

Child Safety & Wellbeing Incidents and Complaints Procedure

Procedure title	Child Safety & Wellbeing Incidents and Complaints
Purpose	<p>The purpose of this procedure is to set out the principles that the Tourette Syndrome Association of Australia (TSAA) has adopted for the management of incidents and complaints received in relation to allegations of child abuse and harm.</p> <p>This procedure describes the incident and complaint handling process mentioned in the Child Safety and Wellbeing Policy and should be read in conjunction with that document.</p>
Statement of Commitment	<p>We are committed to providing services and activities that are safe for all children, where child abuse and harm are not tolerated. Child safety is a priority for the TSAA and the prevention and reporting of abuse is supported and encouraged. All staff, volunteers and contractors are responsible for promoting the safety, wellbeing and empowerment of children. All children who seek support from the TSAA have a right to feel and be safe. The TSAA recognises that discrimination can harm children and we treat all children with dignity and respect.</p>
Scope	<p>This procedure applies to all TSAA staff, volunteers and contractors, TSAA members, their children and families, and any other individuals involved with the TSAA.</p>
Responsibilities	<p>The TSAA President is the Principal Officer (head of organisation) for the purposes of the Victorian Reportable Conduct Scheme. The President can delegate this responsibility when they are unavailable, but retains accountability for compliance with the scheme.</p> <p>The TSAA Committee is responsible for selecting suitable staff and volunteers to undertake investigations, and engaging an external third party for investigations when required.</p> <p>Support Group Leaders and Camp Coordinators are the Child Safety Officers for the support group catch-ups and camps that they organise. The TSAA President is the Child Safety Officer for all other TSAA activities and services.</p> <p>The Child Safety Coordinator is responsible for monitoring the 'complaints' mailbox, recording the details of all child safety complaints and incidents in the Child Safety Incidents and Complaints Register, and ensuring that all documentation relating to the reporting and investigation of complaints and incidents is securely stored.</p> <p>All staff, volunteers and contractors are responsible for reporting child safety concerns, complaints and incidents as per this procedure.</p>
Definitions	<p>Committee means the office bearers and ordinary committee members elected by TSAA members at the Annual General Meeting.</p> <p>Concerns and complaints:</p> <p>A concern refers to any potential issue that could impact negatively on the safety and wellbeing of a child.</p>

	<p>A complaint is an expression of dissatisfaction with the TSAA in relation to child safety.</p> <p>In this document the term “complaint” refers to both complaints and concerns.</p> <p>Harm means 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.</p> <p>Incident refers to the actual occurrence of harm to a child.</p> <p>Reportable conduct refers to the conduct of a Victorian worker that is reportable through the Victorian Reportable Conduct Schemes as outlined in the Child Safety & Wellbeing Policy.</p> <p>TSAA member means a paid-up member of the TSAA. This can be an individual or family members covered under a family membership.</p> <p>Workers means all staff, volunteers and contractors of the TSAA.</p>
Relevant legislation and standards	Refer to the TSAA Child Safety and Wellbeing Policy for the list of related legislation and standards.
Related organisational policies and procedures	<p>The following policies, procedures and registers work together to respond to safety & wellbeing complaints and incidents across all of our operations:</p> <ul style="list-style-type: none"> • <i>Child Safety Code of Conduct</i> • <i>Child Safety & Wellbeing Policy</i> • <i>Work Health & Safety Policy</i> • <i>Safety Risk Register</i> • <i>Injuries and Incidents Register</i> • <i>Child Safety Incidents and Complaints Register</i>
Access to the procedure	This procedure can be accessed from the Policies section of TSAA website: www.tourette.org.au
Procedure status and review	<p>This procedure was approved on 12/12/2022 by the Committee.</p> <p>The Committee will review this policy at least every two years. We also review relevant practices and policies in response to any complaints raised. Findings from reviews will be reported to the people involved in our organisation and also inform our approach to continuous improvement of our policies. Reviews are overseen by the Committee and will be informed by consultation with members, volunteers and staff.</p>

1 Management of Complaints

The TSAA is committed to promoting and protecting the interests, safety, and wellbeing of children, and creating a culture that encourages feedback and complaints.

1.1 Who can make a complaint or report an incident?

A complaint or incident report can either be initiated by a child or young person directly, or initiated by an adult on their behalf with or without their knowledge. A child-focused approach should be applied to

responding to the complaint or incident regardless of how it arises. This approach should consider the child's age, intellectual development and maturity.

1.2 What can complaints be about?

Complaints can be raised regarding any issue involving children, including:

- our services or dealings with individuals
- allegations of abuse or misconduct by a worker or another individual associated with the TSAA
- disclosures of abuse or harm made by a child or young person
- the conduct of a child or young person at the TSAA
- the inadequate handling of a prior concern
- general concerns about the safety of a group of children or activity
- the conduct of members, visitors or members of the public at the TSAA
- breaches of the TSAA Code of Conduct
- reportable conduct

1.3 How to make a complaint or report an incident?

- In person to a Child Safety Officer:
 - At camp the Child Safety Officer is the Camp Co-ordinator
 - At support group catch-ups the Child Safety Officer is the Support Group Leader
 - For all other TSAA services and activities the Child Safety Officer is the TSAA President
- Phone - (02) 9382 3726
- Email – complaints@tourette.org.au

Should the person making the complaint or reporting an incident believe that there may be a conflict of interest in reporting to the Child Safety Officer, they can contact a member of the TSAA committee instead.

Refer to [Appendix - Resources for Children and Families](#) for an easy-to-understand flowchart on the child safety reporting process and children's rights poster.

1.4 How the TSAA responds to a complaint or incident?

The TSAA takes a trauma informed approach to handling complaints, so that children, families, staff, volunteers, and anyone involved participates in the complaints and investigation process without causing further trauma.

Step 1: Receiving a complaint or incident report

- If the complaint was initiated by a child/young person, they will be asked:
 - What would make them feel safe,
 - How involved the child wants to be in the complaints process, and
 - The extent to which they want their parent/carer/guardian to be part of decisions.
- The disclosure will be dealt with sensitively by TSAA staff and volunteers.
- TSAA Staff and volunteers are provide training in identifying indicators of child abuse or harm, helping them to be proactive and reduce reliance on children to disclose abuse.

Step 2: Recording the complaint or incident

- TSAA staff and volunteers who receive a complaint or become aware of an incident must report it to the relevant Child Safety Officer. The Child Safety Officer is responsible for ensuring that the complaint or incident is reported to the Child Safety Coordinator for recording.
- The Child Safety Coordinator ensures that the complaint or incident is recorded in the Child Safety Incidents and Complaints Register along with any other records, so that there is a full account of how the issue arose or was identified.

- If the complaint or incident falls under the Victorian Reportable Conduct Scheme, the Child Safety Co-ordinator and TSAA President must be notified immediately.

Step 3: Initial Response and Risk Assessment

Depending on the nature and seriousness of the complaint or incident, the TSAA will take the following immediate actions:

- Administering first aid and/or calling 000 for an ambulance and following any instructions from emergency service officers/paramedics (where required),
- Calling 000 for urgent Police assistance for concerns that are life threatening or posing an immediate risk to the health and safety of anyone,
- Informing the child's parents and carers about the complaint or safety concern, unless the disclosure is related to abuse within the family, and
- Considering if evidence needs to be immediately secured (for example, CCTV footage, emails, downloads) to preserve any future investigation.

To manage further risks that could be posed by the subject of allegation, the TSAA will take immediate action(s) such as:

- Restricting/not permitting the subject of allegation to have contact with children;
- Altering their duties if they are a TSAA worker.

Step 4: Reporting

The TSAA Child Safety Officer will report the incident to the following external authorities:

Police: If there is alleged or suspected criminal conduct that involves any of the following:

- Imminent or immediate danger,
- Physical or sexual abuse, or
- Family violence, whether or not a child has been physically or sexually abused.

Mandatory Reporting: The TSAA is not an organisation required by law to report child abuse and neglect (mandatory reporting), however this is a community-wide responsibility and anyone who suspects, on reasonable grounds, that a child or young person has been abused or neglected, or is at risk of being abused or neglected should report it. If a TSAA worker or member forms a reasonable belief that a child has suffered or is likely to suffer significant harm as a result of abuse or neglect and their parent has not or is unlikely to protect them from harm of that type, this should be reported to the TSAA Child Safety Officer who will contact the relevant state or territory child protection authority.

Links to the relevant contacts in each state or territory are provided on the [Australian Institute of Family Studies website](#).

Note: you do not need to be absolutely certain that there has been abuse or neglect of a child or young person to contact these authorities. If you suspect a child is at risk of harm, you should call the authority to discuss your concerns, and they will decide whether an investigation is required.

Victorian Reportable Conduct Scheme: If there is a reasonable belief that a Victorian staff member or volunteer has engaged in one of the five types of reportable conduct (as listed below), including allegations related to conduct that occurred in another state or territory and/or outside of the workplace, the Principle Officer must notify the Victorian Commission for Children and Young People (CCYP) within **three business days** of the TSAA becoming aware of the allegation. It is a **criminal offence for the Principle Officer to fail to comply with the three-day notification obligation** without a reasonable excuse.

There five types of 'reportable conduct' are:

- sexual offences committed against, with or in the presence of a child,
- sexual misconduct committed against, with or in the presence of a child,

- physical violence against, with or in the presence of a child,
- any behaviour that causes significant emotional or psychological harm to a child, and
- significant neglect of a child.

Information about reporting to the CCYP is available on the [Commission's website](#).

Online abuse: inappropriate behaviour towards a child online, could be part of online child sexual exploitation, and will be reported to the Australian Centre to Counter Child Exploitation (ACCCE) at You can report online at www.accce.gov.au/report or 131 237. Where physical contact has occurred it will be reported to the police.

Step 5: Providing ongoing support

The TSAA shall offer support to children and/or their families by making referrals to recognised support services which may include those listed below, after discussing this with the children and/or their families:

- [1800 Respect](#) – the national domestic, family and sexual violence counselling, information and support service,
- Organisations specialising in supporting victims of abuse and complex trauma such as [Blue Knot](#) and [The Orange Door](#) for families in Victoria,
- State/Territory Victims of Crime Helpline,
- Telephone and online support services like [Lifeline Australia](#), [Kids Help Line](#), [headspace](#) and [Beyond Blue](#).

When a complaint is raised against a staff member or a volunteer, the investigation shall be undertaken in accordance with employment law obligations.

Step 6: Investigation

If the TSAA has made a report to the Police or state/territory child protection agencies, no investigation shall be undertaken without consulting these authorities, due to the risk of negatively impacting future police action or putting the child at risk. However the TSAA shall cooperate with Police and child protection agencies, in providing support and assistance to identify and contact witnesses and gather or retain evidence. Consultation/interviews may be conducted by the TSAA (in addition to interviews from police and/or child protection) with the intent to hear from the child directly and to help make them feel safe.

The TSAA Committee will determine which staff members and volunteers will be involved in carrying out the investigation. Should the Committee feel that the nature of the investigation warrants it, an external third party may be engaged to conduct the investigation.

During the investigation:

- Care will be taken to provide the child with information suitable to their age or level of comprehension, and
- Reasonable adjustments such as access to interpreters will be provided to children and their parents/carers to help them fully participate in the complaints process.

All parties will be treated fairly and provided opportunities to express their views and given timely update of the investigation.

New information or risks could emerge at any time during the investigation of a complaint or incident. Early reporting does not remove the ongoing obligation for organisations to share information with external authorities, such as police, child protection and other prescribed bodies, if additional risks are identified.

Guidance on how to conduct investigations is available on the [National Office for Child Safety website](#).

If a report has been made under the **Victorian Reportable Conduct Scheme**, an investigation must be undertaken by the TSAA. The TSAA must provide the Commission updates about:

- who will conduct the investigation,
- the outcomes of the investigation, and
- the actions that the organisation will take as a result of those outcomes.

Within **30 calendar days** after becoming aware, the Principal Officer must provide detailed information about the allegation, disciplinary or other actions undertaken, and the response of the worker or volunteer to the allegation. It is a **criminal offence for the Principle Officer to fail to comply with the 30-day notification obligation** without a reasonable excuse.

A guide to investigating reportable conduct is available on the [Commission's website](#).

Step 7: Outcomes and sharing information.

The outcome of the investigation, including decisions reached in relation to the investigation and resolution, and the action taken, will be communicated to all relevant parties, considering privacy and confidentiality requirements.

If the complainant, the subject of the complaint, or their family is not happy with the outcome or handling of the complaint:

- They can request an Internal review by contacting the TSAA's President directly in writing at president@tourette.org.au
- Seek an external review by contacting the child protection agency in their state or territory.

2 RECORDS

The Child Safety Coordinator is responsible for monitoring the 'complaints' mailbox, recording the details of all child safety complaints and incidents in the Child Safety Incidents and Complaints Register, and ensuring that all documentation relating to the reporting and investigation of complaints and incidents is securely stored.

The 'complaints' mailbox is only accessible by the Child Safety Coordinator, the TSAA President and one other person nominated by the Committee. This is to ensure backup in the event that the Child Safety Coordinator is unavailable, or there is a conflict of interest with a reported complaint or incident.

All documentation related to the initial reporting, investigation, reporting to external bodies and reporting of outcomes to interested parties is securely stored by the Child Safety Coordinator. By default, access to files is limited to the three people with access to the 'complaints' mailbox. Other staff and volunteers will be provided access to documents necessary to undertake investigations or reporting, as required.

3 Appendix - Resources for Children and Families

3.1 Flowchart: Child Safety Reporting Process for Children and Families



Child Safety Reporting Process

Who can report?	Parent/Guardian, carer, visitor, TSAA member, TSAA worker (staff, volunteer, contractor) or member of the public.
What to report?	<ul style="list-style-type: none"> • Incidents – actual occurrences of harm to a child • Complaints or concerns about: <ul style="list-style-type: none"> • our services or dealings with individuals • allegations of abuse or misconduct by a worker or another individual associated with the TSAA • disclosures of abuse or harm made by a child or young person • the conduct of a child or young person at the TSAA • the inadequate handling of a prior concern • general concerns about the safety of a group of children or activity • the conduct of members, visitors or members of the public at the TSAA • breaches of the TSAA Code of Conduct • reportable conduct
How?	Face-to-face, by phone, by email, ask for a meeting
Who to?	A Child Safety Officer, by email to complaints@tourette.org.au , or to a Committee member
What happens next?	<p>The TSAA will:</p> <ul style="list-style-type: none"> • Start internal processes to ensure the safety of the child, clarify the nature of the complaint, and begin disciplinary process and investigation (if required), • If the matter being advised presents immediate danger, the Police will be informed • If a reasonable belief is formed that a child has suffered or is likely to suffer significant harm as a result of abuse or neglect and their parent has not or is not likely to protect them from harm of that type, the relevant state/territory authorities will be informed, and/or • If a reasonable is formed that a TSAA worker subject to a Reportable Conduct Scheme has engaged in conduct that is reportable, relevant state/territory authorities will be informed.
Outcomes	<ul style="list-style-type: none"> • All parties are notified on the outcomes of investigations • Disciplinary actions are taken, and policies and procedures are reviewed and updated where necessary

For concerns that are life threatening call the Police 000

3.2 Children's Rights Poster

The poster features the Ts logo at the top left. The central text reads "You have rights!". Surrounding this text are six hexagons, each containing a specific right: "Right to Participate" (green), "Right to be and feel safe and not be harmed by anyone" (orange), "Right to Information" (yellow), "Right to be heard" (grey), "Right to ask for additional support" (orange), and "Right to raise concerns/complaints" (blue). Below the hexagons are three speech bubbles: a grey one stating "It's always OK to speak up if you're being hurt or if you're unhappy with the way you are being treated", a blue one stating "Or send an email to complaints@tourette.org.au", and a yellow one stating "Speak to your Camp Co-ordinator or Support Group Leader".

Ts
TOURETTE SYNDROME
ASSOCIATION OF AUSTRALIA INC.

You have rights!

- Right to Participate
- Right to be and feel safe and not be harmed by anyone
- Right to Information
- Right to be heard
- Right to ask for additional support
- Right to raise concerns/complaints

It's always OK to speak up if you're being hurt or if you're unhappy with the way you are being treated

Or send an email to complaints@tourette.org.au

Speak to your Camp Co-ordinator or Support Group Leader

4 Document History

Version No.	Date	Author	Description
0.1	3/12/2022	Sandra Gleeson	First draft prepared for Committee review and approval.
1.0	20/12/2022	Sandra Gleeson	V1.0 finalised after Committee approval 12/12/2022.