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# CHILD SAFE STANDARDS

## A GUIDE TO RESPONDING TO AND REPORTING CHILD SAFE CONCERNS

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### Version Control

<b>Document Name:</b>	HVCT Guide to Responding to and reporting to Child Safe concerns
<b>Prepared by:</b>	HVCT Vice President & Treasurer
<b>Endorsed by:</b>	HVCT Committee
<b>Date Endorsed:</b>	11th January 2023
<b>Version:</b>	2022:01
<b>Purpose of Document:</b>	Guide those people working or volunteering in HVCT as to how to respond appropriately to child safe concerns when they arise, as well as report matters when necessary.
<b>Actions:</b>	<ul style="list-style-type: none"><li>● Read and understand</li><li>● Encourage others to read and understand</li><li>● Make available and circulate to staff and volunteers</li></ul>
<b>Other relevant resources:</b>	<ul style="list-style-type: none"><li>● Child Safe Policy</li><li>● Child Safe Code of Conduct</li><li>● Image use</li><li>● Physical Contact</li><li>● eSafety</li><li>● Recruitment &amp; Screening</li><li>● Guide for Parents &amp; Guardians</li><li>● Guide for Teens</li></ul>
<b>Review Date:</b>	11th January 2024



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#### Change History

Amendment Date	Version No.	Page No(s) replaced	Description of change

Distribution: 27/01/2023

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<p>Who <u>can</u> report?</p>	<p>Anyone! We all have an obligation to report breaches of our [Child Safe Framework or equivalent].</p>	
<p>What to report and to whom?</p>	<p>If immediate threat of harm to others</p>	<p><b>Someone must CALL 000 (Police) as soon as possible (if it is safe to do so)</b></p>
<p>Generally, what to do regarding Child Safety Concerns</p>	<p>Always ensure that conversations occur discreetly with the appropriate people &amp; maintain confidentiality</p>	<ul style="list-style-type: none"> <li>• Take reasonable steps to protect Children &amp; Young People (CYP) and others at risk.</li> <li>• Tell an appropriate senior person or nominated [child safe (or other) officer] in HVCT.</li> <li>• The appropriate senior person or nominated officer gathers relevant information (e.g. who, what, when, where, how, why &amp; what next?) [and must inform [Peak Victorian Organisation/Sport]].</li> <li>• If any concerns/conflicts of interest, contact [Peak Victorian Organisation/Sport] (if involving children) directly by phone or email.</li> </ul>
<p>What <u>must</u> be reported and to whom – 3 categories of mandatory reporting:</p>	<p>Reasonable belief of Child Sexual Abuse, Child Abuse, Neglect or Reportable Conduct</p> <p>*Refer also to the Victorian Mandatory Reporting of Child Abuse Summary on</p>	<ol style="list-style-type: none"> <li>1. Report matters to police where you have a reasonable belief<sup>^</sup> (see notes below) that <b>sexual abuse of a child under 16 years+ (see notes)</b>, by an adult, has occurred or is likely to occur.</li> <li>2. If you are a mandatory reporter* (see notes) under the <i>Children, Youth and Families Act 205 (Vic)</i>, report matters where you have a reasonable belief<sup>^</sup> that a CYP has suffered, or is likely to suffer, significant harm from</li> </ol>

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	<p>pages 12-13 of this summary resource.</p>	<p>physical or sexual abuse and their parent/guardian has not protected, or is unlikely to protect the child from harm of that type <a href="#">to the Department of Family, Fairness &amp; Housing(DFFH)</a>.</p> <p>3. The Commission for Children and Young People (CCYP) manages the reportable conduct scheme which may require reporting from the head of your organisation. If “<b>Reportable Conduct</b>”<sup>***</sup> (see note below) occurs on camps or overnight stays conducted by your sport, the head of your organisation must report the event to <a href="#">CCYP within 3 business days of occurring</a>.</p> <ul style="list-style-type: none"> <li>• For these matters, the Senior Person/Nominated Officer <u>must refer the matter to [Peak Victorian/National Organisation]</u>.</li> <li>• <b>This is particularly important where the wellbeing, physical and/or mental health of any child in our [sport/organisation] is at risk.</b></li> <li>• <b>IF IN DOUBT ABOUT REPORTING OBLIGATIONS, CALL THE COMMISSION FOR CHILDREN AND YOUNG PEOPLE TO CHECK.</b></li> </ul>
<p>What you are <u>advised</u> to report to DFFH and CCYP (if outside the above mandatory</p>	<p>If “reasonable belief” or suspicion of actual or likely abuse of a child under 18 years that has caused, or has the potential to</p>	<ul style="list-style-type: none"> <li>• Take reasonable steps to protect Children &amp; Young People (CYP) and others at risk.</li> <li>• Confidentially, tell an appropriate Senior Person in [sport/organisation] or [other Nominated Officer] or <u>call DFFH or CCYP</u> if the matter is urgent.</li> <li>• The Senior Person [or other Nominated Officer] gathers relevant information (e.g. who, what, when, where, how, why &amp; what</li> </ul>

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reporting categories)	cause <b>significant harm</b>	<p>next?) [and <u>must inform [peak Victorian/National sport/organisation]]</u>].</p> <ul style="list-style-type: none"> <li>If any concerns/conflicts of interest, contact the President/Principal directly by phone or email.</li> </ul>
<b>What details should be provided when reporting?</b>  <i>**Ask for <u>consent</u> to provide contact details to appropriate organisations &amp; record of their concerns to appropriate people, particularly for children</i>	<b>Who?</b>	Who was involved? Were there witnesses? Provide names, ages (if children) and contact details if known
	<b>What?</b>	What happened?
	<b>When?</b>	When did the conduct and/or behaviour occur?
	<b>Where?</b>	Where did the conduct and/or behaviour occur?
	<b>How?</b>	How did the conduct and/or behaviour breach the [Child Safe Framework or equivalent]? How was damage or impact to yourself/others caused?
	<b>Why?</b>	Why are you concerned?
	<b>What next?</b>	What is it that you and/or the person(s) affected want to happen next? What does the child want (if talking to their parent)? Note – Don't promise that what they want will definitely happen.
	<b>Other questions/ areas to address</b>	<ul style="list-style-type: none"> <li>Who else (if anyone) have you spoken to?</li> <li>Reinforce obligations of confidentiality.</li> </ul>
<b>What must you and/or the person to whom you report the matter to do?</b>	<ul style="list-style-type: none"> <li>Ensure that you are in a position to talk privately – take notes if possible and retain securely.</li> <li>Take concerns seriously &amp; remember – innocent until proven guilty.</li> <li>Be calm, listen to and be supportive of any child or young person involved.</li> <li>Offer support to other persons as appropriate.</li> </ul>	

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	<ul style="list-style-type: none"> <li>● Inform those affected that other people may need to be told to deal with the issue.</li> <li>● Pass on the information received to the appropriate organisation(s).</li> <li>● Contact authorities (Police, DFFH or CCYP) as appropriate (see: “What must be reported and to whom?” - above).</li> <li>● Record details of the issue in the Confidential Record of Child Safe Concern Form (see “Resources” page on HVCT website and [refer to a guide to responding to and reporting child safe concerns]).</li> </ul>
<p><b>What happens next for matters <u>involving significant harm to children or serious criminal conduct?</u></b></p>	<ul style="list-style-type: none"> <li>● Next steps will always depend on the nature and seriousness of the concern(s).</li> <li>● HVCT may provide guidance on how to manage the matter which may involve:             <ul style="list-style-type: none"> <li>○ Gathering more information</li> <li>○ Reporting the matter to DFFH, CCYP or police, depending on the nature of what is uncovered through gathering the facts.</li> <li>○ Reporting the matter to [State and/or National Organisation/Sport – if applicable], who may provide guidance in managing the issue.</li> <li>○ Delegating the matter to another organisation as appropriate (eg, school, council, employer, facility, etc).</li> <li>○ Ensuring that the person complained about has received the allegations and has an opportunity to respond to those. This is called “natural justice”.</li> <li>○ Discussing options for support for those involved.</li> <li>○ Resolving through informal conversation/mediation and/or education.</li> <li>○ After further internal investigation, determining that no further action is necessary.</li> <li>○ Taking provisional action (i.e. suspension) if necessary.</li> <li>○ If more formal action is necessary, refer to our complaints/grievance process found in HVCT Model Rules.</li> </ul> </li> </ul>



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^ **“Reasonable belief”** – a reasonable person in the same position would have formed the same belief on the same grounds.

\* **Mandatory Reporters** under the *Children, Youth and Families Act 205 (Vic)* are:

- registered medical practitioners
- nurses
- midwives
- registered teachers and early childhood teachers
- school principals
- school counsellors
- police officers
- out of home care workers (excluding voluntary foster and kinship carers)
- early childhood workers
- youth justice workers
- registered psychologists
- people in religious ministry.

\*\* **“Reportable Conduct”** includes any one or more of the following in situations in which the conduct occurs on overnight camps or stays:

Sexual offence committed against a child  
Sexual offence committed with a child  
Sexual offence committed in the presence of a child  
Physical violence committed against a child  
Physical violence committed with a child  
Physical violence committed in the presence of a child

Sexual misconduct committed against a child  
Sexual misconduct committed with a child  
Sexual misconduct committed in the presence of a child  
Behaviour that causes significant emotional or psychological harm to a child  
Significant neglect of a child

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+ **Sexual Abuse of persons under 16 years** – whilst “kids” or “Children and Young People” are in all other circumstances defined as under 18 years of age in Victoria, this age is different because the legal age of consent to sexual behaviour in Victoria is 16 years of age. “Child sexual assault” in Victoria is therefore a crime against children under the age of 16 years of age and must be reported to POLICE, even if it is not a situation of “immediate danger” or a “life threatening situation”.

## TIPS AND SCRIPTS FOR MANAGING CHALLENGING CONVERSATIONS

### Initial Tips:

**Open questions** (those requiring more than just a “yes” or “no”) will help extract information from the person that you are talking to, without “leading” them to answers.

**Closed questions** will help clarify and confirm what the person that you are talking to is saying.

Actions	Script Ideas
<p><b>Testing expectations</b></p> <p>– finding out what the complainant expects and wants to <u>focus the discussion</u>.</p>	<ul style="list-style-type: none"> <li>• How can I help you?</li> <li>• What are you hoping to achieve by contacting us/bringing your complaint to our attention?</li> <li>• <b>What outcome are you hoping for?</b></li> <li>• [To parents/carers...] <b>What is it that your child wants?</b></li> <li>• What do you think our organisation can do for you?</li> <li>• What can we do to resolve this in a way that is fair to everyone?</li> <li>• Let’s explore your goals in this situation.</li> </ul>



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	<ul style="list-style-type: none"> <li>• How do you propose that we resolve this/work through this?</li> <li>• Let me explain what happens under the [Child Safety Framework or equivalent] when you make a complaint.</li> <li>• Would it help if I explained how the complaints process works under the [Child Safety Framework or equivalent]?</li> </ul>
<p><b>Understanding more about the details of the complaint – gathering the <u>key facts</u></b></p>	<ul style="list-style-type: none"> <li>• The safety of children in our sport is paramount... so if you have any concerns at all, it's important that we explore those.</li> <li>• Ensuring the wellbeing of children and members in [Organisation/Sport] is our number one priority. You've done the right thing to contact us – thank you.</li> <li>• Can you please talk me through what you saw?</li> <li>• <b>What</b> happened? Then what happened?</li> <li>• Can you tell me more?</li> <li>• <b>When</b> did this occur?</li> <li>• <b>Where</b> did this occur?</li> <li>• <b>Why</b> are you concerned?</li> <li>• <b>Who</b> was involved?</li> <li>• <b>Is there anyone else that you think may have seen or heard anything?</b></li> <li>• Were there any <b>witnesses?</b> [If so] Who? Do you know whether they would be comfortable talking to us further? [If not] Do you think that if you explained how important it is to the safety of children in [Organisation/Sport], that they might change their mind and contact us?</li> <li>• <b>How</b> did [those actions/that behaviour] <b>impact you</b> and/or others?</li> <li>• <b>Why</b> do you think this occurred?</li> </ul>

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	<ul style="list-style-type: none"> <li>• Help me understand...</li> <li>• Describe...</li> <li>• Explain to me...</li> <li>• What else did you notice?</li> </ul>
<p><b>Defining the issues of the complaint</b> – <u>clarifying the issues being raised</u> to determine whether they can be dealt with by your organisation</p>	<ul style="list-style-type: none"> <li>• As I understand it, you're concerned about ... and.... is this correct? (Allow for clarification) And you want ... to happen. Is that correct?</li> <li>• You appear to be complaining about ... and.... is this correct? (Allow for clarification) ... is an issue we can look at, but ... and ... aren't things we can take up because ....</li> <li>• Are you saying that...?</li> <li>• Let me see if I understand your issue(s).</li> <li>• And am I correct that you want ... to happen?</li> <li>• Can you share that with me one more time just to make sure I understand you completely?</li> <li>• Thank you for going to the trouble of explaining this to me. As I understand it you're saying ...</li> </ul> <p>If the complainant is rambling:</p> <ul style="list-style-type: none"> <li>• Thanks for providing those details. You have obviously [been through a lot/been impacted by these events]. I just need to know...</li> <li>• So that I don't waste your time, why don't you tell me about ....</li> <li>• Tell me what the key issue is that you want to talk about.</li> </ul>
<p><b>Retesting and reframing expectations</b> - correcting any</p>	<ul style="list-style-type: none"> <li>• Are you aware of what our organisation can do? (often the answer is 'not really') Perhaps I could tell you a bit</li> </ul>

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<p>misunderstandings and <u>unrealistic expectations</u></p>	<p>about the [Child Safety Framework or equivalent] and what we can and can't do.</p> <ul style="list-style-type: none"> <li>• Let me explain what we can do under the [Child Safety Framework or equivalent].</li> <li>• ... is what we can do.... we can't do....</li> <li>• I realise that you want.... We can/can't do ...because....</li> <li>• .... won't happen because...However, ..... might be possible.</li> <li>• Whilst we won't be able to do that.... we may/will be able to....</li> <li>• So that you aren't disappointed later on, I should clarify now that it is very unlikely that we'll be able to do .... because....</li> <li>• It seems to me you're hoping we can do .... Whilst I have to tell you now that this will not be possible because ....</li> </ul>
<p><b>Preparing the complainant for disappointment</b> – delivering bad news as early as possible to avoid the complainant developing unrealistic expectations about their complaint and any possible outcomes</p>	<ul style="list-style-type: none"> <li>• I wanted to call you and tell you about the outcome/decision of your complaint before I send out a letter, because I know the outcome isn't what you'd hoped for (explain).</li> <li>• I wanted to call you to explain why we are unable to progress with your complaint further before I send you a letter saying this (explain).</li> <li>• Of course, the decision will be sent to you in writing. Speaking with you means I can also answer any questions you have about the decision/ outcome.</li> </ul> <p>Note: Although these conversations are not easy, they allow you to discuss the 'bad news' on your own terms and at a time when you are mentally prepared to do so – instead of some hours, days or weeks after you have sent the</p>



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	<p>complainant their final letter and they have had time to script or rehearse a response to the bad news.</p> <p>Things may escalate over time so it's best to address things as early as possible.</p>
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## CONFIDENTIAL RECORD OF CHILD SAFE CONCERN

[Confidential Record of Child Safe Form](#)

## VICTORIAN MANDATORY REPORTING OF CHILD ABUSE SUMMARY

The following information provides further clarification around the requirements relating to when individuals are required to report identified or suspected child abuse.

### 1. Immediate Danger or Life Threatening Situation involving a Child or Young Person

Report the matter immediately to police - call 000.

### 2. Failure to Disclose Offence

In Victoria, ALL adults who have a reasonable belief that **child sexual abuse of a child under 16 years**, by an adult, has occurred or is likely to occur **MUST** report that belief to police.



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#### 3. Reportable Conduct

In addition to the Standards, under the Victorian Reportable Conduct Scheme, if an incident occurs on overnight stays or camps, or you are a person who is required to report, under the Reportable Conduct Scheme, the following acts/behaviour, or reasonable beliefs or suspicions of acts/behaviours or likely acts/behaviours **MUST** be reported to the Commission for Children and Young People (**CCYP**) within three business days:

Sexual offence committed against a child	Sexual misconduct committed against a child
Sexual offence committed with a child	Sexual misconduct committed with a child
Sexual offence committed in the presence of a child	Sexual misconduct committed in the presence of a child
Physical violence committed against a child	Behaviour that causes significant emotional or psychological harm to a child
Physical violence committed with a child	Significant neglect of a child
Physical violence committed in the presence of a child	

#### 4. Mandatory Reporters

Mandatory Reporters **MUST** report to the Department of Family, Fairness & Housing (**DFFH**), child physical and sexual abuse (actual or likely) where the child's parents have not protected or are unlikely to protect them. See <https://providers.DFFH.vic.gov.au/mandatory-reporting> to check who is mandated to report in Victoria.

#### 5. Moral Obligation to Report

In Victorian sport, even if you are not a mandatory reporter, nor required to report under the Reportable Conduct Scheme to report a concern about a Child or



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Young Person (eg, some of the above acts/behaviours or reasonable beliefs or suspicions of the behaviour listed above have not occurred on an overnight camp or stay), you can and are advised to report matters to DFFH and CCYP that you reasonably believe or suspect did cause or are likely to cause significant harm to a child under the age of 18 years.

#### 6. Definitions – “Reasonable Belief” and “Significant Harm”

A “**reasonable belief**” is “a belief that a reasonable person in the same position would have formed the same belief on the same grounds”.

“**Significant**” harm or neglect is “more than trivial or insignificant, but need not be as high as serious and need not have a lasting permanent effect”.

## HOW TO MAKE A REPORT TO CHILD SAFETY AUTHORITIES

#### Is there a helpline mandated reporters can contact to discuss a possible report prior to making one?

Child protection intake staff are experienced practitioners skilled in receiving reports and discussing with reporters their concerns about a child. The legislation requires mandatory reporters to make a report to child protection as soon as practicable after forming the belief and after each occasion you become aware of any further grounds for the belief.

#### Who can I consult?

As a mandated reporter, the legislation requires you to make a report to child protection as soon as practicable after forming the belief and after each occasion you become aware of any further grounds for the belief.



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Also, any person in Victoria is entitled to make a report to DFFH or CCYP if they believe a child is in need of protection from actual or likely significant harm AND that they have not or are unlikely to be protected by their parents/guardians – you don't need to be a mandatory reporter. Child protection staff are experienced practitioners skilled in receiving reports and discussing concerns about a child with reporters.

#### **How do I make a report?**

In Victoria, reports to child protection must be made to a protective intervener, or other appropriately delegated officer. Reports cannot be made via the DFFH website or email, as staff who monitor the department's website are not delegated officers. Almost all reports are made to child protection by phone.

To make a report, you should contact the child protection intake service covering the local government area (LGA) where the child normally resides.

Telephone numbers to make a report to DFFH during business hours (8.45am -5.00pm), Monday to Friday, are listed below.

- North Division intake: 1300 664 977
- South Division intake: 1300 655 795
- East Division intake: 1300 360 391
- West Division intake - metropolitan: 1300 664 977
- West Division intake - rural and regional: 1800 075 599

If you are not sure which number to call, check the following website for details on the LGAs covered by each intake service at [Child protection contacts](https://services.DFFH.vic.gov.au/child-protection-contacts)

<<https://services.DFFH.vic.gov.au/child-protection-contacts>>



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**For immediate help for a child:**

To report concerns that are life threatening, you should contact Victoria Police: **000**

To report a matter to CCYP under the Reportable Conduct Scheme: **13 12 78**

To report concerns about the immediate safety of a child outside of normal business hours, you should contact the After Hours Child Protection Emergency Service on **13 12 78**.