

Child Safety and Child Abuse Reporting Procedure

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1 PURPOSE

- 1.1 This Procedure outlines the process that workers are required to follow responding to and reporting any suspected or alleged case of child abuse and/or neglect, child exploitation or other threat to child safety.
- 1.2 The procedure applies to all workers while engaged in conduct or activities completed by the organisation.
- 1.3 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.

2 IDENTIFYING CHILD ABUSE AND/OR NEGLECT

The following situations may indicate child abuse and/or neglect which require reporting:

- 2.1 A child or young person states that they have been physically, psychologically or sexually abused;
- 2.2 A child or young person states that they know a child or young person who has been physically or sexually abused (sometimes the child or young person may be talking about themselves);
- 2.3 Someone who knows the child or young person, states that the child or young person has been physically or sexually abused;
- 2.4 A child or young person shows signs of being physically or sexually abused; the worker or colleague is aware of family violence, parental substance misuse or other adverse circumstances impacting on the child or young person's 's safety, stability or development;
- 2.5 The worker 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; or
- 2.6 A child or young person's actions or behaviours may place them at risk of significant harm;
- 2.7 A person, child or young person 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 REPORTING OBLIGATIONS

- 3.1 Workers who believe on reasonable grounds that a child is in need of protection from child abuse and/or neglect, must report their concerns to their direct line Manager as soon as possible;
- 3.2 If the worker and/or their direct line Manager have any queries or concerns, they should consult the organisation's Child Safety Advisor/s for guidance.
- 3.3 Workers in the **Local Area Coordination (LAC) service** must notify their direct line Manager and the National Manager, Contract Performance, of all child abuse concerns through the National Disability Insurance Agency (NDIA) critical incident reporting process.
- 3.4 All child abuse concerns need to be discussed with a Manager and/or the Child Safety Advisor/s to determine if there are any external reporting requirements. Some States have mandatory requirements for registered nurses and social workers to report child protection concerns to the relevant external authorities. If there are mandatory requirements, failure to report child abuse and/or neglect may amount to a criminal offence.

4 HOW TO REPORT CHILD ABUSE AND/OR NEGLECT CONCERNS

NB: Please also refer to Point 5, for Workers Reporting Lines for each area of Feros Care.

- 4.1 If a child is at immediate risk of abuse, workers are to immediately telephone the Police on 000 and subsequently report the matter to their direct line Manager and the organisation's Child Safety Advisor/s.
- 4.2 If the child is not at immediate risk of abuse, workers are to discuss the situation with their direct line Manager as soon as practically possible.
 - Workers are required to report all child abuse concerns to the relevant external authorities, including [Child Safety Services](#) as part of the Department of Child Safety, Youth and Women (or their equivalent in each State).
 - 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).

5 CONSULTATION WITH THE CHILD SAFETY ADVISOR/S AND CASE CONFERENCING

- 5.1 If the direct line Manager and worker require further advice or guidance about the child safety concerns or, if the matter is complex, they should contact the organisation's Child Safety Advisor/s. The current Child Safety Advisors are Jo Field, Executive Manager Disability and Community Development, and Kelly Collings, National Manager, Contract Performance and Assurance.
 - The Child Safety Advisor/s are able to assist the direct line Manager in coordinating the functions and responsibilities below as required.
 - The Child Safety Advisor/s may arrange a case conference with the relevant worker and their direct line Manager to 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 worker, e.g. Registered nurses and social workers, have any mandatory reporting requirements
 - Identifying whether there is a safe environment and support for the alleged victim and any other children alleged to be involved or affected as appropriate. This may include identifying appropriate supports if the child is First Nations 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;

- o keeping 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 worker cannot access.

6 ALLEGATIONS INVOLVING WORKERS AND VOLUNTEERS

- 6.1 If information is received alleging a worker has abused a child, the manager will consult Workplace Relations and the Child Safety Advisor/s as soon as practicable, but within 48 hours. Workplace Relations may initiate management action (such as suspension) with the worker, volunteer or affiliate as appropriate and in accordance with the Staff Code of Conduct and misconduct/serious misconduct clauses of the organisation's policies and 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.
- 6.2 NB: the processes in sections 3, 4 and 5 are to be followed if a child is in need of protection from child abuse or neglect.
- 6.3 If a worker 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 policies and procedures.
- 6.4 If information is received alleging a volunteer has abused a child, the manager will consult Workplace Relations and the Child Safety Advisor/s as soon as practicable, but within 48 hours. Workplace Relations 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.
- 6.5 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.

7 WORKER REPORTING STRUCTURE AND DELEGATED LINES OF RESPONSIBILITIES WITHIN FEROS CARE

Business Area	Worker	Reports Incident To	Consults with
Community			
	Care Support Workers (CSW)	Regional Manager (RM)	Child Safety Advisor/s
	Wellbeing Managers	Regional Manager (RM)	Child Safety Advisor/s
	Allied Health Practitioners, Registered Nurses & Social Workers (Mandatory Reporters)	General Manager, Community Clinical Services	Child Safety Advisor/s
	Executive Manager Community (this covers Feros Central, Social Programs and Lifelink)	CEO	Child Safety Advisor/s and External Authorities as required
Residential			
	Facility Manager	Executive Manager Residential Services	Child Safety Advisor/s
	Allied Health Practitioners, Registered Nurses	Facility Manager	Child Safety Advisor/s
	Residential Care Worker and Lifestyle Coordinator	Facility Manager	Child Safety Advisor/s
	Executive Manager Residential	CEO	Child Safety Advisor/s and External Authorities as required

LAC			
	Local Area Coordinator Worker	Service Area Manager and National Manager Contract Performance	Child Safety Advisor/s
	General Manager LAC Operations	Service Area Manager and National Manager Contract Performance	Child Safety Advisor/s
	Executive Manager Disability and Community Development	CEO	CEO and External Authorities as required

8 CONFIDENTIALITY AND RECORD KEEPING

- 8.1 Workers must respect confidentiality and comply with the organisation's Information Privacy policy when dealing with a case of suspected child abuse and/or neglect. Only the worker 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.
- 8.2 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**.

9 RELATED DOCUMENTS AND LEGISLATION

9.1 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](#)

9.2 Internal organisational documents:

Child Safety and Child Abuse Response and Reporting Procedure

Working with Children Check (Blue Card) Procedure

Bullying, Discrimination and Harassment Complaint Procedure

Code of Conduct

Misconduct Procedures

Child Safe Organisations

The National Principles aim to provide a nationally consistent approach to creating organisational cultures that foster child safety and wellbeing across all sectors in Australia.

10 FILES/LINKS

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

[Australian child protection legislation](https://aifs.gov.au/resources/resource-sheets/australian-child-protection-legislation) <https://aifs.gov.au/resources/resource-sheets/australian-child-protection-legislation>

[Child Safe Organisations](https://humanrights.gov.au/our-work/childrens-rights/projects/child-safe-organisations) <https://humanrights.gov.au/our-work/childrens-rights/projects/child-safe-organisations> Australian Human Rights Commission

[Criminal Code \(Child Sexual Offences Reform\) 2020](https://www.legislation.qld.gov.au/view/html/asmade/act-2020-032) <https://www.legislation.qld.gov.au/view/html/asmade/act-2020-032>

[Reporting child abuse and neglect](https://aifs.gov.au/resources/resource-sheets/reporting-child-abuse-and-neglect) <https://aifs.gov.au/resources/resource-sheets/reporting-child-abuse-and-neglect>

11 TERMS + DEFINITIONS

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

12 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority and Date	Care and Clinical Governance Meeting 18 July 2023
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