

## Child Safe Reporting Procedure

<b>Procedure Number:</b>	PRSS-186	<b>Original Issue:</b>	14/02/2017
<b>Responsible Officer:</b>	Executive Director Strategy and Governance	<b>Current Version:</b>	23/11/2020
<b>Authorised Officer:</b>	Chief Executive Officer	<b>Due for review</b>	Annual 22/11/2021

### PURPOSE

GOTAFE takes the position that everyone, regardless of legal mandate, has a moral, social and organisational responsibility to report concerns of child abuse and is committed to fostering a culture where all employees, students, contractors, visitors, children, young people and their families feel able to raise child safe-guarding concerns.

The purpose of this procedure is to define the roles and responsibilities of GOTAFE employees, students, contractors and visitors in protecting the safety and wellbeing of children and young people. A 'child or young person' is considered to be any person aged 17 years or under that is enrolled, visiting or participating in GOTAFE activities

This procedure aims to assist GOTAFE representatives to comply with their child safe obligations, and to provide clear guidelines for all employees, students, contractors and volunteers.

### RELEVANT POLICY/POLICIES

This procedure relates directly to the following policy documents:

- GOTAFE Employee Code of Conduct;
- GOTAFE Student Code of Conduct;
- Child Safe Policy; and
- Duty of Care Policy.

### ROLES AND RESPONSIBILITIES

All GOTAFE employees, students, contractors and visitors have an obligation to comply with their child safe obligations to provide a safe environment for children and young people.

Any person engaged in child related work at GOTAFE is required to have a valid Working with Children Check in compliance with current legislation

GOTAFE will ensure that employees receive training and support, proportionate to their role, that will enable them to discharge their duties in accordance with this procedure, and all employees are required to attend mandatory annual Child Safe training.

GOTAFE's Child Safe Officers have a specific obligation to champion child safe practices across the organisation and to support GOTAFE to embed these practices.

### PROCEDURE

GOTAFE has developed its Child Safe Reporting procedures in line with the Victorian Child Safe Standards (VCSS) for ensuring organisations are able to detect and respond to child safety concerns and more effectively prevent risk from occurring.

In delivering its services, GOTAFE also recognises the National Principles for a Child Safe Organisation.

## **Child Safe Reporting**

GOTAFE takes the position that everyone, regardless of legal mandate, has a moral, social and organisational responsibility to report concerns of child abuse.

Under the *Child, Youth and Families Act 2005* (the Act) a person can make a report to Child Protection Services if they have a significant concern for a child's wellbeing, a belief a child is in need of protection and/or has a significant concern before the birth of a child about their wellbeing after birth.

Under the Act, a mandated reporter must make a report to the Department of Health and Human Services, Child Protection if:

- they form the belief on reasonable grounds that a child has suffered, or is likely to suffer significant harm as a result of physical injury or sexual abuse;
- the parents have not protected or are unlikely to protect the child from harm of that type; and
- the belief is formed while practicing his/her position of employment.

Under the Act, a voluntary reporter may also make a report to a protective intervener (i.e. the police or the Department of Health and Human Services) if:

- the person believes on reasonable grounds that a child is in need of protection.

## **Identifying a potential child safe concern**

Child safeguarding concerns may arise in a range of ways: through direct disclosure; observation; or information received from others.

When an employee, student, contractor or visitor is concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency.

Any person who believes, on reasonable grounds, that a child is in need of protection may report their concerns. They do not require proof that abuse has taken place. If a report is made in good faith, the reporter cannot be held legally liable, regardless of the outcome of the notification.

Permission is not needed from parents or carers to make a report and they do not need to be informed that a report is being made.

Where concerns arise, confidentiality is to be maintained as far as practicable.

GOTAFEs Child Safe Officers can support and assist with any potential concerns.

## **Responding to disclosures of abuse**

The following table provides guidance for responding to disclosures of child abuse.

Do's	Don'ts
<ul style="list-style-type: none"> <li>• <b>Do</b> Listen carefully to what the child is saying; let them use their own words</li> <li>• <b>Do</b> Tell the child they did the right thing by telling you</li> <li>• <b>Do</b> Tell the child it is not their fault and they are not responsible for the abuse</li> <li>• <b>Do</b> Let the child know what will happen next</li> <li>• <b>Do</b> Tell the child you are pleased they told you</li> <li>• <b>Do</b> Advise your line management and report to relevant authorities.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Don't</b> make promises you cannot keep, such as promising that you will not tell anyone.</li> <li>• <b>Don't</b> push the child into giving details of the abuse. Your role is to listen to what the child wants to tell you or make observations, not conduct an investigation.</li> <li>• <b>Don't</b> indiscriminately discuss the circumstances of the incident with others not directly involved with the child.</li> </ul>

## How to Make a Report

If a child is deemed to be at immediate risk contact emergency services on '000' immediately.

Where GOTAFE employees, student, contractors or visitors form a belief that a child has suffered abuse or is at risk of abuse, they must report this to their manager and a Child Safe Officer within 24 hours of notification using the GOTAFE Child and Young Person Incident/ Disclosure Form.

The person making the report is expected to contact a Child Safe Officer in the first instance unless doing so would pose a potential conflict of interest or place the child at further risk (e.g. if the Child Safe Officer is the subject of the concern) and work together to agree on the appropriate reporting avenues i.e. Department of Health and Human Services and/or Victoria Police:

- Where child safeguarding concerns involve a GOTAFE employee, student, contractor, visitor or other alleged perpetrator (i.e. non-family based) they should be reported to Victoria Police.  
The CEO will have overall responsibility for dealing with the matter and must follow GOTAFE's Incident Reporting and Investigation Procedure.
- Where child protection concerns relate to family or community risk, they must be reported to the Department of Health and Human Services (DHSS) in the first instance.  
All instances of suspected sexual abuse must also be reported to Victoria Police.

The Child Safe Officer will provide the person raising the concern with advice and support regarding the type of information to be recorded, the use of the GOTAFE Child and Young Person Incident/ Disclosure Form and the requirements for making a report to the relevant agency.

Should a GOTAFE employee, student, contractor, visitor or other stakeholder wish to make a protected disclosure, they may raise a report directly to the Talk Integrity service through PKF [here](#).

## Reporting Contacts

GOTAFE Child Safe Officers:

<b>Michelle Robins</b> <b>03 5833 2590</b> <b>0466 553 525</b> <b>mrobins@gotafe.vic.edu.au</b>	<b>Catherine Bryan</b> <b>03 5723 6323</b> <b>0436 691 907</b> <b>cbryan@gotafe.vic.edu.au</b>
<b>Tanya Blackmore</b> <b>03 5833 2635</b> <b>0436 924 762</b> <b>tbalckmore@gotafe.vic.edu.au</b>	<b>Lynda Southgate</b> <b>03 5723 6325</b> <b>0436 643 533</b> <b>lsouthgate@gotafe.vic.edu.au</b>

External reporting contact details:

<b>Department of Health and Human Services (DHHS) Child Protection – East Division</b>	<b>1300 360 391</b>
<b>Department of Health and Human Services (DHHS) Child Protection – West Division</b>	<b>1800 075 599</b>
<b>Department of Health and Human Services (DHHS) Child Protection – All Areas AFTER HOURS</b>	<b>13 12 78 or</b> <b><a href="http://www.dhhs.vic.gov.au">www.dhhs.vic.gov.au</a></b>
<b>Sexual Offences and Child Abuse Investigation Team (SOCIT) Wangaratta</b>	<b>03 5723 0848</b>
<b>Sexual Offences and Child Abuse Investigation Team (SOCIT) Shepparton</b>	<b>03 5820 5878</b>
<b>Sexual Offences and Child Abuse Investigation Team (SOCIT) Benalla</b>	<b>03 5760 0200</b>
<b>Sexual Offences and Child Abuse Investigation Team (SOCIT) Seymour</b>	<b>03 5735 0208</b>

## Reportable Conduct Scheme

Reportable conduct includes allegations against an employee, student, contractor or visitor. It does not include allegations made within a family context for those external to GOTAFE. There are 5 types of Reportable Conduct, these are:

- sexual offences committed against, with, or in the presence of, a child;
- sexual misconduct committed against, with, or in the presence of, a child;
- physical violence against, with, or in the presence of, a child;
- any behaviour that causes significant emotional or psychological harm to a child;
- significant neglect of a child<sup>1</sup>

<sup>1</sup> The Commission for Children and Young People, <https://ccyp.vic.gov.au/reportable-conduct-scheme/about-the-reportable-conduct-scheme/>

Reportable Conduct includes allegations against an employee, student, contractor or visitor in the GOTAFE context and in their personal life and must be brought to the immediate attention of the CEO.

The CEO must:

- notify the Commission of Children and Young People (CCYP) of allegations within three business days of becoming aware of the allegation by completing CCYP's e-form <https://ccyp.vic.gov.au/assets/resources/Three-day-notification-head-of-organisation.pdf> ;
- respond to a reportable allegation made against a worker or volunteer from the organisation, by ensuring that allegations are appropriately investigated;
- report allegations which may involve criminal conduct to Victoria Police;
- within 30 days provide CCYP certain detailed information about the reportable allegation by using their eform <https://ccyp.vic.gov.au/assets/resources/30-day-update.pdf> (other update forms are also available at [www.ccyp.org.au](http://www.ccyp.org.au));
- inform CCYP of who conducted the internal investigation and provide contact details;
- after the investigation has concluded, provide CCYP certain information including a copy of the findings of the investigation and any disciplinary action taken or reasons for why action was not taken; and
- manage the risks to children

It is an offence for the CEO to fail to comply with the three day and 30-day reporting obligations.

If there are issues of concern it is important to contact CCYP for guidance and clarification.

## **Responding to Historical Allegations of Abuse**

In all circumstances where historical abuse allegations are made which pertain to GOTAFE, the organisation will co-operate fully with police or other statutory body investigations.

GOTAFE will also review its current policies and procedures in light of the findings of historical abuse investigations, to determine if there is learning that may strengthen protective approaches.

- Any allegation of historical abuse which pertains to GOTAFE should be notified to the CEO or their designate within 24 hours of receipt;
- The CEO must notify the Board of Directors within 48 hours of receipt;
- The CEO will be responsible for overseeing the handling of the allegation, including confirming that it has been referred to the Police and/or Reportable Conduct Scheme and that all relevant information held by GOTAFE has been provided to relevant authorities;
- At the conclusion of the Police investigation, the CEO in consultation with the Board of Directors will determine whether it is appropriate to undertake an internal investigation; an internal investigation would generally be warranted where employees, students or contractors implicated in the allegation are still involved with GOTAFE; and

- In all circumstances, GOTAFE will undertake an internal review to determine if there is a need to amend any policies, procedures or processes. Reviews will be focused upon the identification and application of learning to minimise future risk.

## Record Keeping

GOTAFE requires all employees and contractors to keep detailed and confidential records for all incidents and concerns. Notes and observations should be clear, easy to read and accessible.

Documentation should include, dates, times and location, as well as details of conversations with other employees, contractors or the child or young person and their family or carers. Reports should be accurate and impartial and without the use of derogatory or emotive language.

Detailed descriptions of the incident or concern, evidence and actions taken, including incident forms, reports made to authorities and any other follow-up actions will be completed.

In accordance with Royal Commission recommendations GOTAFE will keep these records for a minimum of 45 years or higher if legislation or policy dictates.

## DOCUMENTATION AND REGULATION

Other material related to the Child Safety function at GOTAFE include, but are not limited to:

- Victorian Child Safe Standards (VCSS);
- *Children, Youth and Families Act 2005*;
- *Child Wellbeing and Safety Act 2005*;
- *Working with Children Check (WWCC) Act 2005*;
- *Crimes Amendment (Grooming) Act 2014*;
- *Crimes Amendment (Protection of Children) Act 2014*;
- *Children Legislation Amendment (Reportable Conduct) Act 2017*;
- *The Wrong's Amendment (Organisational Child Abuse) Act 2017*;
- GOTAFE Employee Code of Conduct;
- GOTAFE Student Code of Conduct;
- GOTAFE Child Safe Policy;
- GOTAFE Duty of Care Policy;
- GOTAFE Incident Reporting and Investigation Procedure; and
- GOTAFE Child and Young Person Incident/ Disclosure Report form