

CHILD SAFETY COMPLAINTS AND REPORTING PROCEDURE

Overview

Every organisation working with children and young people has the same obligation to respond effectively to complaints that affect children and young people.

The National Principles for Child Safe Organisations (National Principles) provide a nationally consistent approach to cultivating organisational cultures and practices that foster child safety and wellbeing.

Victorian organisations that provide services or facilities for children are required by law to implement the Victorian Child Safe Standards to protect children from harm.

The eleven Standards require organisation that provide services for children to have strategies embedded in their community which promote and support an organisational culture of child safety, including through effective leadership arrangements, the involvement of families and community and risk management strategies. The Standards also align with associated child protection laws.

Purpose

The purpose of this ***Child Safety Complaints and Reporting Procedure*** is to provide clear guidance on VICSEG New Futures' dealing with different types of complaints, reporting procedure for alleged, suspected or observed breaches of the *Child Safety and Wellbeing Policy*, *Child Safety Code of Conduct* and any other related Procedures. The Standards require policies and procedures to be implemented to ensure the safety of children is supported and to prevent and respond to and report allegations of child abuse.

This procedure is easily understood, culturally respectful, child-focused and accessible to the full diversity of children, staff, volunteers, families and communities.

Policy Statement

VICSEG New Futures is committed to ensuring that all its representatives including employees, students, contractors, visitors, children, young people and their families are aware of VICSEG's commitment to child safety, including having access to child safety materials and avenues for providing feedback and complaints.

VICSEG New Futures has a zero-tolerance approach to all forms of child abuse and neglect, and it recognises that all children and young people have a right to be kept safe from harm.

VICSEG New Futures is committed to, and will uphold the following principles in applying this Policy:

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<p>Preventing child abuse: identifying child abuse risks early and removing and reducing these risks.</p>
<p>Zero-tolerance of child abuse: all allegations and safety concerns will be treated very seriously, in a consistent manner and expeditiously addressed.</p>
<p>Reporting suspected child abuse: to Contacting authorities about a child or young person's safety.</p>
<p>Child and student engagement: children, young people and students are empowered about their rights, participate in decisions affecting them and are taken seriously.</p>
<p>Protecting equity and diversity: children and young people feel safe and are listened to and respected regardless of their abilities, sex, gender, sexual orientation religion, cultural or economic background. The diverse and unique identities of Aboriginal children and young people are respected and valued.</p>
<p>Safety, participation and empowerment: employees and students, including children and young people, are aware of child safety practices and have access to raise concerns about abuse or misconduct. Students are supported to raise concerns through VICSEG New Futures's student support services, and all staff receive relevant training and support to enable them to do so.</p>
<p>Physical and online environments: promotion of safety and wellbeing while minimizing the opportunity for children and young people to be harmed.</p>
<p>Family Engagement: importance of family engagement including informed and involved participation in the promotion of Child Safety</p>
<p>Training and educating: employees receive training and support, proportionate to their role, to ensure they are equipped with the skills and knowledge to provide children and young people with safe learning environments; understand the responsibilities and boundaries of their roles; and respond to any child safety concerns.</p>
<p>Continuous improvement: regularly reviewing and removing any systemic issues which may be contributing to, or hindering, VICSEG New Futures from being safe, or providing a safe environment.</p>

VICSEG New Futures is committed to fostering a culture where all its representatives including employees, students, contractors, visitors, children, young people and their families feel able to raise child safeguarding concerns.

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Scope

This policy applies to all VICSEG New Futures staff including all people who may work with children at any time at VICSEG such as:

- employees
- volunteers
- those who work in children's services, community service programs and Registered Training Organisation (RTO) programs; or
- contractors and sub-contractors including workshop facilitators
- those who provide training, consultancy, management, or compliance for the Organisation
- work experience students
- any other individual working in the organisation that may deal with children

The following principles apply:

- All complaints to be raised when staff breach policies and procedures, including:
 - the Child Safety and Wellbeing Policy and Child Safety Code of Conduct
 - their obligations to act (*Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021*)
- Any person engaged in child-related work at VICSEG is required to have a valid Working with Children Check in compliance with current legislation.
- VICSEG New Futures employees are also required to attend mandatory Child Safe training to ensure all children and young people are kept safe.
- VICSEG New Futures' Child Safe Officers have a specific obligation to champion child safe practices.
- VICSEG New Futures makes information about how to make a complaint available and accessible to everyone involved with the organisation. (7.2, 7.4) (7.1, 7.3, 7.4)
- All complaints are taken seriously, meaning the VICSEG New Futures consistently:
 - identifies and manages any risks to children
 - responds to complaints promptly and thoroughly
 - prioritises the safety of children and also meets privacy and employment law obligations
 - supports everyone involved in the complaints process
 - reports complaints of alleged abuse or harm of children and concerns about child safety to the authorities and cooperates with law enforcement. (7.1, 7.3, 7.4, 7.5 and links to Standard 9)

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- Records are kept of complaints made to the VICSEG New Futures, including concerns raised about the safety of children and disclosures about alleged abuse or harm of children, and actions taken to respond. (7.3 and links to 2.6)
- Children, families and communities are consulted when designing and reviewing complaint handling policies and procedures. (7.2 and links to 4.3)
- VICSEG New Futures reviews complaint handling policies and procedures at regular intervals. (7.1 and links to 10.1)
- All complains will be handled with utmost confidentiality. Only those people directly involved will have access to information about the complaint;
- All procedures will be impartial. No assumptions will be made and no action will be taken until all relevant information has been collected, investigated and considered;
- VICSEG New Futures is committed to ensuring that no repercussions or victimisation will occur against anyone who makes a complaint;
- Complaints will be dealt with in a timely manner;
- Complaints are taken seriously and responded to promptly and thoroughly.

Procedure

VICSEG New Futures has developed these 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.

Four Critical Actions

- ✓ *You must act, by following the four critical actions, as soon as you witness an incident, receive a disclosure or form a reasonable belief that a child has, or is at risk of being abused.*
- ✓ *You must use the relevant templates to keep clear and comprehensive notes.*
- ✓ *You must act if you form a suspicion/reasonable belief, even if you are unsure and have not directly observed child abuse (e.g. if the victim or another person tells you about the abuse).*

Follow the Four Critical Actions when responding to an incident, disclosure or suspicion of child abuse:

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Action 1: Respond to an emergency

If there is no risk of immediate harm, go to **Critical Action 2**.

If a child is at immediate risk of harm VICSEG New Futures staff must ensure their safety by:

- separating alleged victims and others involved
- administering first aid
- calling 000 for urgent medical and/or police assistance to respond to immediate health or safety concerns
- identifying a contact person at the VICSEG New Futures for future liaison with police.

VICSEG New Futures staff may also need to maintain the integrity of the potential crime scene and preserve evidence.

Action 2: Report to authorities

As soon as immediate health and safety concerns are addressed school staff must report all incidents, suspicions and disclosures of child abuse as soon as practicable. Failure to report physical and sexual child abuse may amount to a criminal offence.

VICSEG New Futures staff must report all instances of suspected child abuse involving a RTO staff member, contractor or volunteer to Victoria Police (call 000 or the local police station). VICSEG New Futures staff must also report internally to:

- CEO of the organisation and/or leadership team/Child Safety Officers
- Employee Conduct Branch – [03 7022 0005](tel:0370220005)
 - *VICSEG New Futures should contact the Employee Conduct Branch for advice before removing a person from child connected or child related work.*
- Department of Education and Training Incident Support and Operations Centre – [1800 126 126](tel:1800126126).

All allegations of 'reportable conduct' must be reported as soon as possible to the Employee Conduct Branch – for more information refer to **Reportable Conduct** section below. This includes any reportable allegations relating to a staff member, volunteer or contractor regardless of whether the alleged victim is or was a student at the VICSEG New Futures.

If the source of suspected abuse comes from within the family or community

Child Protection

RTO staff must report to [Child Protection](#) ([Making a report to child protection - DFFH Service Providers](#)) if they form the belief on reasonable grounds that a child is:

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- in need of protection from child abuse
- at risk of being harmed (or has been harmed) and the harm has had, or is likely to have, a serious impact on the child's safety, stability or development and the parents have not protected or are unlikely to protect the child.

RTO staff must also report all instances of suspected sexual abuse (including grooming) to Victoria Police (call **000** or the local police station).

RTO staff must also report internally to:

- VICSEG New Futures CEO and/or leadership team (Child Safety Officers)
- Department Incident Support and Operations Centre – **1800 126 126**.

Action 3: Contact parents or carers

VICSEG New Futures must consult with Child Protection or Victoria Police (call 000 or the local police station) to determine what information can be shared with parents/carers. They may advise:

- not to contact the parents/carers (for example, in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parent or carer to be contacted)
- to contact the parents/carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion)
- how to communicate with all relevant parties with consideration for their safety.

Where the alleged perpetrator is an adult connected to the VICSEG New Futures as a volunteer, staff member or contractor, the principal must consider whether there are risks that other students may have been impacted by the abuse. After conducting a risk assessment, it may be necessary to communicate more broadly with the VICSEG New Futures community. Legal Division can provide further advice about communications.

Action 4: Provide ongoing support

VICSEG New Futures must provide support for children impacted by abuse. This can include the development of a student support plan in consultation with health and wellbeing professionals. This is an essential part of the VICSEG New Futures's duty of care requirements.

Strategies may include development of a safety plan, direct support and referral to health and wellbeing professionals and support services.

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Other students at the VICSEG New Futures may also be impacted by allegations or charges against staff members, volunteers or contractors that have worked at the VICSEG New Futures. The RTO needs to provide appropriate referrals or support for those students.

Reporting a Child Safety concern

Who can make a report?

Any person who has concerns about the safety of any child involved with VICSEG should promptly report their concerns or lodge a complaint.

Any VICSEG team member who witnesses an incident of non-acceptable behaviour towards a child (including by another child), is obliged to report the incident to a Frontline Child Safety Officer in the first instance, or any other available member of VICSEG Management as a matter of urgency. In addition to reporting the incident the team member should ensure that the child is safe from any further possible incidents.

What concerns should be reported?

Any of the following incidents should be reported:

- (a) alleged, suspected or observed incidents of abuse or harm;
- (b) breach of the VICSEG's Child Safety & Wellbeing Policy, Child Safety Code of Conduct or any other relevant Child Safety policies and procedures; or
- (c) health and safety issues
- (d) Physical injury/ any instance of physical abuse
- (e) Sexual abuse (including grooming)
- (f) emotional or psychological harm
- (g) serious or significant neglect and family violence involving a child.

When the report must be made?

Make a report to Child Protection as soon as practicable after forming your belief. Make a report each time you become aware of any further **reasonable grounds** for your belief. You must act as soon as you witness an incident or form a reasonable belief that a child has been or is at risk of being abused, including exposure to family violence.

You must act if you form a suspicion or reasonable belief that abuse has occurred or is at risk of occurring, even if you are unsure and have not directly observed child abuse (for example, if the victim or another person tells you about the abuse).

You should make sufficient enquiries to form a reasonable belief and to determine a child's immediate needs. However, once a reasonable belief has been formed, it is not your role to investigate. This is the role of the Department of Families, Fairness and Housing (DFFH) Child Protection or Victoria Police.

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If you are worried about a child's wellbeing but do not believe they are in need of protection, refer to the below section on how to make a referral to Child FIRST or The Orange Door.

Refer to **Attachment A**- for definitions, **Attachment B** - for descriptions of the different types of Child Abuse and **Attachment C** - for information on how to recognise signs of potential abuse or neglect.

Who should complaints be reported to?

*Call the police on **000** if you have immediate concerns for a child's safety and report the incident to a or the **VICSEG Child Safety Officer(s)**.*

*If you require assistance and support or if you would like to talk to a trained professional, please call **Kids Helpline on 1800 55 1800** or **Lifeline on 13 11 14***

The **Frontline Child Safety Officer** is the first point of contact to provide advice and support to children, parents/legal guardians and VICSEG New Futures team members regarding the safety and wellbeing of children engaging with VICSEG.

All complaints regarding non-compliance with the Child Safety and Wellbeing Policy and Child Safety Code of Conduct Policy should be submitted to the Frontline Child Safety Officer via the communication method with which the complainant feels most comfortable (e.g. email, phone, face-to-face).

Any other VICSEG team member who is approached by a child or parent/legal guardian with a complaint should connect the child or parent/legal guardian with the Child Safety Officer(s).

If a child or adult alleges any criminal activity has occurred, such as physical or sexual abuse, the police will be informed promptly to ensure they can manage immediate risks and investigate.

Reporting Contacts VICSEG New Futures Child Safe Officers:

Frontline Child Safety Officer: Valentina Ilievski	T: (03) 9093 5177 E: vilievski@vicsegnewfutures.org.au
Child Safety Officer/Administrator Klaudia Kryzstofek	M: 0425 805 556

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	E: KKrysztofek@vicsegnewfutures.org.au
Human Resources Manager Maha Mohamed	T: (03) 9093 5177 E: mmohamed@vicsegnewfutures.org.au

External reporting contact details:

Victoria Police	To report concerns that are life threatening, contact Victoria Police: 000
Victoria	Child Protection Crisis Line 13 12 78
Contact Child Protection	To make a report, you should contact the child protection intake service covering the local government area (LGA) where the child normally resides. Telephone numbers to make a report during business hours (8.45am-5.00pm), Monday to Friday, are listed below. North Division intake: 1300 664 977 South Division intake: 1300 655 795 East Division intake: 1300 360 391 West Division intake - metropolitan: 1300 664 977 West Division intake - rural and regional: 1800 075 599
After Hours Child Protection Emergency Service	To report concerns about the immediate safety of a child outside of normal business hours, contact the After Hours Child Protection Emergency Service on 13 12 78.
Victorian Aboriginal Legal Service – Working for the Aboriginal Community	<u>PHONE:</u> 1800 064 865 Victorian Aboriginal Legal Service – Working for the Aboriginal Community (vals.org.au)
Safe and Equal	(03) 8346 5200 Mon to Fri: 9am – 5pm For information and guidance to help respond to family violence
Department of Education and Training Incident Support and Operations Centre	1800 126 126.
For more information	For more information refer to the Department of Health and Human Services 'services' and 'providers' websites:

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	https://services.dhhs.vic.gov.au/reporting-child-abuse https://providers.dhhs.vic.gov.au/mandatory-reporting https://services.dhhs.vic.gov.au/family-support https://services.dhhs.vic.gov.au/child-protection
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Child FIRST or The Orange Door

If you have significant concerns for the wellbeing of a child, but do not believe they are at risk of significant harm, and where the immediate safety of the child will not be compromised, a referral to Child FIRST or The Orange Door may be appropriate.

Child FIRST and The Orange Door	
Barwon	1800 312 820
Bayside Peninsula	1800 319 353
Brimbank Melton	1300 138 180
Central and Upper Hume	1800 705 211
Colac-Otway, Corangamite	(03) 5232 5500
East Gippsland	(03) 5152 0052
Goulburn Valley - Seymour	1800 663 107
Goulburn Valley - Shepparton	1300 854 944
Hume Moreland	1300 786 433
Inner East	1300 762 125
Latrobe & Baw Baw	1800 319 354
Lower Hume	1800 663 107
Mallee	1800 290 943
North Central	1800 260 338
North East	1800 319 355
Outer East	1300 369 146
South Coast	1800 319 354
South East	(03) 9705 3939
South West	1300 543 779
Wellington (Sale)	(03) 5144 7777
Western Melbourne	1300 775 160
Wimmera	1800 195 114

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Documenting your actions

Under the Education and Care Services National Law Act 2010 and the Children's Services Act 1996 (CS Act), the approved provider of an education and care service must ensure that an incident, injury, trauma and illness **record is kept**.

Provided template aligns with this requirement, and it's strongly recommended that all early childhood service staff utilise this template for incidents, disclosures and suspicions of child abuse.

As an early childhood staff member, you must keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse.

Use this template as an early childhood staff member:

- ***Responding to Suspected Child Abuse: Template for all Victorian Early Childhood Services***

Use this template as an RTO staff member:

- ***Recording Your Actions: Responding To Suspected Child Abuse A Template For Victorian Schools***
- ***Responding To Suspected Student Sexual Offending: Template For Victorian Schools***

Confidentiality and Record Keeping

Staff, students and affiliates must respect confidentiality and comply with VICSEG New Futures Privacy Policy when dealing with a case of suspected child abuse. Only the staff, students or affiliates 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.

Information Privacy Breach

An **information privacy breach** occurs when personal information is not handled in accordance with the *Information Privacy Act 2009*. It will generally involve access to, or collection, use or disclosure of, personal information in contravention of the department's obligations under the Information Privacy Principles. A privacy breach may be accidental or intentional. It may be a one-off occurrence or due to a breakdown in procedures. A breach

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may occur when personal information held by the department is lost, misused, mistakenly disclosed or stolen.

Right to Information

If a person is concerned about the outcome of an application for access to or amendment of information under the *Right to Information Act 2009* or the *Information Privacy Act 2009* they have internal and external review rights under that legislation.

How will VICSEG New Futures team members handle complaints from children?

It is important that children know who to talk to if they need to raise an issue and that they feel comfortable and supported in doing so. An VICSEG New Futures team member that receives a complaint from a child will:

- (a) Let the child talk about their concerns in their own time and words, giving the child full attention, time and space to raise their issues
- (b) Be a supportive and reassuring listener
- (c) Tell the child that raising their concerns was the right thing to do and let them know in plain language the process by which their concerns will be addressed and acted upon
- (d) Record the nature of the complaint in the child's own words
- (e) Contact the child's parents/legal guardian if appropriate (not if the abuse claim relates to the child's parents/legal guardian or an immediate family member).

How will complaints be handled by VICSEG New Futures?

VICSEG is committed to being responsive to concerns raised by team members, children and parents/legal guardians, and seeks to resolve issues to the satisfaction of all parties. If VICSEG becomes aware of or has been alerted to a risk of child abuse within our spaces, it will act to reduce or remove the risk and protect the child as a first priority.

Upon receiving a complaint either directly or via a Frontline Child Safety Officer, the VICSEG Child Safety Officer(s) will make a preliminary assessment of the severity of the child safety breach and promptly contact Victoria Police if it is alleged any criminal activity has occurred, such as physical or sexual abuse of a child.

In all other circumstances, the following Investigation process will be followed:

- (a) The VICSEG Child Safety Officer must, within 24 hours of receiving notification of the reported child safety breach, appoint a **Breach Investigator** with responsibilities to:
 - review the nature and circumstances of the incident;

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- provide the opportunity for the person complained against to reply to the complaint;
- confirm if a breach of the Child Safety Policy has occurred;
- determine corrective actions to address the specific incident as well as potential for recurrence of the breach; and
- report the outcome of the investigation in a timely manner

(b) Where the complaint is made about an VICSEG New Futures team member, the VICSEG New Futures Child Safety Officer will promptly advise Human Resources and the team member's Executive Director of the report and the planned investigation.

(c) The child and parents/legal guardian (if appropriate) will be informed of the steps VICSEG New Futures is taking to address the complaint. VICSEG New Futures may also provide support to the child by referring and assisting the child and/or parents to access other appropriate services.

(d) If a complaint has been made about the actions of another child, the VICSEG New Futures Child Safety Officer will inform that child's parents/legal guardian of the complaint and that an investigation is being undertaken.

(e) If the complaint is made about an VICSEG New Futures team member which may involve reportable conduct, the VICSEG New Futures Child Safety Officer must also comply with the notification and reporting requirements of Reportable Conduct Schem.

Outcome

Any investigation finding that child abuse or neglect is likely to have occurred will be referred to an appropriate authority for further investigation and action pursuant to the law. In the event that an VICSEG New Futures team member is found to have breached the Child Safety and Wellbeing Policy, the Child Safety Code of Conduct or other related Policies or Procedures, the VICSEG New Futures Child Safety Officer will inform the Executive Director of the result of the investigation.

Resolution

Where a child safety breach by an VICSEG New Futures team member has been found to have occurred, but the matter is not deemed serious enough to refer to an external authority, the Executive Director shall determine whether the team member should be subject to disciplinary action according to VICSEG New Futures *Disciplinary Policy*.

To ensure procedural fairness, any team member involved in a complaint about non-compliance with child safety policies and procedures is entitled to be represented by a person of their choice.

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All complaints about non-compliance with child safety policies and procedures shall be documented, including record of action taken, any investigation conducted, and any reports made to statutory or external bodies. These records remain confidential in accordance with security and privacy requirements unless otherwise requested to be released by law. The safety of the child at risk of harm is VICSEG New Futures' primary concern, with due consideration of confidentiality and fairness against any person whom a complaint is made against.

Any learnings from child safety incidents or investigations will be applied to improve VICSEG New Futures' policies, procedures and practices to ensure that VICSEG New Futures continues to provide the safest environment possible for children.

Victorian Reportable Conduct Scheme

The Victorian Reportable Conduct Scheme requires some organisations to report allegations of child abuse and child-related misconduct made about their workers or volunteers to the Commission for Children and Young People.

All allegations of suspected criminal conduct to be reported to Victoria Police as the first priority and maintains the primacy of an investigation by Victoria Police of any allegations of criminal misconduct. In all circumstances, allegations of criminal conduct must be reported to Victoria Police as the first priority.

Under the scheme:

- organisations must respond to allegations of child abuse and child-related misconduct made against their workers and volunteers
- organisations must tell the Commission about allegations
- the Commission oversees how organisations respond to and investigate allegations
- organisations, regulators, the police, the Working With Children Check and the Commission share information.

What is reportable conduct?

Reportable conduct in under the Act means:



- a) Sexual offences again, with or in the presence of a child;
- b) Sexual misconduct against, with or in the presence of a child;
- c) Physical violence against, with or in the presence of a child;
- d) Any behaviour that causes significant emotional or psychological harm to a child; or
- e) Significant neglect of a child.

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What must the head of an organisation do?

The head of an organisation may be:

- *the Chief Executive Officer*

 Notify	Notify the Commission within 3 business days of becoming aware of an allegation.
 Investigate	<ul style="list-style-type: none"> • Investigate an allegation • Tell the Commission who is doing the investigation • Manage risks to children.
 Update	Give the Commission a detailed update within 30 calendar days of becoming aware of an allegation.
 Outcomes	Tell the Commission about the result of the investigation, what the organisation will do next and why.

- *the Principal Officer of the organisation*

What are the timeframes for reporting allegations of reportable conduct?

VICSEG New Futures (the head of an organisation) must report any allegation of child abuse and child related misconduct made against VICSEG New Futures employees, volunteers and contractors of reportable conduct to the Commission for Children and Young People within **three business days** of becoming aware of the allegation. This report must include the following information:

- a) the name (including any former name and alias, if known) and date of birth, if known, of the employee concerned;
- b) whether Victoria Police has been contacted about the reportable allegation;
- c) the name, address and telephone number of the organisation; and,
- d) the name of the head of the organisation.

Within **30 days** or as soon as practicable after becoming aware of the reportable allegation, the VICSEG New Futures must report to the Commission for Children and Young People:

- a) detailed information about the reportable allegation, including the type of conduct alleged, details of the alleged victim;
- b) whether or not the organisation proposes to take any disciplinary or other action against the employee and the reasons for this decision; and,

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- c) any written submissions made by the employee used in determining what action was taken by the organisation

As soon as practicable, the head of the entity must report to the Commission for Children and Young People the details of who will conduct the investigation.

As soon as practicable **after an investigation** has concluded, the Commission for Children and Young People must be notified of the findings of the investigation, the reasons for those findings and details of any disciplinary or other actions proposed against the employee.

It is also criminal offence not to provide the Commission the information referred to above within 30 calendar days.

Reports to CCYP are made via an online report web form designed to guide users through the process of reporting and the information that must be included in the report. The VICSEG New Futures Child Safety Officer can include as much information available at the time, in addition to the minimum requirements outlined:

Link to online report web form: [CCYP | Notify about a reportable allegation](#)
Interna VICSEG form Template: *Reportable Conduct Scheme Investigation Plan (available)*

Guides:

[30-day-update.docx \(live.com\)](#)

[Mandatory-Notification-head-of-organisation.docx \(live.com\)](#)

[Investigation-outcome-update.docx \(live.com\)](#)

[Information-Sheet-1-About-RCS-21.03.18.docx \(live.com\)](#)

[Information-Sheet-2-What-is-reportable-conduct-22.12.21.docx \(live.com\)](#)

[Information-Sheet-3-Responsibilities-of-the-head-of-an-organisation-30.05.17.docx \(live.com\)](#)

[CCYP | Including children and young people in reportable conduct investigations](#)

[Information-Sheet-4-Investigation-overview-13.06.17.docx \(live.com\)](#)

[Information-Sheet-5-Other-reporting-obligations-11.07.17.docx \(live.com\)](#)

[Information-Sheet-6-Child-Safe-Standards-and-Reportable-Conduct-Scheme-03.02.23.docx \(live.com\)](#)

[Information-Sheet-7-Reporting-to-the-Commission-30.05.17.docx \(live.com\)](#)

[Information-Sheet-8-Investigation-findings-26.03.18.docx \(live.com\)](#)

[Information-Sheet-9-Sexual-misconduct-29.11.22.docx \(live.com\)](#)

[Information-Sheet-10-Physical-violence-21.05.18.docx \(live.com\)](#)

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[Information-Sheet-11-Significant-neglect-22.10.18.docx \(live.com\)](#)

[Information-Sheet-12-Historical-allegations-29.06.18.docx \(live.com\)](#)

[Information-Sheet-13-Workers-and-Volunteers-and-the-Reportable-Conduct-Scheme-20.06.18.docx \(live.com\)](#)

[Information-Sheet-14-Commissions-Own-Motion-Investigations-under-the-Reportable-Conduct-Scheme-31.08.18.docx \(live.com\)](#)

[Information-Sheet-16-Reviews-of-RCS-and-CSS-decisions-made-by-the-Commission-11.20.docx \(live.com\)](#)

Where to get help

You can contact the Commission by:

Telephone: (03) 8601 5281

Email: contact@ccyp.vic.gov.au

Child Safe Standard regulators:

- Department of Families Fairness and Housing and Social Services Regulator
- Department of health
- Department of Education and Training
- Victorian Registration and Qualification Authority
- Wage Inspectorate Victoria

Relevant Acts and legislations:

- *Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021*
- *Education and Care Services*
- *National Law Act 2010 and Children's Services Act 1996*
- *Children Legislation (Reportable Conduct) Act 2017*
- *Crimes Act 1958 (Vic),*
- *Children, Youth and Families Act 2005 (Vic)*
- *Child Wellbeing and Safety Act 2005 (Vic)*
- *Education and Training Reform Act 2006 (Vic)*
- *Ministerial Order 1359 – Implementing the Child Safe Standards*
- *Child Protection Act 1999*
- *Youth Justice Act 1992*
- *Multicultural Recognition Act 2016*
- *Information Privacy Act 2009*
- *Public Service Act 2008*
- *Public Sector Ethics Act 1994*
- *Human Rights Act 2019*
- *Working with Children Check (WWCC) Act 2005;*

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- *Victorian Child Safe Standards (VCSS);*
- *Children, Youth and Families Act 2005;*
- *Right to Information Act 2009*
- *Information Privacy Act 2009*
- *Crimes Amendment (Grooming) Act 2014;*

Attachment A – Definitions

Complaint	The term 'complaint' should be interpreted broadly. It can include expressions of dissatisfaction about an organisation.
Child	Or young person who is under 18 years of age. In Vic, the duty for mandatory reporting is in relation to all children up to the age of 17 years.
Child Safety Officer	The designated officer on the Organisation staff who has a thorough knowledge of child safety issues and is the primary point of contact for any member of the VICSEG who has concerns or wishes to report an allegation of abuse.
Mandatory reporting	Mandatory reporting refers to the legal requirement of certain groups of people to report a reasonable belief of child physical or sexual abuse to child protection authorities.
Belief on reasonable grounds	A belief is a belief on reasonable grounds if a reasonable person, doing the same work, would have formed the same belief on those grounds. Grounds for forming a belief are matters of which you have become aware, and any opinions in relation to those matters.
Child Abuse	Refer Attachment B for definitions of Child Abuse.

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Criminal conduct	Means conduct that breaks a law where a criminal penalty can apply. Sometimes a certain action (or failure to act) can be both a crime and trigger rights to civil damages or compensation as well.
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Attachment B – What is Child Abuse

Physical violence

Physical violence occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person. Physical violence can be inflicted in many ways, including beating, shaking, burning or use of weapons (such as, belts and paddles).

Sexual offences

Sexual offences occur when a person involves the child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to his/her age and development. Child sexual abuse can involve a range of sexual activity including fondling, masturbation, penetration, voyeurism and exhibitionism. It can also include exposure to or exploitation through pornography or prostitution, as well as grooming behaviour. Grooming refers to a person over 18 years communicating (including online or via mobile) with a child or with a person who supervises or has authority for a child with the intention to create a situation that enables them to abuse a child.

Sexual misconduct

'Sexual misconduct' captures a broader range of inappropriate behaviours of a sexual nature that are not necessarily criminal. Examples of sexual misconduct include:

- developing an intimate relationship with a child, for example, through regular contact with the child without the knowledge or approval of the organisation's management;

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- inappropriately discussing sex and sexuality with a child; and
- other overtly sexual acts that could lead an organisation to take disciplinary or other action

Serious emotional or psychological abuse

Serious emotional or psychological abuse occurs when harm is inflicted on a child through repeated rejection, isolation, or by threats or violence. It can include derogatory name-calling and put-downs, or persistent and deliberate coldness from a person, to the extent where the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Serious emotional or psychological abuse could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.

Serious neglect

Serious neglect is the continued failure to provide a child with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or is likely to be, jeopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life threatening situations. There are a number of different types of neglect including supervisory, physical, educational and emotional neglect. Examples of each type of neglect and guidance to help organisations identify significant neglect are available on the CCYP website.

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Attachment C – Recognising the Signs of Child Abuse

Type of Abuse	Possible Indicators	
	Physical	Behavioural
Physical violence	<ul style="list-style-type: none"> Unexplained bruises Burns and/or fractured bones 	<ul style="list-style-type: none"> Showing wariness or distrust of adults Wearing long sleeved clothes on hot days (to hide bruising or other injury) Fear of specific people Unexplained absences Academic problems
Sexual offences	<ul style="list-style-type: none"> Presence of sexually transmitted diseases Pregnancy Vaginal or anal bleeding or discharge 	<ul style="list-style-type: none"> Displaying sexual behaviour or knowledge that is unusual for the child's age Difficulty sleeping Being withdrawn Complaining of headaches or stomach pains Fear of specific people Showing wariness or distrust of adults Displaying aggressive behaviour
Emotional or psychological abuse	<ul style="list-style-type: none"> Delays in emotional, mental, or even physical development Physical signs of self-harming 	<ul style="list-style-type: none"> Exhibiting low self-esteem Exhibiting high anxiety Displaying aggressive or demanding behaviour Being withdrawn, passive and/or tearful Self-harming
Serious neglect	<ul style="list-style-type: none"> Frequent hunger Malnutrition Poor hygiene Inappropriate clothing 	<ul style="list-style-type: none"> Stealing food Staying at school outside of school hours Aggressive behaviour Misusing alcohol or drugs Academic issues

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