

Reporting and Responding to Child Safety Incidents



What concerns should be reported?

Concerns about the safety and wellbeing of children can range from an uncomfortable feeling through to a direct observation or a disclosure by a child. People are encouraged to speak to someone and be proactive rather than wait until it is too late.

Staff and volunteers need to be aware of their duty of care to children and of their legal responsibilities.

Examples of child safety concerns include:

- concerns about a physical environment that may pose a risk to children (this includes health and hygiene issues)
- inappropriate or special relationships developing between staff or volunteers and children
- inadequate staff–child supervision ratios
- breaches of the RBYC code of conduct, particularly if they are persistent
- feelings of discomfort about interactions between a staff member or volunteer and a child
- suspicions or beliefs that children are at risk of harm
- observations of concerning changes in behaviour
- children’s disclosures of abuse or harm, which must be reported to Child Protection or Victoria Police.

Legal responsibilities to report child abuse

Every adult who reasonably believes that a child has been abused, whether at RBYC or not, has an obligation to report that belief to authorities. In addition, some people have mandatory reporting obligations. In some instances, such as child sexual abuse, certain people who do not disclose information to Victoria Police, or fail to protect children from such abuse will be committing criminal offences.

Mandatory reporting

Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

Failure to disclose

The **failure to disclose** criminal offence requires all adults (aged 18 and over) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 to disclose that information to police (unless they have a reasonable excuse not to, for example because they fear for their safety or the safety of another).

While failure to disclose only covers child sexual abuse, all adults should report other forms of child abuse to authorities. Failure to disclose does not change mandatory reporting responsibilities.

Failure to protect

The **failure to protect** criminal offence (commenced on 1 July 2015) applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently failed to do so.

Receiving and reporting a child safety incident

If a child discloses an incident of abuse to you

- Let the child talk about their concerns in their own time and in their own words.
- Give them your full attention, the time and a quiet space in which to do this
- Be a supportive and reassuring listener. Comfort the child if they are distressed
- Tell the child it is not their fault and that telling you is the right thing to do
- Provide them with an RBYC Child Safe incident report form¹ to complete, or complete it together, if you think the child is able to do this, using the child's words.
- Let them know that you will act on this information and that you will need to let other people know.
- Alert one of the RBYC Child Safety Officers (Dominic Jackson and Vanessa Twigg), the RBYC General Manager, Victoria Police² or Child Protection (Department of Health and Human Services)

If a parent/carer says their child has been abused at RBYC or raises a concern

- Explain that RBYC has processes to ensure all abuse allegations are taken very seriously.
- Ask about the wellbeing of the child.
- Allow the parent/carer to talk through the incident in their own words.
- Advise the parent/carer that you will take notes during the discussion to capture all details.

¹ See Appendix A or RBYC website <http://www.rbyc.org.au/about-us/club-rules-and-policies/#1490926798822-4e1c0b33-cedb>

² If you believe a child is at immediate risk of abuse phone 000.

- Explain to them the information may need to be repeated to authorities or others, such as RBYC management or Child Safety Officer, Victoria police or child protection.
- Do not make promises at this early stage, except that you will do your best to keep the child safe.
- Provide them with an RBYC Child Safe incident report form³ to complete, or complete it together.
- Ask them what action they would like to take and advise them of what the immediate next steps will be.
- Ensure the report is recorded accurately, and that the record is stored securely.

Ensuring effective communication

People from culturally and/or linguistically diverse backgrounds

You need to be aware that some people from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police, and communicating in English may be a barrier for some. You need to be sensitive to these issues and meet people's needs where possible, such as having an interpreter present (who could be a friend or family member).

Children with a disability

Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters.⁴

Allegations of Abuse involving an Aboriginal child

If an allegation of abuse involves an Aboriginal child, you will need to ensure a culturally appropriate response. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisation to review policies and procedures.

Responding to child safe incidents

RBYC Child Safety Officers

- Contact the child's parents to let them know (other than if the disclosure related to abuse within the family)

³ See Appendix A or RBYC website <http://www.rbyc.org.au/about-us/club-rules-and-policies/#1490926798822-4e1c0b33-cedb>

⁴ Advice on communicating with people with a disability can be found on the Department of Health and Human Services website <www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities>

- Assist the child and their family to access appropriate support for the child, such as counselling
- Let the child and their family know about steps the organisation is taking, such as an investigation, and any resulting action, such as changes to policy or procedures
- Praise the child for helping the organisation become safer for children.



RBYC Child Abuse Incident Report Form

The child safe standards require organisations that provide services for children to have processes for responding to and reporting suspected child abuse. This form can be provided to a child or their family if they disclose an allegation of abuse or safety concern. Staff can also use this resource to record disclosures.

All incident reports must be stored securely.

Incident details

| | |
|--------------------------------------|--|
| Date of incident: | |
| Time of incident: | |
| Location of incident: | |
| Name(s) of child/children involved: | |
| Name(s) of staff/volunteer involved: | |

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

Does the child identify as Aboriginal or Torres Strait Islander?

(Mark with an 'X' as applicable)

No Yes, Aboriginal Yes, Torres Strait Islander

Please categorise the incident

Physical violence

Sexual offence

Serious emotional or psychological abuse

Serious neglect

Please describe the incident

| | |
|--------------------------------|--|
| When did it take place? | |
| Who was involved? | |
| What did you see? | |
| Other information | |

Parent/carer/child use

| | |
|---|--|
| Date of incident: | |
| Time of incident: | |
| Location of incident: | |
| Name(s) of child/children involved: | |
| Name(s) of staff/volunteer involved: | |

Office use:

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

Has the incident been reported?

| | |
|--|--|
| Child Protection (Department of Health and Human Services) | |
| Police | |
| Another third party (please specify): | |

Incident reporter wishes to remain anonymous?

(Mark with an 'X' as applicable)

Yes No

Appendix B – Making a report to Child Protection or Victoria Police

Child Protection

After Hours Crisis Line: 13 1278 (24 hours, 7 days a week)

During business hours contact your local Department of Health & Human Services Division office.

Southern Metropolitan Division

122 Thomas Street

Dandenong Victoria 3175

Tel: 1300 655 795

Web: www.health.vic.gov.au/regions/southern/

Victoria Police

Contact your local Sexual Offences and Child Abuse Investigation Team or call 000 and ask for police.

Victoria Police Sexual Offences and Child Abuse Investigation Team

Melbourne: 03 8690 4056

Dandenong: 03 8769 2200

Box Hill: 03 8892 3292

Knox: 03 9881 7939

Appendix C – Flowchart

Flowchart: Child safety reporting process

