

Purpose

This policy sets out The Centre for Volunteering's (The Centre's) requirements and procedures for complaints, allegations, disclosures and reports, and external reporting obligations, on child safe reporting and complaint handling.

Everyone in our organisation must:

- know **what** to report, **who** to report to and **how** to report
- report any concerns about the safety or welfare of a child¹ immediately
- ensure the safety and wellbeing of the child is paramount when responding to a disclosure or allegation about a child being harmed or at risk.

Our reporting practices will be regularly reviewed and updated to make sure they remain effective and comply with legislation.

Scope

This policy applies to all staff and volunteers when taking part in any services, activities and events that involve children. Staff includes managers; supervisors; full-time, part-time or casual, temporary or permanent staff; job candidates; student placements, contractors, and sub-contractors at The Centre.

Policy statement

Commitment to child safety and Wellbeing

At The Centre for Volunteering every child has the right to be safe and feel safe. At The Centre we commit to the safety and wellbeing of every child who interacts with our services, activities and events, through training, Awards, volunteer support, and any other engagement.

The Centre ensures services, activities and events are inclusive of all children, including children with diverse needs.

As a child safe organisation, we commit to making sure everyone involved in our organisation knows how to appropriately respond to complaints, allegations, disclosures and breaches to our Child Safe Code of Conduct.

The Centre's response to any report, complaint, incident or allegation will be child-focused, prioritising the safety, interests and wellbeing of the child involved.

Definitions of Child Harm and Abuse

For the purposes of this policy and related policy documents, the following definitions apply. These can mean a one-off incident or a pattern of any of the following:

Psychological abuse (also known as emotional abuse)	This includes bullying, threatening and abusive language, intimidation, shaming and name calling, ignoring and isolating a child, and exposure to domestic and family violence.
Physical abuse	This includes behaviours such as pushing, shoving, punching, slapping, kicking and unauthorised use of restraint.

¹ For this policy and associated documents and procedures, a child is a person aged zero to 18 years.

Sexual abuse	This includes the sexual touching or sexual assault of a child, grooming, and production, distribution or possession of child abuse material.
Grooming	This is a process where a person manipulates a child or group of children and sometimes those looking after them, including parents, carers, teachers and leaders. They do this to establish a position of 'trust' so they can then later sexually or physically abuse the child.
Misconduct	This is inappropriate behaviour that may not be as severe as abuse but could indicate that abuse is occurring and would often be in breach of an organisation's Child Safe Code of Conduct. This could include showing a child something inappropriate on a phone, having inappropriate conversations with a child or an adult sitting with a child on their lap.
Lack of appropriate care	This includes not providing adequate and proper supervision, nourishment, clothing, shelter, education or medical care.

Unacceptable Behaviours Under our Code of Conduct

The Centre's Child Safe Code of Conduct provides a list of unacceptable behaviours around children and young people that breach The Centre's Child Safe Code of Conduct.

Many of these behaviours may not meet the threshold of 'reportable allegations' under the Reportable Conduct Scheme but may indicate a pattern of concerning behaviour.

Types of Complaints (What to Report)

All complaints should be reported. This includes:

- criminal conduct;
- disclosures or reports of abuse;
- risk of significant harm (ROSH);
- reportable allegations (an allegation that a staff member has engaged in conduct that may be reportable conduct); and
- unacceptable behaviour around children and young people that breaches The Centre's Child Safe Code of Conduct.

Making an external complaint/ report

Who must make an external report

It can be a criminal offence for adults not to report to police if they know, believe or ought reasonably believe that a child abuse offence has been committed against another person. In addition, it can be a criminal offence for people employed in an organisation that provides child-related services if they fail to reduce or remove the risk of a child becoming a victim of child abuse.

Mandatory Reporting

Mandatory reporting is the requirement by law for selected classes of people to report suspected child abuse and neglect to government authorities. In NSW, mandatory reporting is regulated by the Children and Young Persons (Care and Protection) Act 1998 (the Care Act).

The Centre does not meet the requirements of the Act to be classified as a mandatory reporter; however, we encourage staff and volunteers to report any child abuse offence they believe has been committed.

In addition, children and young people, their families or advocates and members of the community who may interact with our services, activities and events are encouraged to disclose and report to our organisation and will be supported when doing so.

How to make an external complaint/report

Reporting criminal conduct to the police

If there is an **immediate threat to the safety of a child or other person**, call 000 and take action to reduce the risk.

It is of the utmost importance that criminal allegations be reported to police at the earliest opportunity and that entities obtain guidance from police before taking any action that could compromise a criminal response.

Sometimes, it will be very clear that a report to police is required. For example, if you receive a report about sexual assault of a child, or a serious physical assault. At other times, it may be less clear. The New South Wales Police Force (NSWPF) encourages all matters to be reported. It is critical that criminal allegations be reported immediately to police, as taking risk management action or commencing investigative steps before consulting with police may jeopardise a police investigation.

It is important to note that some failures to report criminal allegations to police will constitute a criminal offence. For example, s316A of the Crimes Act 1900 sets out an offence for concealing child abuse in relation to a failure to report a child abuse offence to Police. A failure to report allegations of criminal abuse of a child may also constitute reportable conduct in some circumstances.

Contact The Rocks Police Station on 02 8220 6399, or the NSW Police on 131 444, for anything you consider could be a criminal offence. This includes sexual assault, physical assault, grooming offences, and producing, disseminating or possessing child abuse material.

Reporting risk of significant harm (ROSH)

Any person in the community who has reasonable grounds to believe that a child or young person is at **risk of significant harm** (ROSH) can report to the Department of Communities and Justice (DCJ) on 132 111 (this is a 24-hour service).

The law says a child is 'at risk of significant harm' if there are worries for their safety, welfare and wellbeing. This may be because one or more of the following has happened, is happening or is likely to happen to the child:

- Their basic needs are not met. This could mean they are not given enough food, are not going to school regularly, are not clean, do not have a safe home to live in or they are not supervised properly. This is called neglect.
- Their health needs are not taken care of. This could mean a child is sick but is not taken to a doctor, or the child has a disability but does not have any help.
- They are hurt by someone or something. This could mean a child has or had bruises, broken bones or injuries because of violence or physical discipline, or because someone was not watching them.
- They are sexually abused. This could mean a child is sexually harmed by an adult or another child.
- They are hurt mentally and emotionally. This could mean a child is ignored, put down, yelled at, threatened or humiliated in a serious way.
- A person is using violence against another person in the home. This is called domestic and family violence. This could mean threats, bullying, being forced to do things they do not

want to do, being forced to stop talking to friends and family, not being allowed to have money, and physical acts like pushing, hitting or kicking.

Making an Internal Complaint/Report

Everyone engaged to work or volunteer at The Centre must make an internal report about any child abuse or misconduct concerns they either observe or are told about.

The person making the internal report will not be penalised. A failure to report, or preventing another person from reporting, will be considered misconduct.

How to make an internal report

Internal reporting by staff and volunteers

All breaches to The Centre's Child Safe Code of Conduct and disclosures must be reported to the CEO/Deputy CEO.

Staff and volunteers can report their concerns in various ways.

Staff and volunteers can report their concerns by completing the Complaints and Allegations form (Appendix 1) and lodging the form at Reception in a sealed envelope marked "CONFIDENTIAL" Chief Executive Officer (CEO), The Centre for Volunteering, Level 3, 40 Gloucester Street, The Rocks, NSW 2000. It can also be sent to CEO's secure, confidential email at: grygate@volunteering.com.au. The form can also be submitted to the Deputy CEO via secure, confidential email at: tquinn@volunteering.com.au.

Reporting can be made in person at Level 3, 40 Gloucester St, The Rocks, NSW 2000. The CEO/Deputy CEO will work with you to gather the information required for reporting in the Complaints and Allegations form.

Reporting can also be made via phone, to 02 9261 3600, to the CEO/Deputy CEO. The CEO/Deputy CEO will work with you to gather the information required for reporting in the Complaints and Allegations form.

Internal reporting by children and young people or their families or advocates, and other members of the community

All breaches to the Child Safe Code of Conduct and disclosures must be reported to the CEO/Deputy CEO.

The community can report their concerns in various ways.

Concerns can be reported by completing the Complaints and Allegations form (Appendix 1) and lodging the form at Reception in a sealed envelope marked "CONFIDENTIAL" Chief Executive Officer (CEO), The Centre for Volunteering, Level 3, 40 Gloucester Street, The Rocks, NSW 2000. It can also be sent to CEO's secure, confidential email at: grygate@volunteering.com.au. The form can also be submitted to the Deputy CEO via secure, confidential email at: tquinn@volunteering.com.au.

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Reporting can also be made via phone, to 02 9261 3600, to the CEO/Deputy CEO. The CEO/Deputy CEO will work with you to gather the information required for reporting in the Complaints and Allegations form.

How complaints should be handled

Overview of the complaint-handling process

Once an allegation or complaint has been made, The Centre will:

- ensure that processes for responding to alleged abuse and misconduct are fair and focus on the safety and wellbeing of the child;
- notify the relevant authorities where there is an allegation against a Centre staff member or volunteer and conduct an investigation;
- provide reports and/or progress updates to the relevant authorities and, where appropriate, people involved in any incident;
- make referrals for support to alleged victims, their families and affected Centre staff and volunteers; and
- undertake timely reviews of organisational child safety policies, procedures and reflect on practices following an incident.

To drive continuous improvement, the Child Safety Policy and related operational procedures will also be regularly reviewed as we progress towards meeting the NSW Child Safe Standards and when new guidance material is issued by the Office of the Children's Guardian.

Procedural fairness, including privacy and confidentiality

Any allegation of abuse must be treated in a fair, transparent and timely manner.

Workers subject to an allegation will be notified when a disciplinary hearing is to take place and what will occur at the hearing. The Centre will follow the obligations defined under the Privacy Act 1988 (Commonwealth).

Additionally:

- all information will be recorded by the CEO/Deputy CEO s recorded on The Centre's Complaints and Allegations form (see Appendix 1 for a copy of this form);
- all reporting forms for complaints and allegations are stored securely in the EXEC Drive and only accessed by those in the organisation with responsibility for oversight of the investigation;
- information may be exchanged under Chapter 16A of the *Child and Young Persons (Care and Protection) Act 1998*, with other agencies who have responsibilities relating to the safety, welfare or wellbeing of children or young people;
- The Centre will maintain the privacy of those involved in accordance with its obligations under the *Privacy and Personal Information Protection Act 1998*; and
- if an incident is found to be substantiated, likely outcomes or responses will be determined from advice given by relevant authorities (police, Department of Communities and Justice or Office of the Children's Guardian).
- Where an incident is found to be unsubstantiated, a note will be made on the staff member's record of this outcome, and the record will be filed securely in the EXEC Drive.
- All staff records relating to allegations will be retained and deleted in accordance with The Centre's Records Management Policy which includes obligations under Crimes Act 1900 (NSW), Privacy Act 1988, Fair Work Act 2009, and Fair Work Regulations 2009.

Appendix 1 – Complaints and Allegations form

This form should be used to record a suspicion, allegation or disclosure of child abuse, or a complaint of unacceptable behaviour.

Your name and position:	
Name of the child or young person involved:	
Name of person making complaint (if different from above):	
Name of person who the complaint was made against:	
Date:	

Nature of the complaint: include time, date, location, what happened and who was involved (this can include observations of the child's behaviour).

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Details of any injuries and if the child received medical attention.

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Accurately record what the child said when describing what happened – use their exact words – or record why you suspect abuse due to an indirect disclosure, such as a drawing or observed behaviour.

(In the case of an allegation of abuse, formal investigations and interviews will be carried out by DCJ and/or NSW Police. You must record what the child has said but unless it is your role to investigate, you should not interview the child.)

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Details of anyone who saw what happened.

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Does this complaint indicate the possibility of child abuse, such as physical abuse, psychological or emotional abuse, sexual abuse or neglect?

Choose an item.

Who did you make a report to?

Choose an item.

People spoken to in relation to the matter (detail anyone who was spoken to and why they were spoken to about the matter – include police officers, DCJ staff, OCG staff, etc. Provide contact details, reference details (if applicable) and the dates and times you spoke to these people).

Office use only	
Form received by:	
Date received:	
Action taken:	
Documentation has been filed in EXECUTIVE} Work Health and Safety} Child Safe Complaints and Allegations	
Signature:	