

# Child Safety Response and Reporting Procedure

## Intent

This Procedure outlines the process that Feros Care staff are required to follow responding to and reporting any suspected or alleged case of child exploitation, child abuse and/or neglect or other threat to child safety. It should be read in conjunction with the Child Safety Policy.

## Scope

This Procedure applies to all staff while engaged in conduct or activities completed by the organisation.

This Procedure includes information on how to report child abuse and/or neglect concerns within the organisation and to external authorities. This procedure is designed to complement legislative reporting requirements.

## Definitions

Except as otherwise specified in this procedure or the Child Safety Policy, the meaning of terms used are as per the glossary of terms.

## Procedure

### 1. Reporting Obligations

- Staff members who believe on reasonable grounds a child is in need of protection from child abuse and/or neglect, must report their concerns to the organisation's **Child Safety Advisor** and their direct line Manager as soon as possible;
- All [child abuse](#) claims may have external mandatory reporting requirements. Failure to report child abuse and/or neglect may amount to a criminal offence.

### 2. Identifying Child Abuse

Staff members may have reasonable grounds for believing a child is in need of protection from child abuse and or neglect if:

- a child states that they have been physically or sexually abused;
- a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- someone who knows the child, states that the child has been physically or sexually abused;
- a child shows signs of being [physically](#) or [sexually](#) abused;
- the staff or colleague is aware of family violence, parental substance misuse or other adverse circumstances impacting on the child's safety, stability or development;
- the staff or colleague observes signs or indicators of abuse and/or neglect, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision;
- a child's actions or behaviours may place them at risk of significant harm; or
- a person or child discloses child sexual offences from the past. (Queensland only) – please see this link - <https://www.qld.gov.au/law/crime-and-police/types-of-crime/sexual-offences-against-children/failure-to-report>. The reporting of these situations should follow the process outlined in section 3 of this document.

### 3. How to Report Child Abuse and/or Neglect Concerns

**NB:** *Please refer to Point 5, for Staff Reporting Lines for each area of Feros Care*

If a child is at **immediate risk** of abuse and neglect, staff are to immediately telephone the police on 000 and then follow the process outlined below.

If a child is not at immediate risk of abuse or neglect, the staff member should follow this process:

- report the matter to their manager and the appointed Child Safety Advisor within Feros Care;
- the staff member will discuss their concerns in detail to ensure appropriate support is provided to any affected child, and to enable their manager and the Child Safety Advisor to give advice on the appropriate steps to take;
- report their child abuse concerns to external authorities as required. All concerns alleging physical abuse, a sexual offence by an adult against a child under 16 years or serious neglect must be reported to Police as they may constitute criminal offences (with limited exceptions) and/or to [Child Safety Services](#) (or the relevant Child Safety department) in line with the information outlined in this link :

<https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect>

- The Child Safety Advisor assists the relevant manager in coordinating the functions and responsibilities below. Upon learning of an allegation or a disclosure of child abuse, the Child Safety Advisor will ensure that a **case conference** is arranged with the relevant staff involved.

The **case conference** will discuss the following matters:

- the details of the concerns
- what actions are required – e.g. reporting to the Child Safety Service or seeking advice from relevant services
- whether any staff e.g. Registered nurse has any mandatory reporting requirements
- providing a safe environment and support for the alleged victim and any other children alleged to be involved or affected as appropriate, including using appropriate supports if the child is Indigenous, of a culturally and linguistically diverse background, or has a disability;
- providing clear information to the alleged victim and/or their parent or guardian (where appropriate) of what will be done in response to the allegation or disclosure, including any reporting obligations;
- explaining to the person who notified them of the suspected abuse, as relevant, their external reporting obligations;
- keep notes and records of all conversations, disclosures and of all follow-up actions which are to be marked 'Private and Confidential' in private files which other staff cannot access.

### 4. Allegations Involving Staff and Volunteers

- If information is received alleging a staff member has abused a child, the manager will consult the Child Safety Advisor as soon as practicable, but within 24 hours. Human Resources may initiate management action (such as suspension) with the staff member, volunteer or affiliate as appropriate and in accordance with the Staff Code of Conduct and misconduct/serious misconduct clauses of the organisation's Enterprise Agreement pending the outcome of either a disciplinary or court process and to ensure the safety and wellbeing of all parties including rights to natural justice and confidentiality.
- If a staff member is found guilty of an offence by a court of competent jurisdiction then action can be taken as a breach of the Staff Code of Conduct and in accordance with the misconduct/serious misconduct clauses of the organisation's Enterprise Agreement.
- If information is received alleging a volunteer has abused a child, the manager will consult the Child Safety Advisor as soon as practicable, but within 24 hours. Human Resources may undertake Precautionary action with the Volunteer in accordance with the Feros Care Code of Conduct and misconduct procedures pending the outcome of either a disciplinary or court process and to ensure the safety and wellbeing of all parties including rights to natural justice and confidentiality.
- If a volunteer is found guilty of an offence by a court of competent jurisdiction then action can be taken as a breach of the organisation's Code of Conduct and misconduct procedures.

## 5. Staff Reporting Structure and Delegated Lines of Responsibilities within Feros Care

Business Area	Staff Member	Reports Incident To	Post Investigation, Reports To
<b>Community</b>			
	Care Support Workers (CSW)	Community Services Regional Manager (CSRM)	Child Safety Advisor
	Wellbeing Managers	Operations Manager, Case Management & Acquisition	Child Safety Advisor
	Allied Health Practitioners, Registered Nurses & Social Workers (Mandatory Reporters)	Clinical Team Lead	Child Safety Advisor
<b>Residential</b>			
	Positive Living Managers	General Manager Residential Services	Child Safety Advisor
	Home and Accommodation Manager	General Manager Residential Services	Child Safety Advisor
	Allied Health Practitioners, Registered Nurses	Positive Living Managers	Child Safety Advisor
	CSE1 CSE2 CSE 4 and Wellbeing Leads	Positive Living Managers	Child Safety Advisor
	Maintenance Catering and Laundry Staff	Home and Accommodation Manager	Child Safety Advisor
	General Manager Residential Services	Coo Residential	Child Safety Advisor
	COO Residential	CEO	Child Protection Officer and external authorities as required
<b>LAC</b>			
	Local Area Coordinator Staff	Service Area Manager	Child Safety Advisor
	General Manager, LAC	Service Area Manager	Child Safety Advisor
	General Manager, LAC	COO, Emerging Portfolios (Child Safety Advisor)	CEO & External Authorities

## 6. Confidentiality and Record Keeping

Staff members must respect confidentiality and comply with the organisation's Information Privacy policy when dealing with a case of suspected child abuse. Only the staff or colleagues directly involved in the management of the child's situation and responsible for meeting the reporting obligations are to be involved in any discussion involving the child's identity, details of injury or suspected abuse, and their family.

The Queensland State Archivist has directed a government wide [disposal freeze for records that are relevant to, or may become relevant to, an allegation of child sexual abuse](#). The disposal freeze has been issued in response to recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse. Any records covered by this disposal freeze in an authorised retention and disposal schedule **must not be destroyed**.

## 7. Related Documents and Legislation

External documents and legislation:

- [Reporting Child Abuse and Neglect](#), Australian Government, Child Family and Community Australia
- [Australian Child Protection Legislation, Federal and State Laws](#), Australian Government, Child Family and Community Australia
- [National Principles for Child Safe Organisations](#), Australian Human Rights Commission
- **Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020** – <https://www.qld.gov.au/law/crime-and-police/types-of-crime/sexual-offences-against-children/failure-to-report>

Internal organisational documents:

- Child Safety Policy
- Working with Children Check (Blue Card) Procedure
- Bullying, Discrimination and Harassment Complaint Procedure
- Code of Conduct
- Misconduct Procedures