

**Child and Youth**

**Risk Management Strategy**

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# Introduction

This Strategy, along with the associated policies, procedures and guidelines complies with the **Working with Children (Risk Management and Screening) Act 2000 (Qld)** which outlines the screening requirements for child-related employment in Queensland and the need to have a risk management strategy for “regulated businesses”, as defined by the legislation.

ESA’s Child and Youth Risk Management Strategy addresses **8 Mandatory requirements** to ensure we identify potential risks of harm to children and young people and to implement strategies to minimise those risks.



# Who this strategy applies to and relevant Legislation

This Strategy applies to all ESA Board members, executives, staff, volunteers, students, contractors, consultants, other service providers, researchers and known event attendees.

In upholding this Strategy, the following legislation must be considered:

* [Child Protection Act 1999 (QLD)](https://www.legislation.qld.gov.au/view/html/inforce/current/act-1999-010)
* [Working with Children (Risk Management and Screening) Act 2000 (QLD)](https://www.legislation.qld.gov.au/view/whole/html/inforce/current/act-2000-060)
* [Working with Children (Risk Management and Screening) Regulation 2020 (QLD)](https://www.legislation.qld.gov.au/view/html/inforce/current/sl-2020-0131#sch.1)
* [Human Rights Act 2019 (QLD)](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2019-005#sec.20)
* [Criminal Code Act 1899](https://www.legislation.qld.gov.au/view/whole/html/inforce/current/act-1899-009)

# National Principles for Child Safe Organisations

**Wheel of Child Safety**

This Strategy aligns with the National Principles for Child Safe Organisations, developed in response to recommendations identified by the Royal Commission into Institutional Responses to Child Sexual Abuse 2018 (the “Royal Commission”).

The purpose of the National Principles is to provide a national approach to embedding a child safe culture across all sectors of Australian society in which children are involved.

A child safe organisation is one that creates a culture, adopts strategies and takes action to promote child wellbeing and prevent harm to children and young people. They consciously and systematically:

* creates an environment where children’s safety and wellbeing is the centre of thought, values and actions
* places emphasis on genuine engagement with, and valuing of children
* creates conditions that reduce the likelihood of harm to children and young people
* creates conditions that increase the likelihood of identifying any harm
* responds to any concerns, disclosures, allegations or suspicions.

**The 10 National Principles for a child safe organisation are:**

1. **Child safety and wellbeing is embedded in organisational leadership, governance and culture.**
2. **Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.**
3. **Families and communities are informed and involved in promoting child safety and wellbeing.**
4. **Equity is upheld and diverse needs respected in policy and practice.**
5. **People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.**
6. **Processes for complaints and concerns are child focused.**
7. **Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.**
8. **Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.**
9. **Implementation of the national child safe principles is regularly reviewed and improved.**
10. **Procedures document how the organisation is safe for children and young people.**

# ESA’s Commitment to Safety of Children and Vulnerable Adults

At Eczema Support Australia, we are deeply committed to the safety, well-being, and protection of all members of our community, especially children and vulnerable adults. As an organisation providing support for eczema sufferers to overcome difficulties and thrive in their community, we recognise the importance of maintaining a safe, nurturing and inclusive environment for every individual we serve. While aligning with the National Principles for child safety, ESA’s commitment to safety is rooted in the following principles:

|  |
| --- |
| Safeguarding |
| We place the safety and protection of children and vulnerable adults at the forefront of our support services. We have implemented robust safeguarding measures and policies to prevent harm and ensure the well-being of both children and vulnerable adults as they interact with ESA in both physical and online environments. |
| Comprehensive Screening |
| All staff, volunteers, and individuals who engage with our organisation undergo thorough background checks and screening processes to ensure their suitability and appropriateness for working with vulnerable individuals. ESA ensures those within our organisation who have a legislative requirement to maintain a valid Blue Card or other state relevant Working with Children Check, do so prior to any engagement with Children and youth.  |
| Standards of Behaviour |
| All staff and volunteers at ESA have committed, and are accountable to, our comprehensive Code of Conduct. This outlines the standards of behaviour required in fostering a safe, respectful and inclusive environment. |
| Training and Education |
| We equip our staff and volunteers with the necessary knowledge and skills through regular training and education on safeguarding practices, recognising signs of abuse, and appropriate reporting procedures. |
| Reporting and Response |
| We maintain an open and accessible reporting system, allowing any suspicions or disclosures of abuse or neglect to be promptly and confidentially addressed. Our response to such reports is apt and guided by best practices and legal requirements |
| Partnership and Collaboration |
| We work closely with relevant authorities, organisations, and stakeholders to strengthen our safeguarding efforts and ensure a coordinated approach to protecting children and vulnerable adults. |
| Inclusive Environment |
| We will create a nurturing and inclusive environment that respects the dignity and rights of all individuals, especially children and vulnerable adults. While upholding equity, ESA will not tolerate discrimination, abuse, harassment, or neglect within our organisation or any associated activities |
| Empowerment and Advocacy: |
| We empower all individuals, including children and vulnerable adults, to recognize and assert their rights, encouraging open communication, and ensuring that their voices are heard and respected. |
| Ongoing Review |
| We regularly review and update our policies and procedures to reflect best practices and adapt to evolving needs, changes and challenges, that are both legislative or organisational |

As an organisation committed to supporting eczema sufferers, we understand that fostering a safe and inclusive environment is essential for their well-being and growth. Our dedication to safety is not merely a statement, but a continuous commitment upheld by every member of our organisation.

Together, we strive to build a community where individuals affected by eczema can thrive, supported by a network of compassionate and vigilant advocates who prioritize their safety and welfare above all else.

# Code of Conduct

Eczema Support Australia is a not-for-profit organisation dedicated to providing services and support to individuals living with chronic eczema. We are committed to ensuring the safety, well-being, and dignity of all those we interact with, including children and vulnerable adults. This Code of Conduct outlines the standards of behaviour expected from all individuals associated with our organisation, including staff, volunteers, contractors, and stakeholders. By adhering to this Code, we can maintain a safe, respectful, and inclusive environment for everyone involved.

1. Respect and Dignity:
	1. Treat all individuals with respect, dignity, and fairness, regardless of their age, gender, race, ethnicity, religion, disability, or any other characteristic.
	2. Use inclusive and non-discriminatory language, promoting a culture of acceptance and understanding.
	3. Avoid offensive, derogatory, or inappropriate language, acts or gestures towards individuals. This includes any sexual or crude innuendos such as suggestive looks, comments, jokes or sounds that may cause harm or distress.
2. Safety and Well-being:
	1. Prioritise the safety, well-being, and protection of children and vulnerable individuals at all times.
	2. Comply with all relevant laws, regulations, and policies relating to child protection and safeguarding.
	3. Report any concerns or suspicions of abuse, neglect, or harm immediately to the appropriate authorities and within the organization.
3. Professional Boundaries:
	1. Maintain appropriate professional boundaries, with special consideration to children and vulnerable adults, avoiding relationships that may be perceived as exploitative or inappropriate.
	2. Avoid improper use of position and refrain from engaging in any form of physical, verbal, emotional, or sexual abuse, harassment, manipulation or intimidation.
	3. Do not step beyond your role with ESA, ensuring you remain within your level of competency or training.
4. Smoking, alcohol consumption and the use of medications and drugs
	1. Refrain from smoking and be alcohol and illicit drug free during support group meetings.
	2. Must not bring or use illicit drugs during any ESA events or community gatherings.
	3. Must not consume or be under the influence of alcohol during any ESA event or community gathering involving children
	4. If alcohol is present at any ESA event / community gathering where only adults are present, it must be consumed responsibly and in accordance with local laws and regulations.
	5. Must not work if you are on medications that may affect your ability to safely perform your duties.
5. Confidentiality and Privacy:
	1. Respect the privacy and confidentiality of all individuals, maintaining the confidentiality of personal information and records in accordance with relevant laws and ESA policies.
	2. Seek written consent before disclosing any personal information, ensuring that individuals are fully informed about the purpose and scope of information sharing.
6. Reporting and Response:
	1. Promptly report any concerns or suspicions of inappropriate behaviour, abuse, neglect, or harm to the designated authorities within the organization.
	2. Cooperate fully with any investigations or inquiries conducted by relevant authorities or the organization.
	3. Support and assist individuals who disclose incidents or seek help, ensuring they are aware of available support services.
7. Professional Development and Training:
	1. Engage in ongoing professional development and training related to child protection, safeguarding, and interacting with vulnerable individuals.
	2. Stay informed about current best practices, policies, and guidelines to ensure compliance and effective implementation.
8. Compliance with ESA Policies and guidelines:
	1. Familiarise yourself with and comply with all ESA policies and guidelines
	2. Report any breaches of policies, laws, or regulations to ESA’s Safe Organisation Officer
9. Reporting Violations of the Code:
	1. Promptly report any suspected violations of this Code of Conduct to ESA’s Safe Organisation Officer.
	2. Cooperate fully with any investigations conducted as a result of reported violations.

**Consequences of Non-Compliance:**

Non-compliance with this Code of Conduct may result in disciplinary action, up to and including termination of association with the organization, and may be reported to relevant authorities if warranted.

By adhering to this Code of Conduct, we demonstrate our commitment to creating a safe, inclusive, and supportive environment for children and vulnerable individuals. Together, we can uphold the values and principles of ESA and make a positive impact in the lives of those we serve.

**Associated Forms:**

[Code of Conduct and Confidentiality Agreement Form](https://www.dropbox.com/scl/fi/60z2fe5drlimys2n0w4aq/Code-of-Conduct-and-confidentiality-agreement-form.pdf?rlkey=ez7p89gevlap0suaom4x5phb2&dl=0)

# Recruitment & Selection

Eczema Support Australia recognises the importance of recruiting staff and volunteers who possess the requisite skills and attributes to work with vulnerable people. Our commitment to the safety of children and vulnerable adults will be reflected in job advertisements and role descriptions, demonstrating to prospective staff that safety and wellbeing of all individuals is ESA’s highest priority.

ESA’s selection and screening processes will include evaluations of:

* work experience
* criminal history
* blue card / other equivalent state checks
* reference checks to verify identity, accuracy of previous employment details and suitability for the role
* an individual's principles, motivation, and suitability for engaging with vulnerable persons during an interview process.

This enables ESA to understand the potential team member’s values, professional boundaries and approach to the safety of children and other vulnerable adults, ensuring alignment with ESA’s core values.

Applicants will be provided a copy of this Strategy so they are fully informed of the requirements under ESA’s policies prior to applying.

# On boarding, Induction, Training & Management

Blue Card Services and other state equivalent checks adopt a **“No Card, No Start”** policy which requires all people working with children to have a blue card **prior** to the commencement of child related work.

ESA’s **Safe Organisation Officer** will use Blue Card Services Organisational Portal to link the successful candidate’s blue card (and, if applicable, other state equivalent checks/methods) with ESA prior to commencement. The Safe Organisation Officer is also responsible for maintaining ESA’s **Working with Children Checks Register** and the ongoing compliance of ESA’s staff and volunteers.

The staff/volunteer must complete the induction process at the commencement of their role which includes:

1. Reviewing this Strategy with opportunity to seek clarification if required
2. Signing the Code of Conduct
3. Discussing all role and site specifics
4. Completing any required training

All ESA staff & volunteers receive compulsory training during their induction, incorporating the following:

* Application of this Strategy
* Risk Assessments (identifying, assessing, and minimising risks)
* Reporting disclosures or suspicions of harm, including reporting guidelines
* Laws pertaining to Restricted Persons
* Code of Conduct
* Indicators of abuse & Identifying sexual grooming
* First Aid and Emergency Response
* What constitutes a breach of this Strategy
* Any other relevant policies and procedures

ESA recognises the importance of having effective procedures in place for the ongoing management of their staff and Volunteers in order to provide safe and supportive environments for vulnerable people. As well as annually reviewing / signing the Code of Conduct and annually renewing training on this strategy, ESA will also provide Supervision and support, encouraging open communication and feedback from their staff and volunteers.

# Disclosures or Suspicion of Harm – Policy and Procedure

ESA is committed to promoting the protection, safety, health and wellbeing of children and young people who are at risk of harm or have experienced harm from child abuse and neglect.

* **Harm** is defined as "Any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing”. Harm can be caused by physical, psychological, or emotional abuse or neglect; or sexual abuse or exploitation (s.9 of the Child Protection Act 1999).
* A **disclosure of harm** occurs when someone, including a child, discloses harm that has happened, is happening, or is likely to happen to a child.
* A **suspicion of harm** is when someone has a reasonable suspicion that a child has suffered, is suffering, or is at an unacceptable risk of suffering, significant harm.

Mandatory Reporting - child sexual offence committed in relation to a child.

In Queensland, with proclamation of the Criminal Code (Child Sexual Offences Reform) and other legislation Amendment Act 2020, section 229BC, failure to report a child sexual offence committed in relation to a child becomes applicable to all ESA activities for children/vulnerable people in regards to reporting.

(NB: for the purpose of understanding offences under this section of the Act, a child is defined as under 16 years of age or a person with an impairment of the mind).

Under the provisions of this Act, it is an offence not to report a belief (including disclosure or suspicion) of an offence of a sexual nature committed in relation to a child. This in effect **mandates reporting of child sexual offences for all adults**, and so by default includes all staff and volunteers engaged in ESA activities for children/vulnerable people.

The Act requires the report be made to the Police as soon as reasonably practicable after the belief is (or ought reasonably to have been) formed, that the offence has been committed.

ESA adopts this type of mandatory reporting as standard practice across all states in which it’s staff and volunteers engage with or reside in (whether mandated within a jurisdictions legislation or not).

***For the avoidance of doubt, staff and volunteers interacting with children at ESA, who believe on reasonable grounds that a child sexual offence is being or has been committed against a child by another individual are to report to the Police as soon as reasonably practicable. In addition, they are to liaise with the Safe Organisation Officer for support and guidance in recording the reporting process, particularly if a breach of this Strategy has also occurred.***

Mandatory Reporting - State and territory legislation

Some of ESA’s staff and volunteers will also be considered Mandatory Reporters for other types of abuse where the child has, is or is likely to suffer harm.

The following part sets out the various mandatory requirements for all Australian jurisdictions.

|  |  |
| --- | --- |
| ACT Mandated Reporters | Abuse & neglect types that must be reported |
| Section 356 of the [Children and Young People Act 2008](http://www.legislation.act.gov.au/a/2008-19/default.asp) states that the following people are mandated reporters:* + - * a minister of religion;
			* a doctor;
			* a dentist;
			* a nurse;
			* an enrolled nurse;
			* a midwife;
			* a teacher at a school (this includes a teacher's assistant or aide if the assistant or aide is in paid employment at the school);
			* a person authorised to inspect education programs, materials or other records used for home education of a child or young person under the Education Act 2004;
			* a police officer;
			* a person employed to counsel children or young people at a school;
			* a person caring for a child at a childcare centre (this includes a childcare assistant or aide caring for a child at the childcare centre if the assistant or aide is in paid employment at the childcare centre, but does not include anyone caring for a child as an unpaid volunteer);
			* a person coordinating or monitoring home-based care for a family day care scheme proprietor;
			* a public servant who, in the course of employment as a public servant, works with, or provides services personally to, children and young people or families;
			* the public advocate;
			* the official visitor;
			* a person who, in the course of the person’s employment, has contact with or provides services to children, young people and their families and is prescribed by regulation.

<https://www.accesscanberra.act.gov.au/s/article/reporting-child-abuse-and-neglect-tab-overview> | * + - * Physical abuse
			* Sexual abuse

<https://aifs.gov.au/sites/default/files/publication-documents/2006_mandatory_reporting_of_child_abuse_and_neglect_0.pdf> |
| NSW Mandated Reporters | Abuse & neglect types that must be reported |
| Sections 23 and 27 of the Children and Young Persons (Care and Protection) Act 1998 (NSW) states that the following people are mandated reporters* + - * **Health care** — registered medical practitioners, specialists, enrolled and registered nurses, registered midwives, occupational therapists, speech pathologists, psychologists, dentists and other allied health professionals working in sole practice or in public or private health practices.
			* **Welfare** — registered psychologists, social workers, caseworkers and youth workers.
			* **Education** — teachers, counsellors, principals,
			* **Children’s services** — child care workers, family day carers and home-based carers.
			* **Residential services** — refuge workers, community housing providers.
			* **Law enforcement** — police.
			* **Disability services** – disability support workers and personal care workers.

**On 1 March 2020, mandatory reporter groups in NSW expanded to also include:*** + - * A person in religious ministry or a person providing religion based activities to children (e.g. minister of religion, priest, deacon, pastor, rabbi, Salvation Army officer, church elder, religious brother or sister)
			* Registered psychologists providing a professional service as a psychologist to adults.

<https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters/about> | * + - * Physical abuse
			* Sexual abuse
			* Emotional/psychological abuse
			* Neglect
			* Exposure to domestic violence

<https://aifs.gov.au/sites/default/files/publication-documents/2006_mandatory_reporting_of_child_abuse_and_neglect_0.pdf> |
| Northern Territory Mandated Reporters | Abuse & neglect types that must be reported |
| Today, in the Northern Territory, it is an offence under the [Care and Protection of Children Act 2007](https://legislation.nt.gov.au/api/sitecore/Act/PDF?id=11659)(NT) for ***any adult*** to fail to report their belief that a child is a victim of abuse. This reporting duty arises if someone suspects that a child is the victim of a sexual offence, has suffered harm or exploitation, or is likely to be victimised in this fashion. The punishment for failing to report is 200 penalty units.<https://www.gotocourt.com.au/criminal-law/nt/mandatory-reporting/> | * + - * Physical abuse
			* Sexual abuse or other exploitation of the child
			* Emotional/psychological abuse
			* Neglect
			* Exposure to physical violence (e.g. a child witnessing violence between parents at home)

<https://aifs.gov.au/sites/default/files/publication-documents/2006_mandatory_reporting_of_child_abuse_and_neglect_0.pdf> |
| Queensland Mandated Reporters | Abuse & neglect types that must be reported |
| From 5th July 2021, reporting **Child Sexual Abuse** to the Police is now mandated for **all Adults** in QLD (including ministers of religion)<https://www.qld.gov.au/law/crime-and-police/types-of-crime/sexual-offences-against-children/failure-to-report>For other types of abuse where the child has, is or is likely to suffer harm, mandatory reporters under the Child Protection Act 1999 are:* + - * teachers
			* doctors
			* registered nurses
			* police officers with child protection responsibilities
			* a person performing a child advocate function under the Public Guardian Act 2014
			* early childhood education and care professionals, from 1 July 2017

<https://www.dcssds.qld.gov.au/our-work/child-safety/about-child-protection/mandatory-reporting> | * + - * Physical abuse
			* Sexual abuse

<https://aifs.gov.au/sites/default/files/publication-documents/2006_mandatory_reporting_of_child_abuse_and_neglect_0.pdf> |
| South Australia Mandated Reporters | Abuse & neglect types that must be reported |
| Section 30 of the [Children and Young People (Safety) Act 2017](https://www.legislation.sa.gov.au/LZ/C/A/Children%20and%20Young%20People%20%28Safety%29%20Act%202017.aspx) establishes that the following people are mandated reporter/notifiers:* + - * prescribed health practitioners (medical practitioners, pharmacists, registered or enrolled nurses, dentists and psychologists)
			* police officers
			* community corrections officers under the [Correctional Services Act 1982](https://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Correctional%20Services%20Act%201982)
			* social workers
			* ministers of religion
			* employees of, or volunteers in, an organisation formed for religious or spiritual purposes
			* teachers employed as such in a school (within the meaning of the [Education and Early Childhood Services (Registration and Standards) Act 2011](https://www.legislation.sa.gov.au/LZ/C/A/EDUCATION%20AND%20EARLY%20CHILDHOOD%20SERVICES%20%28REGISTRATION%20AND%20STANDARDS%29%20ACT%202011.aspx)) or a pre-school or kindergarten
			* employees of, or volunteers in, an organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children or young people, being a person who:
	+ provides such services directly to children or young people, or
	+ holds a management position in the organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children or young people
		- * officer or employee of a prescribed organisation (as per section 114 of the [Children and Young People (Safety) Act 2017](https://www.legislation.sa.gov.au/LZ/C/A/Children%20and%20Young%20People%20%28Safety%29%20Act%202017.aspx)) who holds a management position in the organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of services to children and young people.

<https://www.childprotection.sa.gov.au/reporting-child-abuse/mandated-notifiers-and-their-role> | * + - * Physical abuse
			* Sexual abuse
			* Mental or emotional abuse
			* Neglect

<https://aifs.gov.au/sites/default/files/publication-documents/2006_mandatory_reporting_of_child_abuse_and_neglect_0.pdf> |
| Tasmania Mandated Reporters | Abuse & neglect types that must be reported |
| In Tasmania, mandatory reporting requirements are outlined in the **Children, Young Persons and Their Families Act 1997.**People who are legally obliged to report child abuse or neglect are sometimes called ‘mandatory reporters’ or ‘prescribed persons’. They include* + - * medical practitioners,
			* nurses,
			* dentists,
			* police officers,
			* psychologists,
			* probation officers,
			* child welfare officers,
			* school principals,
			* ministers of religion,
			* teachers,
			* kindergarten teachers,
			* people who manage child care services
			* people employed by or volunteering in government agencies or organisations funded by the Crown that provide health, welfare, education or care for children.

<https://www.decyp.tas.gov.au/children/child-safety-service/reporting-concerns/> | * + - * Sexual abuse (any)
			* Physical abuse
			* Emotional/psychological abuse
			* Neglect
			* Exposure to family violence

<https://aifs.gov.au/sites/default/files/publication-documents/2006_mandatory_reporting_of_child_abuse_and_neglect_0.pdf> |

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| Victoria Mandated Reporters | Abuse & neglect types that must be reported |
| In Victoria, under the [Children, Youth and Families Act 2005](https://www.legislation.vic.gov.au/in-force/acts/children-youth-and-families-act-2005/134), mandatory reporters are:* + - * registered medical practitioners
			* nurses
			* midwives
			* registered teachers and early childhood teachers
			* school principals
			* school counsellors
			* police officers
			* out of home care workers (excluding voluntary foster and kinship carers)
			* early childhood workers
			* youth justice workers
			* registered psychologists
			* people in religious ministry
 | * + - * Physical Injury
			* Sexual abuse

*Note that technically, under s. 162, the duty is limited to instances of physical injury and sexual abuse where ‘the child’s parents have not protected, or are unlikely to protect, the child from harm of that type’.*<https://aifs.gov.au/sites/default/files/publication-documents/2006_mandatory_reporting_of_child_abuse_and_neglect_0.pdf> |
| Western Australia Mandated Reporters | Abuse & neglect types that must be reported |
| The legislation that governs the majority of mandatory reporting in WA is the Children and [Community Services Act 2004](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_132_homepage.html). Since 1 January 2009:* + - * Doctors
			* Nurses
			* Midwives
			* Teachers
			* police officers
			* Boarding supervisors were included as mandatory reporters of child sexual abuse on 1 January 2016.

In response to the Final Report of the Royal Commission into Institutional Responses to Child Sexual Abuse (2017), WA’s mandatory reporter groups were broadened in the [Children and Community Services Amendment Act 2021](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_a147314.html) to achieve minimum national consistency and support early identification and reporting of child sexual abuse (McGurk, 2021). The added mandatory reporter groups include:* + - * ministers of religion
			* assessors who visit residential and secure care facilities
			* departmental officers of Communities
			* early childhood workers
			* out-of-home care workers
			* psychologists
			* school counsellors
			* youth justice workers.

The rollout for these new mandatory reporter groups will be staggered between 1 November 2022 and 1 May 2025 to enable the necessary training to occur beforehand.<https://www.wa.gov.au/system/files/2023-05/mandatory-reporting-guide-western-australia.pdf> | * + - * Sexual abuse

<https://aifs.gov.au/sites/default/files/publication-documents/2006_mandatory_reporting_of_child_abuse_and_neglect_0.pdf> |

Non-Mandatory Reporting (excludes child sexual offence committed in relation to a child).

Protecting vulnerable persons is everybody’s responsibility, and every person should report to relevant authorities if that person forms a reasonable suspicion that a child (including an unborn child) or vulnerable person has suffered, is suffering, or is at unacceptable risk of suffering significant harm and does not have a parent able and willing to protect them from the harm.

Any person is lawfully entitled to make a report if they are concerned for a child's or vulnerable persons welfare, even if they are not required to do so as a mandatory reporter. Anyone making a voluntary (non-mandated) report is protected with regard to confidentiality and immunity from legal liability.

Staff and volunteers working with children or vulnerable persons at ESA who receive a disclosure or have a suspicion of harm (other than child sexual offence) are to liaise directly with the Safe Organisation Officer who will guide them through and manage the reporting process.

Responding to a disclosure or suspicion of harm (other than in response to an offence of a sexual nature committed in relation to a child)

* **Remain Calm and Attentive:** When someone discloses harm, remain calm and listen attentively without judgment.
* **Privacy:** Ensure there is a private and safe place to talk, while remaining within sight of another person.
* **Encourage Open Communication:** Encourage the person to speak in their own words. Use open-ended questions to facilitate communication without suggesting answers.
* **Confidentiality:** Explain that the disclosure cannot remain a secret, as it is essential to inform someone who can provide help.
* **Reassurance:** Reassure the person that they have done the right thing by sharing their experience.
* **Notification:** Advise the child or vulnerable person that you must report the matter to someone who can help.
* **No Investigation:** Do not attempt to investigate or mediate the situation. Leave this to the appropriate authorities.
* **Addressing Additional Barriers:**
* *Identify any potential barriers to communication, such as cultural, linguistic, or disability-related factors.*
* *Ensure that communication is adapted to meet the unique needs of the individual.*
* **Reporting a Disclosure of Harm:**
* *Follow this Strategy’s procedure for reporting a disclosure of harm.*
* *The Safe Organisation Officer will assess the disclosure to determine the appropriate course of action.*

How to determine if there is significant harm?

Section 13C of the *Child Protection Act 1999* (Qld) provides guidance when forming a reasonable suspicion about whether a child has suffered significant harm, is suffering significant harm, or is at an unacceptable risk of suffering significant harm. The matters the Safe Organisation Officer will consider include:

* whether there are detrimental effects on the child’s body or psychological or emotional state:
	+ that are evident to the person, or
	+ that the person considers are likely to become evident in the future, and
* in relation to any detrimental effects to the child the reporter may consider:
	+ their nature and severity, and
	+ the likelihood that they will continue, and
	+ the persons age.

The consideration of these matters may be informed by an observation of the child or vulnerable person, other knowledge about the child or vulnerable person or any other relevant knowledge, training or experience that the person may have.

How to determine if there is a parent willing and able to protect the vulnerable person?A parent may be willing to protect a child, but not have capacity to do so and therefore they are not considered ‘able’. This may include parents suffering from a severe mental health condition or physical illness/injury.

Alternatively, a parent may have the capacity to protect a child (i.e. they may be able), but may choose not to do so (i.e. they are not willing). This may include a parent continuing a relationship with a person who is sexually abusing their child.

In some circumstances, a parent may be both not able and not willing to protect the child from harm.

In some cases, the circumstances in which the harm occurred will be so serious that it can be presumed there is no parent able or willing to protect the child.

If there is considered to be at least one parent both ‘able’ and ‘willing’ to protect the child, the child is considered to not be in ‘need of protection’.

What information which must be provided to Child Safety? (or equivalent State and Territory reporting authority)

Under section 13G(2) of the *Child Protection Act 1999* (Qld), the written report about a ‘reportable suspicion’ must contain the following details:

* the basis on which the person has formed the reportable suspicion, and
* the information prescribed by regulation, to the extent of the person’s knowledge.

*Step 3 - Consider whether referral is required to other support services, including Family and Child Connect*

Concerns for a vulnerable person that do not amount to a reasonable suspicion of harm will be considered in terms of what support services could be offered to the family. This may include contacting Family and Child Connect who can provide information and advice about connecting families with support services and the circumstances in which a referral can and should be made to one of these services.

A mandatory reporter can refer a family without their consent, but others require the consent of the family to make a referral.

The criteria for Family and Child Connect service to work with the family is:

* the referred family has a child from unborn to 18 years of age, and
* the child is not currently in need of protection, and
* without support the child, young person and family are at risk of entering or re-entering the statutory child protection system, and
* the family would benefit from access to intensive and specialist support services, and
* the family has multiple and complex needs.

The Family and Child Connect website provides useful materials, including Training resources in relation to family support services, which can assist you further.

Procedure for Recording and Reporting a Disclosure or Suspicion of Harm

The person receiving a disclosure or who have a suspicion of harm, is able to report this directly to the relevant authorities. However, staff and volunteers working with children or vulnerable persons at ESA who receive a disclosure or have a suspicion of harm are required to liaise directly with the Safe Organisation Officer who will guide them through and manage the reporting process. It is important that the person who receives a disclosure or is reporting a suspicion of harm is involved in the reporting process because:

* the integrity of the information is retained when the person receiving the disclosure is the person reporting the matter to the authorities.
* information is not accidently mishandled in the internal reporting procedures, prior to the matter being reported to the authorities, and
* where there is immediate risk of harm to a child or vulnerable person, all staff or volunteers are aware they can act immediately to protect that child and contact the authorities.

In all cases where harm is disclosed or suspected, the best interests of the child or vulnerable person will be paramount, ESA’s response will be clear and transparent to those affected.

When recording and reporting a disclosure or a suspicion of harm, the following will occur:

1. Document the disclosure/suspicion clearly and accurately, including a detailed description of:
	* the relevant dates, times, locations and who was present
	* exactly what the person disclosing said, using “I said,” “they said,” statements
	* the questions you asked
	* any comments you made, and
	* your actions following the disclosure

*\*Care must be taken to record information and evidence in the words of the child or vulnerable person to assist with the accurate presentation of the information or evidence.*

1. Follow the steps for Assessing the Disclosure of Suspicion of Harm
2. Consider restrictions in relation to privacy obligations, make sure to keep information confidential, and only include necessary people in the report handling process. The Safe Organisation Officer will ensure that information included in the report is properly stored either physically and/or electronically and that accessibility to the data is correctly managed.
3. Gain clear guidance and advice from the Police or State/Territory Reporting Authority as to:
	* who should tell the child or young person’s parents or carers about the disclosure and the action taken.
	* who can give ongoing help and trained support to the child and family.
4. If the disclosure or suspicion of harm relates to a staff or volunteer then the Safe Organisation Officer will immediately stand down that person form any involvement in ESA activities pending an investigation from the report, and also notify Blue Card Services.

Relevant State and Territory Reporting Authorities

The table below includes the contact details of the reporting authority in each Australian state and territory.

Please note that 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.

In each state and territory, all serious concerns should be reported by phone rather than online or via email. Serious concerns include when you suspect a child or young person is in imminent or immediate danger of serious harm, serious injury or chronic neglect.

|  |  |  |  |
| --- | --- | --- | --- |
| **Location** | **Reporting Authority** | **Further Services/ Info** | **Contact Details** |
| **ACT** | [Child and Youth Protection Services](http://www.communityservices.act.gov.au/ocyfs/children/child-and-youth-protection-services) (CYPS) | [Child and Youth Protection Services](https://www.communityservices.act.gov.au/children-and-families/child-and-youth-protection) are responsible for coordinating the care and protection of children and young people believed to be at risk of harm in the Australian Capital Territory.For further information on mandatory reporting of concerns of child abuse or neglect, refer to [Keeping Children and Young People Safe](https://www.communityservices.act.gov.au/ocyfs/keeping-children-and-young-people-safe) | **Phone**:       If you believe a child is in immediate danger, contact the Police on 000. For concerns related to abuse outside of a family context, contact ACT Policing on 131 444.If you suspect a child is at risk of abuse or neglect by a family member or guardian, contact Child and Youth Protection Services on 1300 556 729 (24 hours, 7 days a week) or **Online:**       [Complete an online child concern report](https://forms.act.gov.au/smartforms/servlet/SmartForm.html?formCode=1136) |
| **NSW** | [Department of Communities and Justice](https://www.facs.nsw.gov.au/families/Protecting-kids/reporting-child-at-risk) | The Department of Communities and Justice is responsible for handling reports of child abuse and neglect in New South Wales. Information about reporting child welfare concerns can be found on the department’s [Reporting a Child at Risk](https://www.facs.nsw.gov.au/families/Protecting-kids/reporting-child-at-risk) webpage. For information about mandatory reporting, refer to the [Mandatory Reporters](https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters) webpage. | **Phone:**       If you think a child or young person is at risk of harm from abuse or neglect, call the Child Protection Helpline on 13 21 11 (24 hours, 7 days a week). **Online:**       Mandatory reporters can also use [eReporting](https://reporter.childstory.nsw.gov.au/s/). |
| **NT** | Department of [Territory Families, Housing and Communities](https://tfhc.nt.gov.au/) | In the Northern Territory, every person is required to report suspected child abuse and neglect. For further information about the process of reporting concerns about a child's welfare in the Northern Territory, refer to the [Report Child Abuse](https://nt.gov.au/law/crime/report-child-abuse) webpage. | **Phone:**       In an emergency, call Police on 000. If it’s not an emergency, call Police on 131 444. Report suspected child abuse to the Child Protection Hotline on 1800 700 250 (24 hours, 7 days a week) or Crimestoppers on 1800 333 000. **Online:**       Members of the public & professionals can submit a [report](https://careservices.nt.gov.au/web/portal/pages/concern#assess) online. |
| **QLD** | [Department of Child Safety, Seniors and Disability Services](https://www.cyjma.qld.gov.au/) | Child Safety Services is the lead child protection agency in Queensland. For information about the process of reporting concerns about a child's welfare in Queensland, refer to the [Protecting Children](https://www.dcssds.qld.gov.au/our-work/child-safety/protecting-children) webpage. For more information about mandatory reporting, refer to the [Mandatory Reporting in Queensland](https://www.dcssds.qld.gov.au/our-work/child-safety/about-child-protection/mandatory-reporting) webpage. | **Phone:**       If you believe a child is in immediate danger or a life-threatening situation call 000. If you suspect a child is experiencing harm, or is at risk of experiencing harm, or being neglected, contact your local [Regional Intake Services](https://www.csyw.qld.gov.au/contact-us/department-contacts/child-family-contacts/child-safety-service-centres/regional-intake-services) (during business hours) or call the Child Safety Services’ Enquires Unit: 1800 811 810. For after hours and weekends, contact the Child Safety After Hours Service Centre on 1800 177 135 (24 hours, 7 days a week).**Online:**       Professionals working in government and non-government agencies can also use this [form](https://secure.communities.qld.gov.au/cbir/ChildSafety). |
| **SA** | [Department for Child Protection](https://www.childprotection.sa.gov.au/reporting-child-abuse) | The Department for Child Protection works to keep South Australia's children safe by protecting them from abuse and neglect. For information about the process of reporting concerns about a child's welfare in South Australia as a member of the public, refer to the [Reporting child abuse](https://www.childprotection.sa.gov.au/reporting-child-abuse) webpage. For more information about mandatory reporting, refer to [Mandated Notifiers and Their Role](https://www.childprotection.sa.gov.au/reporting-child-abuse/mandated-notifiers-and-their-role) and [Preparing to Report Child Abuse](https://www.childprotection.sa.gov.au/reporting-child-abuse/preparing-report-child-abuse). | **Phone:**       In an emergency, call 000. If you have a reasonable suspicion that the child or young person is, or may be, at risk of harm, call the Child Abuse Report Line 13 14 78 (24 hours, 7 days a week).**Online:**       For mandatory reporters, less serious concerns can be [reported online](https://my.families.sa.gov.au/IDMProv/landing.html). |
| **TAS** | [Department for Education, Children and Young People](https://www.decyp.tas.gov.au/) | The Child Safety Service in the Department of Education, Children and Young People works to protect children and young people who are at risk of abuse and neglect in Tasmania. For information about the process of reporting concerns about a child's welfare in Tasmania, refer to the department’s [Child Safety Service](https://www.decyp.tas.gov.au/children/child-safety-service/) webpage. For information about mandatory reporting and making a notification refer to the [Reporting Concerns](https://www.decyp.tas.gov.au/children/child-safety-service/reporting-concerns/)webpage. | **Phone:**       If a child is at immediate risk, call 000. If you have concerns for the safety or welfare of a child, call the Child Safety Service on       1800 000 123 (24 hours).It is preferred that all contacts are made by phone; however, an online [contact form](https://childwellbeingcontactform.decyp.tas.gov.au/ContactForm/YourDetails.aspx?CFCSK=ecf95bdb-c9f1-4266-ab94-7ec80b77c9f8) is available. |
| **VIC** | [Department of Families, Fairness and Housing](https://services.dffh.vic.gov.au/) | The Child Protection Service is specifically targeted to help children and young people at risk of significant harm in Victoria. For information about child protection and mandatory reporting requirements in Victoria, refer to the department’s [Child Protection](https://services.dhhs.vic.gov.au/child-protection) webpage. For information about mandatory reporting, refer to the department’s [Mandatory Reporting](https://providers.dffh.vic.gov.au/mandatory-reporting) webpage. | **Phone:**        For life threatening concerns, call 000.        If you have concerns that a child is at risk of significant harm as a result of abuse or neglect, contact the [service](https://services.dffh.vic.gov.au/child-protection-contacts) that covers the area where the child lives. Their business hours are 8:45 am – 5:00 pm (Mon–Fri): North Division Intake – 1300 664 977 South Division Intake – 1300 655 795 East Division Intake – 1300 360 391 West Division Intake – rural and regional only – 1800 075 599 West Division Intake – metropolitan only – 1300 664 977.        For after hours assistance contact: After Hours Child Protection Emergency Service 13 12 78 (5:00 pm – 9:00 am Mon–Fri, 24 hours on weekends and public holidays).If you have a significant concern for the wellbeing of a child but do not believe they are at risk of significant harm and the immediate safety of the child will not be compromised, contact [The Orange Door](https://services.dffh.vic.gov.au/referral-and-support-teams) |
| **WA** | [Department of Communities](https://www.wa.gov.au/organisation/department-of-communities) | The Department of Communities offers a range of services to support children and families in Western Australia. For further information about the process of reporting concerns about a child's welfare, refer to the department’s [Child Protection](https://www.wa.gov.au/organisation/department-of-communities/child-protection) webpage. For information about mandatory reporting in Western Australia refer to the department's [mandatory reporting information](https://www.wa.gov.au/service/community-services/community-support/mandatory-reporting-of-child-sexual-abuse-wa) webpage. | **Phone:**       For life-threatening concerns, call 000. If you are concerned about a child’s wellbeing, contact the Central Intake Team1800 273 889 After hours Crisis Care 1800 199 008, text on 0477 131 114 **Online:**       Professionals can report a concern about a child using [this form](https://forms.digital.wa.gov.au/223101831590850). Mandatory reporters with less serious concerns can use the department's secure [Mandatory Reporting Web System](https://mandatoryreportingweb.communities.wa.gov.au/). |

Reviewing Reporting Procedure

ESA will undertake a review of the procedures following a disclosure or suspicion of harm being actioned to:

* consider the application of the procedure and whether there are any changes necessary, for example, whether they are suitable for:
	+ responding to a child or young person or vulnerable person when a disclosure is made
	+ protecting children, young people vulnerable persons from harm, and
	+ assisting involved parties within ESA
* identify any additional training requirements.

The review must not interfere with court processes, and it may be a necessary to seek legal advice in this instance. During the review, ESA will record what worked well and what may need to be improved upon. If new procedures and/or are required, information regarding the changes will be provided to all stakeholders.

# Managing Breaches of the Child and Youth Risk Management Strategy

Eczema Support Australia is committed to maintaining a safe and secure environment for all individuals, especially children and youth. Breaches of our Child and Youth Risk Management Strategy are taken seriously, and we adhere to a structured process for addressing such breaches. This process aligns with our commitment to compliance and risk management.

Definition of Breach:

A breach is defined as "a result of an act or failing to do an act by an individual within the scope, that fails to comply (non-compliance) with any part of the Strategy." Breaches of the Child and Youth Risk Management Strategy are managed in accordance with Eczema Support Australia's [Breach of Child and Youth Risk Management Strategy Policy.](https://www.dropbox.com/scl/fi/gr7mz7fwj34hgkxczsk3o/Breach-of-Child-and-Youth-Risk-Management-Strategy.pdf?rlkey=036n49waidxcki8guu6xsr9ub&dl=0)

Examples of a Breach:

A breach of the Child and Youth Risk Management Strategy may include but is not limited to:

1. Failure to meet expectations defined in Eczema Support Australia's Code of Conduct for Interacting with Children.
2. Failure to report suspicion of harm and/or concern for a child's welfare in accordance with legislated reporting requirements.
3. Failure to undertake required recruitment and selection due diligence that results in the appointment of a new staff member who does not hold a valid Blue Card (or other state or territory Children Check).
4. Failure of staff to advise Eczema Support Australia of any change to their criminal history status which disqualifies the staff member from holding a valid Blue Card (or other state or territory Children Check).
5. Failure to attend Annual Safe Organisation Training

Breach Procedure:

If an actual or potential breach of the Child and Youth Risk Management Strategy is identified and does NOT relate to a disclosure or suspicion of harm, the [Breach Concern Form](https://www.dropbox.com/scl/fi/w5pp4axnkvjd3r1t3su1s/ESA-Breach-Concern-Form.pdf?rlkey=06245dq46orsvfwtxc71s30pa&dl=0) must be completed to Inform the Safe Organisation Officer.

All breaches will be thoroughly investigated by the Safe Organisation Officer, and appropriate corrective actions will be implemented. These actions will be proportionate to the nature and severity of the breach and may include disciplinary measures, up to and including termination of employment. Records of reported breaches will be maintained by the Safe Organisation Officer in the Breach Register.

The above procedure outlines our approach to addressing compliance breaches consistently and in a risk-based manner. All breaches, whether actual or potential, must be managed in strict accordance with this procedure.

# Managing Compliance with State/Territory Working with Children Check

ESA provides support nationally and therefor has certain mandated requirements under relevant state and territory authorities across Australia. The following table outlines each state, whether ESA is regulated, the relevant legislation, name of Working with Children Check / Government Screening Unit and the worker/employer obligations:

|  |
| --- |
| **Australian Capital Territory** |
| **Is ESA a regulated Organisation****YES** | **ESA Facilitators may be considered to be providing a regulated activity under “Counselling and Support Services for Children”** * + - * Registered Health Professionals are exempt from requiring a WWVP check provided their engagement is within their professional capacity as per their AHPRA registration (s.12 (2)(i) of the WWVP Act).
			* Other state/territory equivalent checks (i.e blue card) is recognised for a maximum of **28 days in a year**.
			* If facilitator is based in Canberra then they WILL require a WWVP Check
			* Board Members Require check if making decisions that affect vulnerable persons
 |
| **Legislation** | [*Working with Vulnerable People (Background Checking) Act 2011*](http://www.legislation.act.gov.au/a/2011-44/default.asp)[*Working with Vulnerable People (Background Checking) Regulation 2012*](http://www.legislation.act.gov.au/sl/2012-4/default.asp)[*Working with Vulnerable People (Background Checking) Risk Assessment Guidelines 2018 (No1)*](https://www.legislation.act.gov.au/di/2018-223) |
| **Name of Check & Government Screening Unit** | Working With Vulnerable People (WWVP) check[Background Screening Unit, Access Canberra](https://www.accesscanberra.act.gov.au/s/article/working-with-vulnerable-people-wwvp-registration-tab-overview%22%20%5Ct%20%22_blank)GPO Box 158, Canberra ACT 2601**P:** 13 22 81 **|** **E:** WWVP@act.gov.au **|** [Contact us form](https://www.accesscanberra.act.gov.au/s/feedback-and-complaints) |
| **Worker and employer obligations** | * + - * There is no organisation registration. Individuals are responsible for the WWVP check process and will be required to have a background check and undergo a risk assessment in order to be registered under the Working with Vulnerable People Scheme (the Scheme).
			* Employers are required to comply with WWVP requirements by identifying roles within the organisation that may need WWVP registration and ensuring all employees or volunteers have valid registrations.
			* Evidence of WWVP registration including any restrictions is required.

Organisations should keep a record of registration details for each worker and set reminders for registration expiry to ensure workers do not continue to work without a valid WWVP registration**Valid For:** 5 years |
| **New South Wales** |
| **Is ESA a regulated Organisation****NO** | For the WWCC to be applicable the work must be **face to face in NSW**, or if online then provided from within NSW to a NSW child. In the latter case a WWCC would only be required for the workers performing the online work and that work was providing ongoing counselling, mentoring or distance education for children. REGULATION states "as part of a formal mentoring program". ESA does not function as a formal mentoring program where we are connecting/matching a volunteer with a child for mentoring purposes |
| **Legislation** | * + - * [Child Protection (Working with Children) Act 2012 No 51](https://legislation.nsw.gov.au/view/html/inforce/current/act-2012-051#sec.6)
			* [Child Protection (Working with Children) Regulation 2013](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2013-0156)
 |
| **Name of Check & Government Screening Unit** | Working with Children Check (WWCC)[NSW Office of the Children's Guardian](https://www.service.nsw.gov.au/transaction/apply-for-a-working-with-children-check)Locked Bag 5100, Strawberry Hills NSW 2012**P:** (02) 8219 3777 **|** **E:** Compliance@ocg.nsw.gov.au **|** [Contact Us Form](https://ocg.nsw.gov.au/contact-us) |
| **Northern Territory** |
| **Is ESA a regulated Organisation****POSSIBLY** | **ESA Facilitators may be considered to be providing a regulated activity under “Counselling OR OTHER SUPPORT SERVICES for children” However this is not defined under the act** * + - * Exemption (c) the individual: (i) is not a resident of the Territory; and (ii) is engaged as a voluntary worker to perform childrelated work; and (iii) is so engaged for a total period that does not exceed the limit prescribed by regulation (maximum of **14 days** in a year).
			* No exemption for Health Professionals
			* Board Members Require check also
 |
| **Legislation** | * + - * [Care and Protection of Children Act 2007 (NT)](https://legislation.nt.gov.au/en/Legislation/CARE-AND-PROTECTION-OF-CHILDREN-ACT-2007)
			* [CARE AND PROTECTION OF CHILDREN (SCREENING) REGULATIONS 2010](https://legislation.nt.gov.au/en/Legislation/CARE-AND-PROTECTION-OF-CHILDREN-SCREENING-REGULATIONS-2010)
 |
| **Name of Check & Government Screening Unit** | Working with Children Clearance / Ochre Card[Screening Assessment for Employment – Northern Territory (SAFE NT)](https://nt.gov.au/emergency/community-safety/apply-for-a-working-with-children-clearance)**Working with Children Check, Northern Territory Government** **P:** 1800 72 33 68   **|** **E:**safent.police@pfes.nt.gov.au |
| **Worker and employer obligations** | * + - * No Organisation Requirement. Individuals responsible for own application/clearance.
			* Employers are responsible for making sure their relevant employees or volunteers have a valid WWCC and for maintaining records that show compliance with the WWCC scheme.

**Valid For:** 2 years |
| **Queensland** |
| **Is ESA a regulated Organisation****YES** | **ESA is a regulated organisation (Board Members regulated) and the Facilitators are providing a regulated activity under “Counselling and Support Services for Children”** * + - * (d) a support service to a child— (i) if the employee is physically present with the child while no-one else is present; or (ii) if the employee is not physically present with the child. (6)(3) support service means a service that provides emotional support, mentoring or pastoral care, but does not include a legal advice or legal advocacy service.
			* Registered Health Professionals are exempt from requiring a WWVP check provided their engagement is within their professional capacity as per their AHPRA registration (Part 3, 28 Registered Health Professionals).
			* Board Members Require check also
 |
| **Legislation** | * + - * [Child Protection Act 1999 (QLD)](https://www.legislation.qld.gov.au/view/html/inforce/current/act-1999-010)
			* [Working with Children (Risk Management and Screening) Act 2000 (QLD)](https://www.legislation.qld.gov.au/view/whole/html/inforce/current/act-2000-060)
			* [Working with Children (Risk Management and Screening) Regulation 2020 (QLD)](https://www.legislation.qld.gov.au/view/html/inforce/current/sl-2020-0131#sch.1)
 |
| **Name of Check & Government Screening Unit** | Blue Card Check / Working with Children Check[Blue Card Services](https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card-services)Level 20, 53 Albert Street, BRISBANE  QLD  4000PO Box 12671, George Street, BRISBANE  QLD  4003**P:** 1800 113 611 **|** **E:** info@bluecard.qld.gov.au **|** [Contact Us Form](https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/contacting/contact) |
| **Worker and employer obligations** | * + - * Individuals must report any changes to police information. Work cannot be initiated prior to the Blue Card being issued and if the card expires, work cannot continue until the card is renewed.
			* Employers must link Blue Card holders to their organisation upon hiring, and update employee information when they leave the organisation.
			* Employers and businesses providing child-related services must have a child and youth risk management strategy in place (Chapter 8, Part 3, Working with Children (Risk Management and Screening) Act 2000 (Qld)).

**See “Queensland - Blue Card Services Compliance”** below for more details**Valid For:** 3 years |
| **South Australia** |
| **Is ESA a regulated Organisation****NO** | 6—Meaning of child-related work and work with children (1) For the purposes of this Act, the following services or activities are child-related work: (a) accommodation and residential services for children; (b) services or activities provided by religious organisations; (c) childcare or child-minding services; (d) child protection services; (e) services or activities provided in the course of the operation of clubs and associations with a significant membership of, or involvement by, children; (f) coaching or tuition services for children; (g) commercial services provided directly to children; (h) disability services for children; (i) education services for children; (j) health services for children; *(Defined as* ***Allied Health*** *in Regulations)*(k) justice and detention services for children; (l) transport services for children; (m) any other service or activity declared by the regulations to be child-related work, ***(The regulations do not refer to any type of work (such as a support service) that would be applicable to ESA)*** |
| **Legislation** | * + - * [Child Safety (Prohibited Persons) Act 2016 (SA)](https://www.legislation.sa.gov.au/lz?path=%2FC%2FA%2FCHILD%20SAFETY%20(PROHIBITED%20PERSONS)%20ACT%202016)
			* [Children’s Protection Law Reform (Transitional Arrangements and Related Amendments) Act 2017 (SA)](https://www.legislation.sa.gov.au/lz?path=%2FC%2FA%2FCHILDRENS%20PROTECTION%20LAW%20REFORM%20(TRANSITIONAL%20ARRANGEMENTS%20AND%20RELATED%20AMENDMENTS)%20ACT%202017)
			* [Child Safety (Prohibited Persons) Regulations 2019 (SA)](https://www.legislation.sa.gov.au/lz?path=%2FC%2FR%2FChild%20Safety%20(Prohibited%20Persons)%20Regulations%202019)
 |
| **Name of Check & Government Screening Unit** | DCSI Screening / Working with Children Check[DCSI Screening Unit (Department for Communities and Social Inclusion)](https://screening.sa.gov.au/types-of-check/new-working-with-children-checks) |
| **Tasmania** |
| **Is ESA a regulated Organisation****No** | **According to** [**cbos.tas.gov.au**](https://www.cbos.tas.gov.au/topics/licensing-and-registration/work-with-vulnerable-people/do-i-need-to-register) **the only option ESA may come close to is Child Mentoring Service however it states:** “Registration is required where an emotional support, mentoring or pastoral care service is conducted specifically for, or provided only or mainly to children.”* + - * Exempt if you hold a current interstate registration in a similar regulated activity and are not a resident of Tasmania
			* No exemption for Health Professionals
 |
| **Legislation** | * + - * [Registration to Work with Vulnerable People Act 2013](https://www.legislation.tas.gov.au/view/whole/html/inforce/current/act-2013-065)
 |
| **Name of Check & Government Screening Unit** | Registration to Work with Vulnerable People (RWVP) / Working with Children Registration[Department of Justice](https://www.cbos.tas.gov.au/topics/licensing-and-registration/registrations/work-with-vulnerable-people) |
| **Victoria** |
| **Is ESA a regulated Organisation****POSSIBLY** | **They will not confirm and say seek legal advice****ESA Facilitators may be considered to be providing a regulated activity under “Counselling OR OTHER SUPPORT SERVICES for children” However this is not defined under the act** * + - * No exemption for Health Professionals
			* 116 Visiting workers (1) A person who is not ordinarily resident in Victoria is exempt from a WWC check in respect of child-related work in which the person engages in Victoria if— (a) the period during which the person engages in that work is not more than **30 days**; and (b) the person does not engage in any other child-related work in Victoria within the same calendar year. (2) A person who is not ordinarily resident in Victoria is exempt from a WWC check in respect of child-related work in which the person engages in Victoria if— (a) the person holds the **equivalent of a WWC clearance given under a corresponding working with children law from the jurisdiction in which the person is ordinarily resident;** and (b) the person engages in not more than 30 days of child-related work in Victoria within the same calendar year.
			* NO Board Member Requirement
 |
| **Legislation** | * + - * [Working with Children (Screening) ACT](https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2000-060) [2004](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_a9277.html)
 |
| **Name of Check & Government Screening Unit** | Working with Children Check [Department of Justice and Regulation, Working with Children Check Unit](https://www.workingwithchildren.vic.gov.au/)GPO Box 1915, Melbourne VIC 3001**P:** 1300 652 879  **|** **E:** workingwithchildren@justice.vic.gov.au **|** [Contact Us Form](https://www.vic.gov.au/online-enquiry) |
| **Worker and employer obligations** | * + - * No Organisation Requirement. Individuals responsible for own application/clearance.
			* It is an offence under the act for a holder of a WWC exclusion to apply for child-related work and to engage in child-related work without a WWC Check.
			* It is an offence under the Act for a person to engage another person in child-related work if that person does not have a valid WWC Clearance Check.
			* Organisations should check the status of the employee or volunteer’s application online and know when they are due to expire.

**Valid For:** 5 years |
| **WA** |
| **Is ESA a regulated Organisation****YES** | * + - * Section 6: (ix) a community child health service; or (x) a counselling or other support service; Work is child-related if the 'usual duties' of the work involve or are **likely to involve 'contact' with a child** in connection with at least one of the categories of 'child-related work' unless an exemption applies.
			* Includes Physical, Verbal & Electronic Communication with a child residing in WA
			* NO Exemption for Health Professionals
			* NO Board Member Requirement
 |
| **Legislation** | * + - * [Working With Children (Criminal Record Checking) Act 2004 (WA)](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_a9277.html)
			* [Working with Children (Screening) Act 2004](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_1095_homepage.html)
 |
| **Name of Check & Government Screening Unit** | Working With Children Check[WWC Screening Unit (Department for Child Protection and Family Support)](https://workingwithchildren.wa.gov.au/)PO Box 8553, Perth BC, WA 6849**P:** 1800 883 979 **|** **E:** checkquery@communities.wa.gov.au |
| **Worker and employer obligations** | **Worker responsibilities include but are not limited to (abbreviated):*** + - * Individuals are responsible for lodging their own application with parts of the application form to be completed by the employer/organisation (unless self-employed).
	+ Applications can be lodged at your local Australia Post ($11 for a volunteer card)
		- * Only engage in child-related work if you hold a current WWCC or have applied for one;
			* Do not engage in child-related work if you are convicted of a Class 1\* offence committed when an adult;
			* Do not engage in child-related work if you are issued with an Interim Negative Notice or Negative Notice;
			* Notify the screening unit and employer/organisation of relevant changes.

**Employer/organisation responsibilities include but are not limited to (abbreviated):*** + - * No Organisation Set Up/Account Required
			* ensure all employees, volunteers, students and self-employed people who engage in child-related work hold, or have applied for, a WWCC - keeping records to demonstrate compliance;
			* do not engage a person in child-related work if you know that they have been convicted of a Class 1\* offence committed when an adult;
			* do not engage a person in child-related work if they have been issued with an Interim Negative Notice, Negative Notice or if they have withdrawn their application for a WWCC.

\*A list of Class 1 offences can be found on the WWC Check WA website.**Valid For:** 3 years |

Queensland – Blue Card Services Compliance

|  |
| --- |
| Restricted Persons & Restricted Employment |
| ESA bears the responsibility of ensuring that all personnel and volunteers engaged in interactions with vulnerable individuals, including those in restricted employment, do not fall under the category of Restricted Persons. ESA must ensure that any new entrant to a role of restricted employment is not a Restricted Person before commencing their duties involving children within the organisation.Some Restricted Employment scenarios that may be applicable within ESA’s context:* + - * a volunteer parent
			* a volunteer who is under 18
			* paid or unpaid staff who work in regulated child-related employment for not more than 7 days in a calendar year

Consequently, any Staff or Volunteer (as per the definition and scope of this Strategy) engaged in these capacities will be required to complete the Code of Conduct.To meet obligations concerning Restricted Individuals and Limited Employment, the completion of the Code of Conduct will be executed:* + - * During the application process for individuals seeking roles at ESA, including parents who wish to volunteer as their child participates.
			* Annually thereafter as part of the yearly induction process.

Should ESA become aware at any point that an individual qualifies as a Restricted Person, immediate suspension will occur, and the individual will be prohibited from continuing their work. ESA will collaborate with Blue Card Services and the QB Safe Church Officer for any subsequent steps or the initiation of a Response to a Person of Concern process.Similarly, if ESA becomes aware of a breach pertaining to the laws concerning Restricted Persons and Restricted Employment, the Safe Organisation Officer will report the breach to Blue Card Services and the Queensland Police Service.  |
| Individuals Requiring a Blue Card |
| All ESA Board Members must maintain a valid Blue Card and all volunteer Group Facilitators who reside within Queensland and are not health professionals must maintain a valid Blue Card. |
| Disqualified Individuals and Disqualifying Offenses |
| The blue card system disqualifies certain individuals from obtaining or applying for a blue card. This includes:* + - * Individuals convicted of disqualifying offenses.
			* Current negative notice holders.
			* Individuals convicted of serious offenses, as blue cards can only be held under exceptional circumstances.
 |
| No Card No Start |
| The principle of "No Card, No Start" stipulates that all staff and volunteers must hold a blue card (paid employees can no longer start pending an application) before they are allowed to work with vulnerable individuals. |
| Designated Contact Person/s |
| The Safe Organisation Officer is designated as the Contact Person responsible for overseeing blue cards and exemption cards for ESA. This is the person who will have access to the Blue Card Organisational Portal, who Blue Card Services will send all notifications to and the only person who Blue Card Services can discuss a person’s Blue Card status with unless additional authorisation is provided(additional Admins can be added within the Organisational Portal). |
| Managing Blue Card Applications |
| To meet ESA's obligations, the Safe Organisation Officer must utilise the online Organization Portal to manage blue card records. |
| Linking Blue Cards |
| The Contact Person must ensure that a Blue Card is assigned to the card holder and linked to ESA before engaging them in any work. This procedure ensures ESA remains informed about the card holder's status.When a new applicant is progressed and designated to work with vulnerable individuals, the Contact Person must validate the card holder's identity. This involves confirming identification before linking the card holder to ESA. Blue Cards can be linked through the submission of a link form or via the Organization Portal. Validation of Blue Cards can also be completed online.Upon an individual's departure from ESA, the Contact Person will inform Blue Card Services by completing a De-link a Person form or using the Organization Portal. |
| Renewals |
| As long as an individual submits a renewal application before their current card expires, they can continue to work - even if their new Blue Card has not been issued by the time their previous card expires.The Contact Person will use the Organization Portal to verify whether a card holder has applied to renew their card |
| Frequency Test |
| An individual does not require a blue card if their work does not exceed 7 days in a calendar year. If it surpasses 7 days, a blue card becomes necessary. In this context, a 'day' includes both a full day and part of a day (e.g., 2 hours of work on 1 day is considered a day). The 'calendar year' covers the period from January 1 to December 31.The new frequency test exclusively applies to volunteers, paid employees, and students undertaking practical placements for their courses. It does not apply to an individual who is:* + - * A restricted person.
			* A business operator.
 |
| Exemption Cards |
| Police officers with the Queensland Police Service and teachers registered with the Queensland College of Teachers apply for exemption cards, not blue cards. From August 31, 2020, exemption cards include expiry dates and are valid for three years.Exemption cards expire if not renewed. Exemption card applicants can commence work as soon as they apply online or submit their application. The principle of No Card, No Start does not apply in this context. Applicants must also be linked to ESA. |
| Police Information |
| Blue Card Services will notify the Contact Person of any alterations in an individual's police information as needed. ESA is no longer obliged to notify Blue Card Services of changes in police information that the organization becomes aware of. |
| Managing High-Risk Individuals |
| The Safe Organisation Officer will immediately suspend any staff or volunteer from duties if:* + - * They receive a negative notice or are known disqualified individuals.
			* Their blue card or exemption card is cancelled or suspended.
			* Their blue card application is withdrawn.
			* They receive a notification regarding a significant change in criminal history.
 |
| Blue Card Register |
| The Safe Organisation Officer for ESA must maintain an electronic register of all staff and volunteers engaged in working with vulnerable individuals. This register must be accessible if requested by Blue Card Services.The **Blue Card Register** will contain up-to-date information on:* + - * Whether the person requires a blue/exemption card and, if not, the reasons (e.g., exemptions under the Act).
			* The type of application/blue card (e.g., paid or volunteer) or exemption card.
			* Application date and/or the date of the positive notice and issuance of the blue/exemption card.
			* Blue card/exemption card number and expiry date of the blue card.
			* Renewal date.

The **Safe Organisation Officer** will ensure that appropriate and confidential records in relation to the following are maintained: * + - * whether a negative notice has been issued
			* any change in status to a blue/exemption card or exemption card (such as a change in police information, or the cancellation or suspension of a blue/exemption card)
			* where there is a change in police information
			* where an employee leaves ESA and the date Blue Card Services were informed, and
			* any change to a staff or volunteer’s personal information, including the date Blue Card Services were informed (NB it is an offence for any staff or volunteer to fail to notify Blue Card Services on the appropriate form of any change in personal details within 14 days).
 |

Strategy Annual Review Form

This Strategy ensures that Eczema Support Australia (ESA) adheres to the stipulations of the **Blue Card System** **(QLD),** and stands as a testament to our dedication to fostering a secure and supportive environment for vulnerable individuals. ESA remains resolute in maintaining the compliance, currency, and efficacy of this strategy, which plays a crucial role in identifying and mitigating potential risks to the welfare of vulnerable individuals. To this end, an annual assessment will be carried out by the Safe Organisation Officer in collaboration with relevant stakeholders.

This evaluation will take into account the following factors:

1. Adherence to established processes and procedures.
2. Incidents related to risk management concerning vulnerable individuals.
3. The methodologies employed to manage any incidents.
4. The efficiency of processes and procedures in averting or minimising harm to vulnerable individuals.
5. The extent and frequency of training in alignment with the Strategy.

The outcomes of these assessments pertaining to the Strategy will be recorded by the Safe Organisation Officer using the [Strategy Annual Review Form](https://tinyurl.com/ESA-StrategyAnnualReview).

# Risk Management Plans

The Board are responsible for overseeing the risk management process and ensuring its integration into all aspects of our organisations activities. ESA will foster a risk-aware culture within the organisation, encouraging open communication, reporting of concerns, and a commitment to continuous improvement in managing risks associated with interactions involving children and vulnerable individuals.

ESA acknowledges that for harm to befall a vulnerable individual, certain conditions must exist that create the potential for harm. To mitigate these conditions, proactive planning is essential. This planning involves identifying potential risks and implementing strategies aimed at minimizing the likelihood of harm occurring during an ESA activity.

Derived from Standards Australia's AS/NZS ISO 31000:2018 Risk Management – Principles, Framework and Process, ESA employs a six-phase procedure to formulate an effective plan for high-risk events and activities:

1. Define the Activity
2. Risk Identification
3. Risk Analysis
4. Risk Evaluation
5. Risk Mitigation
6. Review and Update

ESA has created a [Risk Assessment Template](https://www.dropbox.com/scl/fi/8nam3vpv6jtr5wyeev31d/ESA-Risk-Assessment-EVENT-TEMPLATE.xlsx?rlkey=mau40l3dhv7wv1ukleoxg9t1o&dl=0) that is to be used for all ESA high risk events and activities. ESA’s Safe Organisation Officer is responsible for coordinating risk management efforts and will lead in the determination of whether an activity or event is deemed high risk and can proceed or not.

ESA has implemented the above 6 step process to the organisations **general activities**, incorporating the following Risk Assessments:

* In Person Support Group Meetings
* Online Support Group Meeting
* Support Phone Line
* Social Gatherings

The Board and Safe Organisation Officer will continuously monitor the effectiveness of risk mitigation measures and make adjustments as needed to address emerging risks or changing circumstances.

All Incidents (Injury, Notable & Security) are to be submitted to the Safe Organisation Officer using the [Incident Form](https://www.dropbox.com/scl/fi/9apo6wbt3r23a4qdjs48v/ESA-Incident-Report-Form.pdf?rlkey=mzccugo4qytelchrvtsnd315n&dl=0) as per ESA’s Reporting Policy. If the cause of the incident was due to a Breach, this will be investigated as per the [Breach of the Child and Youth Risk Management Strategy Policy](https://www.dropbox.com/scl/fi/gr7mz7fwj34hgkxczsk3o/Breach-of-Child-and-Youth-Risk-Management-Strategy.pdf?rlkey=036n49waidxcki8guu6xsr9ub&dl=0).

# Strategies for Communication & Support

ESA acknowledges the importance of effectively communicating our Child and Youth Risk Management Strategy within our organisation, in order to build a culture which recognises and values the importance of upholding safeguards for children. When all stakeholders are well-informed and actively engaged, they are more likely to endorse, uphold, and implement the Strategy, ultimately strengthening a culture of safety.

Communication Responsibilities

ESA's Leadership and Safe Organisation Officer will:

* Ensure all stakeholders understand their roles and responsibilities and have a clear understanding of acceptable behaviour when interacting with children and youth.
* Create an environment where individuals feel comfortable raising concerns.
* Place emphasis on ESA's commitment to safeguarding the safety and well-being of children and youth within our organisation.
* Direct efforts at minimising the likelihood of policy breaches.

Communication Methods

To achieve these goals, ESA will employ various communication methods, including:

* **Compulsory Induction:** ESA mandates a comprehensive induction program that covers:
	+ ESA's Child and Youth Risk Management Strategy and our mission to prevent and report harm, abuse, and neglect.
	+ All applicable Policies
	+ Specifics to their Group Facilitation type, including their Risk Assessment and Fire Safety
* **Online Accessibility:** To enhance transparency, the Child and Youth Risk Management Strategy and policies are readily accessible on the ESA website. We encourage stakeholders to provide feedback to further fortify ESA's commitment to safeguarding children.
* **Annual Training:** ESA conducts Annual training sessions for staff that review this Strategy, Code of Conduct and Policies, paying particular attention to the effective management of disclosures or suspicions of harm.
* **Annual Reviews of this strategy**

Support

ESA recognises that staff may encounter challenges encompassing behaviour management, stress, conflict resolution, instances of bullying, child protection concerns, breaches of the risk management strategy, and managing disclosures or suspicions of harm. The provision of adequate support is paramount to maintaining ESA's ability to provide a secure and nurturing environment for children and young people. ESA offers unwavering support through:

* The ongoing training and development of the ESA Team and guidance on Risk Management
* Open communication channels to the Safe Organisation Officer and ESA Leadership
* Access to and collaboration with external support and counselling services and resources to adequately support the ESA Community.
* Implementation of mentoring programs to provide guidance and support.
* Facilitation of mediation or alternative conflict resolution techniques when necessary.

ESA is committed to fostering a safe and supportive environment for all vulnerable people involved in our community. We will continuously assess and adapt our communication and support mechanisms to ensure the best possible outcomes for everyone involved.

# ESA Child & Youth Risk Management Strategy Feedback

At Eczema Support Australia, we are dedicated to maintaining the highest standards of safety and care for our community. We acknowledge the significance of gathering input from all members of our community to ensure that our policies align with our commitment to a safe and supportive environment.

If you have any suggestions, feedback, or concerns about the content of our Child and Youth Risk Management Strategy or one of our policies, we invite you to share your insights. Your input is invaluable to us, and we are eager to hear from you.

**How to Share Your Feedback:**

* [Feedback Form](https://www.dropbox.com/scl/fi/97np5kpcvlqf2h7h8embx/ESA-Strategy-Feedback-Form.pdf?rlkey=f25vn5d42vexhcy5xucinxzuv&dl=0): You can easily provide your suggestions or concerns by completing our Feedback Form and emailing it to contact@eczemasupport.org.au

We appreciate your active participation in helping us maintain a safe, secure, and caring environment for all members of Eczema Support Australia. Your feedback is an essential part of our ongoing commitment to improvement.

# Additional Policy Links

1. Breach of Child and Youth Risk Management Strategy:

<https://tinyurl.com/ESA-BreachStrategyPolicy>

1. Bullying, Cyberbullying, Discrimination and Sexual Harassment Policy:

<https://tinyurl.com/ESA-BulCybDisSHarPolicy>

1. Complaints Handling Policy:

<https://tinyurl.com/ESA-ComplaintsPolicy>

1. Confidentiality Policy:

<https://tinyurl.com/ESA-ConfidentialityPolicy>

1. Electronic Communication Policy:

<https://tinyurl.com/ESA-ElecComPol>

1. Photography and Videography Policy:

<https://tinyurl.com/ESA-PhotoVideoPolicy>

1. Privacy Policy:

<https://tinyurl.com/ESA-PrivacyPolicy>

1. Recruitment and Selection Policy:

<https://tinyurl.com/ESA-RecruitSelectPolicy>

1. Reporting Policy:

<https://tinyurl.com/ESA-ReportingPolicy>

1. Whistleblower Policy:

<https://tinyurl.com/ESA-WhistleblowerPolicy>

1. Workplace Health and Safety Policy:

<https://tinyurl.com/ESA-WHS-Policy>

Form Links

1. Code of Conduct/Confidentiality Agreement

<https://tinyurl.com/ESA-COC-Conf-Form>

1. Incident Report

<https://tinyurl.com/ESA-IncidentReportForm>

1. Disclosure or Suspicion of Harm

<https://tinyurl.com/ESA-DiscSuspHarmForm>

1. Breach Concern

<https://tinyurl.com/ESA-BreachConcern>

1. Complaints Form

<https://tinyurl.com/ESA-ComplaintsForm>

1. Feedback Form

<https://tinyurl.com/ESA-StrategyFeedbackForm>

1. Strategy Annual Review Form

<https://tinyurl.com/ESA-StrategyAnnualReview>

1. Photography and Videography Disclaimer and Consent Form

<https://tinyurl.com/ESA-PVDisclaimerConsentForm>

# Referrals & Resources

1. Ask Izzy: search over 400,000 support services using categories/location

<https://Askizzy.org.au>

1. Australian Institute of Family Studies: Helplines, telephone and online counselling services <https://aifs.gov.au/resources/resource-sheets/helplines-telephone-and-online-counselling-services-children-young-people>
2. Australian Human Rights Commission: National Principles & E-Learning

<https://childsafe.humanrights.gov.au/national-principles>

<https://childsafe.humanrights.gov.au/learning-hub/e-learning-modules>

1. eSafety Commissioner: Independent Regulator for Online Safety that educates Australians and helps remove harmful content

<https://www.esafety.gov.au/>

1. Qld Gov: Reporting Abuse | Support for Victims of Abuse | Child Abuse | Mental Health

<https://www.qld.gov.au/community/getting-support-health-social-issue/support-victims-abuse/reporting-abuse>

<https://www.qld.gov.au/community/getting-support-health-social-issue/support-victims-abuse>

<https://www.qld.gov.au/community/getting-support-health-social-issue/support-victims-abuse/child-abuse>

<https://www.qld.gov.au/health/mental-health>

1. Qld Gov Booklet: Child Abuse - What you need to know booklet

<https://tinyurl.com/ChildAbuse-WhatYouNeedToKnow>

# Latest Document Revisions

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| --- | --- | --- | --- | --- |
| # | **Author** | **Position** | **Date** | **Amendments** |
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