

## MANDATORY REPORTING PROCEDURES

Date	07/10/2022
Policy Number	BCOC:2:02
Status	Version 2
Approved by Board on	19/06/2023
Scheduled review date	06/2025

### Introduction

Berwick Church of Christ (the Church) is committed to being a safe and welcoming place for all people who engage with the Church including children, young people, and especially those most vulnerable.

These procedures have been developed with the aim to provide a reporting framework for all concerns and incidents relating to any one who serves or attends the Berwick Church of Christ.

### Purpose

This Reporting Procedure sets out who needs to report what, when, and to whom, whenever there is a safety concern or incident.

### Scope

All Staff and Volunteers must report all safety concerns or incidents according to these Reporting Procedures.

### Definitions

Please refer to the General Definitions document.

In addition to the General Definitions, the following definitions are relevant:

“**Child abuse**” as defined in the *Child Wellbeing and Safety Act 2005*, includes:

- (a) any act committed against a child involving—
  - (i) a sexual offence; or
  - (ii) an offence under section 49M(1) of the Crimes Act 1958; and
- (b) the infliction, on a child, of—
  - (i) physical violence; or
  - (ii) serious emotional or psychological harm; and
- (c) the serious neglect of a child.

“**Harm**” is damage to the health, safety or wellbeing of a child or young person, including as a result of child abuse by adults or the conduct of other children. It includes physical, emotional, sexual and psychological harm. Harm can arise from a single act or event and can also be cumulative, that is, arising as a result of a series of acts or events over a period of time.

“**Person of Concern**” (POC) is a person who:

- Has pleaded guilty to, been convicted of, or has admitted to a sexual criminal offence and/or is on the Sex Offenders Register;
- Has been found to have sexually offended, arising through due diligence checks related to recruitment (screening);
- Is currently charged with a sexual offence;
- Has been the subject of an allegation of a sexual offence and this was not appropriately investigated;
- Has received an adverse risk assessment arising from sexual misconduct;
- Is deemed to be a risk to the safety of children and/or vulnerable adults because of an adverse risk assessment relating to sexual misconduct;
- Exhibits constant wandering across other peoples’ sexual boundaries; or
- Exhibits behaviour consistent with grooming children and/or vulnerable adults.

## Child Safety Reporting Procedures

The Church has a duty of care and is committed to the safety and wellbeing of all children and young people. We have a zero-tolerance approach to child abuse and harm. The Church is required in accordance with the mandatory reporting requirements of the Children, Youth and Families Act (2005), to take immediate action following a disclosure of, or concerns about, alleged child abuse or sexual assault.

For more information on the Church's approach and behavioural expectations in relation to child safety, please refer to the Child Safety Policy and Code of Conduct.

### What should be reported?

Any child safety concerns must be reported, which include:

- Any disclosure, allegation, belief or suspicion of child abuse or harm.
- Non-compliance with the Code of Conduct.
- Any other child-related misconduct.
- Concerns regarding the safety or wellbeing of a child.
- Environmental safety concerns.

Any matters relating to historical child abuse - refer to pages 4 and 5.

### Who to report to

All child safety concerns must be reported to a Pastor or Senior Pastor and complete one of the Forms below, whichever is relevant:

1. Reporting Concerns Form
2. Risk of Significant Harm Form
3. Incident/Hazard Report Form

Depending on the nature of the concern, the person with the concern may also need to report to the authorities, as set out below in the Procedure and the Appendix 1: Reporting Flowchart.

Go to the church website to access all report forms - [www.berwickchurch.org.au/policies](http://www.berwickchurch.org.au/policies)

## PROCEDURE FOR ALL STAFF & VOLUNTEERS

### 1. Call emergency services 000 if there is immediate danger

Remove any immediate threat if possible, and call 000.

### 2. Listen to any concerns being raised

If you are under 18, and a child starts to talk with you about behavior which sounds concerning because it may indicate child abuse or harm, ask an adult Leader, Pastor or the Safety Contact Person for assistance.

If you are over 18, interact with the child as follows:

- Support the child and reassure them that telling someone was the right thing to do.
- Emphasise that what occurred was not their fault.
- Stop questioning the child and witnesses if the conduct described is likely to constitute criminal conduct.
- Consider whether expert assistance is needed to support a child to communicate their concern or disclosure (for example, disability expert, language or cultural interpreter).
- Limit questioning; ask only open questions (e.g. can you tell me what happened?).
- Undertake to do something in response to what the child has said and, where appropriate, explain what will be done and the expected time frame.
- Don't make promises that cannot be kept, including that the information will remain confidential; tell the child who will be told and why.
- Document the conversation using the child's exact words as far as possible.
- If in doubt, ask a Pastor or Safety Contact Person for help.

If an adult informs you of a child safety concern, direct them to make a report according to this Reporting Procedure or gather as much information as possible and complete the Reporting Concerns Form.

If you otherwise become aware of a child safety concern, move to Step 3.

### 3. Write up the concern

Make notes straight away, using the Risk of Significant Harm Form or Reporting Concerns Form. If the form isn't immediately available, make notes of the following:

- Names and contact details of the people involved in the concern (e.g. children, parents, witnesses).
- Information that has led to the child safety concern (e.g. physical injuries, behaviour, disclosure)
- The source of this information (e.g. observation of behaviour, report from child or another person)
- The actions taken as a result of the concerns (e.g. consultation with a Pastor or Safety Contact Person, report to Police or Child Protection).

As the person with the concern, your role is to report it; you do not need to know all the answers or investigate the situation before making a report. You only need to report what you have seen, heard or become aware of.

### 4. Reporting

All child safety concerns must be reported to a Pastor or Senior Pastor as soon as possible. If your concern involves the Pastor, report to the Senior Pastor or the Safety Contact Person. If the matter is serious and you have not been able to contact a Pastor, Senior Pastor or Safety Contact Person, do not delay reporting to authorities; simply move to Step 5.

All child safety concerns should be treated confidentially. You should only discuss the situation with the Pastor, Senior Pastor or Safety Contact Person and others designated by them, except if you need to seek support yourself. Please reach out to a Pastor or the Safety Contact Person if you would like guidance on obtaining appropriate support.

### 5. Report to Authorities if required

Sometimes reports need to be made to designated authorities to ensure the safety of children and to meet legal obligations. In some circumstances, you may need to make this report, and in others, certain Church Staff will need to make this report. However, anyone can make a report to authorities at any time. If unsure, it is safer to report than fail to do so.

Please refer to the following table and seek guidance from a Pastor or the Safety Contact Person as needed.

What must be reported?	Who needs to report?	Who to report to?	How is it reported?	When to report?
<p><b>Reasonable belief of child sexual abuse<sup>1</sup></b> If you are an adult, you are personally obliged to report to police if you have reasonable belief that another adult has committed or attempted to commit a sexual offence against a child who is under 16 years, unless:</p> <ul style="list-style-type: none"> <li>• reporting would endanger someone other than the perpetrator; or</li> <li>• all of the information has already been reported to police by someone else.</li> </ul>	<b>All Adults</b>	<b>Police - Sexual Offences &amp; Child Abuse Investigation Team (SOCIT)</b> OR local police station	Contact <b>Dandenong SOCIT</b> on 8769 2200 OR <b>Narre Warren Police Station</b> on 9705 3111	As soon as practicable
<p><b>Reasonable belief of child physical or sexual abuse<sup>2</sup></b> If you are a mandatory reporter, you must make a report to child protection if a child is under 17 years and you have formed a belief on reasonable grounds that the child is in need of protection, which is when:</p> <ul style="list-style-type: none"> <li>• the child has suffered or is likely to suffer, significant harm as a result of physical injury or sexual abuse; and</li> </ul>	<b>Mandatory Reporters</b> include people in religious ministry, which would include any adult volunteering	<b>DHHS - Child Protection Intake</b>	Contact <b>DHHS Child Protection Southern Office</b> on 1300 655 795 OR After hours ring <b>Child Protection</b>	As soon as practicable after forming the belief and after each occasion on which you become

<sup>1</sup> For more information on the failure to disclose offence, see:

<https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence>.

<sup>2</sup> For more information on mandatory reporting, see <https://providers.dffh.vic.gov.au/mandatory-reporting>.

What must be reported?	Who needs to report?	Who to report to?	How is it reported?	When to report?
<ul style="list-style-type: none"> <li>the child's parents have not protected, or are unlikely to protect the child from that harm.</li> </ul> <p>Mandatory reporters are only required to make a report to child protection if their concern arises while they are acting in their capacity as a mandatory reporter.</p>	at the Church.		<b>Emergency Service</b> on - 13 12 78	aware of any further grounds for the belief.
<p><b>Concern regarding the safety or wellbeing of a child<sup>3</sup></b> Any concerns regarding the safety or wellbeing of a child that are not already covered by the above reporting requirements should also be reported to child protection.</p> <p>If you are concerned that a child is at risk of significant harm or in need of protection, you or the Safety Contact Person can report to the relevant DHHS child protection intake office in the location where the child lives.</p> <p>If it is believed a child is not in need of protection but there are significant concerns regarding the wellbeing of a child, you or the Safety Contact Person can report to Child First / The Orange Door.</p>	<b>Safety Contact Person</b>	<b>DHHS -</b> Child Protection Intake OR The Orange Door	Contact <b>DHHS Child Protection Southern Office</b> on 1300 655 795  OR <b>Orange Door in Southern Melbourne</b> 1800 271 170	As soon as practicable
<p><b>Reportable Conduct<sup>4</sup></b> Under Victoria's Reportable Conduct Scheme, the Church is required to respond to allegations of child abuse and child-related misconduct made against our Staff and Volunteers.</p> <p>A reportable allegation must be reported to police if involving criminal conduct and reported to the Commission for Children and Young People (CCYP).</p> <p>Refer to <a href="https://ccyp.vic.gov.au/reportable-conduct-scheme/">https://ccyp.vic.gov.au/reportable-conduct-scheme/</a></p>	<b>Chair of Elders only</b>	<b>Police</b> (if criminal conduct)  AND  <b>CCYP</b>	Contact Police as above.  <b>Only the Chair of Elders to contact the CCYP</b>	Within 3 business days after becoming aware of the allegation.
<p><b>Historical Child Abuse</b> Sometimes an adult will disclose that they were sexually abused as a child. They can make a child sexual abuse claim to the police at any time and have an investigation opened. Abuse victims commonly report abuse many years after the fact. You can assist them, but ultimately it is up to the adult to make the decision to make the report, you cannot report on their behalf.</p> <p>Victoria Police will always respond to reports of sexual abuse and sexual assault, irrespective of the time that has passed.</p> <p>Matters relating to historical abuse made by a past staff member or volunteer, are to be reported to the Safety Contact Person.</p>	<b>Adult Victim</b>	<b>Police -</b> Sexual Offences & Child Abuse Investigation Team (SOCIT) OR local police station  AND if relevant to the Safety Contact Person.	Contact <b>Dandenong SOCIT</b> on 8769 2200 OR <b>Narre Warren Police Station</b> on 9705 3111  AND if relevant to the Safety Contact Person 9702 1011	There is no statute of limitation on reporting sexual abuse.

<sup>3</sup> For more information on making a report to child protection, see: <https://providers.dffh.vic.gov.au/making-report-child-protection>

<sup>4</sup> For more information on the Reportable Conduct Scheme, see <https://ccyp.vic.gov.au/>.

## 6. Follow up to ensure the child is protected

If you are an adult in a responsible position in the Church you must follow up to make sure that appropriate action has been taken to protect the child/children, or risk committing an offence. If you need help or assistance with this, please contact a Pastor or the Safety Contact Person.

## PROCEDURE FOR PASTORS, SAFETY CONTACT PERSON AND CHAIR OF BOARD

### How will the Church respond to a Child Safety Report?

The response process for each report will depend on the nature of the child safety concern. For example, a report involving a disclosure of child abuse will need to be handled differently to a concern regarding an area of the Code of Conduct that has not been upheld by someone.

In general, the Church will take the following steps after being notified of a child safety concern:

- **Commence an investigation.** Once a report is received and where necessary, an immediate meeting will take place with the Safety Contact Person, Pastor or Ministry Leader of the relevant Ministry and if required the Senior Pastor or his delegate, and it will be decided who will lead the investigation. The concern will be treated as top priority until it is resolved. If the concern involves criminal conduct or is a serious concern, clearance must be given from Police and/or the CCVT Safe Places Coordinator before the investigation commences.
- **Reports to relevant authorities and bodies if required.** The investigator will ensure all reports are made to the appropriate authorities as outlined in the above Procedure for Staff & Volunteers, unless the person who received the report has already reported to authorities in line with their responsibilities. The investigator will provide any additional information and documentation to authorities as required.
- **Take corrective actions.** If the concern involves misconduct of Staff or a Volunteer, appropriate actions will be taken, including temporarily stepping the person down from their role while the concern is investigated, and if severe or involving criminal conduct and proven credible, dismissal from roles and/or the Church. Other concerns related to child safety in programs will be addressed appropriately on a case-by-case basis.
- **Support those involved.** All people involved, including the reporter, victim and the person the concern is against, will be treated with respect throughout the entire process. The investigator will debrief with those involved and can provide, arrange or recommend additional pastoral care and external counselling where necessary.
- **Maintain confidentiality.** All information related to child safety concerns will be treated as confidential and only shared with the Safety Contact Person, relevant Pastors, the Senior Pastor and eldership, and the relevant authorities and CCVT Safe Places Coordinator where required. Wherever possible, only general details of the concern will be shared and identifying individuals involved will be kept to a minimum. All information related to child safety concerns will be securely stored with restricted access.
- **Document everything.** All steps, interviews, phone calls and procedures undertaken by the Investigator must be documented in detail and at the conclusion of the investigation a copy must be provided to the Safety Contact Person to be securely stored with restricted access.
- **Review.** At the end of the investigation, the investigator and/or the Safety Contact Person will review the concern and the response process and identify any areas for improvement to programs, policies and procedures to minimise the risk of similar situations occurring in the future. A copy of the final report will be sent to the chair of the eldership and any relevant Pastors.

### What happens if I am not satisfied with the response?

If you are not satisfied with the Church's response, you can contact the CCVT Safe Places Coordinator.

### Person of Concern (POC) Reporting

The Church continues to affirm that all people are made in the image of God, and that all people are loved by God and are called to be in relationship with God and God's people through the Church.

The Church has the privilege and an absolute responsibility to provide services, events, activities and programs that are free from abuse and harm where any person can express their faith and explore their relationship with God. All people who attend and participate in services, events, activities and programs of the Church have a right to do so in a safe environment.

Our desire is to be inclusive, compassionate and respectful of all people, however the need to protect vulnerable people is paramount. This will be done by placing appropriate boundaries around the involvement of POCs in the church community by use of a Safety Agreement, where a risk assessment indicates that this is appropriate.

A Safety Agreement will be drawn up in consultation with the POC, the Church, and CCVT.

### What do you do if you think a POC is attending the Church?

Notify either the Senior Pastor, Chairperson of Elders or the Safety Contact Person when:

- you become aware or suspect that a POC is attending a Church service, event, activity or program; or
- you are a POC who seeks to attend a Church service, event, activity or program.

Notifications may be made by completing a Reporting Concerns Form or sending an email to [safety@bcoc.com.au](mailto:safety@bcoc.com.au).

**NOTE:** If the reason for your concern involves an immediate risk to the welfare of a child, then call the police on 000 and/or make a report using the Child Safety Reporting procedures above.

Refer to the Person of Concern Policy for further information.

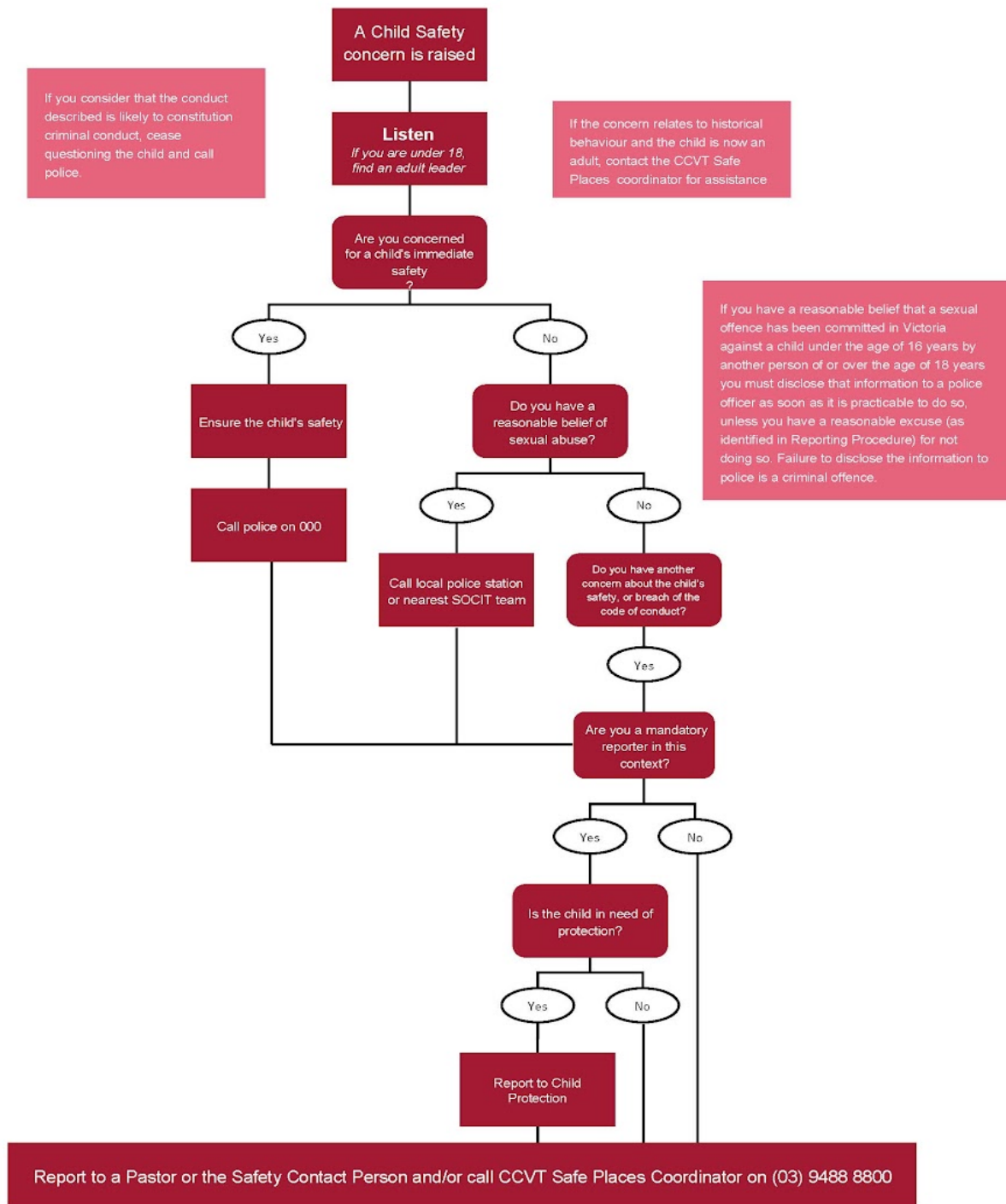
### Safety Contact Person

Name:	Karen Fletcher
Phone number:	0438 886 337
Email:	karenf@bcoc.com.au
Other contact details:	Church Office: 9702 1011 (Mondays to Thursdays)
Feedback, suggestions and concerns can be sent to:	safety@bcoc.com.au

### Applicable Legislation, References and Other Policies

Item	Link
Child Wellbeing and Safety Act 2005 (Vic) (including Child Safe Standards)	<a href="https://www.legislation.vic.gov.au/in-force/acts/child-wellbeing-and-safety-act-2005/035">https://www.legislation.vic.gov.au/in-force/acts/child-wellbeing-and-safety-act-2005/035</a> <a href="https://ccyp.vic.gov.au/child-safe-standards/">https://ccyp.vic.gov.au/child-safe-standards/</a>
Children, Youth and Families Act 2005 (Vic) (including reporting to Child Protection)	<a href="https://www.legislation.vic.gov.au/in-force/acts/children-youth-and-families-act-2005/121">https://www.legislation.vic.gov.au/in-force/acts/children-youth-and-families-act-2005/121</a>
Crimes Act 1958 (Vic) (including Failure to Protect and Failure to Disclose offences)	<a href="https://www.legislation.vic.gov.au/in-force/acts/crimes-act-1958/293">https://www.legislation.vic.gov.au/in-force/acts/crimes-act-1958/293</a> <a href="https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-protect-a-new-criminal-offence-to">https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-protect-a-new-criminal-offence-to</a> <a href="https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence">https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence</a>
Wrongs Act 1958 (Vic) (see Part XIII – Organisational liability for child abuse)	<a href="https://www.legislation.vic.gov.au/in-force/acts/wrongs-act-1958/127">https://www.legislation.vic.gov.au/in-force/acts/wrongs-act-1958/127</a>
Victorian Child Safe Standards	<a href="https://www.dhhs.vic.gov.au/publications/child-safe-standards">https://www.dhhs.vic.gov.au/publications/child-safe-standards</a>
Commission for Children and Young People	<a href="http://www.ccyp.vic.gov.au">www.ccyp.vic.gov.au</a>
Australian Human Rights Commission (National Child Safe Principles)	<a href="https://childsafe.humanrights.gov.au/national-principles">https://childsafe.humanrights.gov.au/national-principles</a>
BCOC – Policies	<a href="http://www.berwickchurch.org.au/policies">www.berwickchurch.org.au/policies</a>

## Child Safety Reporting Flowchart



Following a report, an investigation may need to be conducted. Churches must not investigate allegations of abuse without first seeking guidance from CCVT via the Safe Places Coordinator. If you are an adult in a responsible position in the church you must follow up to make sure that appropriate action has been taken to protect the child, or risk committing an offence (failure to protect). Ensure pastoral care is appropriately provided at all stages.