

REPORTING OF HARM PROCEDURE

PURPOSE: To provide guidelines on the steps from reporting of harm to children and how to handle a disclosure.

RESPONSIBILITY: Educators, Coordinators and Management.

PROCEDURE:

How to handle a disclosure:

a) Suspected Child Abuse/Neglect

You have reasonable grounds to suspect harm if:

- A child or young person tells you they have been harmed
- Someone else, for example another child, a parent, or a staff member, tells you that harm has occurred or is likely to occur.
- A child or young person tells you they know someone who has been harmed (it is possible that they may be referring to themselves).
- You are concerned at significant changes in the behaviour of a child or young person, or the presence of new unexplained and suspicious injuries, or
- You see harm happening.

b) Disclosure from a child

When confronted with disclosures of harm to children and young people, organisations should respond professionally and in the best interests of the child or young person subjected to the alleged harm.

Disclosures of harm may sound like:

- 'I think I saw....'
- 'Somebody told me that...'
- 'Just think you should know....'
- 'I'm not sure what I want you to do, but...'
- Any disclosure of harm is important and must be acted upon, regardless of whether:
- the harm to a child or young person has been caused by a person from within or outside your organisation, or
- The child or young person disclosing the harm to you is from within or outside your organisation.

Irrespective of the source of the harm, i.e. whether from within your organisation (internal) or outside your organisation (external), a disclosure may be made to a member of your organisation.

If you have received a disclosure of harm or you have suspicions of harm against a child or young person your first responsibility is to report to the Coordination Unit and/or Licensee who together with yourself will notify either Queensland Police Service or Department of Child Safety- Regional intake service, after confirming that you should.

The steps for Reporting:

Stage 1

There is no one set of rules to follow when a child or young person tells you that harm has occurred to them, or another person discloses an incident of harm to a child or young person. However, the following actions may be of assistance:

Don't Panic

You may be the first person to whom the disclosure is made. Your reaction may determine whether the person making the disclosure trusts you with the information. It is important you:

- Don't react in a shocked or critical way, and
- Tell the person you are glad they have told you.

Find a quiet place to talk

Privacy or a quieter area may help the person making the disclosure feel more comfortable and less concerned about telling you what they have to say. Some children or young people may become overwhelmed by removing them completely into a private room to talk so judgement is to be used and a quiet place where you can listen easily is recommended.

Listen

When presented with a disclosure of harm, don't say 'I won't tell,' and don't promise to keep secrets. You should:

- Reassure the person they have done the right thing in telling
- Say you need to tell someone else who can help them, and

- Reassure them you will only tell someone who will make them safe.

Believe the person

It is not up to you to judge whether a child, young person or anyone else is telling the truth – always act on the basis that what you have been told is the truth. Remember, it is not up to you to decide if what you are being told did or did not happen.

Don't ask leading questions

Leading questions are those that tend to suggest an answer, for example:

- 'Did "X" touch you?'
- 'Did they touch you where your underwear goes?'

Don't put words in the person's mouth – let them tell you what happened, and if you need to clarify anything, ask non-leading questions such as:

- 'Tell me what happened.'
- 'What happened then?'
- 'Can you tell me about that?'

It is not your role to investigate allegations of harm. Only ask enough questions to confirm the need to report the matter to the Queensland Police Service or the Department of Child Safety. The safety of the child or young person is paramount. Unnecessary questions or interviews could cause distress, confusion and interfere with any subsequent investigation authorities undertake.

Take detailed notes:

At the first opportunity after a disclosure has been made to you, make notes of what occurred. Include information such as:

- Dates
- Times
- Location, and
- Who is present.

Include a detailed description of:

- Exactly what the person disclosing said, using 'I said,' 'they said,' statements
- The questions you asked
- Any comments you made, and
- Your actions following the disclosure.

If you are taking notes as the disclosure is occurring, they explain why you are doing it and why it is important, i.e. to ensure an accurate record for any subsequent investigation. If the disclosure is being made by a child or young person, remember to explain this to them in a way that is appropriate for their age and understanding.

A detailed incident form including the above information needs to be completed in conjunction with the appropriate form from the Department of Communities. There is an online report form which can be found at

<https://secure.communities.qld.gov.au/cbir/home/ChildSafety#>

Any reports or documentation on disclosures of harm must be kept confidential and secure, with access strictly limited and on a 'need to know' basis.

Stage 2

Suspicious of harm which may involve an offence against a child or young person must always be taken seriously.

If you have received a disclosure of harm or you have suspicions of harm against a child or young person your first responsibility is to report to the Director and/or Licensee who together with yourself will notify either Queensland Police Service or Department of Child Safety- Regional intake service, after confirming that you should. The reporting should be done by the person to whom the disclosure was made, as they will have the best knowledge of what was said.

Under no circumstances should an organisation:

- Conduct its own investigation to substantiate claims
- hold its own internal hearing, or
- Attempt to mediate a settlement of the matter instead of notifying relevant authorities.

Investigations conducted by your Organisation could lead to:

- The destruction of evidence by an accused person
- Intimidation of the person disclosing the information, or
- Intimidation of the child or young person being harmed (if the disclosure was made by someone else).

The Queensland Police Service

The Queensland Police Service will investigate disclosures of suspected or substantiated harm to children or young people. This is usually done by officers of the Juvenile Aid Bureau or Child Abuse Unit.

If a disclosure is made to you, contact your closest Juvenile Aid Bureau or local police station and tell them you suspect, or have been told of, someone who has been harmed.

When contacting the police, they will want to know information such as:

- The details of any disclosure of harm
- The name, age and address of the child or young person harmed
- Where the child or young person is at that point in time
- Any identifying information regarding the alleged perpetrator of the harm, and
- Your details.

The Department of Child Safety

Where the disclosure indicates that harm may have been caused by a family member, or where parents are not acting to protect their child from harm, the incident must be reported to the Department of Child Safety- Regional Intake Service or Child Safety after hours service centre.

Disclosures of harm related to shared family care or residential services for children and young people must also be reported to the Department of Child Safety Regional Intake Service or Child Safety after hours service centre.

However, where the disclosure of harm indicates a criminal offence may have taken place such as sexual assault of a child or young person, the matter should also be reported to the Queensland Police Service.

Strategies for Educators to include a 'Protective Behaviour Program' for children.

- Help children to identify and discuss their feelings in a variety of situations, to recognise negative feelings such as 'butterflies in the tummy', 'tight feelings' in the throat, as well as happy, safe feelings.
- Encourage children to talk about situations where they feel safe and don't feel safe.
- Listen to children so that they know their questions and concerns are being understood.
- Encourage questioning and decision making skills.
- Respect children's choices and decisions and encourage them to respect other children's choices, especially where touching is concerned.
- When developmentally appropriate, teach children the basic principles of 'stop, go, and tell', to say no if they feel uncomfortable, to get out of the situation if possible and to tell someone they trust as soon as possible.
- Help at-risk children to identify a network of five people they can trust and turn to when they feel unsafe.
- Use correct terminology for all body parts.

Managing Breaches

- Educators are encouraged to refer to their Code of Conduct for information on breaching parts of this Reporting of harm procedure. Educators will also find relevant information in their Educator Handbook on the Warning/Counselling Process and Instant Dismissal.
- No breach of this Reporting of harm procedure will be tolerated in aims of providing a safe and protective environment for all persons within the centre.
- Performance appraisals, training, behaviour, monitoring compliance and feedback are all strategies in place to determine if Educators are maintaining appropriate standards to comply with the conditions in this Reporting of harm procedure.

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