

1. PURPOSE

The purpose of this procedure is for Council to make staff and the community aware of the processes associated with reporting a child safety concern.

The Horsham Rural City Council is required under legislation to effectively manage the risk of Abuse occurring toward Children, and report on any offences that occur. This document should be read in conjunction with the Child Safety and Wellbeing Policy.

2. INTRODUCTION

Horsham Rural City Council has zero tolerance for Child Abuse and is committed to promoting and protecting Children from Child Abuse. Council takes all allegations of Child Abuse seriously and is committed to:

- Providing processes for reporting allegations of Child Abuse
- Ensuring an efficient and thorough investigation and/or referral where required
- Maintaining adequate record keeping and reports of Child Abuse
- Ensuring our staff know what to do and who to tell if they suspect or observe Child Abuse
- Reporting allegations of Child Abuse to the appropriate authorities

3. SCOPE

This procedure applies to all Councillors, staff, volunteers and any individual performing employment-related duties on behalf of Horsham Rural City Council herein referred to as 'Personnel'.

4. ACTIONS

It is the responsibility of all staff to report any child safety concerns as soon as practicable. To ensure compliance with legislation and the protection of Children, any adult who has a reasonable belief that a Child has been, or is at risk, of Abuse whether in their organisation or not, has an obligation to report in accordance with this procedure.

4.1 Good Faith Reporting

Reports by staff should be made in good faith. The law generally protects those that report in good faith from legal repercussions and in some cases also prevents the disclosure of the name/identification of the person who has made a report.

4.2 Public Risk issues

Some incidents relating to Children may be of a public risk nature, rather than be relevant to this procedure. For example, an incident involving a Child who trips on a raised public footpath would be managed in accordance with Council's risk and insurance management processes, in the same way that an adult falling on the footpath would be dealt. Such matters would therefore not be handled through the Reporting a Child Safety Concern procedure.

4.3 Reporting

Individuals must report when they observe or suspect that a Child is or has been the subject of Abuse including physical violence, sexual abuse, serious emotional or psychological abuse and serious neglect.

A suspicion may exist if:

- A Child tells of conduct that constitutes Abuse or neglect (Appendix 1).
- A Child displays indicators of Abuse or neglect (Appendix 3).

Personnel are also required to report general concerns such as:

- Physical environmental risks to Children
- Observing inappropriate or uncomfortable interactions between adults and Children
- Observing concerning changes in a Child's behaviour

As per the Child safety reporting process flowchart (Appendix 2), all Child safety concerns should be reported to one of the Child Safety Officers (Kevin O'Brien, Director Communities & Place; Mandi Stewart, Manager Community Services & Safety) as soon as practicable.

If you believe a Child is at immediate risk of Abuse call 000.

When an adult has a 'reasonable belief' that a sexual offence has been committed by an adult against a Child they have an obligation to report it to police, (unless exemptions apply). Failure to disclose the information to police is a criminal offence.

Likewise, people within organisations who knew of a risk of Child sexual abuse by someone in the organisation and had the authority to reduce or remove the risk, but did not act to protect the Child, are guilty of the criminal offence 'failure to protect'.

4.4 Responding to Incident Disclosure

If a Child or family discloses an incident of Abuse to you:

- Stay calm, remain objective and explain there is a process for dealing with the report and that information will need to be shared with others including the police
- Keep a written record of the report and contact the Child Safety Officer as soon as practicable

4.5 Reports concerning HRCC Personnel

If the allegation involves a member of the organisation:

- Explain there are processes for dealing with the complaint and contact the Child Safety Officer as soon as practicable. The Child Safety officer will then:
- Call 000 if they believe a Child is at immediate risk of Child Abuse
- Accurately record the report in their own words and complete a Child Safe Incident report (form on Intranet)
- Alert the police, the CEO and other relevant personnel in the organisation
- Assist the Child/family to access appropriate counselling and advocacy

- Inform the Child/family of the steps that the organisation will take

4.6 Investigating

If required, the Police may decide to conduct an investigation. All Personnel must fully comply with any such investigation.

Whether or not a criminal investigation is pursued by the police, the CEO will consult with the Child Safety Officers to determine if an internal investigation should take place.

The CEO will:

- Await police clearance on any criminal matters before commencing any investigation
- Make every effort to maintain and ensure confidentiality during the investigation process
- Co-ordinate the investigation with the relevant authorities including, if relevant, notifying the Commission for Children and Young People under the Reportable Conduct Scheme

4.7 Responding

If the allegations involve Personnel then the person concerned may be stood down (with pay, where applicable) until the investigation is complete, (as per the Complaint Resolution procedure and/or the Disciplinary (including Managing Underperformance) Procedure).

At all stages the Child/family should be aware of the processes undertaken and the resulting actions.

5. COMMUNICATION

Website, Intranet, staff meetings and Personnel training.

6. RESPONSIBILITY

Policy Owner: Manager People & Performance

7. DEFINITIONS AND KEY TERMS

Definition	Meaning
Abuse	Any act committed against a Child that involves: <ul style="list-style-type: none"> • neglect or abuse of a physical, emotional, psychological or cultural nature • Physical violence • Sexual offences
Child/Children	A person under the age of 18
Child Safety Officer	A council employee with a specific responsibility for responding to any issues associated with child safety – Kevin O’Brien, Director Communities & Place; Mandi Stewart, Manager Community Services & Safety
Child Safe Standards	Refers to the 11 Standards made under section 17(1) of the <i>Child Wellbeing and Safety Act 2005</i> .
Harm	Describes an event that is seen as possibly less detrimental than ‘Abuse’ but is clearly not in a person’s best interest of promoting their safety and wellbeing.
Reportable Conduct Scheme	Seeks to improve organisations’ responses to allegations of Child Abuse and neglect by their workers and volunteers. The scheme is established by the <i>Child Wellbeing and Safety Act 2005</i> .

8. SUPPORTING DOCUMENTS

Document	Location
Child Safe Incident Report Form	Intranet
Child Safety and Wellbeing Policy	Intranet
Complaints Resolution Procedure	Intranet
Councillors Code of Conduct	Intranet
Complaint Resolution Policy and Procedure	Intranet
Disciplinary (including Managing Underperformance) Procedure	Intranet
Staff Code of Conduct	Intranet
Victorian Child Safe Standards	<u>Commission for Children and Young People</u>

9. DOCUMENT CONTROL

Version Number	Approval Date	Approval By	Amendment	Review Date
01	20 November 2017	Council	New Procedure	20 November 2020
02	22 August 2022	Council	Review in relation to updated Child Safe Standards	22 August 2026

Types of Child Abuse and harm – Appendix 1

Emotional/psychological harm can arise as a result of experiencing a sexual offence, sexual misconduct, physical violence or neglect. It may also arise in circumstances that involve persistent verbal abuse, coercive or manipulative behaviour, hostility towards a child, humiliation, belittling or scapegoating, conveying to a child that they are worthless, unloved, inadequate or rejected, or causing a child to frequently feel frightened or in danger.

Grooming can involve the use of a variety of manipulative and controlling techniques to build trust or normalise sexually harmful behaviour and is often described as the ‘preparation’ phase of child sexual abuse, undertaken by the perpetrator to gain the trust of a child, and to establish secrecy and silence. Tactics can involve a range of subtle, drawn out, calculated, controlling and premeditated behaviours and can involve behaviour in person and activities on social media, email or phone.

Neglect is a failure to meet the basic needs of a child (such as their wellbeing and safety). Neglect can arise as a result of a single event or a combination of different events. Some neglectful behaviours that can occur include: supervisory neglect, physical neglect including the provision of adequate and appropriate food, clothing, shelter or physical hygiene, educational neglect and emotional neglect such as failure to provide adequate nurturing, encouragement and support to a child.

Physical violence can occur when a person intentionally or recklessly uses physical force against, with or in the presence of a child without their consent, which causes, or could cause, the child harm. Physical violence can also occur when someone intentionally or recklessly causes a child to believe that physical force is about to be used against them without their consent. Physical violence can include hitting, punching, kicking, pushing or throwing something that strikes a child. It also includes the use of words or gestures that cause a child to believe that they are about to suffer physical violence.

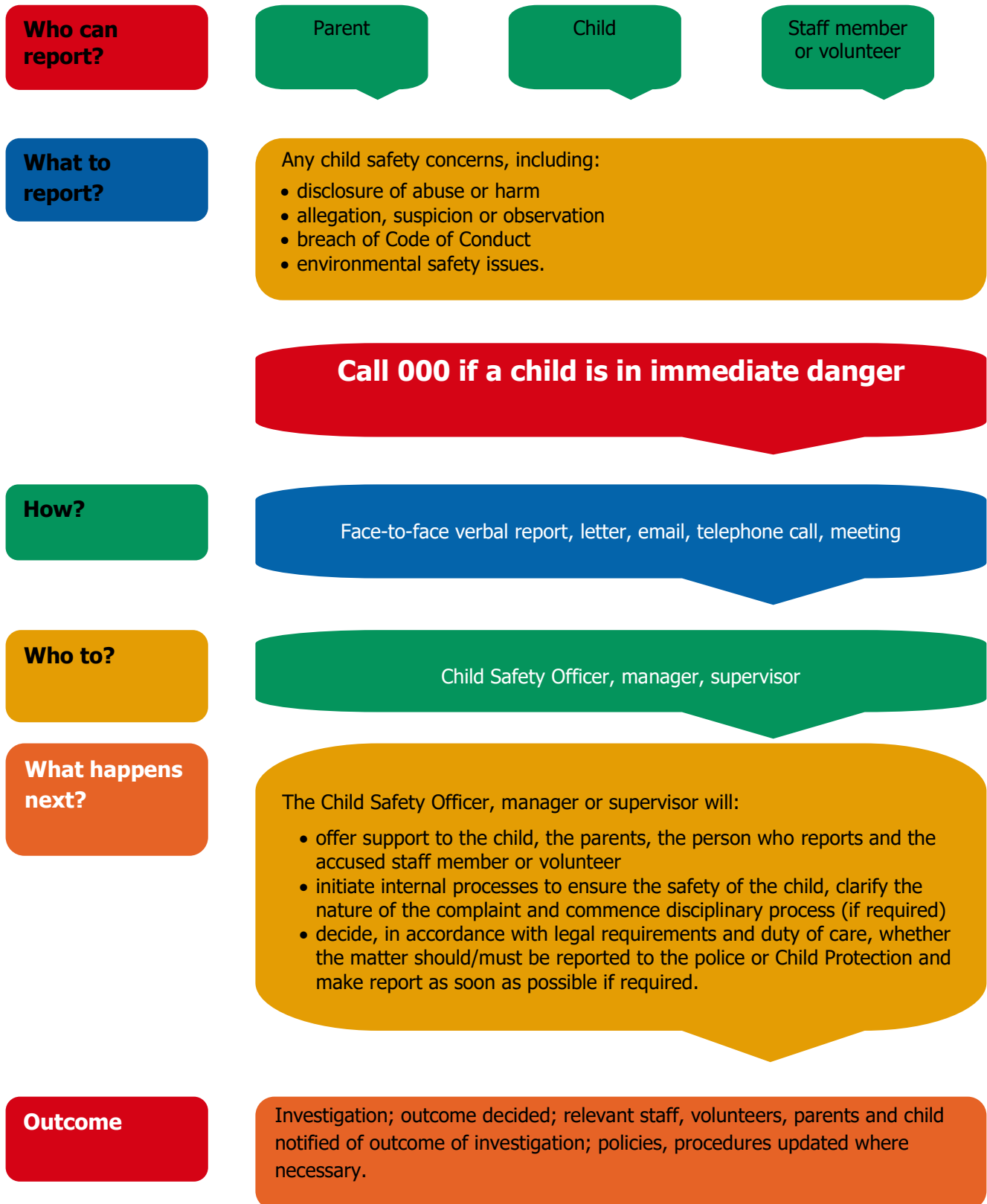
Racial, cultural or religious abuse can cause emotional and psychological harm. Cultural abuse occurs when the culture of a people is ignored, denigrated or intentionally attacked. It can be overt or covert, for example, a lack of cultural/religious sensitivity or absence of positive images about another culture. Cultural abuse is especially harmful for children ‘because it strikes their sense of identity, self-esteem and connectedness to family and community.

Child sexual abuse is when a person uses power or authority over a child to involve them in sexual activity. It includes a broad range of behaviours involving a sexual element that are committed against, with or in the presence of a child. Child sexual abuse does not always involve force. In some circumstances, a child may be manipulated into believing that they have brought the abuse on themselves, or that the abuse is an expression of love. Sexual offences may involve contact, like touching or penetration. They also include acts that do not involve physical contact like ‘flashing’, possessing child abuse material or grooming.

Sexual misconduct includes a variety of sexualised behaviours against, with or in the presence of a child. These behaviours may not meet the threshold for a sexual offence but can still pose a significant risk to children. Behaviours could include inappropriate conversations of a sexual nature, comments that express a desire to act in a sexual manner, or in some cases, behaviour that crosses a professional boundary, such as having or seeking to establish an inappropriate or overly personal or intimate relationship with a child.

Appendix 2

Flowchart: Child safety reporting process



Appendix 3

SIGNS THAT MAY INDICATE A CHILD IS BEING ABUSED

Abuse can be hard to spot. Some children show no external signs of abuse.

Sometimes a child may tell us if they are being harmed, and at other times we will need to look out for changes in behaviour, emotions or physical appearance. Common signs across different abuse types include:

- unusual or regressive changes in behaviour, like a sudden decline in academic performance, anxiety, withdrawal, hyperactivity, sleep disturbances, drug or alcohol misuse, bedwetting
- concerning behaviours that may be harmful to themselves or others
- being extremely sensitive and alert to their surroundings (hypervigilance)
- absences from school without reasonable explanation
- frequent headaches or stomach pains
- drawings or writing which depict violence or abuse
- raising a concern about a friend or someone they know
- attempted suicide or self-harm
- unexplained or inconsistent, vague, or unlikely explanations for an injury
- unexplained bruising, fractures or other physical injuries
- unusual fear of physical contact
- harm to others or animals
- wariness or fear of someone including a parent, carer, other adult or child
- trying to protect friends or other family members from someone
- reluctance to go home
- the child is assessed as having experienced a significant delay in their emotional or intellectual development or that their functioning has been impaired
- taking on a caring or parental role with siblings prematurely.

A child may be suffering from one or more types of abuse.

Watch for any changes in the child's general mood. The child may become anxious, irritable, depressed, angry, or show a combination of emotions. However, do not assume that just because you see these signs the child is being abused. Keep in mind that these signs can apply to a child under stress and may not be related to child abuse.