

Safeguarding Children Policy



1. DEFINITIONS

Abuse	<p>There are five types of child abuse:-</p> <ul style="list-style-type: none"> • Physical • Sexual • Emotional • Neglect • Exposure to domestic violence <p>Child abuse can be a single incident or several incidents that take place over time.</p>
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 39 051 244 510)
Child	means a person under the age of 18 years (Section 8 of the CPA)
CPA	Child Protection Act 1999
Concern (in relation to a Child)	<p>Means any information that may indicate that a child is at risk of harm. 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 another adult, says something that indicates that they or another child 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 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 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 in order to abuse them. <p>There is no one set of actions or behaviours that are used to groom a child.</p>
Harm	<p>Harm to a child is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing. It is immaterial how the harm is caused and is through any non-accidental behaviour by parents, caregivers, other adults or other children that is outside the norms of conduct and entails a substantial risk of causing physical or emotional harm to a child. Such behaviours may be intentional or unintentional and can include acts of omission (i.e., neglect) and commission (i.e., abuse).</p> <p>Harm is commonly divided into five main subtypes:</p> <ul style="list-style-type: none"> • physical abuse; • emotional and psychological abuse; • neglect or acts of omission; • sexual abuse or exploitation; and • exposure to domestic violence <p>(Section 9 of the Child Protection Act)</p>

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"> ◦ Sustained; ◦ Not sustained, insufficient evidence; ◦ Not sustained, lack of evidence;or ◦ 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>President, Chief Executive Officer</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. Examiners must report their concerns through the Chief Executive Officer.</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	<p>Means any person (or group of people) engaged by ATOD. This includes members, volunteers, employees, contractors and consultants.</p>
Physical abuse	<p>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.</p>

Reasonable Suspicion	<p>A reasonable suspicion is a suspicion formed on the grounds that are reasonable in the circumstances. Section 13c of the CPA states that:-</p> <ul style="list-style-type: none"> • a reasonable suspicion may have been informed by observation of the child, other knowledge of the child or any other relevant knowledge, training or experience the person forming the suspicion may have; • matters that may be considered when forming a reasonable suspicion include; detrimental effects on the child’s body or psychological or emotional state that are evident or likely to become evident in the future; the nature and severity of the detrimental effects and the likelihood they will continue; and the child’s age.
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)	<p>A child is at current “risk of harm” if the circumstances that are causing concern for the safety, welfare or well-being of the child are present.</p> <p>Circumstances causing concern could include of any one or more of the following:</p> <ol style="list-style-type: none"> a) the child’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 to receive necessary medical care: <ol style="list-style-type: none"> b1) in the case of a child who is required to attend school, the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child to receive an education; c) the child has been, or is at risk of being, physically or sexually abused or ill-treated; d) the child is living in a household where there have been incidents of domestic violence and, as a consequence, the child is at risk of serious physical or psychological harm; e) a parent or other caregiver has behaved in such a way towards the child that the child 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	<p>Sexual abuse in relation to a child includes sexual behaviour involving the child and another person in the following circumstances -</p> <ul style="list-style-type: none"> • the other person bribes, coerces, exploits, threatens or is violent toward the child; • the child has less power than the other person; • there is a significant disparity between the child and the other person in intellectual capacity or maturity. <p>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.</p>
Worker	<p>being any person who is engaged in work in any of the following capacities:</p> <ul style="list-style-type: none"> (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).

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. POLICY STATEMENT

4.1 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 is maintained at all times during their participation in exams, competitions and activities run by the Australian Teachers of Dancing.

4.2 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.

- 4.3 ATOD requires that all directors, employees, examiners, members and volunteers comply with the directions and processes as outlined in this policy and associated procedures.
- 4.4 ATOD requires all directors and employees to comply with their relevant mandatory obligations under the Child Protection Act 1999 to report all reasonable suspicions of sexual abuse or likely sexual abuse or harm of a child under 18 years of age to the relevant authorities.
- 4.5 Through the development of this policy the ATOD objectives are to:
- provide information to assist directors, employees, examiners, members and volunteers 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.
- 4.6 ATOD's Safeguarding Children Policy and Procedures are organised into three broad areas:
- * Responding to concerns about children
 - * Preventative measures to protect children
 - * Responding to allegations against ATOD personnel
- 4.7 ATOD will:
- support and nurture all children who come into contact with the organisation and its personnel
 - promote the rights, dignity and wellbeing of children;
 - ensure children's safety and protect them from abuse and all forms of harm; and
 - always put the best interests of children first.

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 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 unless they are exempt.
- 5.3 All personnel will be required to complete all working with children related training as required by ATOD.
- 5.4 Risk of harm to a child will be reported in accordance with the law. All ATOD staff, as well as contractors, volunteers and guests who have a reasonable suspicion that a child is at risk of harm is able to report their concerns to ATOD or directly to relevant state authorities as identified in Appendix 1.
- 5.5 The ATOD Safeguarding Children Policy and Procedures provides guidance for responding to and reporting concerns relating to risk of 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 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 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.
- 6.2 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 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.
- 6.3 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.
- 6.4 The Company Secretary is responsible for maintaining a register of employees Working with Children Checks or equivalent and linking these to the relevant state authorities.

7. MANAGING CONCERNS IN RELATION TO CHILDREN

- 7.1 ATOD takes very seriously its legal and moral obligations to act appropriately where there is a concern about the wellbeing of a child.
- 7.2 ATOD is committed to having robust yet flexible processes to ensure that the company is Child Safe for all children in all contexts in which they come into contact with the company.
- 7.3 All Personnel must report internally any concern regarding the wellbeing of a child to a designated Mandatory Reporter. All personnel will report a child at risk of any form of harm if they have a reasonable suspicion or belief that a child is, could be or has been harmed based on their:
- first hand observation of the child or family
 - what the child, parent or other person has disclosed
 - what can reasonably be inferred based on observation, professional training and/or experience
- Mandatory reporters (as defined in Section 4) must, in adherence with legislation, report risk of harm to the relevant authorities. Mandatory reporters must also complete internal reporting processes and document that a report has been made to the authorities. (See Appendix 3)
- 7.4 "Procedures for Managing Concerns relating to Children" (Section 8.1) provides the appropriate processes for responding to a concern and taking the steps to determine and report risk of harm.
- 7.5 Allegations of reportable conduct involving members, volunteers and employees must be investigated and, if relevant, be notified to the relevant state Ombudsman.
- All allegations of reportable conduct must be notified to the CEO.
- 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.

8. PROCEDURES

8.1 Managing Concerns in Relation to Children

A concern in relation to children 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 are taken seriously and assessed for risk of 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 1) 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 NSW Mandatory Reporter Guide (MRG) to assess potential risk of 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 another adult, says something that indicates that they or another child 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.

8.2 Procedures for Preventative Measures to Protect Children

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.

These procedures outline some of the key elements of child safe organisations that the company 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. Risk assessment forms are available from the ATOD head office.

This includes activities where children 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) / Blue Card or equivalent for all personnel;
- 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.

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.

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 including:

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

Child Safe Behaviours

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

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;

- Establish and maintain a child safe environment.

- Set and maintain clear boundaries about appropriate behaviour between yourself and any children you are in contact with.
- Take all reasonable steps to protect children from any form of abuse or harm.
- Always adhere to the Safeguarding Children 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 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, 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 with care, respect, compassion and value their ideas and opinions.
- All activities (including examinations) involving children should include a ratio of one adult to every 10 children. For younger children under the age of nine, there should always be at least one additional employee (e.g. a teacher 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 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 needs may be especially vulnerable to abuse: extra care should be taken to interpret apparent signs of abuse or neglect.
- Ensure that discipline is not used to address child behaviours. 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.
- Guide children's behaviour in ways that support them.
- Do not have unnecessary or inappropriate physical contact with children.
- Do not do things for a child 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 including communication/contact through social media accounts (e.g. 'befriending', 'following', 'tagging'), mobile phone, texting or email communication.
- Do not photograph or video a child 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 without their parent or guardian's consent.

- In all dealings with children, ATOD employees should never:
 - leave children who are in their care unsupervised
 - play rough, physical or sexually provocative games, involving or observed by children whether based on talking or touching
 - allow or engage in any form of inappropriate physical activity involving children, 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 to use inappropriate language (e.g. of a derogatory or sexually explicit nature) without challenging it
 - make sexually suggestive or discriminatory comments
 - use any physical punishment as part of disciplining a child
 - consume alcohol or take drugs during the working day (including breaks) or when involved in activities with children
 - give their personal contact details to a child or vulnerable adult whom they have met through work including via social networking sites
 - 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, even if they are seeking and are consenting to such a relationship
- Notify the Chief Executive Officer immediately, if you have any concerns 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 harm concerns are reported 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 1 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 company 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 is at risk of 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 the CEO 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 they may waive the notice period and request the interview proceed at a mutually acceptable earlier time.
- c) Personnel 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 ATOD to 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). Their 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 and contractors 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

Leah Belford

President

Ph: 1800 106 227

Mobile: 0417 621 375 Email: president@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)

OR email childprotection@act.gov.au

NSW

Department of Family and Community Services

Phone: Child Protection Helpline

Ph: 132111 (24 hours)



Northern Territory

Territory Families

Phone: Child Protection Helpline

Ph: 1800 700 250 (24 hours)

Queensland

Department of Child Safety, Youth and Women

Phone: Child Safety Services Enquiry Unit on 1800 811 810

Child Safety After Hours Service Centre Ph: 1800 177 135

South Australia

Department for Child Protection

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

Tasmania

Department of Communities Tasmania

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

Victoria

Department of Health and Human Services

Phone: For a list of regional and metropolitan phone numbers check <https://services.dffh.vic.gov.au/reporting-child-abuse>

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: 1800 199 008

OTHER KEY CONTACTS

Kids Helpline (national)

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

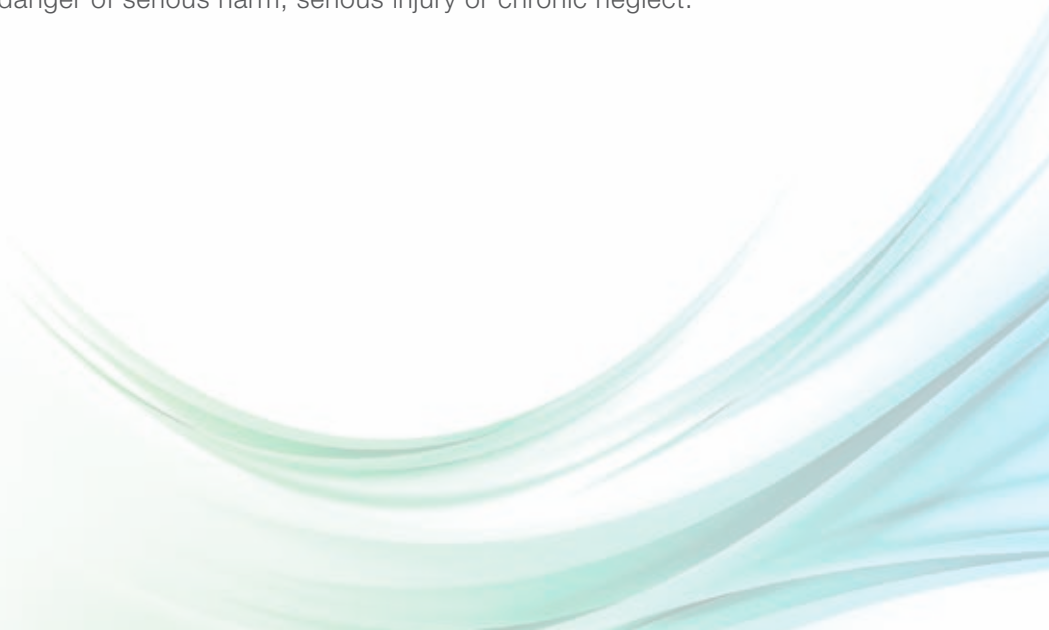
Phone: 1800 55 1800

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 President, 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 3 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'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 President as soon as possible, preferably immediately, and certainly within 24 hours. As noted above if there is an immediate risk of harm 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.
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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: _____

Child Protection Government staff members name
 (if reported via phone): _____

Reference number: _____

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

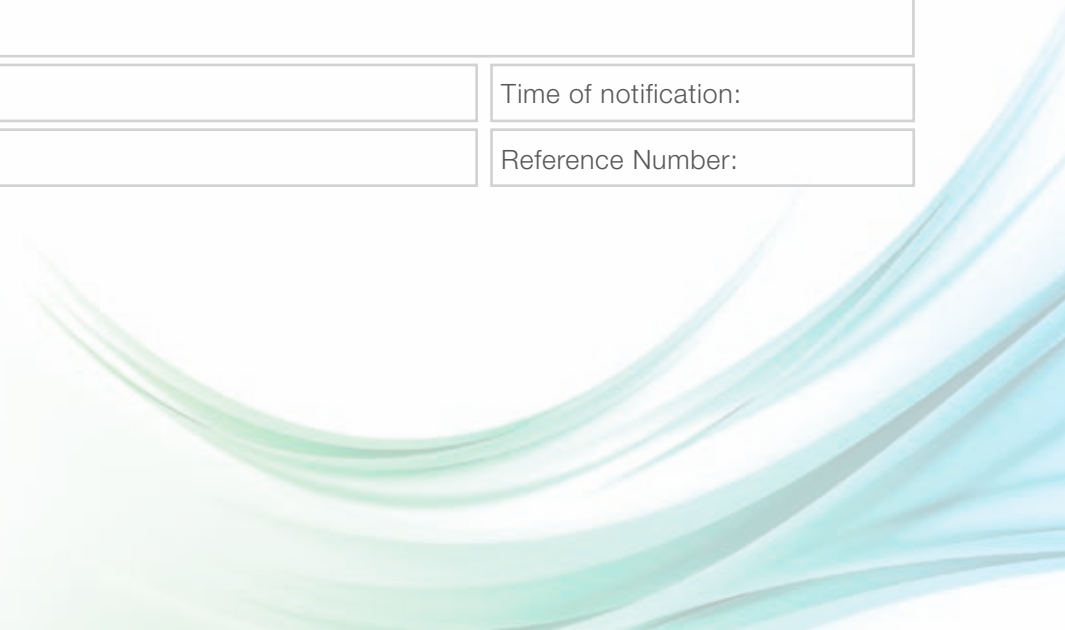
If yes, why was the notification made: _____

Date of notification: _____

Time of notification: _____

Police contact name: _____

Reference Number: _____



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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