 **Anglican Diocese of Gippsland**

**Reporting and Responding to Safe Church Concerns**

The Anglican Diocese of Gippsland, deals with all reports of alleged child abuse under their Child Safe & Wellbeing Policies and Codes of Conduct for the prevention of abuse fairly and appropriately, and will act within the law and based on the following principles:

* Ensuring the safety of the child
* Promoting a positive experience of the Church and creating a strong community of faith
* Preventing misconduct where this is possible
* Dealing sensitively and expeditiously with any allegations including responding compassionately to anyone who has been affected
* Documenting all allegations and actions taken
* Ensuring procedural fairness for persons against whom allegations are made.

**Handling disclosures of abuse**

Before reporting, care should be taken in how we respond to disclosures of abuse. Reporting is only one aspect of responding to disclosures of abuse.

If a child alleges they have been abused, they may be feeling scared, guilty, ashamed, angry and/or powerless. A person receiving a disclosure may feel a sense of outrage, disgust, sadness, anger and sometimes disbelief. It is important for you to remain calm and in control and to reassure the child that something will be done to keep him/her safe.

Show your concern for the child by:

* Listening carefully to what they are saying
* Telling the child you believe them
* Telling them it is not their fault and they are not responsible for the abuse Letting the child know that you will make a report to the authorities so they can help stop the abuse
* Telling the child you are pleased they told you.

Clarify exactly what the allegation is. Do not undertake an investigation. Assure the child the matter will be taken seriously and explain what may happen next.

You will not be helping the child if you:

* Make promises you cannot keep, such as promising that you will not tell anyone
* Inquire about details of the abuse from the child.

Your role is to listen to what the child wants to tell you but not conduct an investigation (beware of asking any direct questions of the child as this may prejudice any subsequent investigation)

The immediate safety and wellbeing of the child is paramount.

Where the child is in danger of continued abuse, police and child protection services must be called immediately. Protect the child – once an allegation is made there should be an immediate response that protects the child from further abuse or victimisation. The child may require medical assistance or counselling support. Where possible the child should remain in their place of residence or continue participation in the relevant program. If the child is in immediate danger you should make arrangements for the child to go to a safe place on the advice of child protection services or the police.

Distance the alleged perpetrator. The best interests of the child require the standing aside of a staff member, congregational leader, volunteer or person in a specified ministry. Any employed person stood aside in this manner continues to receive full pay. This measure recognises that the person is entitled to a just process that does not pre-judge guilt or innocence.

If the parents or caregivers are the alleged offenders, child protection services investigators or the police will advise how and when they are informed of the disclosure. In all cases, child protection services and the police will inform the parents or caregivers to ensure due processes are not interfered with. Subject to advice from the police, ministers and other pastoral carers may provide pastoral care for parents/caregivers provided the parents/caregivers are not the alleged perpetrators. Alternative arrangements may be made to offer pastoral care to the alleged perpetrator.

**Reporting allegations of abuse**

What you should report:

You may come across matters of concern in a variety of ways. If you are unsure about reporting you can consult with the Anglican Diocese of Gippsland Director of Professional Standards or your state child protection service.

Examples of what should be reported include:

* Any disclosure by a child, or an objectively reasonable belief you have formed that a child is being abused or at risk of abuse of any kind
* Observing events that cause you to form a reasonable belief that a child is being harmed or abused, or is at risk of being harmed or abused
* Being present and witnessing an event or incident involving child abuse
* Any allegation of conduct towards a child which is or might be unlawful
* Any allegation of sexual misconduct towards a child
* Any conduct which would or might give rise to a mandatory requirement to report under the Children, Youth and Families Act 2005 (Victoria)
* An incident in which a child goes missing
* Any allegation of violence inflicted by an adult upon a child
* Any allegation in which an adult has been under the influence of drugs (illicit or misused medication) or alcohol while responsible for children
* Any incident in which a child has been harmed or injured (either physically or psychologically) or is at risk of harm or injury

**When to make a report**

Children, Youth and Families Act 2005

Any person may report a belief that a child is in need of protection to child protection services. Mandated reporters (doctors, nurses, teachers, police) must report a belief that a child is in need of protection as a result of physical injury or sexual abuse.1

**Failure to Disclose Offence (2014)**

The Victorian Government recently introduced legislation to ensure that child sexual abuse is reported. This legislation took effect on 27 October 2014. It relates to failure to disclose child sexual abuse to police where there is a “reasonable belief” that this has or may occur. The definitions of “reasonable belief” and of “reasonable excuse” for not reporting are set out in the ‘Failure to disclose offence’ Fact Sheet. For Department of Health & Human Services (DHHS) staff and funded organisations there is an additional fact sheet on the DHHS website - ‘Failure to Protect offence’. Both fact sheets distil the message down to a very clear statement:

“The simple rule is: if you have a reasonable belief that a sexual offence has been committed by an adult against a child in Victoria, you must report that belief to Victoria Police.”2

Agencies funded by the Department of Health and Human Services in Victoria must follow the incident reporting requirements of the Department. Schools must follow the reporting requirements of the Department of Education and Training.

**Current Abuse**

Report to

* Department of Human Services Child Protection Crisis Line - Tel: 13 12 78 at any time
* Police 000
* the Anglican Diocese of Gippsland Director of Professional Standard.

**Disclosure of past childhood abuse**

Where an adult is disclosing past childhood abuse you should consider referring them to counselling services and assist the person who has been abused in making a report to police if they wish to do this.

Seek advice and/or report to the Anglican Diocese of Gippsland Director of Professional Standards

**Who should make a report?**

Any person witnessing or becoming aware of abuse should make a report. If an allegation involves sexual or other abuse of a child it must be reported to the police and child protection services in your state. You should not investigate the matter yourself.

What happens if a report is made to you by another person?

When a report is made, the person receiving the report shall:

* Listen carefully to the report and ensure it is fully understood.
* Ensure that relevant authorities have been informed where this is required by law.
* Consider whether it is appropriate to advise others within the Uniting Church.
* Determine what action will be taken.
* Document all action taken.
* Maintain the confidentiality of all parties (including the person making the report, and any person to whom the report relates) at all times to the extent this is possible under law. In some cases, it may be necessary to inform relevant authorities or others in the Anglican Diocese of Gippsland. Depending on the nature of the allegation it may be necessary to:
* Inform the police, if the behaviour is or might be criminal.
* Make a mandatory report Act 2005 in Victoria.
* Report ,within 3 days, using the Reportable Conduct Scheme (CCYP)

All reports made in good faith will be viewed as being made in the best interests of the child regardless of the outcomes of an investigation.

All reports will be handled professionally, confidentially and expediently.

**How can a report be made?**

In response to an allegation, undertake the following as applicable:

* Report to your Safe Church Concerns Person (where applicable) or Minister.
* Seek support and advice from the Anglican Diocese of Gippsland Director of Professional Standards
* Complete the report of abuse notification (see Attachment 1) and send it to the Anglican Diocese of Gippsland Director of Professional Standards.
* You may be asked to refer allegations of child abuse to child protection services and, if so advised, to the police

Implement any recommendations made by child protection services or police

Develop a pastoral aftercare plan in consultation with the Anglican Diocese of Gippsland Director of Professional Standards.

If you are unclear about what to do consult immediately with the Anglican Diocese of Gippsland Director of Professional Standards or Child protection.

Nothing in our Child Safe Policy or Codes of Conduct restricts the right of any person to report directly to the police or child protection services.

**If any person’s immediate safety is at risk (from sexual or physical abuse)**

**RING 000**

**Regarding Child Sexual Abuse and Sexual Misconduct Matters**

**Contact the Anglican Diocese of Gippsland Director of Professional Standards**

 Anglican Diocese of Gippsland

**Report of Abuse Notification**

*Complete this form listing your concerns as soon as possible after the abuse is disclosed and the appropriate actions have taken place to ensure the immediate safety of the child. Fill in as much as you know, immediately after the discussion or incident, without asking more questions.*

**Section A - Your details**

Full name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Postal address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date and time of incident \_\_\_\_\_\_\_\_\_\_\_\_\_AM/PM \_\_\_\_\_/\_\_\_\_\_/20\_\_\_\_

**Section B – Who are you concerned about?**

*Fill in as much as you know without asking more questions*

Details about the child

Full name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of birth\_\_\_\_/\_\_/\_\_\_\_\_\_\_\_\_Age now\_\_\_\_\_Age at the time of the incident\_\_\_\_\_\_\_\_\_\_\_

Gender\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Child’s first language \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone number\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Section C – Describe your concerns**

*What are you concerned about? Fill in as much as you know without asking more questions. Provide a brief factual description of what happened (either what was said, reported or observed, including injuries) and/or the specific circumstances that supported your decision to complete this form.*

Date concern was received \_\_\_\_/\_\_\_\_/\_\_\_\_\_\_\_\_

Your concerns

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Details of the person against whom the allegation is made:**

Full name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Gender\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of birth\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_\_\_

Relationship to the child \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position held in the church \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Do they have a Working With Children Check?\_\_\_\_\_\_\_

Details about witnesses (if any) or third party (other than the child)

Full name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone number\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Postal address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Immediate action taken**

Have you reported the incident to any of the following (please circle):

Police

Department of Health and Human Services

Diocesan Director of Professional Standards

Other …….

Your Signature\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of report \_\_\_\_\_/\_\_\_\_/\_\_\_\_\_ Time\_\_\_\_\_\_\_AM/PM

**This form must be sent to:**

The Anglican Diocese of Gippsland Director of Professional Standards