of policy as they become aware, and to seek advice from their manager when they are unsure.

Personnel should follow the guidance on the Incident Report Form to complete the form accurately and to the best of their ability. All reports must be documented fully and written factually and objectively. Clear and accurate reporting can assist in supporting any internal or external investigation which may be required after an incident.

Key Reporting Contacts	
Primary Key Internal Contact	Operations Manager
Alternate Key Internal Contact If the primary contact is not available or subject to the complaint	CEO
Key External Contact	Department of Families, Fairness and Housing Intake East Region Ph: 1300 360 391 After hours emergency Ph: 13 12 78 Victoria Police Ph: 131 444

Internal reporting requirements

Incident Report Form templates are accessible to all personnel. All personnel are trained in the Reporting requirements, location and completion of forms and notification requirements and support available. All incidents including minor incidents must be recorded on an Incident Report Form which is forwarded to the Safeguarding Children and Young People Coordinator. All incidents are entered into the Incident Register.

In adherence to internal reporting requirements, personnel must:

Report any safety or wellbeing concerns for a child or young person, and / or breach of policy and procedures to the: Safeguarding Children and Young People Coordinator/CEO.

If a person does not feel comfortable making a report to the Operations Manager or CEO or the report is about that person, they must report their concern directly to the: Chair of the Board, Kate O’Neill on 0402 323 778 or at kate.oneill@police.vic.gov.au.

An Incident Report Form should be completed as soon as possible following an incident by the attending personnel and signed off by Safeguarding Children and Young People Coordinator/CEO. Reports must include:

- details of the person/s involved
- date, time, location of the incident/disclosure/allegation
- incident type and how incurred

- what was said, and relevant information without assumptions (where possible, noting the exact words used by the person making the allegation / disclosure)
- actions taken including treatment

Where appropriate, details of the incident should also be recorded in the child / young person's file.

The Operations Manager is responsible for:

- ensuring the immediate response was sufficient and take any further action needed;
- assessing and categorising the incident / breach of policy as Minor, Moderate or Critical. Definitions to be found in Appendix 3;
- ensuring an Incident Report Form is completed fully and logged on the Incident Register;
- notifying the CEO where required ;
- providing confirmation to the reporter that all required steps have been completed to manage the incident, as necessary. Where appropriate, the reporter should continue to be updated as the incident is further managed, until closed off, whilst maintaining privacy and confidentiality obligations.

Moderate incidents and critical incidents must be reported to the CEO immediately. In the case of critical incidents, the CEO may establish a Critical Incident Response Team comprised of the Management Team. The Critical Incident Response Team's role is to ensure that immediate responses are coordinated and effective and to deploy resources to support this end. The Critical Incident Response Team is a central point for supporting responses to incidents and in managing and collecting information on incidents.

External reporting requirements

In addition to our internal reporting process, our organisation has external reporting requirements to fulfil, including legal reporting obligations. This includes reporting to the Police, child protection authorities, other relevant government bodies including any professional bodies and / or accrediting/regulatory bodies. All incidents that require external authority notification must be reported to the CEO. External notifications required by organisational policy and governing legislation must be initiated by the Safeguarding Children and Young People Coordinator.

Mandatory reporting

Mandatory reporting requirements are the legal obligations of specified professionals to report incidence of child abuse and /or neglect where they have reasonable belief that abuse has, or is likely to, occur. In Victoria, under the *Children, Youth and Families Act 2005*, personnel required to report are:

- registered medical practitioners
- nurses
- midwives
- registered teachers and early childhood teachers
- school principals
- school counsellors
- police officers
- out of home care workers (excluding voluntary foster and kinship carers)
- early childhood workers
- youth justice workers

- registered psychologists
- people in religious ministry.

If the incident meets mandatory reporting thresholds or if unsure, personnel within our organisation who are Mandatory Reporters must, as soon as practicable and before the end of the shift, notify the prescribed child protection authority of their suspicion and its basis. Incidents involving personnel within our organisation or others (i.e., family members) must be reported to child protection authorities.

The above does not preclude other non-mandated individuals from making a report to the child protection authority or the police if they have reasonable concerns for the safety and wellbeing of a child.

Criminal Offences under Mandatory Reporting

It is a criminal offence for a mandated reporter to fail to report abuse where they have a reasonable belief that abuse has, or is likely to, occur.

Reportable Conduct

1. Victoria Legislation Table

Victoria	<p><i>Children, Youth and Families Act 2005 (Vic.)</i></p>	<p><i>Adoption Act 1984 (Vic.)</i> <i>Child Employment Act 2003 (Vic.)</i> <i>Child Wellbeing and Safety Act 2005 (Vic.)</i> <i>Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017 (Vic.)</i> <i>Commission for Children and Young People Act 2012 (Vic.)</i> <i>Family Violence Protection Act 2008 (Vic.)</i> <i>Sex Offenders Registration Act 2004 (Vic.)</i> <i>The Worker Screening Act 2020 (Vic.)</i></p>
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2. Mandatory Reporting Guidance Resource

Mandatory reporting laws require specified people to report suspected abuse and neglect to government child protection services in Australia.

In Victoria, under the *Children, Youth and Families Act 2005*, mandatory reporters must make a report to child protection if, while practicing their profession, or carrying out their duties, they form a belief on reasonable grounds that a child or young person is in need of protection and their parents/caregivers are unable or unwilling to protect the child/young person.

Victoria's mandatory reporting laws cover an extensive list of professions, and the details of the reporting requirements are provided in the table below.

Legal provisions	Sections 182(1), 184 and 162(1)(c)-(d) of the <i>Children, Youth and Families Act 2005</i> (Vic.)
Who is mandated to report?	Registered medical practitioners, nurses, midwives, a person registered as a teacher or an early childhood teacher under the <i>Education and Training Reform Act 2006</i> or teachers granted permission to teach under that Act; principals of government or non-government schools within the meaning of the <i>Education and Training Reform Act 2006</i> ; police officers, a person in religious ministry, out-of-home care workers (excluding voluntary foster and kinship carers), early childhood workers, youth justice workers and registered psychologists.
What must be reported?	Belief on reasonable grounds that a child needs protection on a ground referred to in section 162(1)(c) or 162(1)(d), formed while practicing his or her profession or carrying out the duties of his or her office, position or employment as soon as practicable after forming the belief and after each occasion on which he or she becomes aware of any further reasonable grounds for the belief
Abuse and neglect types that must be reported	<ul style="list-style-type: none"> • Physical injury • Sexual abuse <p>Note that technically, under s. 162, the duty is limited to instances of physical injury and sexual abuse where 'the child's parents have not protected, or are unlikely to protect, the child from harm of that type'.</p>

For immediate help

- To report concerns that are life threatening, ring Victoria Police: 000
- To report concerns about the immediate safety of a child after hours, call the After-Hours Child Protection Emergency Service: 13 12 78.

To make a report, you should contact the child protection intake service covering the local government area (LGA) where the child normally resides.

Telephone numbers to make a report during business hours (8.45am -5.00pm), Monday to Friday, are listed below.

North Division intake: 1300 664 977

South Division intake: 1300 655 795

East Division intake: 1300 360 391

West Division intake - metropolitan: 1300 664 977

West Division intake - rural and regional: 1800 075 599

If you are not sure which number to call, check the [Child Protection Contacts Page](#) for details on the LGAs covered by each intake service.

It is a criminal offence not to report in these circumstances.

3. Working with Children

Jurisdiction	Principal act	Type of program:
Vic.	<i>The Worker Screening Act 2020 (Vic.)</i>	Individuals are required to apply for a WWCC. The check allows individuals to engage in child-related occupations/volunteering and practical training. Valid for: 5 years.

Legislation on working with children ensures that adults who work with, or care for, children are subject to screening processes to protect children from physical and sexual harms.

To ensure that all employees, and volunteers involved in activities and contact with children and young people are responsible and of sound character and comply with the requirement of the Worker Screening Act 2020.

Any personnel whose duties usually involve or are likely to involve work with children and young people (paid or unpaid) is engaged in 'child-related work' and must be compliant with the Worker Screening Act.

Our organisation is required to:

- Verify online and record the status of each child-related worker's Working with Children Check clearance (or equivalent).
- Only employ or engage child-related workers or eligible volunteers who have a valid Working with Children Check clearance (or equivalent); and

It is an offence for an employer to knowingly engage a child-related worker who does not hold a Working with Children Check Clearance (or equivalent) or who has a negative notice.

Personnel who are engaged with our organisation in a child-related work are required to:

- Hold and maintain a valid Working with Children Check clearance (or equivalent).
- Not engage in child-related work at any time that they are subjected to an interim negative notice, a negative notice or revoking of Working with Children Check
- Report to the Head of Relevant Entity if they are no longer eligible for Working with Children Check clearance (or equivalent), the status of their Working with Children Check clearance (or equivalent) changes or are notified by the administering body that they are subject of risk assessment; and
- Notify the administering body of any changes to their personal details within 21 days of the change occurring. Failure to do so may result in a fine.

It is an offence for an employee, volunteer, contractor and were identified sub-contractor to engage in child related work when they do not have clearance or if they are subject to a negative notice.

For more information visit the [Victoria website](#)

4. Reportable Conduct Scheme

The Victorian Reportable Conduct Scheme aims to improve how organisations respond to allegations of certain types of misconduct involving children and young people committed by their personnel. The Reportable Conduct Scheme requires our organisation to notify the Commission for Children and Young People (the Commission) if

there is an allegation of reportable conduct made against one of its personnel, including employees, casual employees, Board or committee members, contractors, sub-contractors, volunteers or authorised carers

Reportable allegations include:

- Sexual offences committed against, with or in the presence of a child
- Sexual misconduct committed, against, with or in the presence of a child
- Physical violence against, with or in the presence of a child
- Any behaviour that causes significant emotional or psychological harm to a child
- Significant neglect of a child

Under legislation, the CEO is the person who is primarily responsible for our organisation's compliance with the Reportable Conduct Scheme. Where there is an allegation involving a member of our organisation's personnel, the matter must be reported to the CEO immediately. Where the Head of Organisation is implicated in the allegation the report should be made to the Board Chairperson. The Reportable Conduct scheme also enables any person to notify the Commission of a reportable allegation involving the Head of Organisation. This can be done via the Commission for Children and Young People website.

Where the allegation meets the criteria for Reportable Conduct the CEO will notify the Commission within 3 business days and an investigation into the allegation will commence. The scheme requires allegations to be notified to the Commission when any person has a reasonable belief that reportable conduct has occurred, even if the head of organisation does not hold that same belief.

The Commission will be provided with periodic updates and the findings and outcome of the investigation. The Commission has the power to appropriately share information regarding substantiated findings with the Working with Children Check Unit, relevant regulators, and Victoria Police to better prevent and protect children from abuse, and to determine if the subject of allegation is suitable to continue to work or volunteer with children and young people.

For more information on VIC Reportable Conduct Scheme see:

<https://ccyp.vic.gov.au/reportable-conduct-scheme/>

5. Failure to Disclose Offence

The Victorian Failure to Disclose Offence requires all adults (18 years and over) who has information that leads them to form a 'reasonable belief' that another adult has sexually offended against a child under 16, to report that information to Victoria Police. If you fail to report to police you may be charged with a criminal offence. There are some circumstances where you may have a 'reasonable excuse' for not disclosing the information.

For more information on Failure to Disclose Offence see:

<https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence>

6. Failure to Protect offence

The failure to protect offence applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become the victim of a sexual offence committed by an adult associated with that organisation.

In Victoria, failure to protect is an offence where:

- personnel believe there is a significant risk of harm to children (under the age of 16) by other personnel in the organisation
- they are in a position of authority to remove or reduce that risk; and
- they fail to do so.

As soon as any member of personnel becomes aware of a risk of child sexual abuse, they have the legal duty to take steps to remove or reduce that risk, or to inform someone else who had the authority to do so.

Failure to protect may result in legal implications, including imprisonment.

For more information on Failure to Protect Offence see:

<https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-protect-a-new-criminal-offence-to>

Reporting to the Australian Childhood Foundation (ACF)

As a Safeguarding Children Accredited organisation by the ACF), reports must be made to ACF by completing the Child Abuse Incident- ACF Report Form as follows:

- i. All critical incidents to be verbally reported to ACF within 24 hours; and
- ii. Any allegations of child abuse or neglect, that involves our personnel within 28 days of the incident in accordance with the requirements of the Safeguarding Children Program.

Reports to the ACF will be made by our Operations Manager.

4.3 Sharing of Information

Confidentiality and Privacy

Our organisation maintains the confidentiality and privacy of all concerned (including the alleged perpetrator), except if doing so would compromise the safety or wellbeing of the child or young person and/or investigation of the allegation, or other reporting legislative requirements such as, but not limited to, mandatory reporting/criminal offence/reportable conduct scheme.

After an incident has been reported and where appropriate, the information sharing process with child/ young person, their families and involved personnel will begin as soon as reasonably possible. The process will be adapted to fit child/ young person, family and personnel needs, the requirements of any investigation processes and any relevant confidentiality, privacy and employment law obligations.

Where appropriate to the circumstances and nature of the report, information will be provided to the child and family about:

- What was done to respond to the report/complaint including any investigation
 - The decision or finding, including the main evidence that was obtained or unable to be obtained, and reasons why this decision was made
 - Action taken, or that will be taken, to address the report/complaint, including by whom and when
- The family will be provided with regular progress updates even where limited information can be provided.

Where police and/or child protection are involved, our organisation will provide the authorities with information about the incident to assist them in their investigations.

Where personnel are involved in breaches of Code of Conduct or Safeguarding Children and Young People Policy, the CEO advise on internal communications regarding action taken, if appropriate.

Where an allegation about the conduct of personnel is received from a child, young person, parent/caregiver, or other member of the community the allegation will be dealt with in a confidential manner that is respectful to both complainant and respondent. Reasonable steps will be taken to protect personnel information from loss, unauthorised access, use, disclosure or any other misuse during the complaint-handling and investigation process. However, the organisation cannot give an assurance of absolute confidentiality, given statutory obligations and principles of natural justice.

If the incident has reached the threshold to report to external agencies, our organisation will consult with the relevant child protection authority / police to determine what information can be shared with parents / care givers. This can include:

- Not contacting the parents / care givers in circumstances where they have alleged to have been engaged in the abuse, or the child is a mature minor and does not wish their parent/care giver to be contacted.
- To contact the parents / care givers and provide agreed information as soon as possible.

Police and/or child protection will be consulted about the disclosing of information to child/ young person, their families, and personnel.

The decision to share information will consider:

- whether the ongoing safety of those involved in or impacted by the incident is compromised by the sharing or non-sharing of information
- the advice of police and child protection (care will be taken not to compromise their investigations)
- Relevant privacy legislation and information-sharing provisions (where provisions allow for the responsible exchange of information between relevant parties to promote child safety).
- the rights of those impacted by the incident to privacy, confidentiality, procedural fairness, and a presumption of innocence in accordance with organisational policies and employment law, and
- the need (of those potentially impacted by the incident) to know of the incident

4.4 Supporting

It is important to address the support needs of those impacted by the incident including considerations of cultural safety for:

- the child/young person and their family (this includes any specific support needs for those from an Aboriginal and Torres Strait Islander; Culturally and Linguistically Diverse; or person with a disability background; LGBTQI+, or a child or young person who is unable to live at home)
- other children or young people as witnesses to incident
- personnel who witness and/or reported the incident
- any personnel against whom a complaint is made, for example, offering professional counselling
- other personnel impacted by the incident

It is further important to make clear to all other personnel who are aware of the incident that:

- any allegation does not mean the person is guilty, and that the allegation will be properly investigated and will include the right to 'procedural fairness'
- they are not to discuss the matter with any person, except as directed by police, child protection authorities and/or our CEO and only in direct relation to investigation of the allegation.

5. Records and Documentation

All Incident Report Forms will be recorded on the Incident Register and are regularly reviewed by the operations manager to ensure the effectiveness of actions taken and to identify areas for improvement.

Our Operations Manager will oversee the administration of completed Incident Report Form and any other documentation relating to the allegation and subsequent action.

To prevent access by unauthorised persons, our organisation stores any documentation associated with an allegation of abuse or neglect of a child or young person and breaches of policy by having:

- hard-copy documentation stored in a locked filing cabinet (or similar)
- electronic documentation stored in a password-protected folder (or similar).

We maintain and regularly monitor records of Incident Reports as part of our Incident Management processes to ensure that they are responded to effectively in accordance with this policy and that requirements for reporting to external authorities are complied with. These records will inform reviews of the policy as detailed in section 7.

6. Communication and Training

We communicate our Reporting policy and its requirements to children, young people and their families and our personnel.

Our organisation ensures all new personnel are informed and supported to understand our organisations safeguarding children and young people policies and procedures, paying particular attention to the practices detailed in this Reporting policy

Copies of this Reporting policy and our organisation's Safeguarding Children and Young People Policy and Code of Conduct are provided directly to personnel, they are also publicly accessible and available in child-friendly versions.

Our organisation provides training and guidance relating to an individual's safeguarding responsibilities and offers opportunities to seek clarity in relation to the commitments and behavioural expectations set out in our safeguarding policies.

We provide regular ongoing training of our personnel in relation to how keeping children and young people safe will be fulfilled, including training regarding children and young people's rights, voices and participation, cultural safety and humility.

7. Monitoring and Review

This document will be reviewed every three years, in consultation with stakeholders. Some circumstances may trigger an early review, this includes but not limited to legislative changes, organisational changes, incident outcomes and other matters deemed appropriate by the Board and/or CEO. Records are retained to document each review undertaken. Such records may include minutes of meetings and documentation of changes to policies and procedures that result from a review.

8. Supporting Resources

- Appendix 1 Definitions
- Appendix 2 Key Indicators of Abuse
- Appendix 3 Categories of Incidents
- Appendix 4 Reporting Flow Chart- Four Critical Actions
- Appendix 5 Incident Report Form or equivalent

9. Related Policies and documents

- Safeguarding Children and Young People Policy
- Code of Conduct
- Incident Management Policy
- Complaints Policy

10. Related Frameworks and Legislation

Our Policy complies with relevant legislation and frameworks.

- United Nations Convention on the Rights of the Child
- National Framework for Protecting Australia’s Children 2009-2020
- Australian Human Rights Commission National Principles for Child Safe Organisations

11. Roles and Responsibilities

The responsibilities of each role in relation to the development, implementation and compliance of the VPL reporting policy are detailed below:

Position	Responsibility
Board	<ul style="list-style-type: none"> • Provide oversight and endorsement of this policy • Receiving incident reports for specified categories of incidents, provide support and advice as appropriate, and utilise data to inform organisation incident and risk management strategies
Chief Executive Officer [CEO] / or equivalent	<ul style="list-style-type: none"> • Implement policies and procedures across the organisation • Ensure personnel have access to and understand this policy and related procedures • Ensure all managers/supervisors have access to support, advice and resource to understand and implement this policy and related procedures • Reportable Conduct responsibility • Establish CIRT Term in response to Moderate and Critical Incidents

Position	Responsibility
	<ul style="list-style-type: none"> • Initiates external reporting
Workforce/HR/ Quality	<ul style="list-style-type: none"> • Review and update this document and supporting resources in consultation with relevant stakeholders • Provide training and advice in the application of policy and procedures • Assist with messaging across organisation if required
Safeguarding Coordinator Managers/ Supervisors	<ul style="list-style-type: none"> • Ensure this policy and related procedure is followed and implemented • Receive and manage incident reports • Assess each situation reported and notify appropriate personnel of the incident as indicated on this policy • Responsible for the response and recovery coordination of an incident • Report to the Critical Incident Response Team where required • Provide support and advice in the application of this policy
Personnel	<ul style="list-style-type: none"> • Awareness of and compliance with this policy and related procedure. • Immediately control the situation including liaising with key stakeholders, obtaining and documenting details of the incident • Complete incident report form and escalate to Safeguarding Coordinator/Manager

Appendix 1-Definitions

Term	Definition
Bullying	<p>Bullying involves the inappropriate use of power by one or more persons over another less powerful person or group and is generally an act that is repeated over time. Bullying has been described by researchers as taking many forms which are often interrelated and include:</p> <p>Verbal (name calling, put downs, threats) Physical (hitting, punching, kicking, scratching, tripping, spitting) Social (ignoring, excluding, ostracising, alienating) and/or Psychological (spreading rumours, stalking, dirty looks, hiding or damaging possessions).</p>
Child or young person	A person under the age of eighteen years.
Emotional or psychological abuse	<p>Emotional or psychological abuse occurs when a child does not receive the love, affection or attention they need for healthy emotional, psychological and social development. Such abuse may involve repeated rejection or threats to a child. Constant criticism, teasing, ignoring, threatening, yelling, scapegoating, ridicule and rejection or continual coldness are all examples of emotional abuse. These behaviours continue to an extent that results in significant damage to the child's physical, intellectual or emotional wellbeing and development.</p>
Family Violence	<p>Family violence occurs when children are forced to live with violence between adults in their home. It is harmful to children. It can include witnessing violence or the consequences of violence. Family violence is defined as violence between members of a family or extended family or those fulfilling the role of family in a child or young person's life. Exposure to family violence places children and young people at increased risk of physical injury and harm and has a significant impact on their wellbeing and development.</p>
Grooming	<p>Grooming is a term used to describe what happens when a perpetrator of abuse builds a relationship with a child with a view to abusing them at some stage. There is no set pattern in relation to the grooming of children. For some perpetrators, there will be a lengthy period of time before the abuse begins. The child may be given special attention and, what starts as an apparently normal display of affection, such as cuddling, can develop into sexual touching or masturbation and then into more serious sexual behaviour. Other perpetrators may draw a child in and abuse them relatively quickly. Some abusers do not groom children but abuse them without forming a relationship at all. Grooming can take place in any setting where a relationship is formed, such as leisure, music, sports and religious activities, or in internet chatrooms, in social media or by other technological channels.</p>
Harm	<p>Harm to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by:</p> <p>physical, psychological or emotional abuse or neglect sexual abuse or exploitation a single act, omission or circumstance; and a series or combination of acts, omissions or circumstances.</p>

Term	Definition
National criminal history record check	Involves identifying and releasing any relevant Criminal History Information (CHI) subject to relevant spent convictions/non-disclosure legislation and/or information release policies
Neglect	Neglect is the persistent failure or deliberate denial to provide the child with the necessities of life. Such neglect includes the failure to provide adequate food, clothing, shelter, adequate supervision, clean water, medical attention or supervision to the extent that the child's health and development is, or is likely to be, significantly harmed. Categories of neglect include physical neglect, medical neglect, abandonment or desertion, emotional neglect and educational neglect. The issue of neglect must be considered within the context of resources reasonably available.
Personnel	All who work for the organisation whether in a paid or unpaid capacity, including employees, casual employees, volunteers, Board and committee members and contractors
Physical abuse	Physical abuse occurs when a person subjects a child to non-accidental physically aggressive acts. The abuser may inflict an injury intentionally or inadvertently because of physical punishment or the aggressive treatment of a child. Physically abusive behaviour includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning, excessive and physically harmful over training, and kicking. It also includes giving children harmful substances such as drugs, alcohol or poison. Certain types of punishment, whilst not causing injury can also be considered physical abuse if they place a child at risk of being hurt. Physical abuse also includes threats to physically harm.
Reasonable belief	A reasonable belief is more than suspicion. There must be some objective basis for the belief. However, it is not the same as having proof and does not require certainty. For example, a person is likely to have a reasonable belief if they; observed the conduct themselves, heard directly from a child that the conduct occurred, received information from another credible source (including another witness)
Reasonable steps	Personnel may breach duty of care towards a child or young person if they fail to act in the way a reasonable or diligent professional would have acted in the same situation. In relation to suspected child abuse, reasonable steps may include (but are not necessarily limited to): acting on concerns and suspicions of abuse as soon as practicable seeking appropriate advice or consulting with other professionals or agencies when the unsure of what steps to take, reporting the suspected child abuse to appropriate authorities such as Police or Child Protection, arranging counselling and/or other appropriate support for the child, providing ongoing support to the child and sharing information with other personnel who will also be responsible for monitoring and providing ongoing support to the child or young person.
Sexual abuse	Sexual abuse occurs when an adult or a person of authority (e.g., older) involves a child in any sexual activity. Perpetrators of sexual abuse take advantage of their power, authority or position over the child or young person for their own benefit. It can include making sexual comments to a child, engaging children to participate in sexual conversations over the internet or on social media, kissing, touching a child's genitals or breasts, oral sex or intercourse with a child. Encouraging a child to view pornographic magazines, websites and videos is also sexual abuse. Engaging children to participate in sexual conversations over the internet is also considered sexual abuse.

Term	Definition
Sexual exploitation	Sexual exploitation is a form of sexual abuse where offenders use their power, (physical, financial or emotional) over a child or young person, or a false identity, to abuse them sexually or emotionally. It often involves situations and relationships where children and young people receive something (food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money etc.) in return for participating in sexual activities. Sexual exploitation can occur in person or online, and sometimes the child or young person may not even realise they are a victim.

Appendix 2-Key Indicators of Abuse

Abuse	Physical Indicators	Behavioural Indicators
Physical	<ul style="list-style-type: none"> • unexplained cuts, abrasions, bruising or swelling • unexplained burns or scalds, cigarette burns • rope burns or marks on arms, legs, neck, torso • unexplained fractures, strains or sprains; dislocation of limbs • recurrent injuries • bite marks • mouth and dental injuries • ear or eye injuries • disclosure of physical threats being made • consistent sickness/nausea from potential poisons • covering themselves with clothes inappropriate to weather conditions 	<ul style="list-style-type: none"> • avoidance of staff, fear of a particular person • sleep disturbances • changes in behaviour (e.g., unusual mood swings, uncharacteristic aggression) • changes in daily routine, changes in appetite • unusual passivity, withdrawal • self-harm, suicide attempts • inappropriate explanations of how injuries occurred • excessive compliance to staff • Rough handling
Sexual	<ul style="list-style-type: none"> • direct or indirect disclosure of abuse or assault • trauma to the breasts, buttocks, lower abdomen or thighs • difficulty walking or sitting • pain or itching in genital and/or anal area; bruising, bleeding or discharge • self-harm, abuse, suicide attempts • torn, stained or blood-stained underwear or bedclothes • sexually transmitted diseases, pregnancy • unexplained money or gifts • recurrent pain on passing urine or faeces 	<ul style="list-style-type: none"> • sleep disturbances • changes in eating patterns • inappropriate or unusual sexual behaviour or knowledge • changes in social patterns • sudden or marked changes in behaviour or temperament • anxiety attacks, panic attacks, clinical depression • refusal to attend usual places (e.g., work, school, respite) • going to bed fully clothed • excessive compliance to staff • inappropriate or excessive masturbation
Psychological	<ul style="list-style-type: none"> • speech disorders • in the case of a child, lags in physical development, failure to thrive • injuries sustained from self-harm or abuse • suicide attempts • anxiety attacks 	<ul style="list-style-type: none"> • self-harm or self-abusive behaviours • challenging/extreme behaviours • excessive compliance to staff • very low self-esteem, feelings of worthlessness • clinical depression • marked decrease in interpersonal skills • extreme attention-seeking behaviour

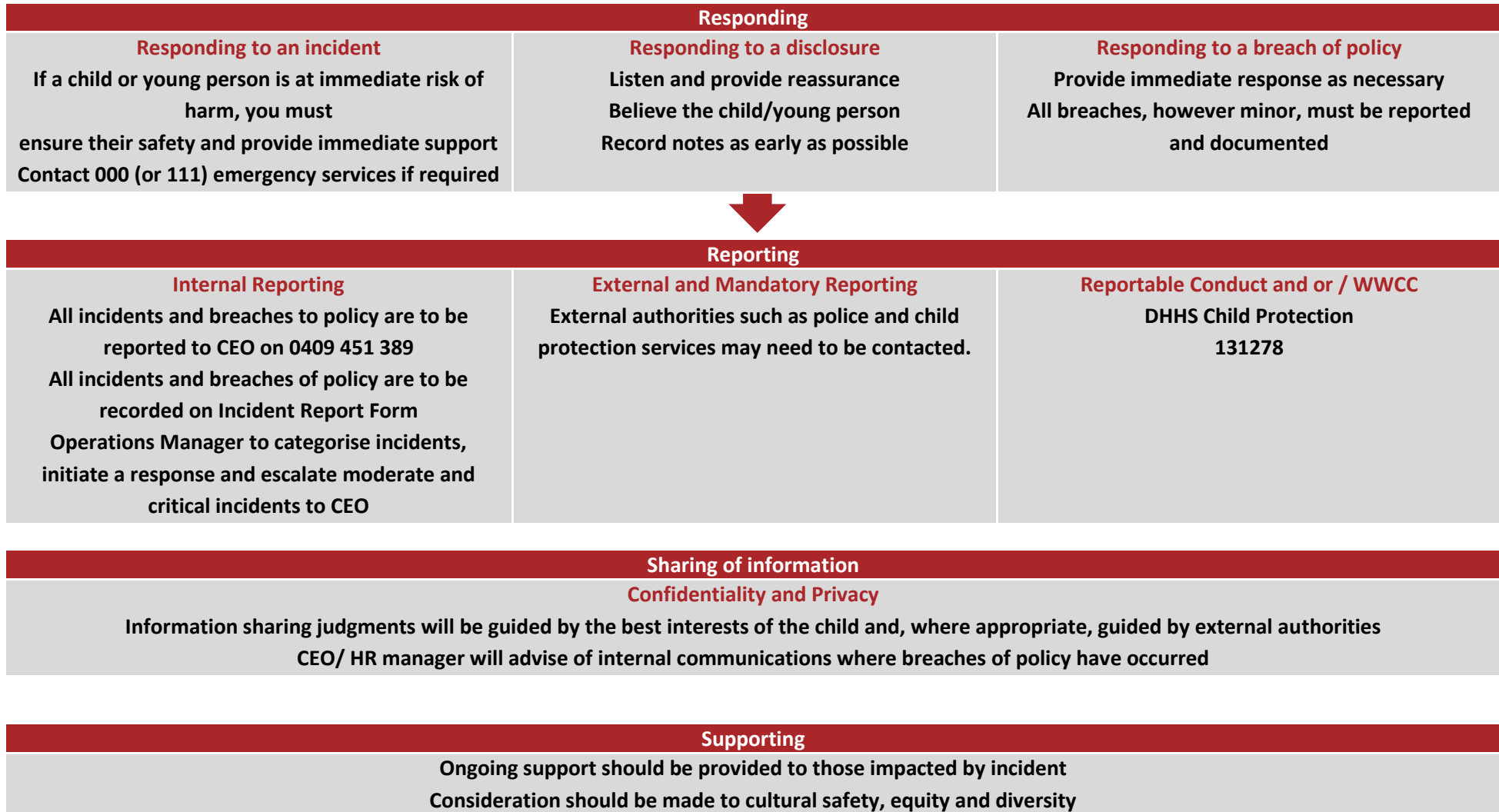
<p>Neglect</p>	<ul style="list-style-type: none"> • physical wasting, unhealthy weight levels • poor dental health • food from meals left on face and/or clothes throughout the day • dirty, unwashed body and/or face, body odour • person always wearing the same clothes • ill-fitting and/or unwashed clothes • person is always over- or underdressed for the weather conditions • food is consistently poor quality, insufficient, inedible and/or unappetising • persistent illnesses without appropriate medical treatment • suffering persistent infestations such as scabies or headlice • disclosure of being left alone for long periods of time that are inappropriate to age or maturity 	<ul style="list-style-type: none"> • constant tiredness • persistent hunger • unexpectedly poor social / interpersonal skills • signs of loss of communication and other skills • staff member, service provider, carer or support person consistently fails to bring the person to appointments, events, activities • person is persistently denied opportunities to socialise with others in the community • excessively clingy or fearful
<p>Family Violence</p>	<ul style="list-style-type: none"> • eating and sleeping • difficulties • concentration problems • inability to play • constructively • clinginess • defiant behaviour • rebelliousness • temper tantrums • cruelty to pets • physical abuse of others • avoidance of peers • dropping out of school • academic failure • delinquency/offending • eating disorders • substance misuse • depression • suicide ideation 	<ul style="list-style-type: none"> • fearfulness • numbing • increased arousal • adjustment problems • developmental delay • physical complaints • overly compliant behaviour • withdrawal • loss of interest in social activities • self-harm • poor school performance • use of controlling behaviours • distrust of adults • violent behaviours • violence toward a parent/care giver (particularly their mother) • early pregnancy

Appendix 3- Categories of Incidents

Incident Type	Description	Managed/escalated to
Minor Incident	<p>Events which cause or may cause minor physical stress and or emotional stress to personnel or clients/service users.</p> <p>Near misses and minor breaches of professional standards or agency policy (for example the Code of Conduct) that do not compromise the health and safety of clients/service users, including children and young people and personnel.</p>	<p>Frontline staff and direct Managers/Supervisors/</p> <p>Safeguarding Coordinator/ Manager</p>
Moderate Incident	<p>Events which cause or are likely to cause physical stress or emotional distress to personnel or clients/service users.</p> <p>Near misses and criminal behaviour or breaches of professional standards or agency policy (for example the Code of Conduct) by personnel that may compromise the health and safety of clients / service users, including children and young people and personnel.</p>	<p>Safeguarding Coordinator/ Manager</p>
Critical Incident	<p>Criminal behaviour, breaches of professional standards or organisational policy (for example Code of Conduct) by personnel that cause harm to or significantly compromise the health and safety of including client / service users, including children and young people and personnel.</p> <p>A critical Incident, in relation to a child under the care of the Organisation (whether at the relevant time the child is on premises controlled by the Organisation or is otherwise under the physical supervision of the Organisation) includes the occurrence of any of the following events or any similar event:</p> <ol style="list-style-type: none"> a. the child dies and: <ol style="list-style-type: none"> i. abuse or neglect is known or suspected to be a factor in the death ii. the death is, or appears to be, the result of suicide or accident iii. the death is, or appears to be, the result of alleged murder, homicide, reckless conduct or an act of violence; or b. the child is under statutory care <p>a child has not died but has sustained significant harm or is at risk of harm under the categories described in the relevant jurisdictional legislation of abuse and neglect</p> c. ACF notifies the Organisation that a child has been, in the opinion of ACF, subjected to cumulative inaction or wrong action; or 	<p>CEO and Critical Incident Response Team (CIRT Coordinator) and Board</p>

Incident Type	Description	Managed/escalated to
	<p>d. ACF notifies the Organisation that an incident and or accumulation of incidents has occurred in relation to the child that, in ACF's opinion, gives rise to serious concerns about the adherence by the Organisation, or any employee or contractor of the Organisation, to any part of the Safeguarding Children Program (definition as per the ACF Accreditation Terms and Conditions Contract)</p>	

Appendix 4- Responding to incidents – Four Critical Actions



Appendix 5 Incident Report Form

OP06-01-01 Incident Report Form

[This form must be used to record details of a Child Abuse Incident or Allegation, or an injury to a child, young person or adult at a VPL event or workplace]

Name of child, young person or adult:			
Activity			
Date of incident:		Location where incident occurred:	
Person making Report:		Role & Relationship to Child, young person or adult:	
Type of incident (tick all that apply):			
<input type="checkbox"/>	Suspicion or allegation of abuse or neglect of client	<input type="checkbox"/>	Serious breach of confidentiality
<input type="checkbox"/>	Suspicion of potential harm to a client	<input type="checkbox"/>	Serious breach of duty of care
<input type="checkbox"/>	Potential abuse by or criminal matters involving an employee	<input type="checkbox"/>	A complaint
<input type="checkbox"/>	An episode of severe challenging behaviour	<input type="checkbox"/>	An injury or assault
<input type="checkbox"/>	Potential harm to VPL personnel resulting from harassment/bullying	<input type="checkbox"/>	A serious incident as defined in VPL policy and procedures

Details of the child / young person/adult affected by the incident

[use a separate form for each person affected. Complete as much information as possible]

Full name		
Date of birth		Gender
Any communication or medical requirements		
Parent / guardian name		
Parent / guardian contact/s phone	(Home) (Mobile)	(Work)
Parent / guardian address		
Any known parent / guardian communication requirement		

Details of other persons involved

Alleged perpetrator(s) details:	
Name – if known.	
Connection with the child, young person or adult – if known	
Any other relevant factors:	
Were there any other witnesses to the incident? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, please provide their details below:	
Full name	
Involvement as witness	
Contact phone number	
Full name	
Involvement as witness	
Contact phone number	

Details of incident

(Please describe the incident including any alleged behaviour, sighted injury or other indicators , including any conversations with the child/young person or adult)

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Action undertaken (if any):

To ensure the safety of child/client:	
To address the support needs of the child / client and their family:	
To address the support needs of the alleged perpetrator:	
To address the support needs of other personnel involved:	

Incident response

Please tick who of the following have been informed of this incident:	
Externally	Police <input type="checkbox"/> Child Protection <input type="checkbox"/> Ambulance <input type="checkbox"/> Doctor <input type="checkbox"/> Family / Carer <input type="checkbox"/> CCYP <input type="checkbox"/> Other (please specify) <input type="checkbox"/> _____
Internally	CEO or Manager (please specify): <i>Please note that a Manager must be informed</i>

Police (if known)

Date:		Time:	
Name of person notified:		Position:	
Department / region:		Contact detail/s:	
Advice provided:			

DHHS Child Protection

Date:		Time:	
Name of person notified:		Position:	
Department / region:		Contact detail/s:	
Advice provided:			