

# **Child Safe Standard Five**

## **Responding to and reporting suspected child abuse**

Talking Turtles Speech Pathology Pty Ltd is committed to maintaining processes for responding to and reporting suspected child abuse. This procedure is designed to provide guidance on what to do if a child discloses an incident of abuse, or if a parent/carer raises a concern or allegation of abuse which may have taken place in our organisation.

### **If a child discloses an incident of abuse to you:**

- Try and separate them from the other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.
- Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.
- Explain to them that this information may need to be shared others, such as with their parent/carer, specific people in your organisation, or the police.
- Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
- Provide them with an incident report form to complete, or complete it together, if you think the child is able to do this.
- As soon as possible after the disclosure, record the information using the child's words and report the disclosure to the band's Child Safety Officer/s or leadership. A plan will then be discussed to inform the police and/or child protection.
- Ensure the disclosure is recorded accurately, and that the record is stored securely.

### **If a parent/carer says their child has been abused or raises a concern of abuse:**

- Explain that our organisation has processes to ensure all abuse allegations are taken very seriously.
- Ask about the wellbeing of the child.
- Allow the parent/carer to talk through the incident in their own words.
- Advise the parent/carer that you will take notes during the discussion to capture all details.
- Explain to them that the information may need to be repeated to authorities or others, such as the Child Safety Officer and/or leadership, the police and/or child protection.
- Do not make promises at this early stage, except that you will do your best to keep the child safe.
- Provide them with an incident report form to complete, or complete it together.

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- Ask them what action they would like to take and advise them of what the immediate next steps will be.
- Ensure the report is recorded accurately, and that the record is stored securely.

Talking Turtles Speech Pathology Pty Ltd recognises the need to be aware that some people from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police, and communicating in English may be a barrier for some. We need to be sensitive to these issues and meet people's needs where possible, such as having an interpreter present (who could be a friend or family member).

If an allegation of abuse involves an Aboriginal child, we will need to ensure a culturally-appropriate response. This might include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community-controlled organisation to review policies and procedures.

Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpretation. Advice on communicating with people with a disability can be found on the Department of Health and Human Services website at:

[www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities](http://www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities)

### **Legal Responsibilities**

While the child safe standards focus on organisations, every adult who reasonably believes that a child has been abused, whether in their organisation or not, has an obligation to report that belief to authorities.

The **failure to disclose** criminal offence requires all adults (aged 18 and over) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 to disclose that information to police (unless they have a reasonable excuse not to, for example because they fear for their safety or the safety of another). While failure to disclose only covers child sexual abuse, all adults should report other forms of child abuse to authorities. Failure to disclose does not change mandatory reporting responsibilities.

**Mandatory reporters** (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

The **failure to protect** criminal offence (commenced on 1 July 2015) applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult

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associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

See the Department of Health and Human Services website for further information regarding failure to disclose, mandatory reporting and failure to protect.

### Flowchart: CHILD SAFETY REPORTING PROCESS



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### What happens next?

The Child Safety Person, manager or supervisor will:

- offer support to the child, the parents, the person who reports and the accused staff member or volunteer
- initiate internal processes to ensure the safety of the child, clarify the nature of the complaint and commence disciplinary process (if required)
- decide, in accordance with legal requirements and duty of care, whether the matter should/must be reported to the police or Child Protection and make report as soon as possible if required.

### Outcome

Investigation; outcome decided; relevant staff, volunteers, parents and child notified of outcome of investigation; policies, procedures updated where necessary.

For more information on the Child Safe Standards visit <http://www.cyp.vic.gov.au/> or see A GUIDE FOR CREATING A CHILD SAFE ORGANISATION

**[Also see sample incident report.](#)**