

# National Child Safety Policy and Procedure

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Drafted by	Moores	Approved by board on	6 January 2022
Responsible person	CEO	Scheduled review date	1 Year

## CHILD SAFETY POLICY

### 1. Introduction

- 1.1 The National Youth Science Forum (**NYSF**) is committed to promoting and protecting the health, safety and wellbeing of all children. We have zero tolerance for child abuse and harm.
- 1.2 If any person believes a child is at immediate risk of abuse or harm, telephone 000.

### 2. Commitment to the safety of children and young people

- 2.1 NYSF is committed to providing children and young people with a safe and nurturing environment in which they can learn and thrive.
- 2.2 NYSF supports, values and respects all children and young people, and is committed to their safety, participation and empowerment.
- 2.3 NYSF has zero tolerance for all forms of abuse or harm against children and young people, and all allegations will be treated seriously in accordance with our policies and procedures.
- 2.4 NYSF is committed to providing a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
- 2.5 The safety, welfare and best interests of the child are paramount.

### 3. Purpose

3.1 This Policy aims to:

- (a) ensure the NYSF meets its responsibilities for the safety, protection and wellbeing of children and young people;
- (b) create and foster an organisational culture that places child safety at the forefront of NYSF's operations;
- (c) ensure Staff, including NYSF employees, directors, contractors and volunteers, are aware of their responsibilities to prevent and report child abuse and harm to children occurring within all NYSF Environments;
- (d) provide Staff, including NYSF employees, directors, contractors and volunteers, with information and guidance regarding exercising the judgements involved with reporting risks of significant harm to children and the action that should be taken where a person suspects any child abuse or harm within all NYSF Environments;
- (e) establish controls and procedures for preventing child abuse or harm and detecting it when it occurs within all NYSF Environments;
- (f) provide a clear statement to Staff, including NYSF employees, directors, contractors and volunteers, forbidding child abuse or harm;
- (g) provide assurance that any and all suspected child abuse or harm will be reported and fully investigated; and
- (h) place an emphasis on genuine engagement with and empowerment of children.

### 4. Definitions

- 4.1 “**Child**”, “**children**” or “**young person**” means a child or young person who is under 18 years of age, unless otherwise defined by law or noted in this Policy or Child Safety Procedure.
- 4.2 “**Child abuse or harm**” means conduct towards, against, with or in the presence of a child, or threatening to engage in such conduct, which includes:
- (a) physical violence;
  - (b) conduct of a sexual nature, including a sexual offence against a child and grooming behaviour;
  - (c) serious emotional or psychological harm; or
  - (d) serious neglect of a child.
- 4.3 “**Child Safety**” means matters related to NYSF's duty of care to children in its care, protecting all children from harm, managing the risk of child abuse or harm, taking steps to prevent the occurrence or reduce the occurrence of child abuse or harm, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.

- 4.4 “**Child Safety Officers**” or “**CSOs**” means people appointed by NYSF to listen, discuss and clarify issues raised by Staff and children in relation to actual or suspected child abuse or harm, including the CEO, the Manager, Corporate Services, and/or other Staff as appropriate.
- 4.5 “**NYSF Environment**” means all physical and virtual environments and places made available or authorised by NYSF for use by a child, including but not limited to:
- (a) the offices of the NYSF;
  - (b) online NYSF Environments (including email, portals, intranet systems, telecommunication, social media and other online communications); and
  - (c) other locations provided by the NYSF for a child's use (including, without limitation, locations used for camps, excursions, “rest days”, competitions, and other events).
- 4.6 “**Staff**” means NYSF employees, directors, contractors and volunteers.
- 4.7 “**WWCC**” means the following in each State and Territory:
- (a) In Victoria, a Working with Children Check issued pursuant to the *Worker Screening Act 2020* (Vic);
  - (b) In New South Wales, a Working with Children Check issued pursuant to the *Child Protection (Working with Children) Act 2012* (NSW), as amended;
  - (c) In the Australian Capital Territory, a Working with Vulnerable People registration issued under the *Working with Vulnerable People (Background Checking) Act 2011* (ACT), as amended;
  - (d) In Queensland, a Blue Card issued under the Working with Children (Risk Management and Screening) Act 2000 (Qld), as amended;
  - (e) In Western Australia, a Working with Children Check issued under the *Working with Children (Criminal Record Checking) Act 2004* (WA), as amended;
  - (f) In Tasmania, a Working with Vulnerable People Card issued under the *Registration to Work with Vulnerable People Act 2013* (Tas), as amended; and
  - (g) In the Northern Territory, a Working with Children Clearance (or Ochre Card) issued under the *Care and Protection of Children Act 2007* (NT), as amended; and
  - (h) In South Australia, a Working with Children Check issued under the *Child Safety (Prohibited Persons) Act 2016* (SA).

## 5. Scope

- 5.1 This Policy applies to all Staff, including NYSF employees, directors, contractors and volunteers, engaged by NYSF, in conjunction with the Codes of Conduct and the Child Safety Procedure.

5.2 This Policy applies to all NYSF Environments and all interactions with children and young people including:

- (a) physical contact,
- (b) face to face contact;
- (c) contact by post or other written communication;
- (d) contact by telephone or other oral communication;
- (e) contact by email or other electronic communication including online seminars and social media.

## 6. Guiding principles

6.1 This Policy is based on the following principles:

- (a) The NYSF has zero tolerance for child abuse.
- (b) All forms of child abuse and neglect cause harm to children.
- (c) The best interests, safety and wellbeing of the child are paramount.
- (d) Child safety is a shared responsibility of adults in the community.
- (e) All children have a right to feel and be safe, and have equal rights to protection from abuse and neglect.
- (f) The NYSF will consider the opinions of children when developing child safety policies and procedures to promote engagement with and the empowerment of children.
- (g) The NYSF will ensure that families participate in decisions affecting their child, and will openly communicate with families and the community about its approach to child safety and ensure that information about child safety including information about making a complaint is readily available and accessible.
- (h) The NYSF will take into account the diversity of all children, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, lesbian, gay, bisexual, transgender and intersex children and children who are vulnerable, and make reasonable efforts to accommodate them.
- (i) The NYSF is committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability and lesbian, gay, bisexual, transgender and intersex children.
- (j) Professionals working with children have legal and ethical responsibilities to support the safety, welfare and wellbeing of children.

## 7. Responsibilities

7.1 The safety of children is everyone's responsibility.

### ***All Staff, including NYSF employees, directors, contractors and volunteers***

7.2 All Staff, including NYSF employees, directors, contractors and volunteers:

- (a) have a shared responsibility for contributing to the safety of children from child abuse or harm or the risk thereof;
- (b) are responsible for identifying child abuse or harm and taking steps to prevent, reduce or eliminate child abuse or harm and the risk thereof;
- (c) must promote child safety at all times and provide a safe environment for all children; and
- (d) must telephone 000 if they believe a child is at immediate risk of abuse.

7.3 All Staff, including NYSF employees, directors, contractors and volunteers, are required to:

- (a) read and comply with this Policy, the Codes of Conduct (including the Child Safety Code of Conduct) and the Child Safety Procedure;
- (b) take all reasonable steps to maintain an environment that prevents child abuse or harm to children;
- (c) respond to a child disclosing an incident of child abuse or harm or a risk of child abuse or harm, in a child-focused manner, with sensitivity and professionalism;
- (d) participate in child safety induction and training as directed by the NYSF and request further assistance if further training is required;
- (e) obtain and maintain any checks or qualifications required by the NYSF, such as Working with Children Checks, police checks or first aid and CPR qualifications;
- (f) report any concerns about actual or suspected child abuse or harm or risk thereof, as soon as possible to a CSO or supervisor; and
- (g) report any breach or suspected breach of this Policy, the Codes of Conduct and the Child Safety Procedure as soon as possible to a CSO or supervisor.

### ***The NYSF***

7.4 The NYSF will ensure, as far as possible, that Staff, including NYSF employees, directors, contractors and volunteers, are aware of:

- (a) their responsibilities to create and maintain child safe environments, including a culturally safe environment for Aboriginal children and young people;
- (b) their obligations under this Policy;

- (c) the appropriate standard of conduct and behaviour that the NYSF requires; and
- (d) NYSF's commitment to empowering children about their rights including the right to feel safe, be informed and participate in decisions affecting them.

### ***The Board***

- 7.5 The Board of the NYSF has ultimate responsibility for complying with the National Child Safe Principles and relevant state Child Safe Standards, including:
- (a) preventing and detecting the risk or actuality of child abuse or harm;
  - (b) ensuring appropriate and effective internal control systems, including processes to respond to complaints and concerns, and regular reviews;
  - (c) modelling and championing a child safe culture and making a public commitment to child safety;
  - (d) implementing appropriate policies, procedures and codes of conduct in relation to child safety, including ensuring Staff, including NYSF employees, directors, contractors and volunteers, are equipped with knowledge, skills and awareness through ongoing education and training, and ensuring Staff, including NYSF employees, directors, contractors and volunteers, are suitable to work with children; and
  - (e) Empowering children, young people, families and communities with information about their rights and protections.

### ***The CEO***

- 7.6 The CEO of the NYSF is responsible for:
- (a) managing and overseeing the response and investigation of reports of child abuse and harm to children or young people, including wherever possible the appointment of an independent investigator with appropriate skills and qualifications to conduct investigations into allegations of child abuse and harm;
  - (b) preventing, identifying and mitigating child safety risks, including the risk of child abuse or harm, within all the NYSF Environments;
  - (c) making reports and adhering to obligations under the applicable state and territory reportable conduct schemes;
  - (d) ensuring Staff, including NYSF employees, directors, contractors and volunteers, are aware of this Child Safety Policy, the Codes of Conduct, the Child Safety Procedure and their overall child safety obligations, including the obligation to report suspected child abuse or harm;
  - (e) ensuring appropriate policies and procedures are in place, including effective internal control systems for the detection of child abuse and harm and risks of significant harm to children;
  - (f) appointing CSOs;

- (g) providing support for Staff, including NYSF employees, directors, contractors and volunteers, in undertaking their child safety obligations;
- (h) ensuring that this Child Safety Policy, the Codes of Conduct and the Child Safety Procedure is reviewed and updated every year and after every child safety incident; and
- (i) monitoring compliance with the Child Safety Policy, Procedure and Code of Conduct.

### ***Managers and Supervisors***

7.7 All managers or supervisors must:

- (a) promote and model child safety at all times;
- (b) assess the risk to child safety, including the risk of child abuse or harm, within their area of control and take steps to reduce or eliminate any risk to the extent possible;
- (c) educate Staff, including NYSF employees, directors, contractors and volunteers, about identifying and preventing child abuse or harm or the risk of child abuse or harm;
- (d) make a record of risks and specify the action(s) the NYSF will take to reduce or remove the risks (i.e. risk controls) when a Staff member, including NYSF employee, director, contractor or volunteer, notifies them of an identified risk;
- (e) facilitate the reporting of any concerns regarding child safety including reports or disclosures of child abuse and harm, as soon as possible; and
- (f) report any risks to child safety to the CEO or Board Chair as soon as possible.

### ***The Manager, Corporate Services***

7.8 The Manager, Corporate Services must:

- (a) record all WWCCs (or WWVP check in relevant states) on a spreadsheet and identify and monitor those that require renewal;
- (b) not allow Staff, including NYSF employees, directors, contractors and volunteers, to work without a valid WWCC, including when a WWCC has expired or a negative notice or other state equivalent is received;
- (c) collect, document and store information from applicants and their referees to assess their suitability for child-connected work;
- (d) securely store Incident Reports; and
- (e) communicate the National Child Safety Policy, the Codes of Conduct and the Child Safety Procedure in the manner set out in this Policy.

### ***Child Safety Officers (CSOs)***

7.9 CSOs are available to listen, discuss and clarify issues confronting Staff, including NYSF employees, directors, contractors and volunteers, in relation to child abuse.

7.10 NYSF CSOs are responsible for:

- (a) responding to, managing and overseeing the investigation of complaints and disclosures under this Policy, as directed or delegated by the CEO;
- (b) reporting any risks to child safety, including risk of child abuse or harm, to the CEO;
- (c) recording risks to child safety and specify the action(s) the NYSF will take to reduce or remove the risks (i.e. risk controls) when a Staff member, including NYSF employee, director, contractor or volunteer, member notifies them of an identified risk;
- (d) making reports on behalf of the NYSF, as authorised or delegated by the CEO;
- (e) maintaining adequate records of all complaints, decisions and actions taken in relation to any child safety complaint or disclosure under this Policy; and
- (f) being familiar with the types of abuse that might occur and be alert to any indications of such conduct, including harm caused by other children or young people.

## 8. Codes of Conduct

8.1 The NYSF Codes of Conduct includes the Child Safety Code of Conduct.

8.2 The Codes of Conduct and Child Safety Code of Conduct apply to all Staff, including NYSF employees, directors, contractors and volunteers.

8.3 Before working with children, Staff, including NYSF employees, directors, contractors and volunteers, must read, understand and agree to comply with the Codes of Conduct as part of the NYSF's child safety induction and training.

8.4 NYSF's Child Safe Code of Conduct is publicly available on the NYSF website at [www.nysf.edu.au/policies/codes-of-conduct](http://www.nysf.edu.au/policies/codes-of-conduct).

## 9. Recruitment

9.1 NYSF engages in a range of recruitment strategies to ensure that Staff, including NYSF employees, directors, contractors and volunteers, working with children and young people are suitable and supported to reflect child safety and wellbeing in practice, including:

- (a) developing clear position descriptions for jobs or categories of jobs that involve child-related work setting out:
  - (i) the job's requirements, duties and responsibilities regarding child safety and wellbeing; and
  - (ii) the job occupant's essential or relevant qualifications, experience and attributes in relation to child safety and wellbeing;

- (b) examining written applications and engaging in face-to-face interviews for Applicants who will or may work with children (where possible);
  - (c) engaging in a thorough examination of a person's suitability to work with children prior to inviting them to take a leadership position with children;
  - (d) screening all persons that will (or could reasonably) work with children to verify that they have a valid WWCC before they commence working with children at NYSF, and keeping records of all relevant information; and
  - (e) informing all applicants for jobs that involve child-connected work of the NYSF's child safety practices (including the National Child Safety Policy, Codes of Conduct and Child Safety Procedures);
- 9.2 NYSF making reasonable efforts to gather, verify and record the following information about a person whom it proposes to engage to perform child-connected work:
- (a) WWCC status, or similar check including confirmation that the NYSF has been registered on the person's WWCC or similar check as employer;
  - (b) proof of personal identity and any professional or other qualifications;
  - (c) the person's history of work involving children, including any history of complaints, disciplinary action or allegations of reportable conduct made against the person in the course of any employment or voluntary position held by the person; and
  - (d) in the case of activities that involve overnight stays, reference checks will be obtained to the extent that it is reasonably practicable.
- 9.3 The NYSF will not offer any applicant a position at the NYSF until the applicant provides the required evidence to the Manager, Corporate Services.
- 9.4 The NYSF will exercise discretion and may require applicants to provide a police check before they commence working at the NYSF and at any time during their engagement with the NYSF.

## 10. Risk Management

- 10.1 The NYSF understands there may be a number of risks associated with its services and programs in relation to:
- (a) images or videos taken of children during a program or event;
  - (b) the supervision of children;
  - (c) the online environments in which children engage with the NYSF; and
  - (d) overnight stays associated with NYSF.
- 10.2 To mitigate or prevent those risks, NYSF:
- (a) requires Staff, including NYSF employees, directors, contractors and volunteers, to comply with the NYSF Privacy Policy and comply with responsibilities in relation to privacy and information sharing;

- (b) requires Staff, including NYSF employees, directors, contractors and volunteers, to comply with the Codes of Conduct which establishes expected behavioural standards and responsibilities when having contact with children;
- (c) reviews risks, and monitors and evaluates the effectiveness of the implementation of its risk controls;
- (d) makes child safety a part of the NYSF's overall risk management strategy approach;
- (e) has human resources policies to assess Staff, including NYSF employees, directors, contractors and volunteers, in relation to compliance with their child safe obligations and continued suitability for child-connected work; and
- (f) ensures appropriate training at least annually is conducted for Directors, employees and volunteers.

## 11. Supervision, training, development and support for Staff, including NYSF employees, directors, contractors and volunteers

11.1 NYSF has strategies and safeguards in place to ensure that all Staff, including NYSF employees, directors, contractors and volunteers, are adequately supervised, trained and supported to understand their obligations and responsibilities to create a child safe environment.

11.2 Those strategies and safeguards include:

- (a) induction and annual refresher training for all Staff, including NYSF employees, directors, contractors and volunteers, to support their understanding of their reporting obligations;
- (b) ongoing supervision by the Manager, Corporate Services, who is trained in NYSF policies and procedures;
- (c) training for Staff, including NYSF employees, directors, contractors and volunteers, before engaging with children;
- (d) compliance with this Policy monitored by the Manager, Corporate Services,; and
- (e) instructing and supporting Staff, including NYSF employees, directors, contractors and volunteers, in complying with procedures for responding, suspecting and identifying child abuse and harm or risk of child abuse or harm towards children.

## 12. Communication

12.1 NYSF will communicate the National Child Safety Policy, the Codes of Conduct and the Child Safety Procedure in the manner below.

PROGRAM PARTICIPANTS	PARENTS, GUARDIANS, COMMUNITY, PARTNERS	EMPLOYEES, VOLUNTEERS, CONTRACTORS, DIRECTORS
<ul style="list-style-type: none"> <li>• Program Agreement</li> <li>• Website</li> <li>• Orientation Sessions (for some Programs only)</li> <li>• Program Handbook</li> </ul>	<ul style="list-style-type: none"> <li>• Program Agreement</li> <li>• Website</li> <li>• NYSF newsletter</li> <li>• Orientation Sessions (for some Programs only)</li> <li>• Program Handbook</li> </ul>	<ul style="list-style-type: none"> <li>• Website</li> <li>• Letters of appointment/ contracts/volunteer agreements</li> <li>• New employees, directors, volunteers and contractors Induction training and refresher training</li> <li>• Annual and pre-program training sessions</li> <li>• Program and volunteer handbooks</li> </ul>

### 13. The participation and empowerment of children

#### 13.1 The NYSF:

- (a) provides an inclusive and engaging learning experience to children;
- (b) acknowledges the benefits of involving children in decision making;
- (c) promotes meaningful participation through programs and initiatives;
- (d) acknowledges and appreciates the strengths of the diversity of children, including cultural diversity and the strengths of Aboriginal culture and its importance to the wellbeing and safety of Aboriginal children and young people;
- (e) acknowledges the rights of children assists them to make meaningful contributions be balancing the need to provide guidance while respecting independence; and
- (f) is responsive to the needs of children and encourages feedback.

#### 13.2 The NYSF will ensure the NYSF's child safety practices are communicated in an accessible manner for:

- (a) younger children, by discussing the documents in-person (and/or any other method deemed appropriate and effective for the particular age of the child);
- (b) children from culturally and linguistically diverse backgrounds, by discussing the documents in-person (and/or any other method deemed appropriate and effective for translation) and
- (c) children living with a disability, by discussing the documents in-person (and/or any other method deemed appropriate and effective for the particular type of disability that the child is living with).

## 14. Breaches

- 14.1 Staff, including NYSF employees, directors, contractors and volunteers, must report any breach or suspected breach of this Policy, the Codes of Conduct or Child Safety Procedure to a CSO and/or CEO as soon as possible after becoming aware of the breach or suspected breach.
- 14.2 If NYSF becomes aware of a suspected breach of this Policy, the Child Safety Code of Conduct or Child Safety Procedure, NYSF will take immediate steps to ensure the safety and wellbeing of any child who may be at risk as a result of or in relation to the breach.
- 14.3 Suspected breaches of this Policy, the Codes of Conduct or Child Safety Procedure are treated seriously by NYSF and will be investigated (either internally or externally, depending on the severity of the suspected breach) in a manner that affords procedural fairness to the subject of the investigation and complies with any reportable conduct schemes if applicable. The NYSF will handle the allegations in a confidential manner to the greatest extent possible.
- 14.4 Following an investigation into a suspected breach, any person who is found to be in breach or to have breached this Policy, the Child Safety Code of Conduct or Child Safety Procedure may face disciplinary action (including termination of their engagement with the NYSF).

## 15. Reporting and responding to risk of harm to a child

- 15.1 NYSF is committed to ensuring that children and young people who access NYSF's services and programs are kept safe from harm and the risk of harm.
- 15.2 When NYSF suspects that a child or young person has been harmed or is at risk of harm, NYSF will respond to that suspicion in an appropriate manner which prioritises the safety of children and young people.
- 15.3 All Staff, including NYSF employees, directors, contractors and volunteers, are required to follow the relevant procedure applicable to the State or Territory in which the child is situated (Child Safe Procedure is annexed to this Policy).
- 15.4 The NYSF will comply with all obligations under any applicable state or territory Reportable Conduct Schemes and any other applicable laws, and will provide information to government agencies including police, and do all things necessary to assist with enquiries, as is required.

## 16. Investigations

- 16.1 The CEO will make every effort to keep any child safety investigation confidential; however, from time to time Staff, including NYSF employees, directors, contractors and volunteers, may need to be consulted in conjunction with the investigation (e.g. to provide witness statements).
- 16.2 The NYSF will do all things necessary to assist in any external investigations conducted by police or investigations conducted under any applicable reportable conduct scheme.

- 16.3 An investigation conducted by the NYSF will be conducted in accordance with procedural fairness to protect the integrity of the investigation and the interests of all the parties involved in the investigation.

## 17. Record keeping

- 17.1 All reports of alleged abuse or harm (or an identified risk) must be recorded in the form of an Incident Report (found at the end of the Child Safety Procedure). An Incident Report must record places, times, dates, names of people, observable behaviours or evidence of harm. Reports must be securely stored by Manager, Corporate Services.
- 17.2 CSOs are responsible for ensuring adequate records are maintained. Either the Staff member who identified or witnessed the actual or risk of child abuse or harm, or a CSO must complete an Incident Report.
- 17.3 The CSO will ensure that the following records are held and maintained indefinitely:
- (a) allegations, complaints and concerns of a breach of the Child Safety Policy, Codes of Conduct or Child Safety procedure;
  - (b) complaints, reports and disclosures of actual or suspected child abuse or harm to a child;
  - (c) reports made to external government agencies or regulators including reports to police or reports made under any applicable reportable conduct scheme;
  - (d) investigation reports, evidence and records of interview in relation to any investigation under this policy; and
  - (e) all decisions and actions taken in relation to any child safety complaint, report of a breach or disclosure received.

## 18. Privacy

- 18.1 The NYSF will collect, use, disclose and hold personal information in accordance with the *Privacy Act 1988* (Cth) and its Privacy Policy.

### ***Principles***

- 18.2 There are two guiding principles in respect to a child's privacy.
- (a) **Best interests**: the NYSF, all employees, directors, volunteers and contractors will do what they believe is in the best interest of the child. The paramount consideration is the safety of children.
  - (b) **Respect privacy**: the NYSF will respect a child's privacy, except when this conflicts with the best interests principle. This means acting consistently with the Australian Privacy Principles and the NYSF Privacy Policy.
- 18.3 As much as is reasonably possible, an individual's privacy is to be protected. Individuals who make reports or disclosures of abuse and individuals who are the subject of accusations are all entitled to privacy.

### ***Disclosing information and privacy***

- 18.4 Staff, including NYSF employees, directors, contractors and volunteers, must act consistently with the NYSF Privacy Policy, the National Child Safety Policy and Procedure, the Codes of Conduct and relevant statutory requirements.
- 18.5 Where a disclosure, such as reporting to a government department or police, is required or authorised by a reportable conduct scheme or other law, the disclosure will not be a breach of privacy. The Child Safety Procedure (below) sets out applicable reporting requirements for each State and Territory.

## **19. Monitoring and review**

- 19.1 The NYSF welcomes feedback from all members of the community including families on how it can improve its risk management approach and better protect the safety of children. Please direct feedback to the CEO or Board Chair in writing. A review of this Child Safety Policy, the Codes of Conduct and the Child Safety Procedure shall be conducted every year.

# CHILD SAFETY PROCEDURE

## 1. Introduction

- 1.1 This Procedure applies to all Staff, including NYSF employees, directors, contractors and volunteers, of NYSF in all NYSF Environments. It should be read in accordance with the Child Safety Policy and Codes of Conduct.
- 1.2 The CEO is accountable for monitoring compliance with this Procedure.
- 1.3 All States differ in regards to the reporting obligations. Staff, including NYSF employees, directors, contractors and volunteers, must use the State-based procedure applicable to where you are located and / or where the program in being conducted:
  - (a) ANNEXURE A: Victoria (page 15);
  - (b) ANNEXURE B: New South Wales (page 21);
  - (c) ANNEXURE C: Australian Capital Territory (page 27);
  - (d) ANNEXURE D: Queensland (page 34);
  - (e) ANNEXURE E: Western Australia (page 40);
  - (f) ANNEXURE F: Tasmania (page 45);
  - (g) ANNEXURE G: Northern Territory (page 52).

# ANNEXURE A

## CHILD SAFETY REPORTING PROCEDURE – VICTORIA

### 1. Overview

- 1.1 NYSF is committed to ensuring that children and young people who access NYSF's services and programs are kept safe from harm and the risk of harm.
- 1.2 When NYSF suspects that a child or young person has been harmed or is at risk of harm, NYSF will handle that suspicion in a manner which prioritises the safety of children and young people.

2. All Staff members, including NYSF employees, directors, contractors and volunteers, are responsible for reporting reasonable beliefs that a child or young person has been harmed or is at risk of harm in accordance with this procedure.

3. All Staff members, including NYSF employees, directors, contractors and volunteers, will follow the process outlined at steps 4 to 11 below.

### 4. Step 1: Determine whether the child is in immediate danger

- 4.1 The Staff member will stay with the child (if within their presence) and take all reasonable steps to ensure their safety.
- 4.2 If the Staff member believes the child is at immediate risk of abuse, they will notify police immediately by telephoning 000.

### 5. Step 2: Consider whether there is an obligation to report

5.1 A Staff member:

- (a) who, in the course of carrying out their duties, forms a belief on reasonable grounds that a child is in need of protection because they have suffered or are likely to suffer from significant harm as a result of physical injury or sexual abuse, and the child's parents cannot or will not protect the child, **must** disclose that information to the police or the Department of Families, Fairness and Housing (**DFFH**);
- (b) who forms a belief on reasonable grounds that a child is in need of protection from child abuse (physical, sexual, emotional, psychological or neglect) may make a **voluntary report** to DFFH or the police;
- (c) who is an adult and forms a belief, on reasonable grounds, that a sexual offence has been committed in Victoria against a child under the age of 16 years by an adult, **must** make a report to the police as soon as practicable; or
- (d) who is aware of a substantial risk that a child will become the victim of a sexual offence committed by another adult associated with NYSF must not negligently fail to reduce or remove that risk, noting that reporting to DFFH or police is one way to reduce or remove that risk.

- 5.2 NYSF will report any reportable allegation made against a Staff member to the Commission for Children and Young People (CCYP) within 3 business days of becoming aware of the allegations in accordance with the reportable conduct scheme. Staff members are strongly encouraged to advise a CSO if they become aware of conduct which may constitute a reportable allegation, which includes conduct which occurs outside the course of a person's employment.
- 5.3 For the purpose of this procedure:
- (a) **Staff members** means all employees, contractors, volunteers and leaders of NSYF and includes Staff.
  - (b) a **child** is a person under 17 years of age;
  - (c) the **CCYP** means the Commissioner for Children and Young People;
  - (d) a **mandatory reporter** includes a:
    - (i) registered medical practitioner, nurse or midwife;
    - (ii) person registered as a teacher or early childhood teacher;
    - (iii) principal of a school;
    - (iv) police officer;
    - (v) person in religious ministry;
    - (vi) the approved provider or nominated supervisor of or a person with a post-secondary qualification in the care, education or minding of children who is employed by or engaged by a children's service;
    - (vii) person with a post-secondary qualification in youth, social or welfare work who works in the health, education or community or welfare services field;
    - (viii) youth and child welfare worker;
    - (ix) registered psychologist.
  - (e) a **reportable allegation** arises when a Staff member forms a reasonable belief that there has been:
    - (i) a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child,
    - (ii) behaviour causing significant emotional or psychological harm to a child,
    - (iii) significant neglect of a child, or
    - (iv) misconduct involving any of the above;
- 5.4 If a Staff member is uncertain as to whether they need to make a report, they should discuss their observations and concerns with a CSO.

- 5.5 Staff members are not required to consult with NYSF or gain the support of NYSF prior to making a report.

*Responding to a child or young person who is harmed or at risk of being harmed by a Staff member*

- 5.6 If a Staff member suspects on reasonable grounds that a child or young person is, or may be, at risk of harm by another Staff member, then:
- (a) that suspicion must be reported in the same way as if it arose in relation to a person outside of NYSF; and
  - (a) the person is strongly encouraged to report that suspicion to a CSO or the CEO so that steps can be taken to minimise potential harm to children.

## 6. Step 3: Make a report (if required)

*Mandatory and voluntary reporting*

- 6.1 If a Staff member determines they must make a report or should make a voluntary report, the Staff member must report that suspicion by making a telephone notification to the relevant authority referred to at 5.1 above by contacting:
- (a) DFFH:
    - (i) during business hours by contacting the relevant Division Intake team (determined by the location of the child – see <https://services.dffh.vic.gov.au/child-protection-contacts>):
      - (A) North Division intake: 1300 664 977;
      - (B) South Division intake: 1300 655 795;
      - (C) East Division intake: 1300 360 391;
      - (D) West Division intake - metropolitan: 1300 664 977;
      - (E) West Division intake - rural and regional: 1800 075 599; or
    - (ii) if between 5:00pm and 9:00am Monday to Friday, or at any time on a weekend, by calling the After Hours Child Protection Emergency Service on 13 12 78; or
  - (b) Victoria Police:
    - (i) by dialling 000 if it is an emergency;
    - (ii) by contacting your local police station (contact details available at: <https://www.police.vic.gov.au/location>); or
    - (iii) by contacting the Sexual Offences and Child Abuse Investigation Team (**SOCIT**) in your area (contact details available at: <https://www.police.vic.gov.au/sexual-offences-and-child-abuse-investigation-teams>).

- 6.2 A report must be made by a mandatory reporter each time that person becomes aware of any further grounds for their belief a child may have suffered or is likely to suffer harm as a result of physical injury or sexual abuse.
- 6.3 If a Staff member makes a notification in accordance with paragraph 0, the person is strongly encouraged to notify the CSO that they have made that notification.
- 6.4 If the CSO or the CEO is notified that a child is, or may be, at risk of harm, they must:
  - (a) take immediate steps to ensure the safety and wellbeing of any child or young person which may be at risk or danger;
  - (b) confirm that the concern has been reported in accordance with paragraph 0, and if not, assist the Staff member to make the report;
  - (c) complete the incident report (or in the case of the CSO, direct the staff member to complete the report).

#### *Reportable Conduct Scheme*

- 6.5 If the CEO determines that a reportable allegation has been made in relation to in relation to a current Staff member in Victoria:
  - (a) the Head of NYSF must make a report to the CCYP within three business days of forming a reasonable belief that a Staff member has committed reportable conduct or engaged in misconduct that may involve reportable conduct, irrespective of whether the conduct in question is alleged the have occurred within the course of the Staff member's engagement with NYSF;
  - (b) NYSF will seek external guidance regarding conducting an internal or external investigation;
  - (c) the Head of NYSF must provide the CCYP with updates are required under the Reportable Conduct Scheme, including providing a 30 day report; and
  - (d) NYSF will cooperate with all regulatory authorities in relation to the investigation, including DFFH, police and the CCYP.

#### *Stand down*

- 6.6 Where NYSF has allegations or concerns that any Staff member may have engaged in conduct that could give rise to risk of harm to a child, NYSF may, at its discretion:
  - (a) stand the Staff member down while an investigation is conducted (which will involve removing or limiting their contact with children, and liaising with authorities); and
  - (b) direct the Staff member to return any keys, passes or equipment and to provide any access codes or passwords.

## **7. Step 4: Cooperate with regulatory authorities**

- 7.1 The Staff member and NYSF will cooperate with any investigation by the police or DFFH.

- 7.2 Support will be provided to the child(ren) as deemed appropriate by the CSO.
- 7.3 All correspondence from regulatory authorities should be directed to a CSO and/or the CEO.
- 7.4 NYSF will not interview the child(ren) further or otherwise investigate until the police and/or the DFFH have provided it with written permission to do so.
- 7.5 DFFH or the police may conduct interviews of NYSF children and young people without their parents' knowledge or consent.
- 7.6 When a police officer or child protection practitioner from DFFH attend NYSF premises, a member of the leadership team should request to see identification before permitting them to have access to the child or young person.
- 7.7 NYSF will notify Working with Children Check Victoria of the allegations.

## **8. Step 5: Internal investigation**

- 8.1 Once clearance has been provided to NYSF by the relevant regulatory authorities, it will conduct its own internal investigation if the conduct is subject to the reportable conduct scheme.
- 8.2 If the conduct is not subject to the reportable conduct scheme, NYSF may decide to conduct its own internal investigation.
- 8.3 The CEO will appoint a relevant person to manage the internal investigation. If required, an external investigator will be appointed.
- 8.4 The investigation will be undertaken in accordance with the principles of procedural fairness and natural justice and will comply with the obligations under the reportable conduct scheme.
- 8.5 All Staff are expected to fully cooperate with any internal investigation.

## **9. Step 6: Confidentiality**

- 9.1 Following a report and during an investigation, Staff members are required to protect confidentiality and the interests of:
  - (a) the child(ren) and their family;
  - (b) the individual(s) who made the report; and
  - (c) any representative of or another person associated with NYSF who is implicated in the report.

## **10. Step 7: Internal investigation finalised**

- 10.1 Following an internal investigation, findings and recommendations should be made.
- 10.2 NYSF has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff member to interact with children in accordance with its duty of care.

- 10.3 The findings of the investigation will also be reported to any external body as required.
- 10.4 NYSF will endeavour to offer support to any Staff member or member of the NYSF community involved where appropriate.

## **11. Step 8: Evaluation**

- 11.1 The NYSF Board of Directors will be notified as needed and policies and procedures may need to be reviewed.

# ANNEXURE B

## CHILD SAFETY REPORTING PROCEDURE – NEW SOUTH WALES

### 1. Overview

- 1.1 NYSF is committed to ensuring that children and young people who access NYSF s services and programs are kept safe from harm and the risk of harm.
- 1.2 When NYSF suspects that a child or young person has been harmed or is at risk of harm, NYSF will handle that suspicion in an appropriate manner which prioritises the safety of children and young people.
- 1.3 All Staff members, including NYSF employees, directors, contractors and volunteers, are responsible for reporting reasonable beliefs that a child or young person has been harmed or is at risk of harm.
- 1.4 NYSF will ensure that it is registered for eReporting with the DoCJ.
- 1.5 All Staff members, including NYSF employees, directors, contractors and volunteers, will follow the process outlined at steps 2 to 9 below.

### 2. Step 1: Determine whether the child is in immediate danger

- 2.1 The Staff member will stay with the child (if within their presence) and take all reasonable steps to ensure their safety.
- 2.2 If the Staff member believes the child is at immediate risk of abuse, they will notify police immediately by telephoning 000.

### 3. Step 2: Consider whether there is an obligation to report

- 3.1 A Staff member :
  - (a) who has reasonable grounds to suspect that a child is at risk of significant harm:
    - (i) **must** disclose that information to the DoCJ if the child is aged 0 to 15 years and they are a **mandatory reporter**; or
    - (ii) may **voluntarily** disclose that information to DoCJ if:
      - (A) the child is aged 16 to 17 years;
      - (B) the child is an unborn child, or
      - (C) the Staff member is not a mandatory reporter;
  - (b) who is an adult who knows or believes that a child under 18 years has suffered sexual abuse, serious physical abuse or extreme neglect **must** report that information to police; and

- (c) who is an adult who knows that a Staff member poses a serious risk of sexually or physically abusing a child under 18 years **must** report that knowledge to NSYF in order for NSYF to reduce or remove that risk.
- 3.2 NYSF will report any reportable allegation made against NYSF Staff or any reportable conviction that it becomes aware of to the Office of the Children’s Guardian within 7 business days of becoming aware of the allegations, in accordance with the reportable conduct scheme.
- 3.3 NYSF Staff must advise the NYSF CEO if they become aware of conduct which may constitute a reportable allegation or a reportable conviction.
- 3.4 For the purpose of this procedure:
- (a) a child is at **risk of serious harm** if:
    - (i) the child’s basic physical or psychological needs are not being met or are at risk of not being met;
    - (ii) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child to receive necessary medical care;
    - (iii) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education;
    - (iv) the child has been, or is at risk of being, physically or sexually abused or ill-treated;
    - (v) the child is living in a household where there have been incidents of domestic violence and, as a consequence, the child is at risk of serious physical or psychological harm;
    - (vi) a parent or other caregiver has behaved in such a way towards the child that the child has suffered or is at risk of suffering serious psychological harm;
    - (vii) before the birth of a child, the child may be at risk of significant harm after his or her birth (**pre-natal report**); or
    - (viii) the child was the subject of a pre-natal report and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.
  - (b) **Staff members** means all employees, contractors, volunteers and leaders of NSYF and includes Staff.
  - (c) **DoCJ** means Department of Communities and Justice;
  - (d) **mandatory reporters** includes all persons who are required by law to make reports, including
    - (i) registered medical practitioners, specialists, enrolled and registered nurses, registered midwives, occupational therapists, speech pathologists, psychologists, dentists and other allied health professionals working in sole practice or in public or private health practices;

- (ii) registered psychologists, social workers, caseworkers and youth workers;
  - (iii) teachers, counsellors, principals,
  - (iv) child care workers, family day carers and home-based carers;
  - (v) refuge workers, community housing providers;
  - (vi) police;
  - (vii) disability support workers and personal care workers.
  - (viii) a person in religious ministry or a person providing religion based activities to children (e.g. minister of religion, priest, deacon, pastor, rabbi, Salvation Army officer, church elder, religious brother or sister);
  - (ix) registered psychologists providing a professional service as a psychologist to adults.
- (e) a **reportable allegation** is an allegation that a Staff member has engaged in conduct which may be reportable conduct, whether or not that conduct occurred during the course of the Staff member's engagement with NYSF;
- (f) **reportable conduct** means the following conduct, irrespective of whether criminal proceedings have commenced or are concluded:
- (i) a sexual offence or sexual misconduct;
  - (ii) ill-treatment or neglect of a child;
  - (iii) an assault against a child;
  - (iv) concealing or failing to report child abuse, or failing to reduce or remove a risk to a child becoming the victim of child abuse;
  - (v) behaviour that causes significant emotional or psychological harm to a child. Indicators that a child has experienced significant emotional or psychological harm include:
    - (A) displaying behaviour patterns that are out of character;
    - (B) regressive behaviour; or
    - (C) anxiety or self-harm;
- (g) a **reportable conviction** is a conviction, including a finding of guilt without the court proceeding to a conviction of an offence involving reportable conduct, whether or not the conduct occurred in the course of the Staff member's engagement with NYSF.

3.5 If a Staff member is uncertain as to whether they need to make a report, they should discuss their observations and concerns with a CSO and refer to the NSW Mandatory Reporter Guide (accessible at: <https://reporter.childstory.nsw.gov.au/s/article/Process-For-Completing-Mandatory-Reporter-Guide>).

- 3.6 Staff members are not required to consult with NYSF or gain the support of NYSF prior to making a report.

*Responding to a child or young person who is harmed or at risk of being harmed by a NYSF Staff member*

- 3.7 If a Staff member suspects on reasonable grounds that a child or young person is, or may be, at risk of harm by another Staff member, then:
- (a) that suspicion must be reported in the same way as if it arose in relation to a person outside of NYSF; and
  - (b) the person is strongly encouraged to report that suspicion to a CSO or the CEO so that steps can be taken to minimise potential harm to children.

#### 4. Step 3: Make a report (if required)

*Mandatory and voluntary reporting*

- 4.1 If a Staff member determines they are required to make a report or have decided to make a voluntary report, the Staff member must notify:
- (a) DoCJ by:
    - (i) gaining access to the eReporting Community by following the necessary steps outlined at <https://reporter.childstory.nsw.gov.au/s/article/How-do-I-get-access-to-the-Reporter-Community>;
    - (ii) completing a decision tree using the NSW Mandatory Reporter Guide at <https://reporter.childstory.nsw.gov.au/s/mrg>; and
    - (iii) following the recommendations of the NSW Mandatory Reporter Guide, including reporting their suspicion by making a telephone notification to the NSW Child Protection Helpline on 132 111; or
  - (b) NSW Police by:
    - (i) dialling 000 in an emergency; or
    - (ii) contacting your local police station (phone numbers available at: [https://www.police.nsw.gov.au/about\\_us/regions\\_commands\\_districts/police\\_station\\_search](https://www.police.nsw.gov.au/about_us/regions_commands_districts/police_station_search)).
- 4.2 A report **must** be made by a mandatory reporter each time that person becomes aware of any further grounds for their belief a child may have suffered or is likely to suffer harm as a result of physical injury or sexual abuse.
- 4.3 If a Staff member makes a notification in accordance with paragraph 0, the person is strongly encouraged to notify the CSO that they have made that notification.
- 4.4 If a CSO or the CEO is notified that a child is, or may be, at risk of harm, they must:

- (a) take immediate steps to ensure the safety and wellbeing of any child or young person which may be at risk or danger;
- (b) confirm that the concern has been reported in accordance with paragraph 4.1, and if not, assist the Staff member to make the report;
- (c) complete the incident report (or in the case of the CEO or CSO, direct the Staff member to complete an Incident Report).

#### *Reportable Conduct Scheme*

- 4.5 If a Staff member becomes aware of a reportable allegation or a reportable conviction of another Staff member they must report that allegation or conviction to the CEO, or if the report relates to the CEO, then to the Office of the Children's Guardian.
- 4.6 If the CEO becomes aware of a reportable allegation or a reportable conviction in relation to a Staff member, they will:
- (a) make a written report to the Office of the Children's Guardian within 7 business days;
  - (b) seek external guidance regarding conducting an internal or external investigation, noting Step 6 below;
  - (c) provide the Office of the Children's Guardian with updates as required under the Reportable Conduct Scheme, including providing an interim 30 day report if the final report is not prepared by that date; and
  - (d) cooperate with all regulatory authorities, including DoCJ, police and the Office of the Children's Guardian.

#### *Stand down*

- 4.7 Where NYSF has allegations or concerns that any Staff member may have engaged in conduct that could give rise to risk of harm to a child, NYSF may, at its discretion:
- (a) stand the Staff member down while an investigation is conducted (which will involve removing or limiting their contact with children, and liaising with authorities); and
  - (b) direct the Staff member to return any keys, passes or equipment and to provide any access codes or passwords.

### **5. Step 4: Cooperate with regulatory authorities**

- 5.1 The Staff member and NYSF will cooperate with any investigation by the police or DoCJ.
- 5.2 Support will be provided to the child(ren) as deemed appropriate by the CSO.
- 5.3 All correspondence from regulatory authorities should be directed to a CSO.
- 5.4 NYSF will not interview the child(ren) further or otherwise investigate until the police or the DoCJ have provided it with permission to do so.

- 5.5 DoCJ or the police may conduct interviews of NYSF students without their parents' knowledge or consent.
- 5.6 When an officer from DoCJ or the police attend NYSF premises, a member of the leadership team should request to see identification before permitting them to have access to a student.
- 5.7 NYSF will notify the Office of the Children's Guardian of the allegations, if they have not already received a notification.

## **6. Step 5: Internal investigation**

- 6.1 Once clearance has been provided to NYSF by the relevant regulatory authorities in respect of a mandatory or voluntary report, it may decide to conduct its own internal investigation.
- 6.2 The CEO will appoint a relevant person to manage the internal investigation. If required, an external investigator will be appointed.
- 6.3 The investigation will be undertaken in accordance with the principles of procedural fairness and natural justice.
- 6.4 All Staff members are expected to fully cooperate with any internal investigation.

## **7. Step 6: Confidentiality**

- 7.1 Following a report and during an investigation, Staff members are required to protect confidentiality and the interests of:
  - (a) the child(ren) and their family;
  - (b) the individual(s) who made the report; and
  - (c) any representative of or another person associated with NYSF who is implicated in the report.

## **8. Step 7: Internal investigation finalised**

- 8.1 Following an internal investigation, findings and recommendations should be made.
- 8.2 NYSF has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff member to interact with children in accordance with its duty of care.
- 8.3 The findings of the investigation will also be reported to any external body as required.
- 8.4 NYSF will endeavour to offer support to any Staff member or member of the NYSF community involved where appropriate.

## **9. Step 8: Evaluation**

- 9.1 The NYSF Board or Directors will be notified as needed and policies and procedures may need to be reviewed.

# ANNEXURE C

## CHILD SAFETY REPORTING PROCEDURE – AUSTRALIAN CAPITAL TERRITORY

### 1. Overview

- 1.1 NYSF is committed to ensuring that children and young people who access NYSF's services and programs are kept safe from harm and the risk of harm.
- 1.2 When NYSF suspects that a child or young person has been harmed or is at risk of harm, NYSF will handle that suspicion in an appropriate manner which prioritises the safety of children and young people.
- 1.3 All Staff members, including NYSF employees, directors, contractors and volunteers, are responsible for reporting reasonable beliefs that a child or young person has been harmed or is at risk of harm in accordance with this procedure.
- 1.4 All Staff members, including NYSF employees, directors, contractors and volunteers, will follow the process outlined at steps 2 to 9 below.

### 2. Step 1: Determine whether the child is in immediate danger

- 2.1 The Staff member will stay with the child (if within their presence) and take all reasonable steps to ensure their safety.
- 2.2 If the Staff member believes the child is at immediate risk of abuse, they will notify police immediately by telephoning 000.

### 3. Step 2: Consider whether there is an obligation to report

- 3.1 A Staff member:
  - (a) who believes or suspects that a child or young person is being abused, is being neglected, is exposed to family violence, or is at risk of abuse or neglect may make a **voluntary report** to CYPS;
  - (b) who believes or suspects that an unborn child is at risk of abuse or neglect after being born may make a **voluntary report** to CYPS;
  - (c) who is a **mandated reporter** and believes on reasonable grounds that a child or young person has experienced or is experiencing sexual abuse or non-accidental physical injury based on information obtained during the course of their engagement with NYSF **must** make a report to the CYPS as soon as practicable after forming the belief;
  - (d) who is an adult and forms a reasonable belief that a sexual offence has been committed against a child or young person by an adult, **must** make a report to the police as soon as practicable after forming the belief;
  - (e) who is in a position of authority at NYSF and is aware of a substantial risk that a sexual offence will be committed against a child or young person in the care of NYSF **must** reduce or remove that risk;

- (f) who is a Staff member who is not in a position of authority and is aware of a substantial risk that a sexual offence will be committed against a child or young person in the care of NYSF **must** notify a person in position of authority at NYSF of that risk.
- 3.2 NYSF will report any reportable conduct made against a Staff member to the ACT Ombudsman within 30 business days of becoming aware of the reportable conduct in accordance with the reportable conduct scheme.
- 3.3 Staff members are strongly encouraged to advise a CSO if they become aware of conduct which may constitute reportable conduct.
- 3.4 For the purpose of this procedure:
- (a) **Staff members** means all employees, contractors, volunteers and leaders of NSYF and includes Staff.
  - (b) a **child** is a person under 12 years unless otherwise stated;
  - (c) **CYPS** means Child and Youth Protection Services;
  - (d) a **young person** means a person who is 12 years old or older but not yet an adult;
  - (e) a **mandated reporter** includes a:
    - (i) minister of religion;
    - (ii) doctor;
    - (iii) dentist;
    - (iv) nurse (including an enrolled nurse);
    - (v) midwife;
    - (vi) psychologist;
    - (vii) police officer;
    - (viii) teacher (including a paid teacher's assistant or aide);
    - (ix) school counsellor;
    - (x) person authorised to inspect education programs, materials or records used for home education;
    - (xi) childcare centre worker that cares for a child (including a paid childcare assistant or aide);
    - (xii) person coordinating or monitoring home-based care for a family day care scheme provider;
    - (xiii) public servant whose work provides services personally to children or families;

- (xiv) public advocate;
  - (xv) official visitor (a specific position in child protection appointed by the Minister);
  - (xvi) person who, in the course of their employment has contact with or provides services to children and their families and is prescribed by regulation.
- (f) **reportable conduct** includes conduct engaged in by a Staff member, whether or not in the course of their engagement with NYSF that results in:
- (i) ill treatment or neglect of a child;
  - (ii) exposing or subjecting the child to:
    - (A) circumstances or behaviour which psychologically harms the child;
    - (B) misconduct of a sexual nature;
  - (iii) an offence for which the child is present or a victim at the time of the conduct including:
    - (A) offences against the person;
    - (B) sexual offences;
    - (C) female genital mutilation;
    - (D) sexual servitude;
  - (iv) a conviction, or finding of guilt, under a Territory law or a State or Commonwealth law, involving reportable conduct;
  - (v) offences against the Education and Care Service National Law (inappropriate discipline or offences relating to protecting children from harm); and
  - (vi) ill-treatment of a child or young person (including emotional abuse, hostile use of force/physical contact, neglect and restrictive intervention);

3.5 A mandated reporter is not required to make a report but may make a **voluntary report** when they believe that:

- (a) the same information has already been provided to the police or CYPS by another person;
- (b) the abuse was by another child; or
- (c) the reasons for their belief do not arise from information obtained because of or during the course of their engagement with NYSF.

3.6 If a Staff member is uncertain as to whether they need to make a report, they should discuss their observations and concerns with a CSO.

- 3.7 Staff members are not required to consult with NYSF or gain the support of NYSF prior to making a report.

*Responding to a child or young person who is harmed or at risk of being harmed by a NYSF Staff member*

- 3.8 If a Staff member suspects on reasonable grounds that a child or young person is, or may be, at risk of harm by another Staff member, then:
- (a) that suspicion must be reported in the same way as if it arose in relation to a person outside of NYSF; and
  - (b) the person is strongly encouraged to report that suspicion to a CSO or the CEO so that steps can be taken to minimise potential harm to children.

#### 4. Step 3: Make a report (if required)

*Mandatory and voluntary reporting*

- 4.1 If a Staff member is satisfied that they are required to make a report or have decided to make a voluntary report, the Staff member must report that suspicion by making a telephone notification to the relevant authority referred to at 3.1 above by contacting:
- (a) CYPS:
    - (i) by making a report using the online portal at: <https://form.act.gov.au/smartforms/csd/child-concern-report>;
    - (ii) or calling 1300 556 729 for further guidance;
  - (b) ACT Police:
    - (i) by dialling 000 if it is an emergency;
    - (ii) by dialling 131 444 to make a report.
- 4.2 A report **must** be made by a mandatory reporter each time that person becomes aware of any further grounds for their belief a child may have suffered or is likely to suffer harm as a result of physical injury or sexual abuse.
- 4.3 If a Staff member makes a notification in accordance with paragraph 4.1, the person is strongly encouraged to notify the CSO that they have made that notification.
- 4.4 If a CSO or the CEO is notified that a child is, or may be, at risk of harm, they must:
- (a) take immediate steps to ensure the safety and wellbeing of any child or young person which may be at risk or danger;
  - (b) confirm that the concern has been reported in accordance with paragraph 4.1, and if not, assist the Staff member to make the report; and
  - (c) complete the Incident Report.

*Reportable Conduct Scheme*

- 4.5 If NYSF determines that a reportable allegation has been made, it will:
- (a) make a report to the ACT Ombudsman that a Staff member has engaged in reportable conduct, irrespective of whether the conduct in question is alleged to have occurred within the course of the person's engagement with NYSF;
  - (b) within 30 days of being notified that a Staff member has engaged in reportable conduct, complete the section 17G notification form available online on the ACT Ombudsman's website at: [https://www.ombudsman.act.gov.au/data/assets/pdf\\_file/0025/48166/s-17G-Notification-coversheet.pdf](https://www.ombudsman.act.gov.au/data/assets/pdf_file/0025/48166/s-17G-Notification-coversheet.pdf) and email it to the ACT Ombudsman at [act@ombudsman.gov.au](mailto:act@ombudsman.gov.au);
  - (c) seek external guidance to arrange an internal or external investigation, noting Step 6 below;
  - (d) provide the ACT Ombudsman with:
    - (i) details of the allegation or conviction;
    - (ii) NYSF's intended response, including an investigation plan and risk assessment;
    - (iii) updates as required under the Reportable Conduct Scheme;
    - (iv) a final section 17J report;
    - (v) whether NYSF will take any action against the Staff member and the reasons for taking action or not taking action;
    - (vi) respond to any further queries made by the ACT Ombudsman; and
  - (e) cooperate with all regulatory authorities, including police and CYPS.

#### *Stand down*

- 4.6 Where NYSF has allegations or concerns that any Staff member may have engaged in conduct that could give rise to risk of harm to a child, NYSF may, at its discretion:
- (a) stand the Staff member down while an investigation is conducted (which will involve removing or limiting their contact with children, and liaising with authorities); and
  - (b) direct the Staff member to return any keys, passes or equipment and to provide any access codes or passwords.

## **5. Step 4: Cooperate with regulatory authorities**

- 5.1 The Staff member and NYSF will cooperate with any investigation by the police, ACT Ombudsman or CYPS.
- 5.2 Support will be provided to the child(ren) as deemed appropriate by the CSO.
- 5.3 All correspondence from regulatory authorities should be directed to a CSO and/or CEO.

- 5.4 NYSF will not interview the child(ren) further or otherwise investigate until the police or CYPS have provided it with permission to do so.
- 5.5 CYPS, the ACT Ombudsman or the police may conduct interviews of NYSF students without their parents' knowledge or consent.
- 5.6 When an officer from CYPS, the ACT Ombudsman or the police attend NYSF premises, a member of the leadership team should request to see identification before permitting them to have access to a student.
- 5.7 NYSF will notify the department handling Working with Vulnerable People Registrations in Access Canberra of the allegations.

## **6. Step 5: Internal investigation**

- 6.1 Once clearance has been provided to NYSF by the relevant regulatory authorities, it may decide to conduct its own internal investigation in respect of a voluntary or mandatory report.
- 6.2 The CEO will appoint a relevant person to manage the internal investigation. If required, an external investigator will be appointed.
- 6.3 The investigation will be undertaken in accordance with the principles of procedural fairness and natural justice.
- 6.4 All Staff members are expected to fully cooperate with any internal investigation.

## **7. Step 6: Confidentiality**

- 7.1 Following a report and during an investigation, Staff members are required to protect confidentiality and the interests of:
  - (a) the child(ren) and their family;
  - (b) the individual(s) who made the report; and
  - (c) any representative of or another person associated with NYSF who is implicated in the report.

## **8. Step 7: Internal investigation finalised**

- 8.1 Following an internal investigation, findings and recommendations should be made.
- 8.2 NYSF has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff member to interact with children in accordance with its duty of care.
- 8.3 The findings of the investigation will also be reported to any external body as required.
- 8.4 NYSF will endeavour to offer support to any Staff member or member of the NYSF community involved where appropriate.

## 9. Step 8: Evaluation

- 9.1 The NYSF Board of Directors will be notified as needed and policies and procedures may need to be reviewed.

# ANNEXURE D

## CHILD SAFETY REPORTING PROCEDURE – QUEENSLAND

### 1. Overview

- 1.1 NYSF is committed to ensuring that children and young people who access NYSF's services and programs are kept safe from harm and the risk of harm.
- 1.2 When NYSF suspects that a child or young person has been harmed or is at risk of harm, NYSF will handle that suspicion in an appropriate manner which prioritises the safety of children and young people.
- 1.3 All Staff members, including NYSF employees, directors, contractors and volunteers, are responsible for reporting reasonable beliefs that a child or young person has been harmed or is at risk of harm in accordance with this procedure.
- 1.4 All Staff members, including NYSF employees, directors, contractors and volunteers, will follow the process outlined at steps 2 to 9 below.

### 2. Step 1: Determine whether the child is in immediate danger

- 2.1 The Staff member will stay with the child (if within their presence) and take all reasonable steps to ensure their safety.
- 2.2 If the Staff member believes the child is at immediate risk of abuse, they will notify police immediately by telephoning 000.

### 3. Step 2: Consider whether there is an obligation to report

- 3.1 A Staff member:
  - (a) who reasonably suspects that a child is in need of protection may make a **voluntary report** to CSS or the police;
  - (b) who reasonably suspects that an unborn child is in need of protection after he or she is born may make a **voluntary report** to CSS or the police;
  - (c) who does not have a reportable suspicion about a child but considers that the child is likely to become in need of protection if no preventative support is given may take other appropriate action, such as giving information to a service provider so that the service provider can offer support to the child or their family;
  - (d) who is an adult and reasonably believes that a child sexual offence has been committed against a child under the age of 16 years or a child under the age of 18 years who has an impairment of the mind, **must** make a report to the police as soon as practicable; or
  - (e) who:
    - (i) is an adult;

(ii) is aware of a significant risk that a child under the age of 16 years or a child under the age of 18 years who has an impairment of the mind will become the victim of a sexual offence committed by another adult associated with NYSF; and

(iii) has the power or responsibility to remove that risk;

**must not** wilfully or negligently fail to reduce or remove that risk;

(f) who is:

(i) an adult; and

(ii) aware of a significant risk that a child under the age of 16 years or a child under the age of 18 years who has an impairment of the mind will become the victim of a sexual offence committed by another adult associated with NYSF;

**must** immediately notify a CSO or other NYSF management in order for them to reduce or remove that risk.

3.2 For the purpose of this procedure:

(a) **Staff members** means all employees, contractors, volunteers and leaders of NYSF and includes Staff.

(b) a **child** is a person under 18 years of age;

(c) a **child in need of protection** is a child who:

(i) has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and

(ii) does not have a parent able and willing to protect the child from the harm;

(d) a **child sexual offence** is an offence of a sexual nature committed against a child including:

(i) indecent treatment of a child;

(ii) carnal knowledge with or of a child;

(iii) rape;

(iv) incest;

(v) grooming a child (or their parent or carer);

(vi) making child exploitation material; or

(vii) maintaining a sexual relationship with a child;

(e) **CSS** means Child Safety Services;

- (f) **harm** to a child:
  - (i) is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing;
  - (ii) can be caused by:
    - (A) physical, psychological or emotional abuse or neglect;
    - (B) sexual abuse or exploitation
    - (C) a single act, omission or circumstance;
    - (D) a series or combination of acts, omissions or circumstances; and
  - (iii) can occur irrespective of how the harm is caused.

3.3 If a Staff member is uncertain as to whether they need to make a report, they should:

- (a) use the online Queensland Child Protection Guide by at: <https://secure.communities.qld.gov.au/cpguide/engine.aspx>; and
- (b) discuss their observations and concerns with a CSO.

3.4 Staff members are not required to consult with NYSF or gain the support of NYSF prior to making a report.

*Responding to a child or young person who is harmed or at risk of being harmed by a Staff member*

3.5 If a Staff member suspects on reasonable grounds that a child or young person is, or may be, at risk of harm by another Staff member, then:

- (a) that suspicion must be reported in the same way as if it arose in relation to a person outside of NYSF; and
- (b) the person is strongly encouraged to report that suspicion to a CSO or the CEO so that steps can be taken to minimise potential harm to children.

#### 4. Step 3: Make a report (if required)

4.1 If a Staff member decides to make a voluntary report or determines they are required to make a report, the Staff member must report that suspicion by making a telephone notification to the relevant authority referred to at 3.1 above by contacting:

- (a) CSS:
  - (i) by making a report online at <https://secure.communities.qld.gov.au/cbir/ChildSafety#>;
  - (ii) by telephone during business hours by contacting the relevant Regional Intake Service:
    - (A) Brisbane: 1300 682 254;

- (B) Central Queensland: 1300 703 762;
  - (C) Far North Queensland: 1300 684 062;
  - (D) North Coast: 1300 703 921;
  - (E) North Queensland: 1300 706 147;
  - (F) South East 1300 679 849;
  - (G) South West (Darling Downs): 1300 683 390;
  - (H) South West (West Moreton): 1800 316 855; or
- (ii) by telephone outside of business hours, by calling the Child Safety After Hours Service Centre on 1800 177 135; or
  - (iii) the CSS Enquiry Unit on 1800 811 810, if you are unsure who to call; or
- (b) Queensland Police:
    - (i) by dialling 000 if it is an emergency; or
    - (ii) by contacting PoliceLink on 131 444.
- 4.2 A report should be made each time a Staff member becomes aware of any further grounds for their belief a child may have suffered or is likely to suffer harm as a result of physical injury or sexual abuse.
- 4.3 If a Staff member makes a notification in accordance with paragraph 4.1, the person is strongly encouraged to notify the CSO that they have made that notification.
- 4.4 If a CSO or the CEO is notified that a child is, or may be, at risk of harm, they must:
- (a) take immediate steps to ensure the safety and wellbeing of any child or young person which may be at risk or danger;
  - (b) confirm that the concern has been reported in accordance with paragraph 4.1, and if not, assist the Staff member to make the report;
  - (c) complete the incident report (or direct the relevant Staff member to complete it).

*Stand down*

- 4.5 Where NYSF has allegations or concerns that any Staff member may have engaged in conduct that could give rise to risk of harm to a child, NYSF may, at its discretion:
- (a) stand the Staff member down while an investigation is conducted (which will involve removing or limiting their contact with children, and liaising with authorities); and
  - (b) direct the Staff member to return any keys, passes or equipment and to provide any access codes or passwords.

## **5. Step 4: Cooperate with regulatory authorities**

- 5.1 The Staff member and NYSF will cooperate with any investigation by the police or CSS.
- 5.2 Support will be provided to the child(ren) as deemed appropriate by the CSO.
- 5.3 All correspondence from regulatory authorities should be directed to a CSO.
- 5.4 NYSF will not interview the child(ren) further or otherwise investigate until the police or the CSS have provided it with permission to do so.
- 5.5 CSS or the police may conduct interviews of NYSF students without their parents' knowledge or consent.
- 5.6 When an officer from CSS or the police attend NYSF premises, a member of the leadership team should request to see identification before permitting them to have access to a student.
- 5.7 NYSF will notify Blue Card Services of the allegations.

## **6. Step 5: Internal investigation**

- 6.1 Once clearance has been provided to NYSF by the relevant regulatory authorities, it may decide to conduct its own internal investigation.
- 6.2 The CEO will appoint a relevant person to manage the internal investigation. If required, an external investigator will be appointed.
- 6.3 The investigation will be undertaken in accordance with the principles of procedural fairness and natural justice.
- 6.4 All Staff members are expected to fully cooperate with any internal investigation.

## **7. Step 6: Confidentiality**

- 7.1 Following a report and during an investigation, Staff members are required to protect confidentiality and the interests of:
  - (a) the child(ren) and their family;
  - (b) the individual(s) who made the report; and
  - (c) any representative of or another person associated with NYSF who is implicated in the report.

## **8. Step 7: Internal investigation finalised**

- 8.1 Following an internal investigation, findings and recommendations should be made.
- 8.2 NYSF has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff member to interact with children in accordance with its duty of care.
- 8.3 The findings of the investigation will also be reported to any external body as required.

8.4 NYSF will endeavour to offer support to any Staff member or member of the NYSF community involved where appropriate.

**9. Step 8: Evaluation**

9.1 The Board will be notified as needed and policies and procedures may need to be reviewed.

# ANNEXURE E

## CHILD SAFETY REPORTING PROCEDURE – WESTERN AUSTRALIA

### 1. Overview

- 1.1 NYSF is committed to ensuring that children and young people who access NYSF's services and programs are kept safe from harm and the risk of harm.
- 1.2 When NYSF suspects that a child or young person has been harmed or is at risk of harm, NYSF will handle that suspicion in an appropriate manner which prioritises the safety of children and young people.
- 1.3 All Staff members, including NYSF employees, directors, contractors and volunteers, are responsible for reporting reasonable beliefs that a child or young person has been harmed or is at risk of harm in accordance with this procedure.
- 1.4 All Staff members, including NYSF employees, directors, contractors and volunteers, will follow the process outlined at steps 2 to 9 below.

### 2. Step 1: Determine whether the child is in immediate danger

- 2.1 The Staff member will stay with the child (if within their presence) and take all reasonable steps to ensure their safety.
- 2.2 If the Staff member believes the child is at immediate risk of abuse, they will notify police immediately by telephoning 000.

### 3. Step 2: Consider whether there is an obligation to report

- 3.1 A Staff member who forms a belief on reasonable grounds that a child is suffering any form of abuse or neglect may make a voluntary report to the Child Protection or the police.
- 3.2 For the purpose of this procedure:
  - (a) **Staff members** means all employees, contractors, volunteers and leaders of NYSF and includes Staff.
  - (b) a **child** is a person under 18 years of age;
  - (c) **child abuse and neglect** includes:
    - (i) physical abuse, such as:
      - (A) hitting, shaking, punching;
      - (B) burning and scolding;
      - (C) excessive physical punishment or discipline;
      - (D) attempted suffocation; or
      - (E) shaking a baby;

- (ii) sexual abuse, such as:
  - (A) letting a child watch or read pornography;
  - (B) allowing a child to watch sexual acts;
  - (C) fondling the child's genitals;
  - (D) having oral sex with a child;
  - (E) vaginal or anal penetration; or
  - (F) using the internet to find a child for sexual exploitation;
- (iii) emotional abuse, such as:
  - (A) constantly putting a child down;
  - (B) humiliating or shaming a child;
  - (C) not showing love, support or guidance;
  - (D) continually ignoring or rejecting the child;
  - (E) exposing the child to family and domestic violence;
  - (F) threatening abuse or bullying a child; or
  - (G) threats to harm loved ones, property or pets;
- (iv) psychological abuse, such as:
  - (A) constantly belittling, shaming and humiliating a child;
  - (B) calling the child names to minimise their self-worth;
  - (C) threatening a child;
  - (D) keeping a child isolated from other people or friends;
  - (E) constantly ignoring a child; or
  - (F) encouraging a child to act inappropriately; and
- (v) child neglect, such as:
  - (A) leaving a child alone without appropriate supervision;
  - (B) not ensuring the child attends school, or not enrolling the child at school;
  - (C) infection because of poor hygiene or lack of medication;
  - (D) not giving a child affection or emotional support; or

- (E) not getting medical help when required;
  - (d) **Child Protection** means the Child Protection Team in the Department of Communities.
- 3.3 If a Staff member is uncertain as to whether they should make a report, they should discuss their observations and concerns with a CSO.
- 3.4 Staff members are not required to consult with NYSF or gain the support of NYSF prior to making a report.

*Responding to a child or young person who is harmed or at risk of being harmed by a NYSF Staff member*

- 3.5 If a Staff member suspects on reasonable grounds that a child or young person is, or may be, at risk of harm by another Staff member, then:
- (a) that suspicion must be reported in the same way as if it arose in relation to a person outside of NYSF; and
  - (b) the person is strongly encouraged to report that suspicion to a CSO or the CEO so that steps can be taken to minimise potential harm to children.

#### 4. Step 3: Make a report (if required)

- 4.1 If a Staff member decides to make a voluntary report, the Staff member may report that suspicion by contacting:
- (a) Child Protection:
    - (i) within the metropolitan area, the Central Intake Team:
      - (A) by telephone on 1800 273 889; or
      - (B) via email to [cpduty@communities.wa.gov.au](mailto:cpduty@communities.wa.gov.au);
    - (ii) within a regional area, by contacting the relevant Country District Office, listed at:
      - [https://mandatoryreporting.dcp.wa.gov.au/Pages/DCP\\_District\\_Offices.aspx](https://mandatoryreporting.dcp.wa.gov.au/Pages/DCP_District_Offices.aspx);
      - or
    - (iii) after hours, by contacting the Crisis Care Unit on 1800 199 008;
  - (b) WA Police:
    - (i) by dialling 000 if it is an emergency;
    - (ii) by contacting your local police station (contact details available at: <https://www.police.wa.gov.au/Contact-Us/Police>), who will notify the Child Abuse Squad; or
    - (iii) by calling 131 444.

- 4.2 A report should be made each time that a person becomes aware of any further grounds for their belief a child may have suffered or is likely to suffer harm as a result of child abuse or neglect.
- 4.3 If a Staff member makes a notification in accordance with paragraph 4.1, the person is strongly encouraged to notify the CSO that they have made that notification.
- 4.4 If a CSO or the CEO is notified that a child is, or may be, at risk of harm, they must:
  - (a) take immediate steps to ensure the safety and wellbeing of any child or young person which may be at risk or danger;
  - (b) confirm that the concern has been reported in accordance with paragraph 4.1, and if not, assist the Staff member to make the report;
  - (c) complete the incident report (or direct the Staff member to complete it).

#### *Stand down*

- 4.5 Where NYSF has allegations or concerns that any Staff member may have engaged in conduct that could give rise to risk of harm to a child, NYSF may, at its discretion:
  - (a) stand the Staff member down while an investigation is conducted (which will involve removing or limiting their contact with children, and liaising with authorities); and
  - (b) direct the Staff member to return any keys, passes or equipment and to provide any access codes or passwords.

### **5. Step 4: Cooperate with regulatory authorities**

- 5.1 Staff members and the NYSF will cooperate with any investigation by the police or Child Protection.
- 5.2 Support will be provided to the child(ren) as deemed appropriate by the CSO.
- 5.3 All correspondence from regulatory authorities should be directed to a CSO.
- 5.4 NYSF will not interview the child(ren) further or otherwise investigate until the police or the Child Protection have provided it with permission to do so.
- 5.5 Child Protection or the police may conduct interviews of NYSF students without their parents' knowledge or consent.
- 5.6 When an officer from Child Protection or the police attend NYSF premises, a member of the leadership team should request to see identification before permitting them to have access to a student.
- 5.7 NYSF will notify the Working with Children Check Screening Unit of the allegations.

### **6. Step 5: Internal investigation**

- 6.1 Once clearance has been provided to NYSF by the relevant regulatory authorities, it may decide to conduct its own internal investigation.

- 6.2 The CEO will appoint a relevant person to manage the internal investigation. If required, an external investigator will be appointed.
- 6.3 The investigation will be undertaken in accordance with the principles of procedural fairness and natural justice.
- 6.4 All Staff members are expected to fully cooperate with any internal investigation.

## **7. Step 6: Confidentiality**

- 7.1 Following a report and during an investigation, Staff members are required to protect confidentiality and the interests of:
  - (a) the child(ren) and their family;
  - (b) the individual(s) who made the report; and
  - (c) any representative of or another person associated with NYSF who is implicated in the report.

## **8. Step 7: Internal investigation finalised**

- 8.1 Following an internal investigation, findings and recommendations should be made.
- 8.2 NYSF has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff member to interact with children in accordance with its duty of care.
- 8.3 The findings of the investigation will also be reported to any external body as required.
- 8.4 NYSF will endeavour to offer support to any Staff member or member of the NYSF community involved where appropriate.

## **9. Step 8: Evaluation**

The NYSF Board of Directors will be notified as needed and policies and procedures may need to be reviewed.

# ANNEXURE F

## CHILD SAFETY REPORTING PROCEDURE – TASMANIA

### 1. Overview

- 1.1 NYSF is committed to ensuring that children and young people who access NYSF s services and programs are kept safe from harm and the risk of harm.
- 1.2 When NYSF suspects a child or young person has been harmed or is at risk of harm, NYSF will handle that suspicion in an appropriate manner which prioritises the safety of children and young people.
- 1.3 All Staff members, including NYSF employees, directors, contractors and volunteers, are responsible for reporting reasonable beliefs that a child or young person has been harmed or is at risk of harm in accordance with this procedure.
- 1.4 All Staff members, including NYSF employees, directors, contractors and volunteers, will follow the process outlined at steps 2 to 9 below.

### 2. Step 1: Determine whether the child is in immediate danger

- 2.1 The Staff member will stay with the child (if within their presence) and take all reasonable steps to ensure their safety.
- 2.2 If the Staff member believes the child is at immediate risk of abuse, they will notify police immediately by telephoning 000.

### 3. Step 2: Consider whether there is an obligation to report

- 3.1 A Staff member:
  - (a) who forms a belief on reasonable grounds that:
    - (i) a child is suffering any form of abuse or neglect; or
    - (ii) that there is a reasonable likelihood of a child being killed, abused or neglectedmay make a **voluntary report** to the Department or the police.
  - (b) Who knows, or believes or suspects on reasonable grounds, that a child is suffering, has suffered or is likely to suffer abuse or neglect **must** to take steps to prevent the occurrence or further occurrence of the abuse or neglect.
    - (i) Reporting to the Department is one such step.
  - (c) who:
    - (i) is a prescribed person; and
    - (ii) in carrying out official duties in the course of their work (paid or voluntary) believes or suspects on reasonable grounds, or knows:

- (A) a child has been or is being abused or neglected;
- (B) a child is affected by family violence; or
- (C) there is a reasonable likelihood of a child being killed, abused or neglected by a person with whom the child resides;

**must** inform the Department verbally or in writing of that belief, suspicion or knowledge as soon as practicable.

### 3.2 For the purpose of this procedure:

- (a) a child is '**at risk**' if:
  - (i) the child has been, is being, or is likely to be abused or neglected;
  - (ii) any person with whom the child resides or who has frequent contact with the child:
    - (A) has threatened to kill, abuse or neglect the child and there is a reasonable likelihood of the threat being carried out; or
    - (B) has killed, abused or neglected some other child or adult and there is a reasonable likelihood of the child in question being killed, abused or neglected by that person;
  - (iii) the child is affected by family violence;
  - (iv) the guardians of the child are:
    - (A) unable or unwilling to maintain the child;
    - (B) unable or unwilling to exercise adequate supervision and control over the child;
    - (C) dead, have abandoned the child or cannot be found after reasonable inquiry; or
    - (D) unable or unwilling to prevent the child from suffering abuse or neglect; or
  - (v) the child is under 16 years of age and does not, without lawful excuse, attend school regularly.
- (b) **Staff members** means all employees, contractors, volunteers and leaders of NSYF and includes Staff.
- (c) a **child** is a person under 18 years of age;
- (d) **child abuse and neglect** includes:
  - (i) physical abuse, such as:
    - (A) hitting, shaking, punching;

- (B) burning and scolding;
  - (C) excessive physical punishment or discipline;
  - (D) attempted suffocation; or
  - (E) shaking a baby;
- (ii) sexual abuse, such as:
- (A) letting a child watch or read pornography;
  - (B) allowing a child to watch sexual acts;
  - (C) fondling the child's genitals;
  - (D) having oral sex with a child;
  - (E) vaginal or anal penetration; or
  - (F) using the internet to find a child for sexual exploitation;
- (iii) emotional abuse, such as:
- (A) constantly putting a child down;
  - (B) humiliating or shaming a child;
  - (C) not showing love, support or guidance;
  - (D) continually ignoring or rejecting the child;
  - (E) exposing the child to family and domestic violence;
  - (F) threatening abuse or bullying a child; or
  - (G) threats to harm loved ones, property or pets;
- (iv) psychological abuse, such as:
- (A) constantly belittling, shaming and humiliating a child;
  - (B) calling the child names to minimise their self-worth;
  - (C) threatening a child;
  - (D) keeping a child isolated from other people or friends;
  - (E) constantly ignoring a child; or
  - (F) encouraging a child to act inappropriately; and
- (v) child neglect, such as:

- (A) leaving a child alone without appropriate supervision;
  - (B) not ensuring the child attends school, or not enrolling the child at school;
  - (C) infection because of poor hygiene or lack of medication;
  - (D) not giving a child affection or emotional support; or
  - (E) not getting medical help when required;
- (e) **Department** means the Department of Health and Human Services.
- (f) **Prescribed person** means:
- (i) a medical practitioner;
  - (ii) a registered nurse or enrolled nurse;
  - (iii) a person registered under the Health Practitioner Regulation National Law (Tasmania) in the midwifery profession;
  - (iv) a person registered under the Health Practitioner Regulation National Law (Tasmania) in the dental profession as a dentist, dental therapist, dental hygienist or oral health therapist;
  - (v) a person registered under the Health Practitioner Regulation National Law (Tasmania) in the psychology profession;
  - (vi) a police officer;
  - (vii) a probation officer appointed or employed under section 5 of the *Corrections Act 1997*;
  - (viii) a principal and a teacher in any educational institution (including a kindergarten);
  - (ix) a person who provides child care, or a child care service, for fee or reward;
  - (x) a person concerned in the management of an approved education and care service, within the meaning of the Education and Care Services National Law (Tasmania), or a child care service licensed under the *Child Care Act 2001*;
  - (xi) a member of the clergy of any church or religious denomination;
  - (xii) a member of the Parliament of this State;
  - (xiii) any other person who is employed or engaged as an employee for, of or in, or who is a volunteer in –
    - (A) a Government Agency that provides health, welfare, education, child care or residential services wholly or partly for children;

- (B) an organisation that receives any funding from the Crown for the provision of such services; and
  - (xiv) any other person of a class determined by the Minister by notice in the Gazette to be prescribed persons;
- 3.3 If a Staff member is uncertain as to whether they should make a report, they should discuss their observations and concerns with a CSO.
- 3.4 Staff members are not required to consult with NYSF or gain the support of NYSF prior to making a report.

*Responding to a child or young person who is harmed or at risk of being harmed by a NYSF Staff member*

- 3.5 If a Staff member suspects on reasonable grounds that a child or young person is, or may be, at risk of harm by another Staff member, then:
- (d) that suspicion must be reported in the same way as if it arose in relation to a person outside of NYSF; and
  - (e) the person is strongly encouraged to report that suspicion to a CSO or the CEO so steps can be taken to minimise potential harm to children.

**4. Step 3: Make a report (if required)**

- 4.1 If a Staff member decides to make a voluntary report, the Staff member may report that suspicion by contacting:
- (a) the Advice and Referral Line on 1800 000 123;
  - (b) submitting an online contact form to the Strong Families Safe Kids Advice and Referral Line, at: <https://childwellbeingcontactform.communities.tas.gov.au/ContactForm/YourDetails.aspx?CFCSK=c181ad04-7e02-469f-9478-4be450a0d035>;
  - (c) Tasmania Police by:
    - (i) dialling 000 if it is an emergency;
    - (ii) contacting your local police station (contact details available at: <https://www.police.tas.gov.au>); or
    - (iii) calling 131 444.
- 4.2 A report should be made each time that a person becomes aware of any further grounds for their belief a child may have suffered or is likely to suffer harm as a result of child abuse or neglect.
- 4.3 If a Staff member makes a notification in accordance with paragraph 4.1, the person is strongly encouraged to notify a CSO that they have made a notification.
- 4.4 If a CSO or the CEO is notified that a child is, or may be, at risk of harm, they must:

- (d) take immediate steps to ensure the safety and wellbeing of any child or young person which may be at risk or danger;
- (e) confirm that the concern has been reported in accordance with paragraph 4.1, and if not, assist the Staff member to make the report;
- (f) complete the incident report (or direct the Staff member to complete it).

*Stand down*

- 4.5 Where NYSF has allegations or concerns that any Staff member may have engaged in conduct that could give rise to risk of harm to a child, NYSF may, at its discretion:
- (g) stand the Staff member down while an investigation is conducted (which will involve removing or limiting their contact with children, and liaising with authorities); and
  - (h) direct the Staff member to return any keys, passes or equipment and to provide any access codes or passwords.

**5. Step 4: Cooperate with regulatory authorities**

- 5.1 The Staff member and NYSF will cooperate with any investigation by the police or the Department.
- 5.2 Support will be provided to the child(ren) as deemed appropriate by the CSO.
- 5.3 All correspondence from regulatory authorities should be directed to a CSO.
- 5.4 NYSF will not interview the child(ren) further or otherwise investigate until the police or the Department have provided it with permission to do so.
- 5.5 The Department or the police may conduct interviews of NYSF students without their parents' knowledge or consent.
- 5.6 When an officer from Child Protection or the police attend NYSF premises, a member of the leadership team should request to see identification before permitting them to have access to a student.
- 5.7 NYSF will notify Consumer, Building and Occupational Services of the allegations.

**6. Step 5: Internal investigation**

- 6.1 Once clearance has been provided to NYSF by the relevant regulatory authorities, it may decide to conduct its own internal investigation.
- 6.2 The CEO will appoint a relevant person to manage the internal investigation. If required, an external investigator will be appointed.
- 6.3 The investigation will be undertaken in accordance with the principles of procedural fairness and natural justice.
- 6.4 All Staff members are expected to fully cooperate with any internal investigation.

## **7. Step 6: Confidentiality**

7.1 Following a report and during an investigation, Staff members are required to protect confidentiality and the interests of:

- (i) the child(ren) and their family;
- (j) the individual(s) who made the report; and
- (k) any representative of or another person associated with NYSF who is implicated in the report.

## **8. Step 7: Internal investigation finalised**

8.1 Following an internal investigation, findings and recommendations should be made.

8.2 NYSF has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff member to interact with children in accordance with its duty of care.

8.3 The findings of the investigation will also be reported to any external body as required.

8.4 NYSF will endeavour to offer support to any Staff member or member of the NYSF community involved where appropriate.

## **9. Step 8: Evaluation**

9.1 The Board will be notified as needed and policies and procedures may need to be reviewed.

# ANNEXURE G

## CHILD SAFETY REPORTING PROCEDURE – NORTHERN TERRITORY

### 1. Overview

- 1.1 NYSF is committed to ensuring that children and young people who access NYSF's services and programs are kept safe from harm and the risk of harm.
- 1.2 When NYSF suspects a child or young person has been harmed or is at risk of harm, NYSF will handle that suspicion in an appropriate manner which prioritises the safety of children and young people.
- 1.3 All Staff members, including NYSF employees, directors, contractors and volunteers, are responsible for reporting reasonable beliefs that a child or young person has been harmed or is at risk of harm in accordance with this procedure.
- 1.4 All Staff members, including NYSF employees, directors, contractors and volunteers, will follow the process outlined at steps 2 to 9 below.

### 2. Step 1: Determine whether the child is in immediate danger

- 2.1 The Staff member will stay with the child (if within their presence) and take all reasonable steps to ensure their safety.
- 2.2 If the Staff member believes the child is at immediate risk of abuse, they will notify police immediately by telephoning 000.

### 3. Step 2: Consider whether there is an obligation to report

- 3.1 A Staff member who believes on reasonable grounds that:
  - (a) a child under has suffered or is likely to suffer harm or exploitation;
  - (b) a child under 14 years of age has been or is likely to be a victim of a sexual offence; or
  - (c) a child who is of or over 16 years of age has been or is likely to be a victim of a sexual intercourse or any act of gross indecency occurring in the context of a special care relationship;
  - (d) another person has caused, or is likely to cause, harm to someone else with whom the person is in a domestic relationship; or
  - (e) the life or safety of another person is under serious or imminent threat because of domestic violence that has been, is being or is about to be committed;

**must** make a report to the Department or the police as soon as possible.
- 3.2 For the purpose of this procedure:
  - (a) **Staff members** means all employees, contractors, volunteers and leaders of NYSF and includes Staff.

- (b) a **child** is a person under 18 years of age;
- (c) **child abuse and neglect** includes:
  - (i) physical abuse, such as:
    - (A) hitting, shaking, punching;
    - (B) burning and scolding;
    - (C) excessive physical punishment or discipline;
    - (D) attempted suffocation; or
    - (E) shaking a baby;
  - (ii) sexual abuse, such as:
    - (A) letting a child watch or read pornography;
    - (B) allowing a child to watch sexual acts;
    - (C) fondling the child's genitals;
    - (D) having oral sex with a child;
    - (E) vaginal or anal penetration; or
    - (F) using the internet to find a child for sexual exploitation;
  - (iii) emotional abuse, such as:
    - (A) constantly putting a child down;
    - (B) humiliating or shaming a child;
    - (C) not showing love, support or guidance;
    - (D) continually ignoring or rejecting the child;
    - (E) exposing the child to family and domestic violence;
    - (F) threatening abuse or bullying a child; or
    - (G) threats to harm loved ones, property or pets;
  - (iv) psychological abuse, such as:
    - (A) constantly belittling, shaming and humiliating a child;
    - (B) calling the child names to minimise their self-worth;
    - (C) threatening a child;

- (D) keeping a child isolated from other people or friends;
  - (E) constantly ignoring a child; or
  - (F) encouraging a child to act inappropriately; and
- (v) child neglect, such as:
- (A) leaving a child alone without appropriate supervision;
  - (B) not ensuring the child attends school, or not enrolling the child at school;
  - (C) infection because of poor hygiene or lack of medication;
  - (D) not giving a child affection or emotional support; or
  - (E) not getting medical help when required;
- (d) **Department** means the Department of Territory Families, Housing and Communities.
- (e) **Harm to a child** means any significant detrimental effect caused by any act, omission or circumstance on the physical, psychological or emotional wellbeing or development of the child. Harm may be caused by:
- (i) physical, psychological or emotional abuse or neglect;
  - (ii) sexual abuse or other exploitation; or
  - (iii) exposure to physical violence.
- (f) **Special care relationship** means the offender is:
- (i) the step-parent, guardian or foster parent of the victim;
  - (ii) a school teacher and the victim is a pupil;
  - (iii) has established a personal relationship with the victim in connection with the care, instruction, or supervision of the victim;
  - (iv) is an officer at a correctional institution at which the victim is detained; or
  - (v) is a health professional or other provider of health care to the victim.
- 3.3 If a Staff member is uncertain as to whether they should make a report, they should discuss their observations and concerns with a CSO.
- 3.4 Staff members are not required to consult with NYSF or gain the support of NYSF prior to making a report.

*Responding to a child or young person who is harmed or at risk of being harmed by a NYSF Staff member*

- 3.5 If a Staff member suspects on reasonable grounds that a child or young person is, or may be, at risk of harm by another Staff member, then:
- (l) that suspicion must be reported in the same way as if it arose in relation to a person outside of NYSF F; and
  - (m) the person is strongly encouraged to report that suspicion to a CSO or the CEO so steps can be taken to minimise potential harm to children.

#### **4. Step 3: Make a report (if required)**

- 4.1 If a Staff member decides to make a voluntary report, the Staff member may report that suspicion by contacting:
- (n) the Department on 1800 273 889;
  - (o) the police by:
    - (i) dialling 000 if it is an emergency; or
    - (ii) calling 131 444.
- 4.2 A report should be made each time that a person becomes aware of any further grounds for their belief a child may have suffered or is likely to suffer harm as a result of child abuse or neglect.
- 4.3 If a Staff member makes a notification in accordance with paragraph 4.1, the person is strongly encouraged to notify a CSO that they have made a notification.
- 4.4 If a CSO or the CEO is notified that a child is, or may be, at risk of harm, they must:
- (p) take immediate steps to ensure the safety and wellbeing of any child or young person which may be at risk or danger;
  - (q) confirm that the concern has been reported in accordance with paragraph 4.1, and if not, assist the Staff member to make the report;
  - (r) complete the incident report (or direct the Staff member to complete it).

#### *Stand down*

- 4.5 Where NYSF has allegations or concerns that any Staff member may have engaged in conduct that could give rise to risk of harm to a child, NYSF may, at its discretion:
- (s) stand the Staff member down while an investigation is conducted (which will involve removing or limiting their contact with children, and liaising with authorities); and
  - (t) direct the Staff member to return any keys, passes or equipment and to provide any access codes or passwords.

#### **5. Step 4: Cooperate with regulatory authorities**

- 5.1 The Staff member and NYSF will cooperate with any investigation by the police or the Department.

- 5.2 Support will be provided to the child(ren) as deemed appropriate by the CSO.
- 5.3 All correspondence from regulatory authorities should be directed to a CSO.
- 5.4 NYSF will not interview the child(ren) further or otherwise investigate until the police or the Department have provided it with permission to do so.
- 5.5 The Department or the police may conduct interviews of NYSF students without their parents' knowledge or consent.
- 5.6 When an officer from Child Protection or the police attend NYSF premises, a member of the leadership team should request to see identification before permitting them to have access to a student.
- 5.7 NYSF will notify NT Police SAFE NT of the allegations.

## **6. Step 5: Internal investigation**

- 6.1 Once clearance has been provided to NYSF by the relevant regulatory authorities, it may decide to conduct its own internal investigation.
- 6.2 The CEO will appoint a relevant person to manage the internal investigation. If required, an external investigator will be appointed.
- 6.3 The investigation will be undertaken in accordance with the principles of procedural fairness and natural justice.
- 6.4 All Staff members are expected to fully cooperate with any internal investigation.

## **7. Step 6: Confidentiality**

- 7.1 Following a report and during an investigation, Staff members are required to protect confidentiality and the interests of:
  - (u) the child(ren) and their family;
  - (v) the individual(s) who made the report; and
  - (w) any representative of or another person associated with NYSF who is implicated in the report.

## **8. Step 7: Internal investigation finalised**

- 8.1 Following an internal investigation, findings and recommendations should be made.
- 8.2 NYSF has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff member to interact with children in accordance with its duty of care.
- 8.3 The findings of the investigation will also be reported to any external body as required.
- 8.4 NYSF will endeavour to offer support to any s or member of the NYSF community involved where appropriate.

## 9. Step 8: Evaluation

9.1 The Board will be notified as needed and policies and procedures may need to be reviewed.

# CHILD SAFETY INCIDENT REPORT FORM

## Child's information

Name:	[insert]
Date of birth:	[insert]
Gender:	[insert]
Residential address:	[insert]
Parent/carer name/s	[insert]
Language(s) spoken by child	[insert]
Disabilities, mental or physical health issues	[insert]

## Does the child identify as Aboriginal or Torres Strait Islander?

No  Yes, Aboriginal  Yes, Torres Strait Islander

## Incident details

Date of incident:	[insert]
Time of incident:	[insert]
Location of incident:	[insert]
Name(s) of child/children involved:	[insert]
Name(s) of staff/contractor/volunteer involved:	[insert]

If you believe a child is at immediate risk of abuse, phone 000.

## Categorise the incident

Physical violence	<input type="checkbox"/>
Sexual conduct or offence	<input type="checkbox"/>

Serious emotional or psychological abuse	<input type="checkbox"/>
Serious neglect	<input type="checkbox"/>
Other	<input type="checkbox"/>

**Describe the incident (and attach an extra page if you need more room)**

When did it take place?	[insert]
Who was involved?	[insert]
What did you see?	[insert]
Other information	[insert]

**Has the incident been reported?**

Government Department (please specify)	[insert]
Police	[insert]
Another third party (please specify):	[insert]

**Incident reporter wishes to remain anonymous?**

Yes       No

**Office use:**

Date incident report received:	[insert]
Staff member managing incident:	[insert]
Follow-up date:	[insert]
Incident ref. number:	[insert]

**This form must be passed on to the Managing Director immediately**