



# Reporting Policy & Guide



## Purpose

To ensure the safety of children and maintain our child safe culture, it is essential that we continuously develop and enhance our child safe reporting procedures to ensure their ongoing effectiveness. All employees of Prospr have a duty of care to:

- 1) Know what to report, who to report it to, and how to report it.
- 2) Report any concerns about the safety or welfare of a child promptly.
- 3) Feel confident in reporting unacceptable behaviour around children and young people.
- 4) Listen to, reassure, and respect children when they raise concerns or complaints.
- 5) Ensure the safety and wellbeing of the child is paramount when an allegation is made.

## Definitions

For the purposes of this policy, definition of key terms will be as below:

Term	Definition
<b>Allegation</b>	A claim that someone or a group of people did something hurtful or damaging.
<b>Child/Children</b>	All children and young people under the age of 18.
<b>Child Abuse</b>	<p>Any action or lack of action which significantly harms or has potential to harm a child's sexual, or physical, or psychological (emotional) health and development. The four categories of abuse are:</p> <p><b>Sexual:</b> Any acts involving the sexual touching of a child, grooming, and production, distribution or possession of child abuse material; including:</p> <ul style="list-style-type: none"><li>- <b>Sexual Offences:</b> A child-related criminal offence of a sexual nature.</li><li>- <b>Sexual Misconduct</b> A conduct with, towards or in the presence of a child that is sexual in nature but is not a sexual offence.</li></ul> <p><b>Psychological (emotional):</b> Behaviour that causes significant psychological or emotional harm that is intentional or reckless (without reasonable excuse), obviously or very clearly unreasonable and that results in significant emotional harm or trauma to a child.</p> <p><b>Physical:</b> Acts which involve physical punishment towards children, such as pushing, shoving, punching, slapping and kicking, resulting in injury, burns, choking or bruising.</p>
<b>Child Abuse</b>	

<b>(continued)</b>	<b>Neglect:</b> A significant failure by a person with parental responsibility for the child, or an employee, to provide adequate and proper food, supervision, nursing, clothing, medical aid or lodging for the child that causes or is likely to cause harm to the child. Types of neglect include physical, medical, emotional and educational neglect, as well as abandonment, and can be deliberate or intentional.
<b>Child Safe Culture</b>	A set of values and practices that guide the attitudes and behaviour of all staff.
<b>Code of Conduct</b>	A document which specifies behaviours expected of all people of the organisation when engaging with children.
<b>Complaint</b>	An expression of dissatisfaction, about a situation, action, or lack of action.
<b>Concern</b>	An expression of worry or doubt over an issue considered to be important for which reassurances are sought.
<b>Criminal Conduct</b>	Conduct that, if proven, would constitute a criminal offence
<b>Disclosure</b>	A child communicating (through words, drawings or actions) to someone that they feel unsafe or have been harmed.
<b>Duty of Care</b>	The legal and moral obligation of individuals or organisations to ensure the safety, wellbeing, and development of children under their supervision or responsibility, taking reasonable steps to prevent harm and promote their best interests.
<b>Employee</b>	A person that is hired to provide a service to Prosper, either on a full-time, part-time or casual basis in exchange for payment.
<b>Grooming</b>	The manipulation of a child and the people caring for the child to enable a perpetrator to establish trust in order to later sexually abuse them.
<b>Harm</b>	Any adverse impact on a child's health, safety, or wellbeing resulting from abuse or neglect, encompassing physical, psychological (emotional), and sexual. Harm can be caused by a single act, or a series of acts.
<b>Mandatory Reporting</b>	The legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities, including ROSH reports.
<b>Reportable Conduct</b>	A sexual offence, A sexual misconduct, ill-treatment of a child, neglect of a child, an assault against a child, an offence under s 43B (failure to protect) or s 316A (failure to report) of the Crimes Act 1900; and behaviour that causes significant emotional or psychological harm to a child.
<b>Report</b>	Official notification to authorities regarding suspected or witnessed child abuse, prompting necessary interventions to ensure the child's safety and wellbeing.
<b>Risk of Significant Harm (ROSH)</b>	Circumstances that are causing concern for the safety, welfare or wellbeing of the child or young person are present to a significant extent. Significant implies severity requiring action by authorities regardless of family consent.

# Complaints

## Who can make a complaint?

At Prospr, **Everyone** is responsible for making complaints. We not only encourage but also mandate the reporting of genuine complaints by our employees, as per our Child Safe Code of Conduct.

We actively encourage children, parents, and the general public to raise complaints and concerns by ensuring transparency and accessibility to our policies and procedures. Reporting abuse will never be obstructed, punished, or prevented.

## Types of complaints

**All** complaints should be reported. These include:

- Unacceptable behaviour around children and young people that breaches our *Child Safe Code of Conduct*.
- Suspicions of harm or abuse to a child.
- Reportable conduct.
- Criminal conduct.
- Risk of significant harm (ROSH).
- Disclosures or allegations of abuse.

## Who to raise complaints with and how to do so?

Complaints can be made in many ways:

- 1) Complaints can be **raised with our Child Wellbeing Officer**, Kenan Akkoc, who can be email at [kenan.akkoc@prospr.care](mailto:kenan.akkoc@prospr.care) or contacted via phone on 0422 333 655.
- 2) We also offer distinct **complaint forms on our website** tailored to children, young people, employees, and other stakeholders such as family members and partner organisations, facilitating ease of completion by aligning with each group's language and needs.

Link to complaint forms: <https://prospr.care/oohc-feedback%2Fcomplaints-1>

Once completed, complaint forms are to be sent to [feedback@prospr.care](mailto:feedback@prospr.care)

- 3) Complaints can be **sent anonymously** via post to Suite 2/4, George Street Warilla, NSW 2528.

## Reporting Obligations

### Reporting Criminal Conduct

Contact NSW Police on 000 if you witness or suspect that a criminal offence has taken place by an adult to a child. This includes sexual assault, physical assault, grooming offences, and producing, disseminating or possessing child abuse material.

In accordance with Section 316A of the Crimes Act 1900, failure to report a known or suspected criminal offense against a child is a criminal offense, carrying a maximum penalty of 2 years' imprisonment. Additionally, under Section 43B of the same legislation, organisations must take action to mitigate or eliminate the risk of child abuse offenses, with a similar maximum penalty of 2 years' imprisonment for non-compliance

### Reporting Risk of Significant Harm (ROSH)

All individuals who provide direct supports to children and young people are mandatory reporters, meaning that legally, they must report any reasonable belief that a child has suffered or is likely to suffer significant harm as a result of abuse or neglect.

In NSW, the DCJ Child Protection Helpline receives all reports, including physical abuse, sexual abuse, psychological abuse, neglect, danger to self and more. If you are unsure of the threshold for reporting, please complete the Mandatory Reporters Guide via the below link:

<https://reporter.childstory.nsw.gov.au/s/> Keep a copy of the recommendation report.

If the suspected abuse or neglect meets the reporting threshold (ROSH), you will need to complete a Child Protection Helpline report by **contacting 132 111** (24-hour service).

### Reporting Allegations

The head of Prospr, our Director, has an obligation to notify the Office of the Children's Guardian (OCG) of any reportable allegation or conduct raised against an employee. 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 our Child Wellbeing Officer Kenan Akkoc, who can be email at [kenan.akkoc@prospr.care](mailto:kenan.akkoc@prospr.care) or contacted via phone on 0422 333 655. Alternatively, you can submit a report through our website forms, or via post (see previous page for details).

## Supporting Children in Making Complaints

Children disclose harm or abuse in many ways, including telling their parents, friends, or other close people, through play, drawing, partially telling, or through help-seeking behaviours. If a child discloses a concern, complaint, or an allegation, it is imperative to:

### Listen, reassure and respect

#### Listen

- Move to a suitable environment, free of distractions.
- Be calm and patient—allow for the child or young person to be heard.
- Let the child or young person use their own words—avoid asking leading questions.
- Avoid “quizzing” the child or young person about details of the abuse.
- Don’t be afraid of saying the “wrong” thing. Listening supportively is more important than what you say.

#### Reassure

- Reassure the child or young person that it is OK that they have told you what’s been happening.
- Address any concerns about the child or young person’s safety.
- Reassure the child or young person that he or she is *not* at fault, and *not* the cause of any distress you may feel.

#### Respect

- Respect that the child or young person may only reveal some details.
- Acknowledge the child or young person’s bravery and strength.
- Avoid making promises you can’t keep—manage the child or young person’s expectations.
- Explain to the child or young person that in order for them to be safe you will need to report their experience to someone else.

When exploring complaints or concerns, **use open-ended questions** (Not yes/no answers)

If a child makes an allegation, you **ONLY** need to report. **Do not investigate. Do not confront the alleged perpetrator.** Doing so may contaminate evidence or the investigation itself.

It is the Child Wellbeing Officer’s role to conduct a risk assessment after receiving an allegation, to ensure the safety of all people involved and maintain the integrity of the investigation.

## When to report?

**As soon as practically possible.** If you are currently providing support to a child who has raised a complaint, concern, or made an allegation, your report may be submitted after you have finished aiding them. Submitting a report promptly may result in a timely intervention, minimise potential harm, and facilitate appropriate follow-up actions to support the safety and wellbeing of children and young people we support.

## Procedural Fairness

All allegations of abuse will be treated in a fair, transparent and timely manner. Employees subject to an allegation will be informed of the schedule and proceedings of the disciplinary hearing in advance. All complainants can express their concerns without fear of retaliation.

## Privacy Protection

All information provided by complainants will be treated with the utmost confidentiality. Personal details and the nature of the complaint will only be disclosed to those directly involved in the resolution process. The confidentiality of children is of utmost importance. Information pertaining to their identity, wellbeing, and placement details will be handled with the highest regard for their privacy and dignity.

## Limited Disclosure

Information related to the complaint will only be shared on a need-to-know basis with staff members involved in the resolution process, to ensure a thorough and efficient resolution. Complainants can trust that their concerns will be handled discreetly and professionally.

Employees engaged in the complaint resolution process are bound by confidentiality agreements and professional standards as set out in the Privacy Act 1988 (Cth), and the Privacy and Personal Information Protection Act 1998 (NSW). Breaches of confidentiality will be subject to disciplinary actions in accordance with agency policies.

Reportable conduct investigations are overseen by the OCG's Reportable Conduct Directorate.

## Chapter 16A requests

Prospr may exchange information with other agencies (NGOs, DCJ, OCG etc.) as Chapter 16a of the *Children and Young Persons (Care and Protection) act 1998 (NSW)* allows prescribed bodies (government and non-government) the authority to share relevant information about children to collaboratively promote their safety, welfare and wellbeing.

# Complaint Resolution Procedure

Children and complainants will receive comprehensive support throughout the resolution process. Once a complaint is submitted and all relevant information is gathered and securely stored, the following procedures will be initiated:

## 1. Removal of Risk

- The employee subject of the allegation will be temporarily suspended from any duties involving children pending the conclusion of the investigation.

## 2. Acknowledgment & Communication

- The Child Wellbeing Officer will acknowledge receipt of each complaint within 24 hours of submission. This acknowledgment confirms that the complaint has been received and is currently being reviewed.
- The Child Wellbeing Officer will communicate the expected timeline for the resolution process. This includes providing an estimated timeframe for completing the initial assessment, conducting any necessary investigations, and reaching a resolution.

## 3. Initial Assessment

- The Child Wellbeing Officer will categorise complaints using established criteria, considering factors such as the nature of the complaint, the likelihood and consequence of harm to children, and any legal or regulatory implications.
- Complaints will be prioritised based on their severity and urgency to ensure a timely and efficient resolution process.

## 4. Coordination & Reporting

- The Director for Prospr will notify the Office of the Children's Guardian of any reportable conduct or criminal matters relating to an employee within 7 days.
- The Child Wellbeing Officer will facilitate the sharing of information with the Department of Communities and Justice, and update the ROSH report with additional information.

## 5. Investigation

- A thorough and impartial investigation will be conducted by our Child Wellbeing Officer.
- Information may be shared with external agencies and departments for investigations.

## 6. Resolution & Communication

- If a complaint or allegation is substantiated, our Child Wellbeing Officer or relevant authorities (police, DCJ, or OCG) will determine appropriate outcomes or responses.
- The Child Wellbeing Officer will communicate all findings, decisions made, and any actions taken to address the concerns raised in the complaint with relevant individuals.
- Corrective actions, such as a review of policies and procedures, will be promptly identified and implemented to address the issues identified during the investigation.

## Relevant Legislations

In addition to the *Children and Young Persons (Care and Protection) Act 1998*, Prospr is also bound by the following legislations:

Legislation	Relevance
<b><i>Children’s Guardian Act 2019</i></b>	<ul style="list-style-type: none"> <li>• Legislated Child Safe Scheme</li> <li>• Outlines requirements for reportable conduct and responding to allegations or suspicions of child abuse or neglect</li> <li>• Child Safe Standards, Policies and Processes</li> <li>• Capacity Building</li> <li>• Reviews and Monitoring</li> <li>• Responsibilities of organisation heads under the Reportable Conduct Scheme</li> </ul>
<b><i>Civil Liability Act 2002</i></b>	<ul style="list-style-type: none"> <li>• Organisational duty of care requirements (<i>Part 1B Division 2</i>)</li> </ul>
<b><i>Crimes Act 1900</i></b>	<ul style="list-style-type: none"> <li>• Failure to protect offence (s.43B)</li> <li>• Failure to report offence (s.316A)</li> <li>• Provides legal mechanisms for prosecuting perpetrators of child abuse and protecting children from harm</li> </ul>
<b><i>Disability Inclusion Act 2014</i></b>	<ul style="list-style-type: none"> <li>• Recognises the rights of children with disabilities to access services and supports, and prohibits discrimination against them.</li> <li>• Provides safeguards in relation to the delivery of supports and services for people with disability.</li> </ul>
<b><i>Anti-Discrimination ACT 1977</i></b>	<ul style="list-style-type: none"> <li>• Prohibits discrimination on various grounds, including race, sex, gender identity, sexual orientation, disability, and age</li> <li>• Ensures that children have equal opportunities and rights regardless of their personal characteristics.</li> </ul>
<b><i>Privacy Act 1988 (Cth)</i></b>	<ul style="list-style-type: none"> <li>• Regulates the handling of personal information, contributing to child safety by ensuring sensitive data is securely managed.</li> <li>• Stipulates consent requirements and safeguards against exploitation, helping organisations comply with reporting obligations for child abuse or neglect.</li> </ul>
<b><i>Privacy and Personal Information Protection Act 1998 (NSW)</i></b>	<ul style="list-style-type: none"> <li>• Ensures that personal information about children is only used for lawful purposes and with consent or legal authority</li> <li>• Imposes penalties for breaches of privacy, including unauthorized access to or disclosure of personal information about children</li> </ul>



## Consistency in Application

To ensure everyone in our organisation is aware of our Child Safe Reporting Policy & Guide, as well as their reporting obligations, we:

- Hold mandatory internal inductions and training for our employees, enabling them to gain insights into our complaint and allegation processes.
- Incorporate discussions on our Child Safe Reporting Policy into regular supervision sessions with employees to ensure ongoing awareness and understanding of reporting protocols and obligations.
- Encourage our workers to educate the children they work with on their rights.

## What makes incident reports different?

Incident reports are completed for any **child behaviours which do not involve child abuse, neglect, criminal conduct, and Risk of Significant Harm (ROSH)**. These may include child-to-child, or child-to-staff behaviours such as fighting, swearing, absconding, self-harm, and will generally be covered in the child's behaviour support plan (where applicable).

## How do I Write an Incident Report ?

Fill out the Prospr incident report form, if you do not have a copy please request this from [admin@prospr.care](mailto:admin@prospr.care). Some of the partner organisations we work with may request us to fill out their incident template/form, this is acceptable too. The below tables provide examples on the correct language used when writing incident reports.

Tips	Good example	Avoid this
<p><b>Use clear, formal language and write in third person</b></p> <p>Keep information factual, non-biased, and describe where, how, and when the incident occurred.</p>	<p>Young Person (YP) Jacob was quite agitated when Youth Worker (YW) Jennifer arrived on shift at 02:00pm. YP Jacob was chasing YP Max with the garden hose in the backyard, and became very escalated as he screamed at YP Max, "I'm not fat!" To de-escalate YP Jacob, YW Jennifer utilised redirection and distraction strategies by offering to take Jacob on a walk to the park. Soon after, Jacob returned to baseline behaviour as ...</p>	<p>I came on shift and Jacob was screaming at Max and trying to hit him with the hose because Jacob was jealous of Max. I jumped in and stopped the boys from hitting each other. Max said that Jacob took his remote-control car, and so I asked Jacob why he did this, but Jacob was in a foul mood and kept on screaming</p> <p><b>(Made assumptions, missed details, biases etc.)</b></p>

**Provide accurate and detailed descriptions of observation and events during the incident**

Include the time, location(s), people involved, events, responses, and outcome in great details. Remember to only include what you observed (i.e., sight, sound, smell, taste, touch).

Young Person (YP) Bella seemed upset after YW Mark picked her up from school at 03:15pm. During the drive back to placement, YW Mark asked if she was alright. YP Bella then started screaming at YW Mark, saying, "what the fuck do you care, I'm going to stab you if you ask again." YP Bella started kicking the inside rear passenger window, YW Mark pulled over for safety concerns at approximately 03:27pm, and explained this to YP Bella, who became more agitated. YP Bella's boyfriend James then contacted her mobile phone, and said that he would .... (include post-incident discussions with YP Bella).

After school pickup, Bella was angry and kicked the car door. She screamed at me more and then I gave her some space. She calmed down after her boyfriend called her.

**(Missed key significant details such as time, names and positions, discussions, events etc.)**

Refer to Prospr shift note writing guide for more general tips on report writing.

## Review & Continuous Improvement

We are committed to continuously improving our child safe practices and ensuring compliance with relevant legislation and industry standards. As part of this commitment, we actively seek feedback from children, families, partner organisations, the OCG, and the general public on our policy and complaint handling procedures, allowing everyone involved to contribute to the ongoing enhancement of our safeguarding measures.

**Last reviewed:** 12 February 2024  
**Next review date:** 12 August 2024  
**Responsible officer:** Kenan Akkoc  
(Child Wellbeing Officer)