



ABN 68 370 814 313

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## Child Safe Reporting Policy

### **Introduction:**

MPASC child safe reporting policy is designed to ensure everyone in the club:

- know **what** to report, **who** to report it to and **how** to report it.
- report any concerns about the safety or welfare of a child or young person immediately.
- feel confident that concerns and allegations will be dealt with honestly and fairly.
- feel confident in reporting unacceptable behaviour around children and young people.
- ensure the safety and wellbeing of the child is paramount when an allegation is made.

### **Definitions of harm and abuse (what to report)**

#### **Psychological abuse**

Includes bullying, threatening and abusive language, intimidation, shaming, and name calling, ignoring, and isolating a child, and exposure to domestic and family violence.

#### **Physical abuse**

Includes physical punishment such as pushing, shoving, punching, slapping, and kicking, resulting in injury, burns, choking or bruising.

#### **Sexual abuse**

Includes the sexual touching of a child, grooming, and the production, distribution, or possession of child abuse material (often known as photography).

#### **Grooming**

The process where a person manipulates a child or group of children, and sometimes those looking after them, including parents, carers, teachers, and leaders. They do this to establish a position of trust so they can then later sexually abuse the child.

#### **Misconduct**

Inappropriate behaviour that may not be as severe as abuse, although could indicate that abuse is occurring and would often be in breach of an organisation's Child Safe Code of Conduct. This can include showing a child something inappropriate on a phone, having inappropriate conversations with a child, or sitting with a child on their lap.



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### **Lack of appropriate care**

Includes not providing adequate and proper supervision, nourishment, clothing, shelter, education, or medical care.

### **Types of complaints (what to report)**

All complaints should be reported. This includes:

- criminal conduct
- risk of significant harm
- disclosures of abuse
- unacceptable behaviour around children and young people that breaches our Child Safe Code of Conduct
- suspicions of harm or abuse to a child or young person
- reportable conduct.

### **Making a complaint (who can report)**

Everyone in our organisation has the right to make a genuine complaint and won't be punished if they do. This includes children and young people, club officials and members, and volunteers. Reporting abuse is mandatory and encouraged – it is never obstructed or prevented.

### **Reporting obligations (who to report to)**

#### **Reporting criminal conduct**

Contact **NSW Police on 131 444** for anything you consider could be a criminal offence. This includes sexual assault, physical assault, grooming offences, and the production, distribution, or possessing child abuse material.

Note: It is a criminal offence for any adult not to report to police any incident if [they know or believe that a child abuse offence has been committed](#). In addition, people employed in child-related work may be subject to a criminal offence if [they fail to reduce or remove the risk of a child becoming a victim of child abuse](#).

#### **Reporting risk of significant harm**

Any person who has reasonable grounds to believe that a child or young person is at risk of significant harm can report to the **Department of Communities and Justice (DCJ) on 132 111** (this is a 24-hour service).



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### **Reporting allegations and convictions**

MPASC must notify **the NSW Office of the Children's Guardian**, through Services NSW, of all reportable allegations or convictions (that is, reportable conduct). This includes sexual offences, sexual misconduct, ill-treatment of a child, neglect of a child, an assault against a child, failure to protect a child, or failure to report if a child has been harmed, as well as any behaviour that causes significant psychological harm to a child.

### **Reporting breaches of our Child Safe Code of Conduct**

All complaints must be reported to either the Commodore or Vice Commodores.

### **Risk management strategies (how to report)**

To ensure the immediate and ongoing safety of a child all club members, volunteers, or guests must:

- establish the welfare and safety of the child and take steps to ensure the child is removed from the risk.
- reassure them and remain calm.
- listen carefully without interrupting.
- don't ask leading questions or any additional questions once you've established there is a genuine concern. This is to ensure any future investigation by NSW Police, NSW Dept. of Communities and Justice, or the NSW Office of Children's Guardian are not compromised.
- support them, reassuring the child that they have done the right thing, that you believe them and that the abuse is not their fault.
- explain what will happen, including timeframes.
- don't make promises you can't keep.
- don't confront the alleged perpetrator.
- seek guidance if you are unsure about what to do.

It is the Commodore's responsibility to conduct a risk assessment after receiving an allegation, to ensure the safety of all people involved, and maintain the integrity of the investigation.



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### **Procedural fairness, including privacy and confidentiality (how to report)**

Any allegation of abuse will be treated in a fair, transparent, and timely manner. Any person subject to an allegation will be notified when a disciplinary hearing will take place and what will occur at the hearing. MPASC and its Executive Committee has obligations, as defined under the *Privacy Act 1988* (Commonwealth), which must be followed at all times. Additionally, the Committee must ensure:

- all information is recorded in writing.
- all written records of complaints and allegations are stored securely and only accessed by those in the organisation with the responsibility for oversight of the investigation.
- information may be exchanged under Chapter 16A of the *Child and Young Persons (Care and Protection) Act 1998*, with other agencies who have responsibilities relating to the safety, welfare, or wellbeing of children or young people e.g., NSW Police.
- MPASC will maintain the privacy of those involved in an investigation in accordance with our obligations under the *Privacy and Personal Information Protection Act 1998*.

If an incident is found to be substantiated, the Club will act in accordance with advice given by relevant authorities e.g., NSW Police, NSW Dept. of Communities and Justice, or the NSW Office of Children's Guardian).

### **Complaint process (how to report)**

Once a complaint has been made, the Commodore or club official appointed by the Commodore to investigate the complaint must ensure:

- steps taken to remove child from harm.
- the incident is recorded.
- all reporting obligations met.
- an investigation conducted.
- ongoing support to the child is provided, as needed.
- reviewing the incident and updating the organisation's child safe policies, if necessary.



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## **Legislation**

[Crimes Act 1900](#)

[Child and Young Persons \(Care and Protection\) Act 1998](#)

[Children's Guardian Act 2019](#)

[Privacy Act 1988 \(Commonwealth\)](#)

[Privacy and Personal Information Protection Act 1998](#)

## **How we publicise our Child Safe Reporting Policy**

To ensure everyone who is associated with the club, and its operations, is aware of our Child Safe Reporting Policy and their reporting obligations the club will:

- ensure briefs are held before each event e.g., regattas, to inform participants, officials, volunteers, parents, and guests of our child safe policies and how they apply to families, members, and children.
- create and display important information from our Child Safe Reporting Policy that describes what to report, who to report to, and how to report, on the Club's website and Social Media sites.
- provide members with internal and external training opportunities.
- create and promote age and ability appropriate programs for children and young people.

## **Review date**

This policy will be reviewed annually and after all critical incidents, to ensure continuous improvement of our child safe practices and that the club keeps up to date with relevant legislations.

Children and young people have an opportunity to provide feedback on the policy complaint handling.