



CHILD PROTECTION POLICY – RESPONDING TO AN ALLEGATION OF CHILD ABUSE AGAINST AN EMPLOYEE / VOLUNTEER

Policy number		Version	1
Drafted by	Stacey Bayliss	Approved by MC on	09.11.2017
Responsible persons	Management Team	Scheduled review date	Nov 2018

Applies to: All Staff	
Specific responsibility: Management Team & Management Committee	
<p>Policy context: This policy aims to ensure that the organisation has systems in place to manage any allegation of abuse, neglect, harm or convictions against employees of this organisation. The policy and procedure guides the appropriate way to manage, investigate and report. Once the Management Team has been advised of a reportable allegation or conviction against an employee, they must notify the NSW Ombudsman as soon as possible. The notification must include details of the allegation or conviction, proposed disciplinary or other action in relation to the employee, and the reasons for taking or not taking any action. This policy and procedure work in conjunction with the Child Protection Policy and Procedure.</p>	
Standards or other external requirements	Disability Standards in Action 2011: Standard 1: Rights Standard 6: Service Management Principles from: -The National Quality Framework (NQF), implemented by the Australian Children's Education and Care Quality Authority
Legislation or other requirements	Ombudsman Act 1974
Contractual obligations	NDIS Service Agreements

POLICY STATEMENT

Employers are required to deal with a variety of complaints relating to employees. If the matter of complaint contains elements described below then it is an allegation of child abuse that requires follow up notification to the NSW Dept. of Family and Communities and the NSW Ombudsman.

- The person who is the subject of the allegation must be a current employee of Early Connections –Coffs Coast or have been an employee at the time of the allegation was made and must be identifiable by name, description and work schedules.
- The allegation must contain a description of the behaviour that constitutes the child abuse.



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- The alleged victim must be under the age of 18 years at the time of the alleged offense or behaviour.

PROCEDURE

In the case of an allegation against an employee the following procedure will be implemented –

1. INITIAL RESPONSE:

- 1.1 Protect employees from harm, from malicious gossip or unfounded accusations.
- 1.2 Demonstrate that such allegations are treated seriously by management and employees.
- 1.3 Protect children and other vulnerable people from harm.
- 1.4 Offer support options and information on support / advocacy services for both the child (and child's family) and the employee.

2. INITIAL ACTIONS

- 2.1 Record verbatim any words used by a child or other person making an allegation.
- 2.2 Assess whether the allegation needs to be referred to the Department of Families and Community or the police and notify them promptly when appropriate.
- 2.3 Undertake an initial risk assessment to determine whether the employee's current duties are appropriate while the investigations are being carried out.
- 2.4 Notify the NSW Ombudsman within 30 days. Notification forms and fact sheets are available on the NSW Ombudsman website, www.ombo.nsw.gov.au

Part 3A of the [Ombudsman Act 1974](#) requires the Ombudsman to keep under scrutiny the systems that government and certain non-government agencies in NSW have for preventing reportable conduct and handling [reportable allegations and convictions](#) involving their employees.

'Designated agencies' (EC-CC is a designated agency) must notify the NSW Ombudsman of all [reportable allegations and convictions](#) that arise inside or outside the employee's work.

- 2.6 Report to the NSW Ombudsman once an investigation into the reportable incident is completed and you have determined the risk management response to prevent such an incident from occurring again.



3. Indicators of Sexual assault:

3.1 A Staff member may suspect that a child with a disability has been sexually assaulted by observing behavioural or physical indicators, particularly when they occur in clusters.

Some of the signs of sexual abuse could be:

- a. Bruises, bleeding in the genital area.
- b. Bruises to chest, buttocks, lower abdomen or thighs.
- c. Vaginal infection.
- d. Abdominal pain.
- e. Recurrent headaches/migraines.
- f. Sexually transmitted diseases.
- g. Psychosomatic illness
- h. Itching, inflammation or infection in the urethral, vagina or anal areas.
- i. Semen staining on clothing.

3.2 Some behavioural signs of sexual assault are:

- a. Report from a person.
- b. Inappropriate sexual activity.
- c. Fear from being alone with a particular person or going to a particular place.
- d. Sexual themes in drawings, drama or sexual acting out.
- e. Self injury or hurting others.
- f. Unexplained increase in sexual knowledge.
- g. Regressive behaviour such as bed wetting.
- h. Withdrawal, depression or listlessness.

4. SUBSEQUENT ACTION

4.1 A meeting between the Organisations Chairperson or representative and the Management Team will be scheduled immediately (on the day the allegation was made) to;

- a. Decide on the risk posed to children/child by the employee.
- b. Contact the NSW Department of Families and Community Services helpline - Child Protection Helpline - 24/7 - 132 111 - report suspected cases of child abuse and neglect.
- c. Decide on personnel to conduct an investigation.



4.2 Any staff member or committee member, volunteer or student involved in any way in the allegation or investigation will be asked to make a statement and sign a confidentiality statement in regards to the allegation / investigation.

4.3 The notification form (from the NSW Ombudsman web page) Child Protection Responding to Allegations of Child Abuse Against Employees will be used as a basis to conduct the investigation.

4.4 The staff member, about whom the allegation is made, will be informed of their rights regarding legal assistance, access to the union and counselling services, contact information will be available. The contact number for the NSW Ombudsman will also be available for the staff member to seek advice.

4.5 At the completion of the investigation a decision will be made regarding action to be taken in regards to the allegation.

4.6 All paperwork and a copy of the investigation and subsequent action will be kept in a sealed envelope in a filing cabinet and labelled **Strictly Confidential: This file is not to be opened unless a request from the Department of families and Community or the NSW Ombudsman's office is made.**

4.6 This information will be kept permanently.

DOCUMENTATION

Documents related to this policy	
Related policies	<ul style="list-style-type: none"> - Child Protection Policy and Procedure - Positive guidance and behaviour management policy. - Complaints Handling Policy and Procedure
Forms, record keeping or other organisational documents	<ul style="list-style-type: none"> - Keeping them Safe file (locked filing cabinet) - NSW Mandatory Reporter Guide 2014 - NSW Ombudsman Forms - Employment-related child protection notification and final advice forms

Reviewing and approving this policy		
Frequency	Person responsible	Approval
Annually	Management team and Management Committee	Management Committee

Policy review and version tracking			
Review	Date Approved	Approved by	Next Review Due



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Management Committee:

A handwritten signature in black ink that reads "Jan Newland". The signature is written in a cursive, flowing style.

Signed:

Name: Jan Newland – President

Date: 09.11.2017