



BEFORE, AFTER & VACATION CARE

# CHILD PROTECTION POLICY

TeamKids, February 2026

FUN

GENUINE

INNOVATIVE

INVOLVED

REMARKABLE

## POLICY RATIONALE

### TeamKids Stands Against Child Abuse

This policy exists to ensure a safe environment for all children enrolled in Company services and to minimise the risk of abuse. It outlines the Company's zero-tolerance stance on child abuse and its commitment to protecting and advocating for children's right to safety.

The Company is firmly opposed to all forms of child abuse, including but not limited to sexual, physical, serious emotional or psychological abuse, and serious neglect.

This policy applies to all staff, students on placement, volunteers, and parents/guardians whose children are enrolled in or seeking to enrol in Company services.

## POLICY OBJECTIVE

The Company recognises its moral and legal responsibility to:

- Provide a safe environment for all children in its care.
- Minimise the risk of child abuse.
- Report any instance or suspicion of child abuse to appropriate authorities.
- Offer resources, information, and guidance to ensure a child-safe environment.

Through the implementation of this policy, the Company reaffirms its commitment to the safety and wellbeing of all children and to fostering a culture of vigilance and advocacy for their rights.

### TeamKids believe that:

- People caring for children must act in the best interests of the child and take all reasonable steps to ensure the child's safety and wellbeing
- All children have the right to feel safe and are safe at all times
- Practice will be based on a partnership approach and shared responsibility for children's safety, wellbeing and development
- All children will be given the opportunity to reach their full potential and participate in society irrespective of their family circumstances and background.

### TeamKids is committed to:

- Establishing, maintaining and strengthening a child-safe environment
- Developing and maintaining an open and aware culture in which children feel valued, respected and cared for
- Supporting the rights of the child
- Fulfilling their duty of care by protecting children from any reasonable, foreseeable risk of injury or harm
- Promoting children's development and wellbeing.

## PROCEDURES

### Management is responsible for:

- Identifying the potential risks of child abuse at TeamKids, including the connection between cultural safety and prevention of child abuse or harm.
- Developing and implementing effective strategies to prevent child abuse.
- Ensuring staff recruitment and induction supports the implementation of this policy.

- Ensuring appropriate training and education for educators and staff in recognising child abuse, symptoms of child abuse, what to do and how to respond. This includes the mandatory requirement that all person in day-to-day charge of a service, have completed formal training in Child Protection.
- Ensuring clear procedures are in place for reporting suspicions of child abuse and management of complaints (refer to Attachment 3 and the Complaints and grievances policy).
- Regularly involving parents/guardians, staff, educators and children in the development of a child- safe environment.
- Protecting the rights of children and families and, to the greatest extent possible, encouraging their participation in any decision-making.
- Offering support to the child, family, educators and staff in response to concerns or reports relating to the safety and wellbeing of a child in a TeamKids service.
- Implementing and reviewing this policy in consultation with parents/guardians, educators and staff.

**Through the use of cultural displays, QR codes available at the main entrance to a service, the TeamKids Reconciliation Action Plan and the planned program (including excursion and incursions), TeamKids will reduce the risk of harm to Aboriginal and Torres Strait Islander children by:**

- Providing information on cultural rights, strengths of Aboriginal cultures and the importance of culture to the wellbeing and safety of Aboriginal Children.
- Providing information on the connection between cultural safety and the prevention of abuse and harm for Aboriginal children.
- Providing opportunities to learn and express appreciation of Aboriginal culture.

**Educators are responsible for:**

- Maintaining a professional role with children, with clear boundaries that serve to protect everyone from misunderstandings, perceptions or a violation of the professional relationship.
- Undertaking training on child protection awareness, including processes for reporting and managing concerns and/or incidents, in line with the appointed role. This includes mandatory child protection awareness training in some states.
- All Team Members, including students and volunteers, will need to adhere to child safety screening laws pertaining to the jurisdiction they will be engaged in (see Appendix 2).
- Being aware of the signs and symptoms of abuse to a child (refer to definitions and Attachment 3, 'Incident/concern management and reporting guidelines').
- Reporting any concerns, as soon as practicable, of suspected or discovered harm to a child to the Service Regional/Area Manager and/or Quality & Compliance Manager on the day that the concerns or child disclosures are noted, on the Child Concern Record (see 'How to make a notification' further in this policy).
- **All educators are able to report any concerns that a child may be exposed to harm or neglect, directly to the appropriate authority but must notify the service Regional/Area Manager and/or Quality & Compliance Manager as their first step, to ensure TeamKids meet their regulatory requirements.**
- Cooperating with other services or professionals to work in the interests of the child and family.

- Responsible Persons are responsible for ensuring that families are made aware of the support services available to them and of the benefits these services can provide, especially to those families in most need of assistance. The service Community Information (Folder or QR code) may provide suitable support resources and agencies, including those in their local area.
- Acknowledging and respecting children's individual identity, right to privacy, circumstances and cultural identity, and being responsive to the particular needs of the child.
- Educating and empowering children to talk about events and situations that make them feel uncomfortable.
- Maintaining confidentiality
- Reducing the circumstances where a child may be alone with one educator
- Complying with the Interactions with Children policy.

### **The Child Safeguarding Manager is responsible for:**

- Supporting Management, educators and staff to implement the guidelines in this policy
- Responding to any concerns or reports given to them regarding suspected or discovered harm to a child in an appropriate manner.
- Collecting information from Educators, Director of Services, Regional/Area Managers or other staff, to form and submit the report to the appropriate regulatory authority / Child Protection / Child Safety agency promptly and liaising further as required or directed.

### **The parents/guardians are responsible for:**

- Reporting observations and/or concerns about potential situations of child abuse or neglect to the Director of Service, Regional Manager or the Child Safeguarding Manager.
- Abide by the TeamKids parent code of conduct

### **To assess whether the policy has achieved the values and purposes, Management will:**

- Take into account feedback from educators, staff, parents/guardians and committee regarding the policy
- Monitor compliance with the expectations and procedures set out in the policy
- Monitor complaints and incidents regarding child protection.
- As part of the annual family survey, Management may incorporate relevant questions relating to this policy

## **INDICATORS, AND TYPES OF CHILD ABUSE AND MALTREATMENT**

Child abuse and maltreatment refer to various forms of harm inflicted on a child, posing significant risks to their health, development, and well-being.

### **Aspects of Child Abuse and Maltreatment**

- **Physical Harm:**  
Non-accidental injuries caused by a parent, caregiver, or another adult. These injuries include bruises, cuts, burns, fractures, bites, shaking, and strangulation. Physical harm may also result from neglect or inadequate supervision.
- **Sexual Harm:**  
Involves using power or authority to engage a child in sexual activity. This includes fondling, masturbation, oral sex, penetration (vaginal or anal) by a penis, finger, or object, and exposing a child to pornography. Intimidation, threats, or encouraging secrecy are often used to prevent disclosure.

- **Emotional and Psychological Harm:**  
Repeated rejection, verbal abuse, scapegoating, or exposure to domestic violence. This chronic lack of nurturing or support affects a child's emotional, intellectual, and physical development.
- **Environmental Neglect:**  
The failure to provide essential necessities such as food, clothing, shelter, medical care, or supervision, placing the child's health and development at risk.
- **Racial, Cultural, and Religious Abuse:**  
Discriminatory actions showing contempt or hatred toward a child's race, culture, or religion.
- **Exposure to Domestic Violence:**  
Witnessing or experiencing intimidation, coercion, or abuse between intimate partners within the home environment.

## Signs or Indicators of Harm

- **Physical Signs:**  
Bruises, burns, fractures, frequent hunger, malnutrition, poor hygiene, or inappropriate clothing.
- **Behavioural Signs:**
  - Fear of parents or reluctance to go home.
  - Distrust of adults or excessive friendliness with strangers.
  - Developmental delays, such as delayed speech or regressive behaviours like rocking or sucking.
  - Signs of anxiety, aggression, withdrawal, or tiredness.
  - Sexualized behaviours inappropriate for the child's age.
- **Disclosures:**  
A child or others may disclose abuse verbally or through behaviour.
- **Reports from Associated Agencies:**  
Schools or other organizations may report suspicions or evidence of abuse

## INCIDENT CONCERN MANAGEMENT

### Reporting guidelines

When determining if a concern should be reported to the relevant authorities, the educator and management representative should consider:

- The best interests of the child are always the primary consideration, with due regard to confidentiality and fairness to the person against whom the allegation is made.
- Children are encouraged to approach any person in the service to express concerns about their treatment and be confident that they will be taken seriously.
- Employees and volunteers are clear about whom they can approach to express concerns.
- Any investigation by the relevant authority will ensure procedural fairness and natural justice for a person suspected of abusing a child.
- Records are kept about any child safety complaint and stored in accordance with the Record Keeping (including Confidentiality of Records) policy.
- Records contain information about the action taken, any internal investigation and any reports made to statutory authorities or professional bodies.
- All educators and staff are aware of the need to report serious matters involving child protection to external authorities. Privacy is maintained, and the information is only reported to appropriate persons.

- The person disclosing harm to a child will be supported through the use of the TeamKids Employee Assistance Program (EAP) and the availability of their Regional Manager / People and Culture Team.
- The physical and sexual abuse of children are crimes and are reported to the police.
- A report can be made, even if they do not have all the necessary information.
- Permission is not required from the parents, and they do not need to be notified that a report has been made.

## Gathering Information

Educators and management share the responsibility of addressing concerns about a child's safety or wellbeing. This involves gathering information through careful observation, documentation, consultation, and action, as well as forming professional judgements to guide decision-making. Below is a clear guide to these processes:

## Immediate Actions

- **Support the Child:**
  - Listen carefully and reassure the child they have done the right thing by speaking up.
  - Avoid making accusatory comments about anyone, including the alleged perpetrator.
  - Ensure the child feels safe and supported.
- **Take Notes:**
  - Record the child's words verbatim, along with any observations.
  - Date and sign all entries.
- **Ensure Immediate Safety:**
  - If the child requires urgent medical attention, take appropriate action to ensure they receive care.
  - Notify TeamKids management to meet regulatory obligations.
- **Notify Management:**
  - Discuss concerns with the Service Coordinator/Director, who may consult the Area Manager and escalate to the National Quality and Compliance Manager as needed.

## Further Investigation

- **Observe and Document:**
  - Continue monitoring and documenting relevant changes in the child's behavior, physical condition, or emotional state.
  - Include specific dates, circumstances, and exact quotes where applicable.
- **Consult Colleagues and Managers:**
  - Seek advice and support from colleagues and managers to compare observations, brainstorm strategies, and align with established protocols.
- **Engage with the Child:**
  - Talk to the child respectfully, maintaining their privacy and confidentiality.
- **Consider Family Involvement:**
  - In non-serious cases, discuss concerns with the family in a sensitive and tactful manner, ensuring this does not increase risk to the child.
  - Encourage families to seek appropriate help and document their responses.
- **Collaborate with External Agencies:**
  - Engage with community health services, child protection agencies, or other relevant professionals to support the child and their family.

## Team Discussions

- **Management Collaboration:**
  - The Area Manager, Service Coordinator/Director, and relevant team members will meet or conduct a teleconference to decide whether to escalate the concern to the regulatory authority.
- **Develop Action Plans:**
  - Establish strategies based on TeamKids policies and procedures to address the concern effectively.

## Forming a Professional Judgement

Making objective observations and forming professional judgements is critical to addressing concerns responsibly. These decisions are based on the following:

- **Warning Signs:** Indicators of harm or potential harm observed or inferred.
- **Child Development Knowledge:** Understanding age-appropriate behaviour and developmental milestones.
- **Child Disclosure Details:** Accurately documenting and interpreting what the child has shared.
- **Family Support Knowledge:** Awareness of any support or challenges currently faced by the family.
- **Consultation:** Seeking input from colleagues, Area Managers, and external professionals where appropriate.
- **Professional Obligations:** Fulfilling duty-of-care responsibilities and adhering to ethical standards.
- **Protocols and Processes:** Following established service protocols, individual service procedures, and organizational policies.
- **Legal Requirements:** Complying with mandatory reporting laws and other regulatory obligations.

## How to make a notification

- Educators will discuss any observation/disclosure with the Director of Service/Coordinator who will then notify the service Regional/Area Manager. The Child Safeguarding Manager will then be notified.
- The Child Safeguarding Manager will then contact the regional Child Protection office as soon as possible.
- Educators can also self-report to the regional child protection office at any time.
- In an emergency, outreach crisis response, the Child Protection unit operates twenty-four hours. See contact details provided for individual states and territories.
- Provide the following information:
  - The child's name, date of birth and address
  - The parent's name, date of birth, address and telephone number
  - If the family identifies as Aboriginal or Torres Strait Islander
  - The reason for believing that the injury or behaviour is the result of abuse or neglect
  - The reason why the call is being made at this point
  - An assessment of immediate danger to the child/ren (information may be sought on the whereabouts of the alleged abuser/s)
  - A description of the injury or behaviour observed
  - The current whereabouts of the child or young child
  - Knowledge of other services involved with the family

- Any other information about the family, such as siblings in the home
- Any specific cultural background, language barriers or disability circumstances.
- A notification record is to be maintained for TeamKids records of this information
- A notification should still be made, even if the notifier does not have all the necessary information
- A child protection/child safety worker will determine whether the child or young person's described circumstances fall within the legal definition of 'a child in need of protection'.
- A decision will be made as to the urgency of the situation.
- The notifier will be informed as to the progress of the investigation as soon as possible
- The police will become involved in cases of sexual or physical abuse allegations.
- The notifier may have an ongoing role, including:
  - Acting as a support person in interviews with the child or young person
  - Attending a case conference
  - Participating in case-planning meetings
  - Continuing to monitor the child's behaviour
  - Observing/monitoring the conditions on a protective court order that may relate to access or contact with a parent/guardian
  - Liaising with other professionals and child protection workers in relation to a child or young person's wellbeing
  - Providing written reports for case-planning meetings or court proceedings in relation to the child's wellbeing or progress.

## SUPPORTING TEAMKIDS POLICIES

- Interactions with Children
- Code of Conduct
- Grievances & Complaints
- Guidelines for the recruitment of staff, educators and volunteers, including qualified staff
- Information technology and use
- Privacy / Record Keeping
- Programming
- Supervision

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Child Protection Policy No. PO-0004

Child Protection Procedures No. PR-0004

## APPENDICES

### 1. Individual State Requirements & Contact Details

#### ALL STATES

Responsible Person (person in day-to-day charge) and Nominated supervisor will hold approved child protection training. This will include 2IC persons who may take on the role of responsible person. Each state provides for specific training. This is listed in the state-by-state requirements.

All educators are required to have knowledge of their roles and responsibilities in relation to child protection and this is highlighted in the educator induction procedure.

## VICTORIA

The relevant ACT for this state is:

Children, Youth and Families Act 2005 (Victoria) (CYFA)

[http://www.austlii.edu.au/au/legis/vic/consol\\_act/cyafa2005252/](http://www.austlii.edu.au/au/legis/vic/consol_act/cyafa2005252/)

Under the CYFA (s. 182), doctors, nurses, midwives, teachers (including early childhood teachers), principals, police, out of home care workers (excluding voluntary foster and kinship carers) early childhood workers, youth justice workers and registered psychologists are mandatory reporters.

Child Protection Training Module: <http://www.elearn.com.au/det/earlychildhood/>

Department of Health and Human Services

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

Phone: *Business hours as per website – subject to regional location*

*131 278 (After Hours)*

## NEW SOUTH WALES

The relevant ACT for this state is:

Children and Young Persons (Care and Protection) Act 1998 (New South Wales)

<http://www.legislation.nsw.gov.au/fullhtml/inforce/act+157+1998+FIRST+O+N>

All educators are to ensure they refer to the Mandatory Reporter Guide (Child Story Reporter) for support and guidance. Educators are to understand that all educators in NSW are mandated reporters.

<https://reporter.childstory.nsw.gov.au/s/mrg>

### Child Protection Training Module:

- CHCPRT001 - Identify and respond to children and young people at risk
- CHCPRT002 - Support the rights and safety of children and young people

Note: Only one of the courses listed above is required to be completed.

While s162A does not mandate an expiry period on child protection training courses or issued certificates, Reg 84 specifies that the approved provider must ensure that nominated supervisors and staff members (including educators) working with children are advised of the existence and application of the current child protection law; and any obligations that they may have under that law.

### Contact Details:

Department of Communities and Justice

<https://reporter.childstory.nsw.gov.au/s/>

Child Protection Helpline - Phone: 132 111

## QUEENSLAND

The relevant ACT for this state is:

Child Protection Act 1999 (Queensland)

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

## Contact details:

Department of Communities, Child Safety and Disabilities (Child Safety, Youth & Women)  
 Child Safety Services  
<https://www.csyw.qld.gov.au/child-family/protecting-children/reporting-child-abuse>  
 Phone: 1800 177 135

Child Protection Training Module:

CHCPRT025  
 CHCPRT001  
 CHCPRT026  
 CHCPRT002

## AUSTRALIAN CAPITAL TERRITORY (ACT)

The relevant ACT for this territory is:

Children and Young People Act 2008 (Australian Capital Territory)  
<http://www.legislation.act.gov.au/a/2008-19/current/pdf/2008-19.pdf>

The *Keeping Children and Young People Safe Guide* is the reference document for the ACT, in relation to child protection matters of reporting. This includes a child protection online training course for all educators.

This guide will inform educators of:

- the role of CYPS in responding to child abuse and neglect that happens within families
- the important role and responsibilities of mandated reporters and the broader community
- what should and should not be reported to CYPS
- how to report concerns of child abuse or neglect to CYPS
- what happens after a report is made
- other forms of support for children and families
- how to respond to a child who tells you they have been abused.

Child Protection Training Module:

<https://www.communityservices.act.gov.au/ocyfs/keeping-children-and-young-people-safe>  
 (this link also includes the Keeping Children and Young People Safe Guide)

Contact details: Department of Community Services (Office for Children, Youth Protection Services)

<http://www.communityservices.act.gov.au/ocyfs>

Mandated Reporters: 1300 556 728 (child concern report)

After Hours Crisis Services: 1300 556 729

## NORTHERN TERRITORY

The relevant ACT for this territory is:

Care and Protection of Children Act 2007(Northern Territory)  
[http://www.austlii.edu.au/au/legis/nt/num\\_act/capoca200737o2007315/](http://www.austlii.edu.au/au/legis/nt/num_act/capoca200737o2007315/)

Contact details:

Department of Children and Families

[http://childrenandfamilies.nt.gov.au/Child\\_Protection/index.aspx](http://childrenandfamilies.nt.gov.au/Child_Protection/index.aspx)

## SOUTH AUSTRALIA

The relevant ACT for this state is:

Children's Protection Act 1993(South Australia)

[http://www.austlii.edu.au/au/legis/sa/consol\\_act/cpa1993229/](http://www.austlii.edu.au/au/legis/sa/consol_act/cpa1993229/)

Child Protection Training required:

Staff and volunteers will receive training that explains their responsibilities for children's safety and wellbeing and outlines how those responsibilities should be met with sensitivity and purpose. The training will cover the obligations underpinning a child safe environment and will include the role of a mandated notifier under Sections 30 and 31 of the Children and Young People (Safety) Act 2017.

- Staff will undertake and follow the approved full day child protection training program as a condition of employment and receive approved three yearly update programs thereafter.

<https://www.shinesa.org.au/keeping-safe-child-protection-curriculum-professional-learning/>

Department of Education and Child Development (Families SA)

<http://www.families.sa.gov.au>

Phone: 131 478

## TASMANIA

The relevant ACT for this state is:

Children, Young Persons and their Families Act 1997 (Tasmania)

[http://www.austlii.edu.au/au/legis/tas/consol\\_act/cypatfa1997399/](http://www.austlii.edu.au/au/legis/tas/consol_act/cypatfa1997399/)

Department of Health and Human Services

[http://www.dhhs.tas.gov.au/children/child\\_protection\\_services](http://www.dhhs.tas.gov.au/children/child_protection_services)

## WESTERN AUSTRALIA

The relevant ACT for this state is:

Children and Community Services Act 2004 (Western Australia)

[http://www.austlii.edu.au/au/legis/wa/consol\\_act/cacsa2004318/](http://www.austlii.edu.au/au/legis/wa/consol_act/cacsa2004318/)

Contact details:

Department of Child Protection and Family Support

<http://www.dcp.wa.gov.au/ChildProtection/Pages/ChildProtection.aspx>

Phone: 1800 622 258

After Hours: 1800 199 008

## 2. Child Safety screening of Team Members

**For information pertaining to a particular state or territory, visit the relevant authority online:**

- Australian Capital Territory  
[http://www.ors.act.gov.au/community/working\\_with\\_vulnerable\\_people\\_wwpv](http://www.ors.act.gov.au/community/working_with_vulnerable_people_wwpv)
- New South Wales  
<http://www.kidsguardian.nsw.gov.au/working-with-children/working-with-children-check>
- Northern Territory  
<http://www.workingwithchildren.nt.gov.au/>
- Queensland  
<http://www.bluecard.qld.gov.au/volunteers/index.html>

- South Australia  
<http://www.families.sa.gov.au/pages/protectingchildren/ExemptionsCrimHist/>
- Victorian  
<http://www.workingwithchildren.vic.gov.au/>
- Western Australia  
<http://www.checkwwc.wa.gov.au/checkwwc>

### 3. Background and legislation (including Reportable Conduct)

The protection of children, who are one of the most vulnerable groups in society, is a shared responsibility between the family, the general community, police, government and professionals working with children. It involves making sure that all children are safe, their needs are met and minimising the possibility of child abuse. Each adult has a significant role to play to ensure the safety and wellbeing of children and young people at all times, including making an appropriate response when an allegation has been made.

Each state in Australia may provide individual information about managing reports and suspicions of child abuse in early childhood education and care service. On a National Level, all persons in day-to-day charge of an early childhood service, are required to have some form of child protection training (individual State requirements apply). All other educators are required to have knowledge of their roles and responsibilities in relation to child protection reporting. This includes the existence and application of the current child protection laws and any obligations they may have under the law.

TeamKids have committed to their participation in the Reportable Conduct Scheme on a National Level.

Relevant legislation may include but is not limited to:

- *Education and Care Services National Law Act (2010)*
- Education and Care Services National Regulations (2011)
- Children, Youth and Families Act 2005
- Child Protection Act 1999 (QLD) - Child Protection (Mandatory Reporting – Mason's Law) Amendment Bill 2016
- Child Wellbeing and Safety Act 2005 (Amended 2017)
- Working with Children Act 2005
- The Charter of Human Rights and Responsibilities Act 2006
- Family Law Act 1975.
- Protecting the Safety and Wellbeing of Children and Young People (2010)
- The Victorian Child Safe Standards
- The Commission for Children and Young People – Reportable Conduct Scheme

### 3. Definitions

**Abuser, offender and perpetrator:** Words used to describe a person who abuses a child or young person.

**Abuse, neglect and maltreatment:** Any non-accidental injury to a child.

**Bullying:** Act of intimidating weaker people to make them do something; act of intentionally causing harm to others through verbal harassment, physical assault or other more subtle methods of coercion.

**Child:** 'A child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier' (Convention on the Rights of the Child, United Nations, Article 1). The Child and Young Persons Act 1989 describes a child or young person as a person under seventeen years.

**Child abuse:** Act or omission by an adult that endangers or impairs a child's physical or emotional health and development. Children can be harmed both physically and emotionally. It can be a single incident but usually takes place over time. Abuse, neglect and maltreatment are generic terms used to describe situations in which a child may need protection.

**Child sex offender:** Someone who sexually abuses children and may or may not have been convicted.

**child protection (lower case):** The term used to describe the whole community's approach to the prevention of harm to children. It includes strategic action for early intervention, for the protection of those considered most vulnerable and for responses to all forms of abuse.

**Child Protection Service:** The Child Protection Service of the Department of Human Services has statutory responsibilities under the Children and Young Persons Act 1989 for ensuring a child's safety. It is also referred to as Child Protection.

**Code of conduct:** Lists behaviours that are acceptable and those that are unacceptable, including professional boundaries, ethical behaviour and acceptable and unacceptable relationships.

**Disclosure:** The statement that the child or young person makes to another person that describes or reveals abuse.

**Domestic/family violence:** The repeated use of violent, threatening, coercive or controlling behaviour by an individual against a family member(s) or someone with whom they have or have had an intimate relationship, including carers.

**Duty of care:** A common law concept that refers to the responsibilities of organisations to provide children with an adequate level of protection against harm and all reasonable foreseeable risk of injury.

**Grooming is a dual process of:**

- Building a trusting relationship with the child and his/her carers
- Isolating the child in order to abuse them.
- Grooming occurs before the sex offence to access the child and after the offence to:
- Maintain access to the child
- Ensure the child's silence and the carer'/adults' continued trust.

**Negligence:**

When someone is able to establish that:

- The organisation or individual owed a duty of care to the person
- The standard of care was breached
- The alleged act occurred
- This breach has caused the person to suffer some form of damage.

**Mandatory reporting:**

Describes the legal obligation of certain professionals and community members to report incidences of child sexual abuse. If the mandated reporters fail to report, they may be fined and/or incarcerated.

In Victoria, this is in relation to Section 64(1C) of the Children and Young Persons Act 1989 lists the following people as mandated to report:

- Legally qualified medical practitioners

- Registered nurses
- Members of the Victorian police force
- Primary and secondary school teachers and principals (and those holding a VIT)

In New South Wales, this is informed by the Children and Young Persons (Care and Protection) Act 1998

Mandatory reporters are:

- Health care (e.g. registered medical practitioners, specialists, general practice nurses, midwives, occupational therapists, speech therapists, psychologists, dentists and other allied health professionals working in sole practice or in public or private health practices)
- Welfare (e.g. psychologists, social workers, caseworkers and youth workers)
- Education (e.g. teachers, counsellors, principals)
- Children's services (e.g. child care workers, family day carers and home-based carers)
- Residential services (e.g. refuge workers)
- Law enforcement (e.g. police)

In Queensland, this is informed by the Child Protection Act 1999 (QLD) and the Education (General Provisions) Act 2006 (QLD) Mandatory reporters are:

- An authorised officer
- a public service employee employed in the department
- a person employed in a departmental care service or licensed care service
- Relevant persons: doctors; registered nurses; teachers; a police officer who, under a direction given by the commissioner of the police service under the *Police Service Administration Act 1990*, is responsible for reporting under this section
- a person engaged to perform a child advocate function under the *Public Guardian Act 2014*; early childhood education and care professionals.
- School staff

**Office of the Child Safety Commissioner (OCSC):** An organisation that makes children a priority. The commissioner provides advice to government on issues impacting on the lives of children, in particular vulnerable children.

**Violent behaviour:** Includes not only physical assaults but also an array of power and control tactics used along a continuum in concert with one another, including direct or indirect threats, sexual assault, emotional and psychological torment, economic control, property damage, social isolation and behaviour that causes a person to live in fear.

**Voluntary (non-mandated) notification:** Is a notification to the Child Protection Service by someone who believes a child is in need of protection. Section 64(1) of the Children and Young Persons Act 1989 (Victoria) allows that any person who believes, on reasonable grounds, that a child is in need of protection may notify a protective intervener of that belief and of the reasonable grounds for it. Under this part of the Act, notifications are made for moral reasons, rather than because the law has compelled someone to do so. The person making the notification is not expected to prove the abuse, and the law protects the anonymity of the person making the notification.

## REFERENCES:

Australian Childhood Foundation: [www.childhood.org.au](http://www.childhood.org.au)

Choose with Care (Building Child Safe Organisations), an information and training program: [www.childwise.net.au](http://www.childwise.net.au)

Office of the Child Safety Commissioner: [www.ocsc.vic.gov.au](http://www.ocsc.vic.gov.au)  
Protocol between Child Protection and Children's Services 2004, Community Care Division  
Victorian Government Department of Human Services  
The United Nations Convention on the Rights of the Child  
Victorian Child Safe Standards  
Safe from Harm, the role of professionals in protecting children and young people:  
[www.education.vic.gov.au](http://www.education.vic.gov.au)  
Responding to Child Abuse, DHS Children, Youth & Families publication  
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