#### **Procedure for Handling Disclosures, Suspicions of Harm or Complaints**

#### **Policy**

All church workers and safety officers will receive training in identifying risks of harm and handling disclosures or suspicions of harm as soon as possible. All church workers and safety officers will report disclosed or suspected harm immediately to their Rector. The relevant Dean must be informed if the Rector is implicated in any way.

All church workers and safety officers will report concerns and complaints as per the ANZ Diocese of ROCOR procedures in the Inappropriate Behaviour policy

## Who must comply with this policy?

The following people must comply with this policy:

**Employees and volunteers** 

Church workers

**Child Safety Contact Officers** 

## Definitions of Harm

Harm as defined under the Child Protection Act 1999 as" any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. For harm to be significant, the detrimental effect on the child's wellbeing must be substantial or serious, more than transitory and must be demonstrable in the child's presentation, functioning or behaviour".

Harm may be categorised in the following types:

- physical abuse, for example, beating, shaking, burning, biting, causing bruise or fractures by inappropriate discipline, giving children alcohol, drugs or inappropriate medication
- emotional or psychological abuse, for example, constant yelling, insults, swearing, criticism, bullying, not giving children positive support and encouragement
- neglect, for example, not giving children sufficient food, clothing, enough sleep, hygiene, medical care, leaving children alone or children missing school, and
- sexual abuse or exploitation, for example, sexual jokes or touching, exposing children to sexual acts or pornography or having sexual intercourse with a child or young person under 16 years of age (even if the child appears to have consented).

#### **Disclosure of Harm**

A disclosure of harm occurs when someone, including a child, tells you about harm that has happened or is likely to happen. Disclosures of harm may start with:

- "I think I saw..."
- "Somebody told me that..."
- "Just think you should know..."
- "I'm not sure what I want you to do, but..."

#### Suspicion of harm

You can suspect harm if you are concerned by significant changes in behaviour or the presence of new unexplained and suspicious injuries.

#### Procedures to minimise harm to children and young people

ANZ Diocese of ROCOR works to minimise harm to children and young people by acting in a manner that supports their interests and wellbeing, by:

- making sure that children know that it is their right to feel safe at all times
- teaching them about acceptable and unacceptable behaviour in general
- letting them know who is and who is not a church worker in the organisation
- allowing them to be a part of decision-making processes
- making sure they are safe by monitoring their activities and ensuring their environment meets all safety requirements

- taking anything a child or young person says seriously and following up their concerns
- letting them know there is no secret too awful, no story too terrible, that they can't share with someone they trust
- encouraging them to tell safety officers of any suspicious activities or people, and
- listening to children and young people and letting them know that safety officers are available for them if they have any concerns.

### What complaints are reported?

All complaints should be reported including

- Disclosure of harm
- Inappropriate behaviour around children and young persons
- Suspicion of abuse or harm to a child or young person

# To whom should the complaint be reported?

A child, young person or any church member can make a complaint or raise a concern directly to the Child Safety Contact Person (list name and mobile number) or the Rector.

# Child Safety Contact Person will take the following actions

- Listens to the person making the complaint
- Documents the disclosure or complaint using the 'Complaint/Incident Record Form concerning Young Persons'
- Reports immediately to the Parish Priest (list name and mobile number)
- Reports as per Inappropriate Behaviour policy
- Reports the to the relevant authorities if it is an allegation child abuse

## Procedures for receiving a disclosure of harm

When receiving a disclosure of harm the Child Safety Contact Person will,

- remain calm and find a private place to talk
- give your complete attention and do not rush
- don't promise that you'll keep a secret. Tell the person they have done
  the right thing in telling you but that you'll need to tell someone who
  can help keep them safe
- only ask enough questions to confirm the need to report the matter; probing questions could cause distress, confusion and interfere with any later enquiries, and
- do not attempt to conduct your own investigation or mediate an outcome between the parties involved.
- advise the rector immediately of the disclosure

#### Reporting guidelines for disclosures or suspicions of harm

The Child Safety Contact Person will take the following actions immediately following a disclosure or suspicion of harm.

Inform the Rector (if the allegation is against the Rector call the Dean in your state).

#### Documenting a suspicion of harm:

If you or others have concerns about the safety of a child, record your concerns using the 'Complaint/Incident Record Form concerning Young Persons' in a non-judgmental and accurate manner as soon as possible. If a parent explains a noticeable mark on a child, record your own observations as well as accurate details of the conversation. If you see unsafe or harmful actions towards a child in your care, intervene immediately, provided it is safe to do so. If it is unsafe, call the police for assistance.

#### Documenting a disclosure of harm:

Complete a 'Complaint/Incident Record Form concerning Young Persons' or record the details as soon as possible so that they are accurately captured. Include:

• time, date and place of the disclosure

'word for word' what happened and what was said, including anything you said and any actions that have been taken, and date of report and signature. If you need to take notes as the person is telling you, explain that you are taking a record in case any later enquiry occurs. Reporting the disclosure or suspicion of harm to authorities: ANZ Diocese will not conduct its own enquiries in relation to the disclosure or suspicion of harm or try to come to an agreement between the parties involved. The person who receives a disclosure or suspects harm is to contact the relevant authority to ensure information provided is comprehensive and accurate. Report the matter to: Department of Communities (Child Safety Services) on Police Service (provide local contact details) on Reporting Mandatory report as per federal and state laws. See attachment: **Obligations** Mandatory reporting requirements for all Australian jurisdictions Contact details of the reporting authority for all Australian jurisdictions **Actions following** Support and qualified counselling will be offered to all parties involved. a disclosure **Processes for** The child or young person those involved in The children and young people involved should be offered appropriate the report counselling and support. Circumstances will dictate who should provide this. The person who made the report Under Section 22 of the Child Protection Act 1999, a person who reports suspected child abuse is protected from civil or criminal legal actions and is not considered to have broken any code of conduct or ethics. Details of the person who made the report are to be kept completely confidential and will not be made available to the family of the child or young person, or the person against whom the allegation has been made. The person against whom the allegation has been made If the person responding to the allegation of harm is a church worker you may need to review their duties. If they continue to interact/work with children, ensure that they are appropriately supervised at all times. You may want to seek legal advice as to the extent to which that person can carry out duties in the organisation. If the person is a parishioner, that person will be counselled and his ongoing behaviour monitored. **Review** ANZ Diocese of ROCOR policy and procedures for handling disclosures or procedures suspicions of harm are to be reviewed and assessed regularly to ensure that the organisation is continuing to provide a safe and supportive environment. Confidentiality In order to protect privacy and confidentiality, alleged incidents, reports or documentation of disclosures of harm must be kept confidential and secure,

with access strictly limited and on a 'need to know basis'.

#### Attachment A: Mandatory reporting requirements for all Australian jurisdictions

#### **Australian Capital Territory**

The Australian Capital Territory's mandatory reporting laws cover an extensive list of professions, and the details of the reporting requirements are provided in the table below.

Legal provisions	Section 356 of the <i>Children and Young People Act 2008</i> (ACT)	
Legal provisions	Section 330 of the enharch and roung reopie Act 2000 (Act)	
Who is mandated to report?	A person who is: a doctor; a dentist; a nurse; an enrolled nurse; a midwife; a psychologist; a teacher at a school; a person authorised to inspect education programs, materials or other records used for home education of a child or young person under the <i>Education Act 2004</i> ; a police officer; a person employed to counsel children or young people at a school; a person caring for a child at a child care centre; a person coordinating or monitoring home-based care for a family day care scheme proprietor; a public servant who, in the course of employment as a public servant, works with, or provides services personally to children and young people or families; the public advocate; an official visitor; a minister of religion, religious leader or member of the clergy of a church or religious denomination; a person who, in the course of the person's employment, has contact with or provides services to children, young people and their families and is prescribed by regulation.	
What must be reported?	A belief, on reasonable grounds, that a child or young person has experienced or is experiencing sexual abuse or non-accidental physical injury; and the reasons for the belief arise from information obtained by the person during the course of, or because of, the person's work (whether paid or unpaid)	
Abuse and neglect types that must be reported	<ul><li>Physical abuse</li><li>Sexual abuse</li></ul>	

#### **New South Wales**

New South Wales' mandatory reporting laws cover an extensive list of professions, and the details of the reporting requirements are provided in the table below.

Who is mandated to report?	A person who, in the course of his or her professional work, or other paid employment, delivers health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children.  A person who holds a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children.  A person in religious ministry, or a person providing religion-based activities to children.  A registered psychologist providing a professional service as a psychologist.  Note: Children's services means either or both of the following (subject to the regulations): (a) an education and care service within the meaning of the Children (Education and Care Services) National Law (NSW); (b) a State regulated education and care service within the meaning of the <i>Children (Education and Care Services) Supplementary Provisions Act 2011</i> .
What must be reported?	Suspicion on reasonable grounds, obtained during the course of or from the person's work, that a child is at risk of significant harm because of the presence to a significant extent of circumstances of: neglect, physical abuse, sexual abuse, psychological abuse, risk of harm through exposure to domestic violence, and failure to engage with services after a pre-natal report.
Abuse and neglect types that must be reported	<ul> <li>Physical abuse</li> <li>Sexual abuse</li> <li>Emotional/psychological abuse</li> <li>Neglect</li> <li>Exposure to domestic violence</li> </ul>

#### **Northern Territory**

The Northern Territory's mandatory reporting laws apply to any person, with additional provisions covering health practitioners. The details of these reporting requirements are provided in the table below.

Legal provisions	Sections 15, 16 and 26 of the <i>Care and</i> Protection of Children Act 2007 (NT)	Section 26(2) of the <i>Care and Protection of Children Act 2007</i> (NT)
Who is mandated to report?	Any person	A health practitioner or someone who performs work of a kind that is prescribed by regulation

What must be reported?	A belief on reasonable grounds that a child has suffered or is likely to suffer harm or exploitation	Reasonable grounds to believe a child aged 14 or 15 years has been or is likely to be a victim of a sexual offence and the age difference between the child and offender is greater than 2 years
Abuse and neglect types that must be reported	<ul> <li>Physical abuse</li> <li>Sexual abuse or other exploitation of the child</li> <li>Emotional/psychological abuse</li> <li>Neglect</li> <li>Exposure to physical violence (e.g. a child witnessing violence between parents at home)</li> </ul>	Sexual abuse

#### Queensland

Queensland has three separate pieces of mandatory reporting legislation, each covering different occupational groups and having their own reporting requirements. The details of these pieces of legislation are provided in the table below.

Legal provisions	Part 1AA, section 13F of the <i>Child Protection Act</i> 1999 (Qld)	Part 1AA, section 13E of the <i>Child Protection Act</i> 1999 (Qld)	Sections 364, 365, 365A, 366, 366A of the Education (General Provisions) Act 2006 (Qld)
Who is mandated to report?	An authorised officer, a public service employee employed in the department, a person employed in a departmental care service or licensed care service	Doctors; registered nurses; teachers; a police officer who, under a direction given by the commissioner of the police service under the Police Service  Administration Act 1990, is responsible for reporting under this section; a person engaged to perform a child advocate function under the Public Guardian Act 2014; early childhood education and care professionals.	School staff

What must be reported?	A reasonable suspicion that a child in care (a child placed in the care of an entity conducting a departmental care service or a licensee) has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse	A reasonable suspicion that a child has suffered, is suffering or is at an unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and may not have a parent able and willing to protect the child from the harm	Awareness or reasonable suspicion that a child has been or is likely to be sexually abused; and the suspicion is formed in the course of the person's employment
Abuse and neglect types that must be reported	<ul><li>Physical abuse</li><li>Sexual abuse</li></ul>	<ul><li>Physical abuse</li><li>Sexual abuse</li></ul>	Sexual abuse

#### **South Australia**

South Australia's mandatory reporting laws cover an extensive list of professions, and the details of the reporting requirements are provided in the table below.

Legal provisions	Sections 17, 18, 30 and 31 of the Children and Young People (Safety) Act 2017 (SA)
Who is mandated to report?	Medical practitioners; pharmacists; registered or enrolled nurses; dentists; psychologists; police officers; community corrections officers under the <i>Correctional Services Act 1982</i> ; social workers; ministers of religion; employees of, or volunteers in, an organisation formed for religious or spiritual purposes; teachers employed as such in a school (within the meaning of the <i>Education and Early Childhood Services (Registration and Standards) Act 2011</i> ) or a preschool or kindergarten; employees of, or volunteers in, an organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children and young people, being a person who - (i) provides such services directly to children and young people; or (ii) holds a management position in the organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children and young people
What must be reported?	Reasonable grounds to suspect a child or young person is, or may be, at risk; and the suspicion was formed in the course of the person's employment
Abuse and neglect types that must be reported	<ul> <li>Physical abuse</li> <li>Sexual abuse</li> <li>Mental or emotional abuse</li> <li>Neglect</li> </ul>

#### Tasmania

Tasmania's mandatory reporting laws cover an extensive list of professions, and the details of the reporting requirements are provided in the table below.

Legal provisions	Sections 3, 4 and 14 of the <i>Children, Young Persons and Their Families Act</i> 1997 (Tas.)
Who is mandated to report?	Medical practitioners; registered or enrolled nurses; persons registered under the Health Practitioner Regulation National Law (Tasmania) in the midwifery, dental (dentists, dental therapist, dental hygienist or oral health therapist) or psychology professions; police officers; probation officers; principals and teachers in any educational institution including kindergartens; persons who provide child care or a child care service for fee or reward; persons concerned in the management of an approved education and care service, within the meaning of the Education and Care Services National Law (Tasmania) or a child care service licensed under the <i>Child Care Act 2001</i> ; a member of the clergy of any church or religious denomination; a member of the Parliament of this State; any other person who is employed or engaged as an employee for, of, or in, or who is a volunteer in, a government agency that provides health, welfare, education, child care or residential services wholly or partly for children, and an organisation that receives any funding from the Crown for the provision of such services; and any other person of a class determined by the Minister by notice in the Gazette to be prescribed persons.
What must be reported?	Knowledge, or a belief or suspicion on reasonable grounds that: a child has been or is being 'abused' or 'neglected' or is an affected child within the meaning of the <i>Family Violence Act 2004</i> (a child whose safety, psychological wellbeing or interests are affected or likely to be affected by family violence); or there is a reasonable likelihood of a child being killed or abused or neglected by a person with whom the child resides; or while a woman is pregnant, that there is reasonable likelihood that after the birth of the child: the child will suffer abuse or neglect, or may be killed by a person with whom the child is likely to reside; or that the child will require medical treatment or other intervention as a result of the behaviour of the woman or another person with whom the woman resides or is likely to reside, before the birth of the child.  Note on extent of harm required to activate the duty (section 3(1) definition of 'abuse and neglect': for all forms except sexual abuse, reports must be made where: (i) the injured, abused or neglected person has suffered, or is likely to suffer, physical or psychological harm detrimental to the person's wellbeing; or (ii) the injured, abused or neglected person's physical or psychological development is in jeopardy. All instances of suspected sexual abuse must be reported.

Abuse and neglect types that must be reported	<ul> <li>Sexual abuse (any)</li> <li>Physical abuse</li> <li>Emotional/psychological abuse</li> <li>Neglect</li> <li>Exposure to family violence</li> </ul>
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#### Victoria

Victoria's mandatory reporting laws cover an extensive list of professions, and the details of the reporting requirements are provided in the table below.

Legal provisions	Sections 182(1), 184 and 162(1)(c)-(d) of the <i>Children, Youth and Families Act</i> 2005 (Vic.)
Who is mandated to report?	Registered medical practitioners, nurses, midwives, a person registered as a teacher or an early childhood teacher under the <i>Education and Training Reform Act 2006</i> or teachers granted permission to teach under that Act; principals of government or non-government schools within the meaning of the <i>Education and Training Reform Act 2006</i> ; police officers, a person in religious ministry, out-of-home care workers (excluding voluntary foster and kinship carers), early childhood workers, youth justice workers and registered psychologists.
What must be reported?	Belief on reasonable grounds that a child is in need of protection on a ground referred to in section 162(1)(c) or 162(1)(d), formed in the course of practising his or her profession or carrying out the duties of his or her office, position or employment as soon as practicable after forming the belief and after each occasion on which he or she becomes aware of any further reasonable grounds for the belief
Abuse and neglect types that must be reported	<ul> <li>Physical injury</li> <li>Sexual abuse</li> <li>Note that technically, under s. 162, the duty is limited to instances of physical injury and sexual abuse where 'the child's parents have not protected, or are unlikely to protect, the child from harm of that type'.</li> </ul>

#### **Western Australia**

Western Australia has two separate pieces of mandatory reporting legislation, each covering different occupation groups and having their own reporting requirements. The details of these pieces of legislation are provided in the table below.

Legal provisions	Sections 124A and 124B of the <i>Children</i> and Community Services Act 2004 (WA)	Sections 5 and 160 of the Family Court Act 1997 (WA)

Who is mandated to report?	Doctors; nurses and midwives; teachers and boarding supervisors; and police officers	The Principal Registrar, a registrar or a deputy registrar; family counsellors; family consultants; family dispute resolution practitioners, arbitrators or legal practitioners independently representing the child's interests
What must be reported?	Belief on reasonable grounds that child sexual abuse has occurred or is occurring, where this belief is formed in the course of the person's work, whether paid or unpaid	Reasonable grounds for suspecting that a child has been: abused, or is at risk of being abused; ill-treated, or is at risk of being ill-treated; or exposed or subjected to behaviour that psychologically harms the child
Abuse and neglect types that must be reported	Sexual abuse	<ul> <li>Physical abuse</li> <li>Sexual abuse</li> <li>Neglect</li> <li>Psychological harm including (but not limited to) harm caused by being subjected or exposed to family violence</li> </ul>

#### Attachment B: Contact details of the reporting authority in each Australian Jurisdiction

#### Defining child abuse and neglect

Child abuse and neglect refers to any behaviour or treatment by parents, caregivers, other adults or older adolescents that results in the actual and/or likelihood of causing physical or emotional harm to a child or young person. Such behaviours may be intentional or unintentional and can include acts of omission (i.e. neglect) and commission (i.e. abuse).

Child abuse and neglect is commonly divided into five subtypes:

- physical abuse
- emotional abuse
- neglect
- sexual abuse
- exposure to family violence.

Note that you do not need to be absolutely certain that there has been abuse or neglect of a child or young person to contact these authorities. If you suspect a child is at risk of harm, you should call the authority to discuss your concerns, and they will decide whether an investigation is required.

In each state and territory, all serious concerns should be reported by phone rather than online or via email. Serious concerns include when you suspect a child or young person is in imminent or immediate danger of serious harm, serious injury or chronic neglect.

The tables below include the contact details of the reporting authority in each Australian state and territory:

#### **Australian Capital Territory**

Reporting authority	Further services/information	Contact details

## Child and Youth Protection Services

Child and Youth Protection Services is responsible for facilitating coordination across government for the care and protection of children and young people in the Australian Capital Territory. If you are concerned about a child and want further information on mandatory reporting, refer to Keeping Children and Young People Safe.

#### Phone:

General public

Ph: 1300 556 729 (24

hours)

Mandated reporters Ph: 1300 556 728 (24

hours)
Online:

For less serious concerns, complete an online child concern report.

Email:

For less serious concerns, contact Child Protection Reports (link sends e-mail)

#### **New South Wales**

Reporting authority	Further services/information	Contact details
Department of Family and Community Services	The Department of Family and Community Services is responsible for handling reports of child abuse and neglect in New South Wales. Information about the process of reporting child welfare concerns can be found on the department's Reporting a Child at Risk webpage.  For information about mandatory reporting, refer to the Mandatory reporters webpage.	Phone: Child Protection Helpline Ph: 13 21 11 (24 hours) (TTY/voice calls: 133 677; Speak & Listen: 1300 555 727; SMS: 0423 677 767) Online: Mandatory reporters with less serious concerns can use eReporting.

#### **Northern Territory**

Reporting authority	Further services/information	Contact details
Territory Families	In the Northern Territory, every person is required to report suspected child abuse and neglect. For further information about the process of reporting concerns about a child's welfare in the Northern Territory, refer to the Report Child Abuse page of the department's website.	Phone: Child Abuse Hotline Ph: 1800 700 250 (24 hours)

#### Queensland

Reporting authority	Further services/information	Contact details
Department of Child Safety, Youth and Women	Child Safety is the lead child protection agency in Queensland. For information about the process of reporting concerns about a child's welfare in Queensland, refer to the <a href="Protecting Children">Protecting Children</a> webpage of the department's website. For more information about mandatory reporting, refer to the <a href="Mandatory Reporting">Mandatory Reporting</a> in <a href="Queensland">Queensland</a> webpage.	Phone: For a list of contact numbers during business hours, go to: Regional Intake Services. Child Safety After Hours Service Centre Ph: 1800 177 135 or (07) 3235 9999.

#### **South Australia**

Reporting authority	Further services/information	Contact details
Department for Child Protection	The Department for Child Protection works to keep South Australia's children safe by protecting them from abuse and neglect. For information about the process of reporting concerns about a child's welfare in South Australia, refer to the department's Report Child Abuse webpage. The Department for Child Protection provides additional information for mandatory reporting, including Mandated Notifiers and Their Role and Preparing to Report Child Abuse.	Phone: Child Abuse Report Line Ph: 13 14 78 (24 hours) Online: Less serious concerns can also be reported online.

#### **Tasmania**

Reporting authority	Further services/information	Contact details
Department of Communities Tasmania	The role of the Child Safety Service is to protect children and young people who are at risk of abuse and neglect in Tasmania. For information about the process of reporting concerns about a child's welfare in Tasmania, refer to the department's <a href="Child Safety Service">Child Safety Service</a> webpage. Information about mandatory reporting and making a notification can be found on the department's <a href="Child Safety notifications">Child Safety notifications</a> webpage.	Phone: Child Safety Service 1800 000 123 (24 hours) Online: Mandatory reporters with less serious concerns can report online.

#### Victoria

Reporting authority	Further services/information	Contact details
Department of Health and Human Services	The Child Protection Service is specifically targeted to those children and young people at risk of significant harm in Victoria. For information about child protection and mandatory reporting requirements in Victoria, refer to the department's <a href="#">Child Protection</a> webpage.	Phone: For a list of regional and metropolitan phone numbers: Child Protection Contacts After hours child protection emergency service Ph: 13 12 78

#### Western Australia

Reporting authority	Further services/information	Contact details
Department of Communities, Child Protection and Family Support	The Department of Communities, Child Protection and Family Support offers a range of services to support children and families in Western Australia.  For further information about the process of reporting concerns about a child's welfare, refer to the department's If You are Concerned About a Child webpage.  Information about mandatory reporting in Western Australia can be found on the department's mandatory reporting information webpage.	Phone: Central Intake Team Ph: 1800 273 889 After hours Ph: (08) 9223 1111 or Country Freecall: 1800 199 008 Online: Mandatory reporters with less serious concerns can use the department's secure Mandatory Reporting Web System