

CHILD PROTECTION AND REPORTING HARM POLICY

Policy number	CS001	Version	005
Responsible person	DOTSS	Approved by CEO	December 2020
Reviewed by	CIQAC	Scheduled review date	December 2022

INTRODUCTION

Bravehearts is committed to the safety and wellbeing of all clients accessing our service. Bravehearts supports the rights of the client and will act without hesitation to ensure a child and/or clients' safe environment is maintained.

Children and vulnerable people need to know and believe that they always have the right to be safe and feel safe. Children are amongst the most vulnerable members of our society. This policy has been developed to promote and enhance the safety and welfare of children and vulnerable people in relation to their contact with Bravehearts personnel.

It is important that there be a total community effort towards the protection of children and vulnerable people from sexual assault and exploitation and/or from abuse and neglect more broadly. Bravehearts will, at all levels, operate in a spirit of cooperation and consultation with other relevant agencies in matters concerning child protection and protection of vulnerable people.

Bravehearts upholds the commitment of the United Nations Convention on the Rights of the Child in particular Article 3 which states: 'In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration'.

This policy applies to all Bravehearts staff, students, volunteers, contractors and National Board and Committee members ("Bravehearts Officer").

DEFINITIONS

Bravehearts Officer: any member of the Bravehearts' National Board, staff, students, volunteers or contractors.

Bravehearts' National Board: means the Directors and relevant officers of the organisation.

Child Abuse: Child abuse is defined as any act of omission or commission that endangers or impairs a child's physical/psychological/emotional/social health and development.

Child Protection and Vulnerable Person Officer: a responsibility given to an employee to ensure key areas of the organisation consistently have the protection of children and vulnerable children at the forefront of decisions and are current in legislation and information of best practice.

Child Sexual Assault and Exploitation: Child sexual assault and exploitation includes any act of inappropriately exposing or subjecting a child, under the age of 18, to sexual activity, contact or behaviour by an adult or by another child, for the purposes of gratification (sexual or otherwise).

Child: A child is any person who has not yet reached the age of 18.

Clients: A client is defined as any individual accessing Bravehearts Therapeutic and Support Services.

Contractor: a person, or company contracted by Bravehearts to undertake a piece of work/ function with contract agreement.

Department Manager: A manager assigned to a service operations department. This includes but not limited to the Therapeutic Services Manager, National Advocacy and Support Manager, National Education Manager and National Child Protection Training Manager.

Director of Therapeutic and Support Services: A staff member who reports directly to the CEO and has the responsibility of management of the Operations Department Managers, Therapeutic and Support Services Quality Coordinator and Reception.

EAP: Employee Assistance Program (EAP): is a voluntary, work-based program that offers free and confidential assessments, short-term counseling, referrals, and follow-up services to employees who have personal and/or work-related problems.

Principal: Refers to an individual with responsibility over a campus or centre including but not limited to School Principal, Director or Centre Manager, Headmaster and Head of Agency.

Reasonable Grounds: A reasonable basis to believe that a definable activity has been, or may be committed

Senior Executive Team (SET): Internal senior management of Bravehearts, consisting of, but not limited to: Chief Executive Officer, Director of Research, Executive Assistant and National Grants Manager, Director of Therapeutic & Support Services, People and Culture Manager, Finance Manager and Head of Community Engagement.

Staff Member: People employed under a current Employment Agreement as casual, part time or full-time officers of the organisation.

Stakeholders: Any individual or agency (government and non-government) who have a vested interest in the outcomes achieved by Bravehearts.

Students: Student from a tertiary institute undertaking a volunteer placement or internship with Bravehearts.

Supervisor or Coordinator: A staff member with responsibility for supervising Bravehearts staff.

Volunteers: People who are registered as volunteers with the Bravehearts Events and Volunteer Coordinator.

Vulnerable People: A child or children; or an individual aged 18 years and above who is or may be unable to take care of themselves or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason.

PURPOSE

The purpose of this policy is:

1. To promote and enhance the safety and welfare of children, vulnerable people and clients.
2. Establish the principles which will govern the organisational response to disclosures or concerns of harm/risk of harm to children or vulnerable people.

3. Establish the principles which will govern the organisational response to disclosures or concerns that a child or vulnerable person may be a risk to themselves and/or others.
4. To ensure the existence of clear procedures for clients, staff, volunteers and management that guide actions in line with the policy principles.
5. To enable Bravehearts to address all disclosures or concerns of harm and risk of harm by ensuring that the information is recorded, considered, resolved and monitored and informs future policy/procedure development and review.
6. To ensure that Bravehearts Officers and clients are aware of the content of this policy and its associated related documents and procedures.

POLICY

1. Bravehearts shall implement and maintain a formal procedure for disclosures or concerns of harm/risk of harm to children and vulnerable people based on the following principles;
 - The safety of children and vulnerable people is the paramount consideration.
 - Children are among the most vulnerable members of our society.
 - Children and vulnerable people need to know and believe that they have the right to be safe at all times.
 - Children and vulnerable people are entitled to basic human rights regardless of special needs, cultural, or socioeconomic factors, and to have those rights protected.
 - Children and vulnerable people are people in their own right, deserving of respect, care and protection.
 - Children and vulnerable people are entitled to the support of a person to act as an advocate on their behalf and to protect them and their voice.
2. Bravehearts will implement and maintain a formal procedure for disclosures of harm or concerns that a client may be at risk to themselves and or others, to make sure that all staff and volunteers are aware of their responsibility as mandatory reporters as defined by Bravehearts policy.
3. Bravehearts will ensure that all staff, students and volunteers who work directly with clients and children or vulnerable people are employed with recognised and appropriate qualifications in accordance with their role in the organisation.
4. Bravehearts will ensure all staff, students, volunteers and National Board and Committee members hold a current *Working with Children Suitability Card* (in accordance with state and territory legislation) before commencing working or volunteering at Bravehearts. Bravehearts keeps a *Working with Children Register* for all Bravehearts Officers and National Board and Committee members. A registered health practitioner with the Australian Health Practitioners Regulation Agency (AHPRA) is exempt from obtaining a *Working with Children Check* (blue card) when employed with Bravehearts. AHPRA registration must be maintained at all times by the employee and a record will be maintained on the employees files.

5. Bravehearts will ensure all staff, students and volunteers who will be offering support to NDIS clients will hold a Yellow Card (in accordance with state and territory legislation) before commencing working or volunteering at Bravehearts supporting NDIS clients. Bravehearts keeps a Yellow Card Register for all staff, students and volunteers. Where there is no valid Yellow Card the person may not work with NDIS clients.
6. The relevant Departmental Manager will make that staff, students, volunteers, contractors and National Board and Committee members are aware of the definitions of sexual assault/exploitation, abuse and neglect as contained in the relevant State and Territory Acts through the induction process.
7. The relevant Department Manager shall ensure staff, students, volunteers and National Board and Committee members are aware of the policy and procedures of reporting any suspicion, concerns or disclosure of child and vulnerable people abuse and neglect through the induction process.
8. The relevant Department Manager shall ensure Bravehearts Officers and National Board and Committee members are aware of the policy and procedures of reporting any suspicion, concern or disclosure that a client may be at risk of harm to themselves and or others as required by duty of care through the induction process.
9. Bravehearts will ensure Bravehearts Officers and National Board and Committee members undertake ongoing training and development for fulfilling reporting obligations.
10. Bravehearts will ensure they clients, children and vulnerable people are made aware of this policy and Bravehearts mandatory reporting and incident management procedures. This will be shared through consent forms, client handbook, Bravehearts website and regularly informed via communication with any Bravehearts officer. Officer.
11. All information relating to a disclosure or concerns of harm to children and/or vulnerable people and clients will be recorded, considered and retained with regards to confidentiality, in line with the Procedures outlined within this Policy.
12. All disclosures or concerns of harm to children and/or vulnerable people and clients will be addressed in a confidential manner. Only the people directly involved in reporting, investigating or resolving the issues will have access to information about it.
13. The relevant Department Manager shall ensure that the investigation process is impartial. No assumptions will be made, nor any action taken until all relevant information has been collected and considered.
14. The relevant staff member will ensure that any cultural, LGBTIQ+ or disability factors will be considered in the investigating process.
15. All Bravehearts staff, students, volunteers and National Board and Committee members must follow Bravehearts Code of Conduct.

INTERNAL RELATED DOCUMENTS

- Bravehearts Child Protection Incident Report
- Bravehearts Child Protection Notification Form
- Client Rights and Access to Confidential Information Policy
- Code of Conduct
- Complaints, Complaints & Feedback Register

- Compliments Complaints and Feedback Policy
- Incident Management Policy
- Privacy Policy

EXTERNAL REFERENCES

- *Care and Protection of Children Act 2007*
- *Child Protection Notification form (online and PDF)*
- *Children and Young Persons (Care and Protection) Act 1998*
- Department of Child Safety, Youth Justice and Multicultural Affairs – Service Agreement Standard Terms (17 February 2015).
- *Disability Services Act 2006*
- *NDIS Practice Standards and Quality Indicators; July 2018*
- *NDIS Quality and Safeguards Commission*
- *Queensland: Child Protection Act 1999*
- *Queensland: Commission for Children and Young People and the Child Guardian Act 2000*
- *Queensland: Human Rights Act 2019*
- *The Children's Protection Act 1993*
- *United Nations Convention on the Rights of the Child*
- *Working with Children (Criminal Record Checking) Act 2004*
- *Working with Vulnerable People (Background Checking) Act 2011*

AUTHORISATION



Alison Geale
CEO
December 2020



CHILD PROTECTION AND REPORTING HARM PROCEDURE

Policy number	CS001	Version	005
Responsible person	DOTTS	Approved by CEO	December 2020
Reviewed by	CIQAC	Scheduled review date	December 2022

CONTENTS

CHILD PROTECTION AND REPORTING HARM POLICY 1

 Introduction..... 1

 Definitions 1

 Purpose 2

 Policy 3

 Internal Related Documents 4

 External References 5

 Authorisation 5

CHILD PROTECTION AND REPORTING HARM PROCEDURE 1

 Responsibilities 1

 Procedures 2

 Reporting Harm: 3

 Related Documents 15

 Authorisation 15

RESPONSIBILITIES

It is the responsibility of all Bravehearts staff, students, volunteers and National Board and Committee Members ("Bravehearts Officers") to understand the Child Protection and Reporting Harm Policy and Procedure. It is the responsibility of Bravehearts staff to ensure that clients and members of the community are informed of the Child Protection and Reporting Harm Policy and Procedure.

The **Bravehearts Senior Executive Team** are responsible for:

- Ensuring that the Department Managers or Coordinators are implementing the Child Protection and Reporting Harm Policy and Procedures within their teams.
- Ensuring that investigations into a disclosure are handled respectfully and confidentially in line with the outlined procedures.

The **Bravehearts Department Managers and Coordinators** are responsible for:

- Ensuring their teams are aware of and are implementing the Child Protection and Reporting Harm Policy and Procedure.
- Ensuring an assessment of information regarding concerns or disclosure are handled respectfully and confidentially in line with the following procedure.

- Ensuring that where appropriate, the client's parent/carers/guardian are informed and/or have been considered in the assessment of any actions taken in relation to notification or reporting of information to relevant external agencies.

The **Bravehearts Child Protection and Vulnerable Person Officer** is responsible for:

- Guiding the organisation to consistently operate with a child, youth and vulnerable person protection focus in all aspects of operations, and ensure that policies, procedures, risk management and workplace health and safety support the organisation to act in line with its guiding principles.

The **Bravehearts Staff** are responsible for:

- Ensuring they are aware of the Child Protection and Reporting Harm Policy and Procedure.
- Ensuring that all clients and those in contact with the Bravehearts Information and Support Line are made aware of the limits of confidentiality should we hold concerns about the safety and wellbeing of themselves or others.
- Ensuring an assessment of information regarding concerns or disclosures are handled respectfully and confidentially in line with the following procedure.
- Ensuring that client parent/carers are informed and/or have been considered in the assessment of any actions taken in relation to notification or reporting of information to relevant external agencies.

PROCEDURES

Bravehearts holds the position that all Bravehearts Officers, National Board and Committee members are mandatory reporters irrespective of the location of the child or vulnerable person within Australia or internationally. They are therefore required to report any concerns regarding potential or actual harm to a child or vulnerable person to the relevant police and/or Child Protection department and relevant external agencies as required by legislation. In all disclosures of harm or risk of harm to a child or vulnerable person or client, it must be explained to the complainant that it may be necessary to inform a statutory agency and that their cooperation may be sought, including calls received through the Information and Support Line service. Bravehearts must make attempts to reassure and support the person making the complaint to ensure that they receive a timely and appropriate response.

When to report

- If you have concerns that sexual assault and exploitation, physical or emotional abuse, domestic violence or neglect may be occurring.
- If sexual behaviour problems/harmful sexual behaviours have been observed or reported.
- If you have a suspicion or concerns that a child or adult may be at risk of harm to themselves and/or others.
- A child or vulnerable person has disclosed that they are being physically or emotionally abused, sexually assaulted or exploited, experiencing or witnessing domestic violence or being neglected.

- If you have received an allegation of physical or emotional abuse, sexual assault, domestic violence or neglect regarding a child or vulnerable person.
- If you witnessed an incident that causes or potentially causes harm to child or vulnerable person.
- If you were involved in an incident that causes or potentially causes harm to a child or vulnerable person or adult.
- If you believe on reasonable grounds that a child or vulnerable person is in need of protection.

You do not require evidence or proof if you suspect on reasonable grounds that abuse or harm has occurred or may occur.

REPORTING HARM:

i. Therapeutic and Support Services

If a child or vulnerable person makes a direct disclosure or allegation regarding their safety or well-being, or an adult makes a disclosure regarding a child or vulnerable person's safety and well-being, Bravehearts staff, students, volunteers and National Board and Committee members have a duty of care to take immediate action.

In all disclosures of potential self-harm, suicidal or criminal intention, Bravehearts must exercise their duty of care to the client/s and /or child or vulnerable person. Bravehearts must make attempts to reassure and support the person making the disclosures as this can be a stressful and distressing time. Once a client makes a disclosure of potential self-harm, suicidal or criminal intentions, Bravehearts Officers have a duty of care to take immediate action as outlined in the Operational Manual.

The person who the child or vulnerable person has disclosed should:

- Listen carefully to all they say.
- Tell them it is not their fault and you are proud that they told you.
- Let them know you will do everything in your power to ensure that something is done, however ensure not to make promises you cannot keep.
- Document all disclosures – use the child/vulnerable person's exact words as best you can.
- Do not force them to talk about it, you are there to listen to what they want to tell you.
- Do not use direct or closed questions, instead using open-ended, prompting questions only.
- Conduct a risk assessment for the child/vulnerable person in line with the Operational Manual requirements.
- Do what you need to do to make the child or /vulnerable person feel safe.

The Bravehearts Officer who received the disclosure or has concern of harm is required to refer to their Bravehearts department Operational Manual to complete the appropriate Child Protection Notification/Police Report or contact emergency services.

The Departmental Operational Manual will outline instructive processes regarding:

- Responding to disclosures (in person and/or via phone)

- Risk Assessment
- Duress Alarm Activation (if required)
- Notifying Manager and/or Coordinator
- Contacting emergency services (if required)
- Completing a Child Protection Notification and/or Police Report (including what to report)
- Documenting disclosures, notifications and/or reports on Bravehearts Service Record System (SRS)
- Debrief and Self Care

A report should be made regardless if all the above information is known or not. If uncertain you have enough information, please discuss with your Manager regarding what action should be taken or contact the Child Protection and Vulnerable Person Officer. Reports should be made each time you become aware of any additional information or further grounds for concern. Reports must be made on the day of the disclosure. All reports should be reviewed and signed by your line manager or departmental manager if possible before submission.

It is vital for staff members to record disclosure information in the client's file in Bravehearts SRS system, even if the client will not be receiving ongoing support services from Bravehearts. Upload a copy of the notification documentation as well as a record of any discussion with the relevant State or Territory police or child protection authority in the client file on SRS. A written or online notification is always required following a verbal notification.

If the concern of harm relates to an NDIS provider:

Support the client by advising them they have the right to raise their complaint with the NDIS Commission. Inform them that they are able to do this by contacting the NDIS Commission via calling 1800 035 544 or visit www.ndiscommission.gov.au. Please ensure to offer the client if they would like support in contacting the commission or arranging an ongoing support for them.

ii. Education and Training

If a child or vulnerable person makes a direct disclosure or allegation regarding their safety or well-being, or an adult makes a disclosure regarding a child's or vulnerable person's safety and well-being, Bravehearts Officers have a duty of care to take immediate action.

In all disclosures of potential self-harm, suicidal or criminal intention, Bravehearts must exercise their duty of care to the client/s. Bravehearts must make attempts to reassure and support the person making the disclosures as this can be a stressful time. Once a child or young person makes a disclosure of potential self-harm, suicidal or homicidal ideations, Bravehearts' Officers have a duty of care to take immediate action.

Who to report to (concern of harm to child or vulnerable person):

1. **Notify School (if applicable):** Staff member to notify the Principal (and Guidance Officer if applicable) who will then make a report to the police and/or relevant child protection service. The staff member should support this process to ensure all relevant information is included (see **'What to Report'**). However, due to location/time restraints, it is ultimately the Principal's

responsibility to ensure the correct process is followed and the child is supported. Record report reference number in Bravehearts' 'Child Protection Notification Form' if reference number is given. Staff member may need to follow up and ensure report has been made. Refer to BSL, website & provide a brochure about available support services (appropriate to location). Explain that you are a mandatory reporter by Bravehearts Policy and may also need to report (if required details are known about the child/disclosure).

2. **Inform Bravehearts Manager:** Staff member to notify their Manager of the situation.
3. **Complete Bravehearts form:** [Bravehearts' Child Protection Notification Form](#).
 - **If you have significant details (for example a full name and address of home or education establishment)** of the disclosure, notify child protection by completing a Child Protection Notification Form and submitting to the relevant police and/or child protection in the child's state or territory. Provide a copy of this notification to your Manager. The Manager will provide a signed copy of this notification to the Child Protection and Vulnerable Person Officer for uploading to SRS database.
 - **If there are not enough details to complete a Police Report or Child Protection Notification**, the Manager will still require a Child Protection Notification Form detailing the disclosure. The Manager will provide a signed copy of this notification to the Child Protection and Vulnerable Person Officer for secure filing.
4. **Make sure that** all information is passed onto your line Manager as they will follow up with the Principal to confirm the matter has been addressed and 'close the loop'. Alternatively, they will delegate this to an appropriate team member or coordinator.

If you are not confident that a report has already been made, you must complete a Child Protection Notification and/or Police report based on the information you have available as well as follow up with the principal (if applicable).

Who to report to (concern of harm to adult or vulnerable person):

1. **If immediate risk identified (harm to self or others)** - Contact emergency services via 000 or relevant State contacts. Report to principal (if applicable).
2. **If no risk imminent identified** - Provide information to the adult including Bravehearts brochures of services, Bravehearts 1800 272 831 and Helpful Numbers Card or applicable support services.
3. **Inform Bravehearts:** Staff member to notify their Manager of the situation.
4. **Inform parents/guardian (if appropriate):** If staff member is aware that the vulnerable person has a guardian it may be appropriate to contact them to support the vulnerable person.
5. **If the concern of harm relates to an NDIS provider:** Support the client by advising them they have the right to raise their complaint with the NDIS Commission. Inform them that they are able to do this by contacting the NDIS Commission via calling 1800 035 544 or visit www.ndiscommission.gov.au. Please ensure to offer the client if they would like support in contacting the commission or arranging an ongoing support for them.

If a person is uncertain on who to report the concern of harm to they can contact their Department Manager or reach out to the Bravehearts Child Protection and Vulnerable Person Officer for advice.

What to include in the report to Child Protection and/or Police (if necessary):

- **Details** - the child's name, age/grade and address or school address.
- **Indicators/concerns of harm** - What concerns have led you to reasonably suspect that the child/ren has/have been significantly harmed or at risk of significant harm? How did you become aware of these concerns? For example, child disclosed, or parent disclosed. Details of the alleged offender/s (if known).
- **Other services** - your knowledge of other services involved with the family, (including details of the school and/or childcare).
- **Family information** - any other information about the family (if known).
- **Social/Cultural characteristics** - any specific cultural or other details that will help to care for the child (e.g.-interpreter or disability needs (if known)).
- **You can locate a copy of the report [here](#)**

A report should be made regardless or whether or not all the above information is known. If uncertain you have enough information, please discuss with your Manager regarding what action should be taken. Reports should be made each time you become aware of any additional information or further grounds for concern. Reports are required to be made on the day of the disclosure.

Debriefing

Schedule a time to have a debrief with your Manager within 24 hours of disclosure and implement self-care strategies. Access the EAP if you require immediate or additional support. If your manager is unavailable, please contact the Director of Therapeutic and Support Services.

ii. Extended Bravehearts Departments

If a child or vulnerable person makes a direct disclosure or allegation regarding their safety or well-being, or an adult makes a disclosure regarding a child's or vulnerable person's safety and well-being, at all times Bravehearts staff, students, volunteers and National Board and Committee members have a duty of care to take immediate action.

In all disclosures of potential self-harm, suicidal or criminal intentions, Bravehearts must exercise their duty of care to the client/s. Bravehearts must make attempts to reassure and support the person making the disclosures as this can be a stressful time. Once a disclosure of potential self-harm, suicidal or criminal intent is made, Bravehearts' staff, students, volunteers, National Board and Committee members have a duty of care to take immediate action.

Who to report to (concern of harm to child or vulnerable person):

1. **Notify Bravehearts Manager:** Staff member to notify their Manager of the situation.
2. **Complete Bravehearts form:** Bravehearts' 'Child Protection Notification Form.

3. Report to Police and/ or state relevant Child Protection agency

- If you identified you have significant details (for example full name and address) of the disclosure notify child protection by completing a Child Protection Notification Form and submitting to Child Protection in the child's state or territory. Provide a copy of this notification to your Manager. The Manager will provide a signed copy of this notification to the Child Protection and Vulnerable Person Officer for uploading to SRS database
- If there are not enough details to complete a Child Protection Notification, the Manager will still require an email summary of the disclosure to be included in their department statistics.

4. **Notify Bravehearts:** Staff member to notify their Manager of the situation.

If you are not confident that a report has already been made, you must complete a Child Protection Notification and/or Police report based on the information you have available.

If uncertain on who to report the concern of harm to, contact the Department Manager or reach out to the Bravehearts Child Protection and Vulnerable Person Officer for advice.

Who to report to (concern of harm to adult or vulnerable person):

1. **If immediate risk identified (harm to self or others)** - Contact emergency services via 000 or state relevant contacts.
2. **If no imminent risk identified** - Provide information to the adult including Bravehearts brochures of services, Bravehearts 1800 272 831 and Adult Support Card or applicable support services.
3. **Notify Bravehearts Manager:** Staff member to notify their Manager of the situation.
4. **Inform parents/guardian (if appropriate):** If staff member is aware that the child, young person or vulnerable person has a guardian it may be appropriate to contact them to support the child, young person or vulnerable person.
5. **If the concern of harm relates to an NDIS provider:** Support, the client by advising them they have the right to raise their complaint with the NDIS Commission. Inform them that they are able to do this by contacting the NDIS Commission via calling 1800 035 544 or visit www.ndiscommission.gov.au. Please ensure to offer the client if they would like support in contacting the commission or arranging an ongoing support for them.

If uncertain on who to report the concern of harm to, an contact the Department Manager or reach out to the Bravehearts Child Protection and Vulnerable Person Officer for advice.

What to include in the report to Child Protection and/or Police (if necessary):

- **Details** - the child's name, age and address or school address
- **Indicators/concerns of harm** - What concerns have led you to reasonably suspect that the child/ren, young person or vulnerable person has been significantly harmed or is at risk of significant harm? How did you become aware of these concerns? For example, child disclosed, or parent disclosed. Details of the alleged offender/s (if known).

- **Other services** - your knowledge of other services involved with the family, including details of the school and/or childcare.
- **Family information** - any other known information about the family
- **Social/Cultural characteristics** - any specific cultural or other details that will help to care for the child - interpreter or disability needs (if known).
- **You can locate a copy of the report [here](#)**

Debriefing

Schedule a time to have a debrief with your Manager within 24 hours of disclosure and implement self-care strategies. Access the EAP if you require immediate or additional support. If your manager is not available, please contact Director of Therapeutic and Support Services.

iii. State Police and Child Protection contact details

Contacting Police

If you need to make a report to police (unless in an emergency when contacting 000) please contact the local police station. If you are uncertain, please contact your Manager or Child Protection and Vulnerable Person Officer.

State Child Protection Reporting Links

- **Queensland** – Department of Children, Youth Justice and Multicultural Affairs
<https://secure.communities.qld.gov.au/cbir/ChildSafety#>
- **New South Wales** – Family and Community Services
<https://www.facs.nsw.gov.au/families/Protecting-kids/reporting-child-at-risk/harm-and-neglect>
- **Victoria** – Health and Human Services
<https://providers.dhhs.vic.gov.au/making-report-child-protection>
- **Australian Capital Territory** – Access Canberra
<https://form.act.gov.au/smartforms/csd/child-concern-report/>
- **Tasmania** – Department of Communities Tasmania
https://www.communities.tas.gov.au/children/child_protection_services/what_can_i_expect_when
- **South Australia** – Department of Child Protection
<https://www.childprotection.sa.gov.au/reporting-child-abuse>
- **Western Australia** – Department of Communities, Child Protection and Family Support
<http://mandatoryreporting.dcp.wa.gov.au/Pages/Home.aspx>
- **Northern Territory** – Territory Families
<https://nt.gov.au/law/crime/report-child-abuse>

Reporting Harm:

Allegations about actions or persons inside Bravehearts organisation or in connection with the delivery or provision of Bravehearts services

If a Bravehearts Officer, National Board or Committee member receives a disclosure or concern, observes or has reasonable grounds for suspicion about the actions or behaviours (including verbal behaviours) of a Bravehearts Officer, National Board or

Committee member or concerns regarding their own actions or behaviours (including verbal behaviours), they have a duty of care to take immediate action.

Concerns must be taken seriously and reported directly to a relevant Department Manager, SET member, CEO and the Head of People and Culture or the Chair of the National Board immediately. Information regarding the concerns should be recorded on the Bravehearts Child Protection Critical Incident form. People and Culture will further follow investigative processes as needed as per *Bravehearts Staff Volunteer Grievance and Dispute Policy and Procedures* and in collaboration with this policy.

Bravehearts as an organisation will always abide by government, legislative and contractual obligations to report all reportable incidents (including allegations), even where the organisation has recorded and responded within their own incident management system. The external body may exercise their right to investigate the matter independently to Bravehearts. External reporting bodies includes (but is not limited to):

- Department of Children, Youth Justice and Multi-Cultural Affairs (QLD) - DCYJMA;
- NDIS Quality and Safeguards Commission – NDIS Commission; and
- Department of Social Services - DSS.

Reportable incidents to the above bodies include:

- The death of a child or any person with disability;
- Serious injury of a child or any person with disability;
- Abuse or neglect of a child or any person with disability;
- Unlawful sexual or physical contact with, or assault of, a child or any person with disability;
- Sexual misconduct, committed against, or in the presence of, a child or any person with disability, including grooming of the person with disability for sexual activity; and
- Unauthorised use of restrictive practices in relation to a person with disability where the use is not in accordance with an authorisation (however described) of a state or territory in relation to the person, or if it is used according to that authorisation but not in accordance with a behaviour support plan for the person with disability; an incident that relates to any of the Services or a child or person with disability and that requires an emergency response including fire, natural disaster, bomb threat, hostage situation, or any criminal activity

i. Notifications with allegations against Bravehearts Officers, National Board or Committee Members concerning harm against a child and/or vulnerable person

If the disclosure or complaint is in respect to the behaviours or actions of a Bravehearts Officer or National Board and Committee member, Bravehearts needs to protect itself and the rights of its clients.

On receipt of a notification, the relevant SET member or CEO will:

- Ensure that the incident is reported to the relevant external bodies identified above if it is listed as a notifiable incident.
- Ensure that the notifier has completed the *Bravehearts Child Protection Incident Report* and reported to relevant authorities:

Contacting Police

If you need to make a report to police (unless in an emergency when contacting 000) please contact the local police station. If you are uncertain, please contact your Manager or Child Protection and Vulnerable Person Officer.

State Child Protection Reporting Links

- **Queensland** – Department of Child Protection Youth and Women
<https://secure.communities.qld.gov.au/cbir/ChildSafety#>
 - **New South Wales** – Family and Community Services
<https://www.facs.nsw.gov.au/families/Protecting-kids/reporting-child-at-risk/harm-and-neglect>
 - **Victoria** – Health and Human Services
<https://providers.dhhs.vic.gov.au/making-report-child-protection>
 - **Australian Capital Territory** – Access Canberra
<https://form.act.gov.au/smartforms/csd/child-concern-report/>
 - **Tasmania** – Department of Communities Tasmania
https://www.communities.tas.gov.au/children/child_protection_services/what_can_i_expect_when
 - **South Australia** – Department of Child Protection
<https://www.childprotection.sa.gov.au/reporting-child-abuse>
 - **Western Australia** – Department of Communities, Child Protection and Family Support
<http://mandatoryreporting.dcp.wa.gov.au/Pages/Home.aspx>
 - **Northern Territory** – Territory Families
<https://nt.gov.au/law/crime/report-child-abuse>
- Ensure the notifier is aware of confidentiality requirements and is assured that the notification will be treated seriously.
 - Ensure the immediate safety and protection of the child or vulnerable person.
 - Ensure that the People and Culture Manager is made aware of the situation to ensure that the Bravehearts Officer is provided with the correct advice and support around their rights.
 - Ensure that the Child Protection and Vulnerable Person Officer is made aware of the situation to ensure a coordinated effort in following the required procedures and reporting requirements.
 - Make sure that the Board is informed and updated at each stage of an investigation.
 - If relevant, inform the funding body.

If it is deemed there is any risk or threat to children or vulnerable people, suspension with full pay will occur immediately and be authorised by the CEO. The rights of the person subject to allegations must be upheld. Any Bravehearts Officer being suspended during an investigation will be referred to the Employee Assistance Program.

The person will also be asked not to contact clients or their family members, or other staff members to discuss the allegations while the investigation is ongoing. The CEO

will discuss with the person appropriate contact (if any) following the outcome of the investigation. Failure to adhere to this may result in additional disciplinary action.

Any concerns that are immediately confirmed by the relevant Director, CEO or Chair must be reported to the Police. If the allegation is unable to be substantiated, then the concerns must be immediately presented to the National Board where a decision will be made in consultation with industrial advice from People and Culture. Bravehearts will abide by our reportable incident management process in line with our contractual and legal obligations.

All actions taken must be reported on the Bravehearts *Child Protection Incident Report* and provided to People and Culture and Child Protection and Vulnerable Person officer to be placed on the staff files and client record system SRS. as an accurate record of events irrespective of the outcome.

ii. Completing a Bravehearts Child Protection Incident Report

The Department Manager or relevant SET member will complete a Child Protection Incident Report in relation to the above disclosure of harm/risk of harm to a child or vulnerable person and submit the report to the CEO immediately. If the incident pertains to the CEO or any Board member with the exception of the Chair, the report should be submitted to the Chair of the National Board. Should the incident pertain to the Chair, then the report should be submitted to the Deputy Chair and the relevant external body applicable to service funding.

A Child Protection incident report should document:

- date of incident;
- nature of incident;
- any contributing factors;
- person or people affected, and how they were affected;
- action taken;
- any follow-up action required.

This report will be provided to relevant departments if a notifiable incident has occurred as per contractual and legislative obligations.

You can locate a copy of the Child Protection Incident Report here:

[W:\BRAVEHEARTS POLICIES\ASSOCIATED FORMS](#)

iii. Confidentiality

Confidentiality is crucial to ensure a fair and effective reporting procedure. It is unacceptable, and potentially defamatory, for concerns of harm (and alleged offender details) to be spread throughout an organisation. All Bravehearts Officers must understand the importance of following the set reporting guidelines when concerns arise. Confidentiality protects the child or vulnerable person, the notifier, the alleged offender and the organisation. Anyone deemed to be engaging in rumours or gossip in relation to such matters will be managed within Bravehearts Code of Conduct.

In all matters, the best interests of the child or vulnerable person will be paramount.

Once all the necessary steps have been taken to respond to the allegations or disclosure and the immediate safety and well-being of all concerned has been established, consideration needs to be given to the emotional response or reactions that will follow

When the allegation has been made against a Bravehearts Officer it can precipitate an acute crisis in the organisation which needs to be managed. Thus, the matter will be elevated to the CEO and Child Protection and Vulnerable Person Officer as soon as possible.

Child, or vulnerable person

Information is provided to the child, young person or vulnerable person or their parents/legal guardian (if appropriate to do so) as soon as possible regarding the steps being taken to ensure their ongoing safety. They may also want to know what is happening regarding the alleged perpetrator. All questions asked by the child, young person or vulnerable person should be answered in developmentally appropriate manner where appropriate and with the consent of their parents/legal guardian (if applicable).

Guardian/Carers

The child or vulnerable person's parents/legal guardians may also require support and professional counselling. If parents/legal guardians do not want to seek external counselling, Bravehearts can support them by keeping in regular contact and advising them of each step that is being taken and answering their questions in a straightforward and timely manner.

Bravehearts will also offer further avenues of support to the parents/carers either within Bravehearts or external agencies if appropriate.

Staff, students, volunteers, National Board and Committee members

Whilst due care will be paid to confidentiality; staff, student's volunteers, National Board or Committee members directly involved in the reporting or the information gathering need to be advised of the investigative process in place and possible outcomes. Information is only to be shared on a need to know basis with the best interests of the child being the primary consideration. Bravehearts Officers taking part in any such investigation will be offered access to the EAP.

Person whom allegation has been made against

Support will be provided to the person about whom the allegation has been made. They are entitled to a fair process and to be kept informed of the steps to be taken. The Child Protection and Vulnerable Person Officer will maintain communication with the person until a decision or an outcome has been reached. Bravehearts will refer the person for external counselling through the EAP to support the person through the process.

Reporting a Notifiable Incident to External Funding Bodies

Who is required to make the report to the external body?

The relevant Department Manager, SET member, CEO or the Head of People and Culture Manager who are overseeing the incident management are required to make the report to the relevant external body.

Time Frames for reporting

There are set timeframes for you to notify DCYJMA, DSS and the NDIS Commission or other relevant state bodies. These are:

- Within 24 hours of key personnel becoming aware of a reportable incident or allegation

An exception to this rule is notifying the NDIS Commission of the use of a restrictive practice that is unauthorised or not in accordance with a behaviour support plan. In these instances, the registered NDIS provider must notify the NDIS Commission within five business days of being made aware of the incident. If, however, the incident has resulted in harm to a person with disability, it must be reported within 24 hours.

AND

- Within five business days of key personnel becoming aware of a reportable incident, to provide additional information to that supplied in the immediate notification form (NDIS only).

Forms required to be completed

DCYJMA

There are no set forms required for the DCYJMA to report a notifiable incident. However as per this policy it is a requirement for Bravehearts officers to complete the Child Protection Incident Report. A copy of this final report would also be provided to the DCYJMA once approved.

DSS

There are no set forms required for the DSS to report a notifiable incident. However as per this policy it is a requirement for Bravehearts officers to complete the Child Protection Incident Report. A copy of this final report would also be provided to the DCYJMA once approved.

NDIS Commission

The Immediate Notification Form (available both as a written form and an [online form](#)) must be completed by Bravehearts within 24 hours of becoming aware of any reportable incident or allegation occurring, except for an unauthorised use of a restrictive practice or the use of a restrictive practice which is in accordance with an authorisation of a State or Territory but which is not in accordance with a behaviour support plan.

All reportable incidents, including the use of a restrictive practice causing serious injury, must be notified to the NDIS Commission within 24 hours of you becoming aware of the incident. Any unauthorised use of restrictive practices not causing serious injury must be notified within 5 days.

The notification must include the following information to the NDIS Commission:

- The name and contact details of the registered NDIS Provider, the person making the notification and the persons involved in the reportable incident, including the person with disability affected by the reportable incident, and any subject/s of an allegation
- A description of the reportable incident, including (if known) the time, date and place the Incident occurred

- A description of the impact on, or harm caused to, the person with disability (Note: where the reportable incident is a death, this information does not need to be provided)
- The immediate actions taken in response to the reportable incident, including any actions relating to the health, safety and wellbeing of the person with disability affected by the incident, including medical treatment provided, and whether the incident has been reported to the police or any other body

The NDIS Commission will acknowledge receipt of the notification within 24 hours.

If the specific information required in the form is not available within 24 hours of the registered NDIS provider becoming aware that a reportable incident has occurred, remaining information may be provided to the NDIS Commission within five business days.⁸

Registered NDIS providers also have five business days to notify the NDIS Commission of:

- The names and contact details of any witnesses to the reportable incident (including workers, people with disability or third parties)
- Any further actions proposed to be taken in response to the reportable incident. The NDIS Commission will acknowledge receipt of the notification within 24 hours of receiving the additional information

The **Five Day Notification form** must be completed by registered NDIS providers within 5 business days of becoming aware of a reportable incident or allegation of the use of an unauthorised restrictive practice or the use of a restrictive practice in accordance with an authorisation of a State or Territory but not in accordance with a behaviour support plan (section 21 of the NDIS Rules); and as a follow up notification for all other reportable incidents (section 20 of the NDIS Rules).

The reportable incident 5 day notification *Five Day Notification* form requires the registered NDIS provider to provide information from the immediate notification form as well as the following additional information:

- The name and contact details of the support person for the impacted person with disability;
- The name and contact details of the individual or person with disability who is the subject of allegation;
- A description of the impact on, or harm caused to, the person with disability;
- The name and contact details of any witnesses to the reportable incident;
- A description of support provided and further action being considered for the person with disability impacted by the incident and for the subject of the allegation;
- A description of the risk processes being undertaken by the registered NDIS provider;
- If applicable circumstances surrounding the death of a person with disability;
- If applicable details surrounding the use of unauthorised restrictive practice in relation to a person with disability.

Both notification forms must be submitted to the NDIS Commission with copies of all documents relating to the incident. This includes incident reports, file notes, risk management assessments and/or plans, person with disability's plans relevant to the incident such as a behaviour support plan, as well as copies of correspondence between relevant persons or agencies.

RELATED DOCUMENTS

- Bravehearts Child Protection Incident Report
- Bravehearts Child Protection Notification Report
- *Care and Protection of Children Act 2007*
- *Children and Young Persons (Care and Protection) Act 1998*
- Complaints Compliments and Feedback Register
- Complaints Compliments and Feedback Register
- Compliments Complaints and Feedback Policy and Procedures
- Department Operations Manuals
- Five Day Notification Form
- *Human Rights Act 2019*
- Immediate Notification Form
- *NDIS Practice Standards and Quality Indicators; July 2018*
- *NDIS Quality and Safeguards Commission Department of Children, Youth Justice and Multicultural Affairs – Service Agreement Standard Terms (17 February 2015).*
- *Queensland: Child Protection Act 1999*
- *Queensland: Commission for Children and Young People and the Child Guardian Act 2000*
- *The Children's Protection Act 1993*
- *United Nations Convention on the Rights of the Child*
- *Working with Children (Criminal Record Checking) Act 2004*
- *Working with Vulnerable People (Background Checking) Act 2011*

AUTHORISATION



Alison Geale
CEO
December 2020