

Safeguarding Children and Young People Policy



1. Policy Statement

- 1.1 The Australian Teachers of Dancing (ATOD) is committed to being a child safe organisation and to ensuring that the safety, welfare and wellbeing of children and young people are maintained at all times during their participation in exams and activities run by the Australian Teachers of Dancing. ATOD has developed a clear, accountable and transparent Policy and Procedures to ensure that it complies with relevant legislation and that all children and young people who come into contact with ATOD are kept safe and supported to the best of our capacity. ATOD also aims to assist all directors, employees, examiners and members to recognise child abuse and neglect and follow the appropriate notification procedures when reporting alleged abuse.
- 1.2 This policy and procedures promote the care and protection of children participating in ATOD exams and activities and provide information and direction for directors, employees, examiners and members of the organisation. Through the development of this policy the ATOD objectives are to:
- provide information to assist directors, employees and examiners in dealing with all forms of child abuse.
 - provide comprehensive guidelines relating to risk minimisation and reporting/ notification procedures.
 - provide direction to all directors, employees and examiners regarding their legal responsibilities under child protection legislation.
- 1.3 ATOD's Safeguarding Children and Young People Policy and Procedures are organised into three broad areas:
- Responding to concerns about children and young people
 - Preventative measures to protect children and young people
 - Responding to allegations against ATOD personnel
- 1.4 ATOD will:
- support and nurture all children and young people who come into contact with the organisation and its personnel
 - promote the rights, dignity and wellbeing of children and young people;
 - ensure children and young people's safety and protect them from abuse and all forms of harm; and
 - always put the best interests of children and young people first.

2. SCOPE

- 2.1 This policy applies to all ATOD directors, employees, examiners, members and contractors.

3. LEGISLATIVE AND POLICY CONTEXT

- 3.1 In Australia, Child Protection Acts apply in each state and territory, including: Children and Young People Act 2008 (ACT); Children and Young Persons (Care and Protection) Act 1998 (NSW); Care and Protection of Children Act 2007 (NT); Child Protection Act 1999 (Qld); Children's Protection Act 1993 (SA); Children, Young Persons and their Families Act 1997 (Tas.); Children, Youth and Families Act 2005 (Vic.); Children and Community Services Act 2004 (WA).
- 3.2 While legislation differs between states and territories, all legislation works on key principles of:
- Best interests of the child
 - Early intervention
 - Participation of children and young people in decision-making processes.

4. DEFINITIONS

Allegation	means an allegation against any ATOD personnel that might involve behaviour that is reportable conduct or behaviour
ATOD	Means the Australian Teachers of Dancing Ltd (ABN ????)
Child	means a person under the age of 16 years
Child abuse	<p>Means any non-accidental behaviour by parents, caregivers, other adults or older adolescents that is outside the norms of conduct and entails a substantial risk 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).</p> <p>Child abuse is commonly divided into five main subtypes:</p> <ul style="list-style-type: none"> • physical abuse; • emotional abuse; • neglect; • sexual abuse; and • exposure to domestic violence
Concern (in relation to a Child or Young person)	<p>Means any information that may indicate that a child or young person is at risk. It does not mean that this concern is proven or that action will always be required but it does mean that the situation needs to be assessed by an appropriately trained person. You might become aware of a concern through:</p> <ul style="list-style-type: none"> • a disclosure • something you observe • something someone else observes
Disclosures	Means where a child or young person, or another adult, says something that indicates that they or another child or young person may be at risk of harm.
Duty of care	Means a moral or legal obligation to ensure the safety or well-being of others.

Emotional abuse	<p>Emotional abuse is also sometimes called ‘emotional maltreatment’, ‘psychological maltreatment’ and ‘psychological abuse’. Emotional abuse refers to a parent or caregiver’s inappropriate verbal or symbolic acts towards a child and/or a pattern of failure over time to provide a child with adequate non-physical nurturing and emotional availability. The five main behavioural forms of emotional abuse are:</p> <ul style="list-style-type: none"> • rejecting: the adult refuses to acknowledge the child’s worth and the legitimacy of the child’s needs • isolating: the adult cuts the child off from normal social experiences, prevents the child from forming friendships and makes the child believe that he or she is alone in the world • terrorising: the adult verbally assaults the child, creates a climate of fear, bullies and frightens the child, and makes the child believe that the world is capricious and hostile • ignoring: the adult deprives the child of essential stimulation and responsiveness, stifling emotional growth and intellectual development • corrupting: the adult ‘mis-socialises’ the child, stimulates the child to engage in destructive antisocial behaviour, reinforces that deviance, and makes the child unfit for normal social experience.
Employee	<p>Means a paid member of staff unless otherwise specified. This includes full time, part time, fixed term or casual staff and includes contractors providing services to ATOD for a set time or specific task and those engaged in the performance of duties for ATOD from a labour hire agency.</p> <p>This Policy and Procedures document does not distinguish between the roles and responsibilities of paid and unpaid Personnel unless specifically prescribed by relevant legislation.</p>
Exposure to family violence	<p>Forcing a child or young person to live in an environment where a primary caregiver experiences sustained violence is in and of itself emotional and psychological abuse. In all Australian jurisdictions, exposure to family violence is grounds for ‘when a child is in need of protection’ (CFCA, 2016). It is normally dealt with under the category of emotional and psychological abuse. However, in some jurisdictions (e.g. NSW and Tasmania) there is specific mention of family violence as grounds for protection (CFCA, 2016).</p>
Grooming	<p>Means the act of preparing a child or young person with the intent of sexually abusing them, but the process also involves the act of manipulating people and situations to gain and maintain access to the victim/s.</p> <p>Grooming is a process that can be difficult to recognise or distinguish from seemingly innocent or everyday actions. It has two main elements:</p> <ul style="list-style-type: none"> • Building a trusting relationship with the child or young person and his/her carers, and • Isolating the child or young person in order to abuse them. <p>There is no one set of actions or behaviours that are used to groom a child or young person.</p>

Head of Agency	Means the Chief Executive Officer (CEO)
Internal investigation of an allegation	<p>This involves a process where ATOD:</p> <ul style="list-style-type: none"> • gathers all relevant facts; • makes a finding that the allegation is: <ul style="list-style-type: none"> o Sustained; o Not sustained-insufficient evidence; o Not sustained-lack of evidence;or o False-includes vexatious matters; • decides it is not reportable conduct – this includes misconceived matters; and/or • provides information to assist any relevant employment proceedings, as required.
Mandatory Reporter	<p>Means those persons who are required by legislation to make a report to the relevant authorities they have current concerns that a child or young person is “at risk of harm”</p> <p>The following ATOD roles are mandatory reporters;</p> <p>Chief Executive Officer, Managers, Examiners</p> <p>Note: ATOD requires all other personnel to report any concern to a mandatory reporter. All personnel retain their right to report directly to the relevant authorities.</p>
Neglect	<p>Neglect includes both isolated incidents, as well as a pattern of failure over time on the part of a parent or other family member to provide for the development and wellbeing of the child – where the parent is in a position to do so – in one or more of the following areas:</p> <ul style="list-style-type: none"> • health • education • emotional development • nutrition • shelter and safe living conditions.
Personnel	Means any person (or group of people) engaged by ATOD. This includes members, volunteers, employees, contractors and consultants.
Prohibited Person	Means a person convicted of a serious sex offence, the murder of a child or a child-related personal violence offence, as well as a Registrable Person under the Child Protection (Offenders Registration) Act 2000.
Physical abuse	The intentional use of physical force against a child that results in – or has a high likelihood of resulting in – harm for the child’s health, survival, development or dignity. This includes hitting, beating, kicking, shaking, biting, strangling, scalding, burning, poisoning and suffocating. Much physical violence against children in the home is inflicted with the object of punishing.

Reportable allegation	<p>An allegation of reportable conduct against a person or an allegation of misconduct that may involve reportable conduct must include:</p> <ul style="list-style-type: none"> • identification of a person who is a current member, volunteer or employee of the agency; • an alleged offence or description of offending behaviour that meets the definition of reportable conduct; and • a person who was a child (under 18) at the time of the alleged offence or behaviour described.
Reportable conduct	<ul style="list-style-type: none"> • any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence); or • any assault, ill treatment or neglect of a child; or • any behaviour that causes psychological harm to a child, whether or not, in any case, with the consent of the child.
Risk of Harm (as it relates to a Child or Young Person)	<p>A child or young person is at current “risk of significant harm” if the circumstances that are causing concern for the safety, welfare or well-being of the child or young person are present to a significant extent.</p> <p>Circumstances causing concern could include of any one or more of the following:</p> <ul style="list-style-type: none"> a) the child’s or young person’s basic physical or psychological needs are not being met or are at risk of not being met; b) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care: b1) in the case of a child or young person who is required to attend school, the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education; c) the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated; d) the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm; e) a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm; <p>Note. Physical or sexual abuse may include an assault and can exist despite the fact that consent has been given</p>

Sexual abuse	The involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared, or else that violates the laws or social taboos of society. Children can be sexually abused by both adults and other children who are – by virtue of their age or stage of development – in a position of responsibility, trust or power over the victim.
Worker	being any person who is engaged in work in any of the following capacities: (a) as an employee; (b) as a self-employed person or as a contractor or subcontractor; (c) as a volunteer; (d) as a person undertaking practical training as part of an educational or vocational course (other than as a school student undertaking work experience); or
Young Person or Young People	Means those aged between 16 and 18 years, unless otherwise specified. This applies to young people who are members, volunteers, employees and members of the public.

5. POLICY

- 5.1 All employees, contractors, members and volunteers are required to provide services and conduct their duties in a manner that respects the rights of children and young people to safety and protection from all forms of abuse and neglect.
- 5.2 ATOD staff and examiners who work in contact with children must hold and maintain a valid Working with Children Check or equivalent for the state in which they reside.
- 5.3 All personnel or workers will be required to complete all working with children related training as provided by ATOD.
- 5.4 Risk of significant harm to a child or young person will be reported in accordance with the law. All ATOD staff, as well as contractors, volunteers and guests who suspect, on reasonable grounds, that a child or young person is at risk of harm is able to report their concerns to ATOD or directly to relevant state authorities as identified in Appendix 4.
- 5.5 The ATOD Safeguarding Children & Young People Policy and Procedures provides guidance for responding to and reporting concerns relating to risk of significant harm or incidents of abuse or neglect.
- 5.6 ATOD ensures that a staff member or other 'trusted adult' is available for children during ATOD activities.
- 5.7 ATOD encourages contact directly with the CEO by email for anyone who is concerned about something if they prefer to email rather than speak directly to someone. The email address is ceo@atod.net.au

6. RESPONSIBILITIES

- 6.1 All personnel are responsible for ensuring that they are working in accordance with this policy and the Safeguarding Policy and Procedures to ensure the safety and wellbeing of children and young people participating in ATOD activities. All staff have a responsibility to abide by specific Child Protection and Safeguarding guidelines and to identify and report issues or concerns.
- 6.2 The Board is responsible for ensuring compliance with Child Protection legislation and principles. The CEO acts as the central contact for any reportable incidents and complaints, which will then be reported to the relevant state authority.
- 6.3 The CEO is responsible for ensuring that examiners and examinations staff are aware of policy and procedures and have the appropriate Working with Children Check or equivalent. This role is also responsible for ensuring that examinations procedures adhere to Child Protection standards.

7. MANAGING CONCERNS IN RELATION TO CHILDREN AND YOUNG PEOPLE

- 7.1 ATOD takes very seriously it's legal and moral obligations to act appropriately where there is a concern about the wellbeing of a child or young person.
- 7.2 ATOD is committed to having robust yet flexible processes to ensure that the Society is Child Safe for all children and young people in all contexts in which they come into contact with the Society.
- 7.3 All Personnel must report internally any concern regarding the wellbeing of a child or young person to a designated Mandatory Reporter.

Mandatory reporters (as defined in Section 4) must, in adherence with legislation, report risk of significant harm to the relevant authorities. Mandatory reporters must also complete internal reporting processes and document that a report has been made to the authorities.
- 7.4 "Procedures for Managing Concerns relating to Children and Young People" (Section 8.1) provides the appropriate processes for responding to a concern and taking the steps to determine and report risk of significant harm.
- 7.5 Allegations of reportable conduct involving members, volunteers and employees must be investigated and may need to be notified to the relevant state Ombudsman.

All allegations of reportable conduct must be notified to the Head of Agency.

While the primary concern of ATOD at all times is the safety and care of children and young people, ATOD will take all reasonable steps to adhere to the principles of procedural fairness and natural justice so that the privacy and dignity of all involved may be considered and maintained.
- 7.6 ATOD recognises that to be a Child Safe Organisation it must ensure that this policy and associated procedures are complied with fully by all personnel.

ATOD will take appropriate action to respond to breaches or non-compliance by a member, volunteer or employee. This includes but is not limited to suspension or termination where necessary.

8. PROCEDURES

8.1 Managing Concerns in Relation to Children and Young People

A concern in relation to children and young people is any information that may indicate that a child or young person is at risk. It does not mean that this concern is proven or that action will always be required but it does mean that the situation needs to be assessed by an appropriately trained person.

ATOD is committed to ensuring all concerns relating to children and young people are taken seriously and assessed for risk of significant harm, in line with mandatory reporting responsibilities. This is regardless of whether the person who initially becomes aware of the concern is a mandatory reporter themselves.

All ATOD personnel are also required to report all concerns internally. This involves completing a Child Protection Notification Form (Appendix 3) and sending this form, and all other documentation to the Chief Executive Officer. Personnel who are not mandatory reporters (as defined in Section 4) must contact a mandatory reporter as soon as possible when they identify a concern for support.

Mandatory reporters should use their professional expertise as well as tools such as the Mandatory Reporter Guide (MRG) to assess potential risk of significant harm and make reports to the relevant authorities as appropriate. They must report concerns internally in addition to their external reporting obligations.

Written documentation should be made and kept where possible. In time sensitive matters it may be necessary to act immediately and complete documentation as soon as possible afterwards.

Personnel involved in any report are expected to maintain the confidentiality of such matters. It is therefore expected that such matters are only discussed for the purpose of legal compliance or seeking professional advice.

All personnel retain the right to report directly to authorities or Police regardless of whether or not they have already reported the concern internally.

Disclosures

A disclosure is where a child or young person, or another adult, says something that indicates that they or another child or young person may be at risk of harm.

Hearing a disclosure can be difficult, but following the 3R's – Reassure, Record, Report - can help to guide you in an appropriate response in the best interests of the child or young person.

8.2 Procedures for Preventative Measures to Protect Children and Young People

ATOD's commitment to being a child safe organisation means that it does everything it can to prevent any form of abuse or harm to children and young people.

These procedures outline some of the key elements of child safe organisations that the Society has committed to

Risk Management

All programs or activities that have direct or indirect contact with persons under the age of 18 must have a risk assessment that explicitly addresses risks related to children and young people. Risk assessment forms are available from the ATOD head office.

This includes activities where children and young people are involved in all contexts including as:

- students of dance
- family members of students
- members
- volunteers
- employees; and
- members of the public, eg. audience at a dance event

Child Safe Recruitment and Screening

To ensure all personnel are engaged through Child Safe recruitment processes ATOD will introduce requirements that exceed the minimum legislative requirements including;

- a Current Working with Children Check Clearance (WWCC) for all personnel;
- a National Criminal History Check (Police Check) for all employees; and
- conduct Child Safe Pre-employment screening for all new personnel

For paid Employees ATOD's "Recruitment Policy and Procedures" also apply.

ATOD will not allow any person without the appropriate Working with Children Check clearance to engage in any part of the organisation without the explicit approval of the CEO.

Where a person currently engaged by ATOD receives a bar or interim bar from working with children, ATOD will only continue their engagement where explicit approval is provided by the CEO.

Behavioural-Based Child Safe Interviews

ATOD requires all new employees and volunteers to be interviewed prior to commencement of their role.

Interviews must include behavioural interview questions and also include child safe interview questions.

ATOD will develop guidelines and standard questions for conducting interviews. A Factsheet on Child Safe Interviewing and Sample questions are provided at Appendix Six.

Child Abuse Education and Awareness

ATOD recognises that understanding child abuse is key to prevention of abuse. ATOD will introduce mandatory training for all employees, members & volunteers including:

- Child Safe Familiarisation Training
- Child Safe Training for Child Related Workers
- Child Safe Refresher Course

Child Safe Behaviours

ATOD expects all personnel to demonstrate appropriate and professional behaviours at all times around children and young people.

Any behaviour that is not child safe will be treated seriously and may result in immediate suspension or permanent removal from ATOD. This may include multiple instances of minor behavioural breaches.

Behaviour that constitutes grooming, child abuse, or any other illegal behaviour will be reported to the relevant authorities.

Child Safe Standards of Behaviour

The following Child Safe Standards of Behaviour are expected by all ATOD personnel include;

- Be a positive role model to children in all your conduct with them.
- Establish and maintain a child safe environment.
- Set and maintain clear boundaries about appropriate behaviour between yourself and any children and young people you are in contact with.
- Take all reasonable steps to protect children and young from any form of abuse or harm.
- Always adhere to the Safeguarding Children and Young People Policy and Procedures and all other policies relevant to your role.
- Act diligently and appropriately in reporting any suspicions, concerns, policy and procedural breaches, allegations or disclosures of alleged abuse to internal and external authorities.
- Promote and monitor the safeguarding of children and young people and participate in a culture where all staff are expected to speak up and ask questions about the safety of others.
- Maintain a Duty of Care.
- Always have another adult present when with children and young people, unless specifically approved by your line manager and the child's parent or guardian and when this is explicitly required as part of your ATOD related activities Always treat children and young people with care, respect, compassion and value their ideas and opinions
- All activities (including examinations) involving children and should include a ratio of one adult to every 10 children / young people. For younger children under the age of nine, there should always be at least one additional employee (e.g. a teacher, pianist or assistant). Where this is not possible, ATOD will ensure that activities take place within sight or hearing of other adults.
- Physical contact with a child or young person may be misinterpreted and should be avoided. Where any physical touching is required for purposes of instruction, it should be provided openly in front of other students. Parents, guardians and students will be warned in advance that physical touching may be required for correctional purposes only.
- Treat children in an equal and consistent way, and avoid favouritism, "special relationships" with certain children and/or singling particular children out. Do not give individual children gifts.
- Children with special educational needs / disabilities may be especially vulnerable to abuse and extra care should be taken to interpret apparent signs of abuse or neglect. They may be disproportionately impacted by behaviour such as abuse or bullying without outwardly showing

any signs due to communication barriers.

- Assumptions should not be made that indicators of abuse (e.g. behaviour, mood and injury) relate to a child's disability or learning difficulty without further exploration.
- Guide children's behaviour in ways that support them to develop understandings and skills that assist them to manage their emotions and control their behaviour by themselves.
- Ensure that unreasonable discipline is not used to address a child or young person's behaviour. Do not: hit or slap, force feed, yell at or belittle, humiliate a child, physically drag a child, deprive a child of food or drink, negatively label, criticise, discourage, blame or shame, make fun of or laugh at, use sarcastic or cruel humour.
- Do not have unnecessary or inappropriate physical contact with children and young people.
- Do not do things for a child or young person that are of a personal nature that they can do for themselves, such as going to the toilet or changing clothes.
- Do not visit or otherwise contact a child or young person including
- communication/contact through social media accounts (e.g. 'befriending', 'following', 'tagging'), mobile phone, texting or email communication except with their parent or guardian's consent and your manager's approval, and only when conducting official ATOD duties.
- Do not photograph or video a child or young person without their consent and that of their guardian. Always obtain permission of a child's parent or guardian before using the child's name or image in any report, website or other publication.
- Do not administer any medication to any child or young person without their parent or guardian's consent.
- In all dealings with children and young people, ATOD employees, members, students, students, volunteers and visitors to ATOD where appropriate, should never:
 - leave children who are in their care unsupervised
 - play rough, physical or sexually provocative games, involving or observed by children or young people whether based on talking or touching
 - share a room overnight with a child or young person
 - enter the private room of a child or young person unless it is absolutely necessary and, wherever possible, accompanied by another adult
 - allow or engage in any form of inappropriate physical activity involving children or young people, or any bullying of a child by an adult or another child
 - form or seek to form relationships of a sexual nature which may lead to sexual activity (i.e. 'grooming')
 - allow children or young people to use inappropriate language (e.g. of a derogatory or sexually explicit nature) without challenging it
 - make sexually suggestive or discriminatory comments even in jest
 - use any physical punishment as part of disciplining a child or young person
 - consume alcohol or take drugs during the working day (including breaks) or when involved in activities with children or young people
 - give their personal contact details to a child or vulnerable adult whom they have met

through work including via social networking sites (see RAD's Social Media and Digital Communications policy)

- allow themselves to get into a situation where an abuse of trust may occur – this means not forming a close personal relationship (sexual or otherwise) with a child or young person, even if they are seeking and are consenting to such a relationship
- Notify the Chief Executive Officer immediately, if you are concerned that any individual has breached these Child Safe Behaviours in any way.

8.3 Responding to Child Protection Allegations against all Personnel Procedures

This section outlines the additional requirements that ATOD will adhere to when an allegation involves an employee, member or volunteer.

ATOD will always ensure that any potential risk of significant harm concerns are reported where required and in the case of a criminal matter that Police are also informed.

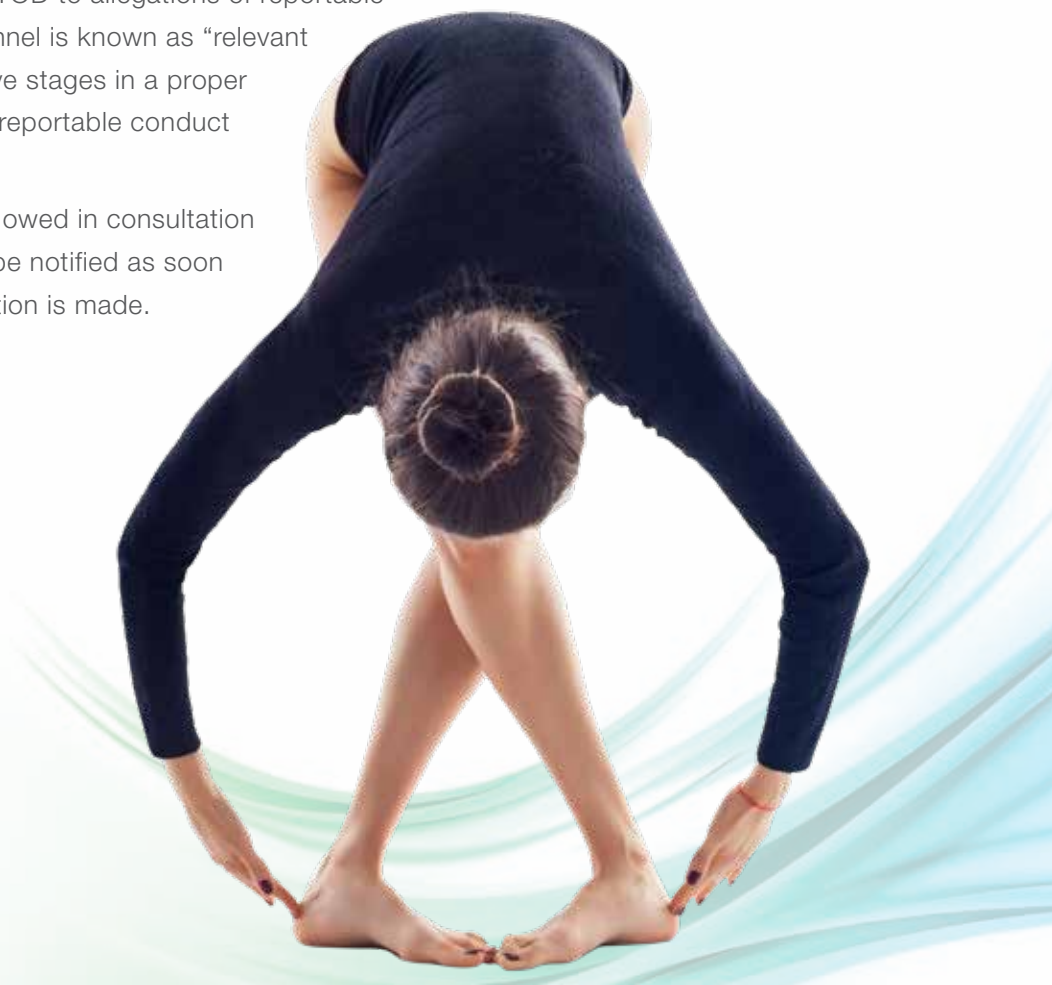
Child protection legislation imposes a more onerous standard and requires ATOD to investigate allegations or convictions of “reportable conduct” or allegations of “misconduct which may involve reportable conduct” which are made against its personnel.

A formal investigation must always occur if the incident fits the definition of a reportable conduct allegation as set out in Section 4 of this document. Where a matter is required to be reported to authorities and/or Police, ATOD will consult with these bodies prior to their investigation to ensure no interference with their investigations. The Society may need to delay their investigation to ensure this but it will still conduct a formal investigation for all incidents that meet the definition of a reportable conduct allegation.

Stages in the conduct of an investigation of an allegation

The staged response by ATOD to allegations of reportable conduct against its personnel is known as “relevant proceedings”. There are five stages in a proper response to allegations of reportable conduct involving personnel.

This process should be followed in consultation with the Board who must be notified as soon as possible after an allegation is made.



Stage One: Initial Response to an allegation

The following steps must be taken as part of ATOD's initial response to any allegation that is about personnel's conduct towards a child or children:

1. Clarify the allegation – exactly what has been alleged. Who, what, when, where etc?
2. Assess whether or not a child or young person is at risk of significant harm, and if so, make a report to authorities.
3. Consider whether or not the allegation may constitute a criminal offence and if so, make a report to the police before taking further action (seek advice from police as to what the ATOD can and cannot do).
4. Assess any possible risks posed by person to children and take any necessary interim action to ensure the safety and wellbeing of children. This may include changed duties or a suspension during the investigation process.
5. Assess whether or not the allegation relates to 'reportable conduct'; and if so ensure that a report is made to the Ombudsman within 30 days of Head of Agency becoming aware of the allegation.
6. Consider who else needs to know about the allegation as well as what to tell others who are not involved but aware (eg. Parents, other employees). Remind all parties of the sensitivity of the situation and of confidentiality requirements.
7. Address support needs of both the child and the person who is the subject of the allegation.
8. Develop a plan for the investigation based on the outcomes and decisions of these.

Stage Two: Investigative stage

During this time, an impartial Investigator is appointed and proper enquiries are made of the child(ren) involved, the person who is the subject of the allegation, and other witnesses, by way of interview and/or the collection of other relevant information.

Stage Three: Determination of a “preliminary finding”

Based on the investigator's report, the ATOD will make a “preliminary finding” as to whether, on the balance of probabilities, the allegation(s) of reportable conduct is (are) sustained, not sustained or false, or another of the outcomes listed. The ATOD will then set out proposed reporting to the relevant authorities and any appropriate disciplinary action.

Stage Four: Final finding

After there has been a reasonable opportunity for the person to respond to the preliminary finding, either confirmation of the preliminary finding as final or revisitation of the investigation will occur, as applicable.

Stage Five: Reporting and disciplinary action

If applicable, after the completion of the preceding stages the matter will be reported ATOD to the relevant authority in the state for the purposes of employment screening. ATOD is also responsible for implementing any appropriate disciplinary action.

Procedural fairness

During the conduct of “relevant employment proceedings”, the requirements of procedural fairness specify that the person has:

A right to an impartial decision:

- a) The Investigators and other decision-makers should conduct all aspects of the process in an impartial and objective manner without prejudging the matters under consideration.
- b) The person should be given an unbiased hearing of his/her responses both to the matters alleged and to any proposed adverse finding or recommended disciplinary action.

A right to be heard:

- a) Prior to being interviewed, the person should be advised of the allegation in as much detail as possible to enable them to respond, and should be provided with a summary of the employer’s current investigation process and/or a copy of this document.
- b) Personnel should be provided with reasonable notice regarding arrangements for any interview regarding the allegations, although an employee may waive the notice period and request the interview proceed at a mutually acceptable earlier time.
- c) Members, volunteers and employees should be advised of their right to have a support person present at any interview.
- d) Personnel should be advised of the names of the people who have been appointed by the employer to conduct the investigation. Any actual or perceived conflicts of interest should be addressed by an open and transparent process. If such concerns are not resolved, it may be advisable to appoint an alternative investigator.
- e) During the investigation phase (Stage Two) of the person should be provided with sufficient information to enable a response to each allegation.
- f) Personnel should be provided with reasonable opportunities to respond to the allegations whether at interview and/or in writing.
- g) Personnel should be advised of and given an opportunity to comment upon any proposed adverse finding and on any proposed reported to the relevant authorities and disciplinary action (“preliminary finding stage” – Stage Three). The employee’s comments should be considered prior to the final determination of the findings and disciplinary action.
- h) Normally at the preliminary finding stage, but at any stage in the process, the concerned person may access the investigation file, and shall be informed of this right.
- i) Personnel and parents have the right to complain to the Ombudsman if they are not satisfied with the agency’s response to their complaint about the outcome or the way the agency investigation was conducted.

Documentation and Record Keeping

- All documents relating to all allegations against personnel are confidential.
- Information regarding notifications to the Ombudsman are kept indefinitely and are stored in a secure location.
- The person responsible for the security of records for reportable conduct is the Chief Executive Officer. The Executive Officer will have access to the records. These are persons who need to know about the allegation.

8.4 Support Available

ATOD is committed to providing support to:

- any child(ren) who is (are) involved in the investigation of an allegation;
- any employee who has had an allegation made against them;
- parents or carers who have made an allegation against an employee;
- any other children or personnel who are affected

(for example, a witness to the alleged incident involving an employee); and any person who experiences a disclosure. Relevant persons will be offered assistance through the Employee Assistance Program.

9. REVIEW

- 9.1 All ATOD employees, contractors and other freelance staff members will be provided with a copy of this policy and associated documents and are required to familiarise themselves with the policy and procedures.
- 9.2 The authors of these policies, guidelines and procedures will convene once every 12 months (or when changes to government regulations require) to revise and update these documents where necessary.

10. APPENDICES

Appendix 1 - Key Contacts and Australian Child Protection Reporting Authorities

ATOD Contacts

Michael Timbrell

Chief Executive Officer

Ph: 1800 106 227

Mobile: 0427 017 085 Email: ceo@atod.net.au

Tracey Jonsson

Company Secretary

Ph: 1800 106 227

Mobile: 0408 783 348 Email: secretary@atod.net.au

State reporting authorities and other supporting agencies

ACT

Child and Youth Protection Services

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

NSW

Department of Family and Community Services

Phone: Child Protection Helpline

Ph: 132111 (24 hours)

Online:- Mandatory reporters with less serious concerns can use eReporting

Northern Territory

Territory Families

Phone: Child Protection Helpline

Ph: 1800 700 250 (24 hours)

Queensland

Department of Child Safety, Youth and Women

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.Authority

South Australia

Department for Child Protection

Phone: Child Abuse Report Line Ph: 13 14 78 (24 hours)

Online: Less serious concerns can also be reported online.

Tasmania

Department of Communities Tasmania

Phone: Child Safety Service 1800 000 123 (24 hours)

Online: Mandatory reporters with less serious concerns can report online.

Victoria

Department of Health and Human Services

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

Department of Communities, Child Protection and Family Support

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

OTHER KEY CONTACTS

Kids Helpline (national)

24/7 and immediate access to counsellors for children and young people for any issue

Phone: 1800 55 1800

Email: counsellor@kidshelpline.com.au

Website: <https://kidshelpline.com.au/> <https://kidshelpline.com.au/get-help/email-counselling/>

APPENDIX 2 NOTIFICATION AND REPORTING PROCEDURES

1. Reporting a Child Protection Incident or Concern

- 1.1 Incidents or concerns should be reported to the Chief Executive Officer or Company Secretary, if required via a line manager. Make a comprehensive record of what is said or seen and actions taken at the earliest possible opportunity. Report this using the Incident Report Form within the timescales stated where possible. The Incident Report Form is available in Appendix of this Policy.
- 1.2 The comprehensive and confidential record and Incident Report should include the following:
 - a detailed record of the incident in the child or young person's own words or the words of the third party reporting it. You should note that there may be occasions when this record may be used later in a criminal trial and therefore needs to be as full and accurate as possible
 - details of the nature of the incident
 - a description of any injury (please note that you must not remove the clothing of a child to inspect any injuries)
 - dates, times or places and any other information that may be useful such as the names and addresses of potential witnesses; and
 - written records including emails and letters.
- 1.3 The Incident Report should be submitted to the Chief Executive Officer or Company Secretary as soon as possible, preferably immediately, and certainly within 24 hours. As noted above if there is an immediate risk of harm and the CEO or other staff is unavailable the relevant authority should be contacted.
- 1.4 For security and confidentiality reasons communication via email should be avoided wherever possible. Keep all original notes as they may be needed as evidence.
- 1.5 If the incident being reported is considered of low level concern requiring no action other than monitoring the appropriate box may be ticked on the Incident Report form. In these circumstances the CEO will discuss any further action and if a referral to an appropriate authority will need to be made to determine if the concern is reportable.
- 1.6 Australian states and territories have different authorities that are contacted to report risk of harm to a child or young person, as outlined below. It is important that any serious concerns should be reported via phone rather than email or online form. Serious concerns are those where you suspect an imminent or immediate danger of serious harm, serious injury or chronic neglect.

APPENDIX 3 INCIDENT REPORT FORM

CHILD PROTECTION NOTIFICATION FORM

INTERNAL DOCUMENT ONLY

- This form should be completed in as much detail as possible by the person who observed or raised the concern. Another person may assist them with information they may not have (e.g. Address of family etc.).
- This form should be completed as soon as possible after the concern is noticed.
- Please attach any additional information or relevant documentation.
- If you are unsure about any aspect of this form or what to do in this situation, please contact your Manager or Supervisor straight away.
- There is a list of important contacts on the final page of this form.

Section 1- ATOD details	
Activity Type and Location:	Date of activity:
Activity Co-ordinator:	Contact No:
Section 2- Personal information	
Child/Young Person's Name:	DOB:
Is the client: <input type="checkbox"/> Child under 16 <input type="checkbox"/> Young Person aged 16-17	
Is the client: <input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Person with a Disability <input type="checkbox"/> Culturally and Linguistically Diverse Background	
Name of Parent/Guardian:	Contact No:
Residential address:	
Section 3- Description of the concern	
Suspected Type of Abuse this concern relates to (if known):	
Description of any observations or disclosures: (Please attach additional information as needed.)	
Do you consider the child or young person to be at risk of significant harm? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Please state the reason and attach additional information as needed.	

When and how did you become aware of the concern?

Witness Details:
Please list details of any other person who saw/heard anything related to this concern.

Name:	Phone number:
Name:	Phone number:
Name:	Phone number:

Section 4 – Action taken

Notification to government authority

Has a notification been made to a government authority? Yes No

Date of Notification:	Time of Notification:
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Child Protection Government staff members name (if reported via phone):	Reference number:
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Other action taken:

Notification to ATOD Personnel

Has the Chief Executive Officer been informed? Yes No

If no, please give reasons why this has not occurred:

Notification made to the Police Department

Have the Police been informed? Yes No

If yes, why was the notification made:

Date of notification:	Time of notification:
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Police contact name:	Reference Number:
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Notification to State Ombudsman As Required

Was the incident caused or alleged to have been caused by an employee or volunteer or member?
 Yes No

If yes, the Chief Executive Officer must be notified immediately.

Has this been reported to the Chief Executive Officer Yes No

Allegation against individual (Print name):

Individual's position within ATOD

Is there any further information? (Please attach additional information as needed.)

Other Action Required

Please outline any further strategies and action that will be taken (eg. If outcome is referral, document and monitor etc.)

Section 6- Reporter Details

Name and Position of person making notification:	Contact No:
Signature:	Date:
Name and Position of person who assisted in form completion:	Contact No:
Signature:	Date:





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email address: enrolments@atod.net.au

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