YMCA of Launceston – Responding to child abuse reports and allegations

**INTRODUCTION**

The YMCA of Launceston is committed to protecting the children and young people to whom it delivers service. Accordingly we have developed this policy on how to respond to child abuse reports and allegations as a guide to all our people in meeting their responsibilities in this area. Our personnel are required to identify, report and respond to any concerns about, or incidents of, child abuse or neglect towards children or young people to whom we provide services. Our personnel are required to respond to abuse or neglect perpetrated by personnel within our organisation or by other persons.

**ENDORSEMENT**

We take seriously our responsibility to deliver an environment for children, young people and families that is caring, nurturing and safe. Our Board of Directors and Chief Executive Officer are committed to ensuring the safety of all children and young people to whom we provide services or who participate in our programs.

As part of that commitment our Board of Directors fully endorse our organisation’s overarching Safeguarding Children and Young People Policy and all supporting policies to ensure the YMCA of Launceston’s safeguarding of children and young people from abuse and neglect.

**SCOPE**

All ‘involved’ personnel within our organisation are required to meet the requirements of our policy on responding to child abuse reports and allegations.

‘Involved’ personnel are defined as:

- all persons with direct contact with children, their supervisors and managers
- all senior managers with responsibility for delivering services to children
- anyone involved in dealing with reports or allegations of child abuse or with access to children’s or young people’s records
- where our organisation’s primary purpose is delivering services to children, our Directors, Chief Executive Officer or equivalent personnel.

No one within our organisation is exempt from meeting the standards and requirements set out in this policy.

**DEFINING ABUSE AND NEGLECT**

Our organisation is committed to safeguarding the children and young people in our care from abuse in any form, including:

**Sexual abuse**
Sexual abuse spans a range of contact and non-contact behaviour.

Non-contact behaviour includes:

- making sexual comments (directly, in letters, by telephone, text messages or email)
- voyeurism – including commenting on physical attractiveness
- exposing a child to pornography
- nudity – an abuser exposing parts of their body, or the child’s body.

Contact behaviour includes:

- fondling or kissing
- sexual penetration
- exploiting a child through prostitution.

**Physical abuse**

Physical abuse occurs when a parent or caregiver subjects a child to non-accidental, physically aggressive acts. The abuser may inflict an injury intentionally, or inadvertently as a result of physical punishment or the aggressive treatment of a child. Physically abusive behaviour includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning and kicking.

**Emotional or psychological abuse**

Emotional or psychological abuse occurs when a caregiver or parent repeatedly rejects or threatens a child. Often there is a pattern of emotional or psychological abuse, rather than a single incident. Such abuse may involve humiliating, terrorising, name-calling, belittlement, inappropriate symbolic acts or continual coldness from the caregiver or parent, to the extent that results in significant damage to the child’s physical, intellectual or emotional wellbeing and development.

**Neglect**

Neglect occurs when a parent or caregiver fails to provide a child with the basic necessities of life. Such neglect includes the failure to provide adequate food, clothing, shelter, medical attention or supervision to the extent that the child’s health and development is, or is likely to be, significantly harmed.

**Witnessing family violence**

Witnessing family violence is a specific form of emotional or psychological abuse. Family violence is defined as violence between members of a family or extended family or those fulfilling the role of family in a child or young person’s life. Exposure to family violence places children and young people at increased risk of physical injury and harm and has a significant impact on their wellbeing and development.

**Responsibilities**

Our personnel are required to report any instance of serious abuse or neglect (cases in which a child or young person has suffered, or is likely to suffer, significant harm from abuse or neglect) immediately, or if that is not possible, no later than before ending that person’s shift or session of work with our organisation.

In taking a report of concern, or of an incident, from others within our organisation our personnel
are:

• not to assess the validity of such allegations or concerns, but to report all allegations or concerns to the nominated person or persons within our organisation as described in this policy (The validity of an allegation will then be assessed in the manner described in this policy.)
• to disregard factors such as the authority or position of the persons involved and any pre-existing views about the good character, or otherwise, of any person involved or under investigation.

Similarly, our personnel are obliged to raise any concerns they might have in relation to:

• our organisational policies designed to safeguard children and young people – such as outlined in our ‘Practice and Behaviour Guidelines’ and in our ‘Responding to Child Abuse Reports and Allegations’ policy
• actions of other personnel within our organisation that contravene our policies, or that may otherwise have the potential to harm a child or young person.

All our personnel retain the right to report directly to relevant authorities, such as Tasmania Police, any concerns they may have in relation to the safety and welfare of a child or young person, even if they have also reported that matter internally, in line with this policy.

Our policy also:

• prohibits all personnel from discussing any concerns or allegations with unauthorised personnel – within or outside our organisation – such prohibition not being designed to limit, in any way, their rights and responsibilities to report their concerns or allegations, but rather as part of our organisation’s commitment to ensuring privacy, confidentiality and natural justice
• prohibits all personnel from making deliberately false, misleading or vexatious allegations.

Consequences of breaching policy

If our personnel fail to report instances, allegations, disclosures or concerns in relation to abuse or neglect of a child or young person – by personnel within our organisation or by others – we view such failure as a serious matter that, depending on the circumstances, may result in disciplinary action or be grounds for dismissal.

Concerns or allegations regarding abuse or neglect by family or other external sources

All our personnel are required to report any instance of child abuse or neglect that has resulted in, or is likely to result in, significant harm to a child or young person, to statutory child protection authorities and to our Chief Executive Officer.

While our personnel retain the right to report any concern or allegation directly to the relevant authorities, we ask that they also inform our Chief Executive Officer of any report they make to the relevant authorities, to enable our organisation to best provide support to the child or young person and their family, where appropriate.

If a child or young person is at imminent risk of harm or in immediate danger, our personnel are required to report the situation directly to Child Protection Intake on 1300 737 639 or Tasmania Police on 000.

In situations where a child or young person is making an allegation, our personnel are required to:

• listen to the allegation or disclosure supportively, without dispute
• clarify the basic details, without seeking detailed information or asking suggestive or leading questions, using our organisation’s ‘Record of a child abuse allegation, disclosure or concern’ form as a guide  
• record on the form what was said (where possible, noting the exact words used by the person making the allegation)  
• date and sign the record  
• explain to the child (if present) that other people may need to be told, in order to stop what is happening  
• provide reassurance that our organisation will take immediate action in response to the allegation.

In situations where our personnel become aware of abuse through observation of potential indicators, such as bruises or cuts, or by directly observing potentially abusive behaviour towards a child or young person, our personnel are required to use our organisation’s ‘Record of a child abuse allegation, disclosure or concern’ form to record their observations and concerns as accurately as possible.

Our Chief Executive Officer will oversee creation of a file to contain the completed ‘Record of a child abuse allegation, disclosure or concern’ form, and any other documentation relating to the allegation and subsequent action.

So as to prevent access by unauthorised persons, our organisation stores any documentation associated with an allegation of abuse or neglect of a child or young person by having:
• hard-copy documentation stored in a locked filing cabinet (or similar)  
• electronic documentation stored in a password-protected folder (or similar).

**Concerns or allegations of abuse or neglect on the part of our employees or volunteers**

All personnel must report, immediately, to our Chief Executive Officer any instance, allegation, disclosure or reasonable concern of abuse or neglect of a child or young person arising from an action by an employee or volunteer within our organisation.

If the Chief Executive Officer is unavailable (or the subject of the complaint), our personnel are required to report the matter to the Chairperson of the YMCA of Launceston’s Board of Directors.

If a child or young person is at imminent risk of harm or in immediate danger, our personnel are required to report the situation directly to Tasmania Police on 000.

In situations where a child or young person is making an allegation, our personnel are required to:
• listen to the allegation or disclosure supportively, without dispute  
• clarify the basic details, without seeking detailed information or asking suggestive or leading questions, using our organisation’s ‘Record of a child abuse allegation, disclosure or concern’ form as a guide  
• record on the form what was said (where possible, noting the exact words used by the person making the allegation)  
• date and sign the record  
• explain to the child (if present) that other people may need to be told, in order to stop what is
happening

• provide reassurance that our organisation will take immediate action in response to the allegation.

In response to any instance of ‘serious’ abuse or neglect (‘serious’ being cases in which the abuse or neglect has resulted in, or is likely to result in, significant harm to a child or young person), our Chief Executive Officer will, ensure that the incident is reported to:

• Tasmania Police on 6230 2111 and/or
  Child Protection Intake on 1300 737 639, immediately
• ACCYO, within 28 days, in accordance with the requirements of that organisation’s Safeguarding Children Program.

Our Chief Executive Officer will investigate and deal with allegations of ‘less serious’ instances of abuse or neglect in line with our organisation’s general procedures for complaint resolution and disciplinary measures.

If an allegation has been made against a staff member of our organisation, our Chief Executive Officer will:

• take any action necessary to safeguard the child or young person (or other children or young people in our care) from additional harm through options such as:
  - redeploying that staff member to a position where they do not work with children
  - additional supervision of that staff member
  - removing/suspending that staff member from duty until the validity of the allegations is determined
• address the support needs of the person against whom the complaint is made by, for example, offering professional counselling
• make clear to all other personnel who are aware of the allegation that:
  - the allegation does not mean the person is guilty, and that the allegation will be properly investigated
  - they are not to discuss the matter with any person, except as directed by police, child protection authorities and/or our Chief Executive Officer and only in direct relation to investigation of the allegation.

Our Chief Executive Officer will oversee creation of a file to contain the completed ‘Record of a child abuse allegation, disclosure or concern’ form, and any other documentation relating to the allegation and subsequent action.

So as to prevent access by unauthorised persons, our organisation stores any documentation associated with an allegation of abuse or neglect of a child or young person by having:

• hard-copy documentation stored in a locked filing cabinet (or similar)
• electronic documentation stored in a password-protected folder (or similar).

Confidentiality and privacy

Our organisation maintains the confidentiality and privacy of all concerned (including the alleged perpetrator), except if doing so would compromise the welfare of the child or young person and/or
investigation of the allegation.

Documentation

As part of our policy for responding to reports or allegations of child abuse, we have developed a ‘Record of a child abuse allegation, disclosure or concern’ form, which is to be used by any of our people to document any allegation, disclosure, incident or concern regarding child abuse.

Supporting Documents

There are a range of documents which should be read in conjunction with this policy. These include but are not limited to:

- Safeguarding Children and Young People Policy
- Membership, Enrolments and Facility Hire Policy
- Recruitment and Selection Policy
- Responding to Child Abuse and Allegations Policy
- Social Networking Policy
- Practice and Behaviour Guidelines

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<th>Date</th>
<th>Change Description</th>
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<td>V1</td>
<td>August 2014</td>
<td>Mandatory Reporting Policy approved by Board of Directors</td>
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<tr>
<td>V2</td>
<td>April 2015</td>
<td>Update of policy from Mandatory Reporting Policy, approved by Board</td>
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