

Western Edge Protection and Reporting Harm Policy

This Protection and Reporting Harm Policy was approved by the Committee of Management on 16/02/2022 and endorsed by members at the annual general meeting. It is due to be reviewed on 16/02/2023.

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INTRODUCTION

Western Edge Youth Arts (Western Edge) is committed to the safety and wellbeing of all participants accessing our programs. Western Edge supports the rights of participants and will act without hesitation to ensure a child or young person's safe environment is maintained.

Children, young people and vulnerable people need to know and believe that they always have the right to be safe and feel safe. Children and young people are amongst the most vulnerable members of our society. This policy has been developed to promote and enhance the safety and wellbeing of children, young people and vulnerable people in relation to their contact with Western Edge personnel.

Everyone in the community is responsible for the protection of children, young people and vulnerable people from sexual assault and exploitation and/or from abuse and neglect more broadly. Western Edge will, at all levels, operate in a spirit of cooperation and consultation with other relevant agencies in matters concerning child and young person protection and protection of vulnerable people.

Western Edge upholds the commitment of the United Nations Convention on the Rights of the Child in particular Article 3 which states: 'In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration'.

This policy applies to all Western Edge staff, participants, students, volunteers, contractors and board and committee members ("Western Edge Officer").

DEFINITIONS

Child abuse – according to the Child Wellbeing and Safety Act 2005 (Vic)

- a sexual offence committed against a child
- grooming for sexual conduct with a child under the age of 16 under section 49M(1) of the Crimes Act 1958 (Vic)
- physical violence against a child
- causing serious emotional or psychological harm to a child
- serious neglect of a child.

Child Safety Person: a responsibility given to an employee to ensure key areas of the organisation consistently have the protection of children, young people and vulnerable children/young people at the forefront of decisions and are current in legislation and information of best practice.

Child – a child or young person who is under the age of 18 years

Participant: A participant is defined as any individual accessing Western Edge programs.

Contractor: a person, or company contracted by Western Edge to undertake a piece of work/function with contract agreement.

Department Manager: A manager assigned to a department. This includes but not limited to the Marketing Manager, Development Manager.

General Manager: A staff member who reports directly to the Executive Director and Artistic Directors and has the responsibility of management of the Department Managers.

Principal: Refers to an individual with responsibility over a campus or centre including but not limited to School Principal, Director or Centre Manager, Headmaster and Head of Agency.

Reasonable Grounds: A reasonable basis to believe that a definable activity has been, or may be committed.

Senior Executive Team: Executive Director and co-Artistic Directors.

Staff Member: People employed under a current Employment Agreement as casual, part time or full-time officers of the organisation.

Stakeholders: Any individual or agency (government and non-government) who have a vested interest in the outcomes achieved by Western Edge.

Volunteers: People who are registered as volunteers with the Western Edge.

Vulnerable People: A child or children; or an individual aged 18 years and above who is or may be unable to take care of themselves or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason.

PROTECTION AND REPORTING HARM POLICY

PURPOSE

The purpose of this policy is:

1. To promote and enhance the safety and welfare of children, young people, vulnerable people and participants.
2. Establish the principles which will govern the organisational response to disclosures or concerns of harm/risk of harm to children, young people or vulnerable people.
3. Establish the principles which will govern the organisational response to disclosures or concerns that a child, young person or vulnerable person may be a risk to themselves and/or others.
4. To ensure the existence of clear procedures for participants, staff, volunteers and management that guide actions in line with the policy principles.
5. To enable Western Edge to address all disclosures or concerns of harm and risk of harm by ensuring that the information is recorded, considered, resolved and monitored and informs future policy/procedure development and review.
6. To ensure that Western Edge Officers and participants are aware of the content of this policy and its associated related documents and procedures.

POLICY

1. Western Edge shall implement and maintain a formal procedure for disclosures or concerns of harm/risk of harm to children and vulnerable people based on the following principles;
 - a) The safety of children, young people and vulnerable people is the paramount consideration.
 - b) Children and young people are among the most vulnerable members of our society.
 - c) Children, young people and vulnerable people need to know and believe that they have the right to be safe at all times.
 - e) Children, young people and vulnerable people are entitled to basic human rights regardless of special needs, cultural, or socioeconomic factors, and to have those rights protected.
 - f) Children, young people and vulnerable people deserve respect, care and protection.
 - g) Children, young people and vulnerable people are entitled to the support of a person to act as an advocate on their behalf and to protect them and their voice.
2. Western Edge will implement and maintain a formal procedure for disclosures of harm or concerns that a participant may be at risk to themselves and or others, to make sure that all staff and volunteers are aware of their responsibility as mandatory reporters as defined by Western Edge policy.

3. Western Edge will ensure that all staff, students and volunteers who work directly with participants and children, young people or vulnerable people are employed with recognised and appropriate qualifications in accordance with their role in the organisation.
4. Western Edge will ensure all staff, students, volunteers and Board and Committee members hold a current Working with Children Check (in accordance with state legislation) before commencing working or volunteering at Western Edge. Western Edge keeps a Working with Children Check Register for all Western Edge Officers and Board and Committee members. A registered teacher with the Victorian Institute of Teaching (VIT) is exempt from obtaining a Working with Children Check when employed with Western Edge. VIT registration must be maintained at all times by the employee and a record will be maintained on the employee's file.
6. The relevant Departmental Manager will ensure that staff, volunteers, contractors and Board and Committee members are aware of the definitions of sexual assault/exploitation, abuse and neglect as contained in the Child Wellbeing and Safety Act 2005 (Vic) through the induction process.
7. The relevant Department Manager shall ensure staff, volunteers and Board and Committee members are aware of the policy and procedures of reporting any suspicion, concerns or disclosure of child, young person and vulnerable people abuse and neglect through the induction process.
8. The relevant Department Manager shall ensure Western Edge Officers and Board and Committee members are aware of the policy and procedures of reporting any suspicion, concern or disclosure that a participant may be at risk of harm to themselves and or others as required by duty of care through the induction process.
9. Western Edge will ensure Western Edge Officers and Board and Committee members undertake ongoing training and development for fulfilling reporting obligations.
10. Western Edge will ensure participants, children, young people and vulnerable people are made aware of this policy and Western Edge's mandatory reporting and incident management procedures. This will be shared through consent forms, program registration, Western Edge website and regularly informed via communication with any Western Edge Officer.
11. All information relating to a disclosure or concerns of harm to children, young people and/or vulnerable people and participants will be recorded, considered and retained with regards to confidentiality, in line with the procedures outlined within this policy.
12. All disclosures or concerns of harm to children, young people and/or vulnerable people and participants will be addressed in a confidential manner. Only the people directly involved in reporting, investigating or resolving the issues will have access to information about it.
13. The relevant Department Manager shall ensure that the investigation process is impartial. No assumptions will be made, nor any action taken until all relevant information has been collected and considered.
14. The relevant staff member will ensure that any cultural, LGBTIQ+ or disability factors will be considered in the investigating process.
15. All Western Edge staff, volunteers and Board and Committee members must follow Western Edge Code of Conduct.

INTERNAL RELATED DOCUMENTS

- Child and Young Person Safety and Wellbeing policy
- Western Edge Child and Young Person Protection Incident Report
- Western edge Child Safe Code of Conduct
- Western Edge Complaints & Feedback Register
- Western Edge Complaints and Feedback Policy
- Western Edge Injury and Incident Reporting Policy
- Western Edge Privacy Policy

EXTERNAL REFERENCES

Child Wellbeing and Safety Act 2005 (Vic)

- Care and Protection of Children Act 2007
- Child Protection Notification form (online and PDF)
- Children and Young Persons (Care and Protection) Act 1998
- The Children's Protection Act 1993
- United Nations Convention on the Rights of the Child
- Working with Children (Criminal Record Checking) Act 2004
- Working with Vulnerable People (Background Checking) Act 2011

PROTECTION AND REPORTING HARM PROCEDURE

1.1 RESPONSIBILITIES

It is the responsibility of all Western Edge Officers to understand the Child and Young Person Protection and Reporting Harm Policy and Procedure. It is the responsibility of Western Edge staff to ensure that participants and members of the community are informed of the Child and Young Person Protection and Reporting Harm Policy and Procedure.

a) The Western Edge Senior Executive Team are responsible for:

- Ensuring that the Department Managers or Coordinators are implementing this Policy and Procedures within their teams.
- Ensuring that investigations into a disclosure of harm or abuse are handled respectfully and confidentially in line with the following procedure.

b) The Western Edge Department Managers and Coordinators are responsible for:

- Ensuring their teams are aware of and are implementing this Policy and Procedures.
- Ensuring an assessment of information regarding concerns or disclosure are handled respectfully and confidentially in line with the following procedure.
- Ensuring that where appropriate, the participant's parent/carers/guardian are informed and/or have been considered in the assessment of any actions taken in relation to notification or reporting of information to relevant external agencies.

c) The Western Edge Child Safety Person is responsible for:

- Guiding the organisation to consistently operate with a child, young person and vulnerable person protection focus in all aspects of operations, and ensure that policies, procedures, risk management and workplace health and safety support the organisation to act in line with its guiding principles.

d) The Western Edge Staff are responsible for:

- Ensuring they are aware of this Policy and Procedure.
- Ensuring that all participants are made aware of the limits of confidentiality should we hold concerns about the safety and wellbeing of themselves or others.
- Ensuring an assessment of information regarding concerns or disclosures is handled respectfully and confidentially in line with the following procedure.
- Ensuring that participant parent/carers are informed and/or have been considered in the assessment of any actions taken in relation to notification or reporting of information to relevant external agencies.

1. PROCEDURES

Western Edge holds the position that all Western Edge Officers, Board and Committee members are mandatory reporters irrespective of the location of the child or vulnerable person within Australia or internationally. They are therefore required to report any concerns regarding potential or actual harm to a child, young person or vulnerable person to the relevant police and/or Child Protection

department and relevant external agencies as required by legislation. In all disclosures of harm or risk of harm to a child or vulnerable person or client, it must be explained to the complainant that it may be necessary to inform a statutory agency and that their cooperation may be sought. Western Edge must make attempts to reassure and support the person making the complaint to ensure that they receive a timely and appropriate response.

2.1 When to report

- a) If you have concerns that sexual assault and exploitation, physical or emotional abuse, domestic violence or neglect or grooming may be occurring.
- b) If sexual behaviour problems/harmful sexual behaviours have been observed or reported.
- c) If you have a suspicion or concerns that a child, young person or adult may be at risk of harm to themselves and/or others.
- d) A child, young person or vulnerable person has disclosed that they are being physically or emotionally abused, sexually assaulted or exploited, experiencing or witnessing domestic violence, groomed or being neglected.
- e) If you have received an allegation of physical or emotional abuse, sexual assault, domestic violence, grooming or neglect regarding a child, young person or vulnerable person.
- f) If you witnessed an incident that causes or potentially causes harm to a child, young person or vulnerable person.
- g) If you were involved in an incident that causes or potentially causes harm to a child, young person or vulnerable person or adult.
- h) If you believe on reasonable grounds that a child, young person or vulnerable person is in need of protection.

You do not require evidence or proof if you suspect on reasonable grounds that abuse or harm has occurred or may occur.

3. REPORTING HARM:

If a child, young person or vulnerable person makes a direct disclosure or allegation regarding their safety or wellbeing, or an adult makes a disclosure regarding a child, young person or vulnerable person's safety and wellbeing, Western Edge staff, volunteers and Board and Committee members have a duty of care to take immediate action, as described in Section 3.2

In all disclosures of potential self-harm, suicidal or criminal intention, Western Edge must exercise their duty of care to the participant/s and /or child, young person or vulnerable person. Western Edge must make attempts to reassure and support the person making the disclosures as this can be a stressful and distressing time. Once a client makes a disclosure of potential self-harm, suicidal or criminal intentions, Western Edge Officers have a duty of care to take immediate action as outlined in Section 3.6.

3.2 During Disclosure

- a) The person who the child, young person or vulnerable person has disclosed to should:
 - i) Listen carefully to all they say.

- something is
- ii) Tell them it is not their fault and you are proud that they told you.
 - iii) Let them know you will do everything in your power to ensure that done, however ensure not to make promises you cannot keep.

If a child is disclosing you need to explain that their information is **private**.

Private means I will not share your information unless you say that I can.

However, I **must** share some of your information.

For example, if I think

- you are not safe
- someone has broken the law

If I think you are not safe or someone has broken the law, this information may need to be provided to police.

iv) Document all disclosures – use the child/young person/vulnerable person's exact words as best you can.

v) Do not force them to talk about it, you are there to listen to what they want to tell you. You could invite them to draw a picture about what happened. You could show them a drawing of the body so they can indicate where they were hurt/touched etc

vi) Do not use direct or closed questions, instead using open-ended, prompting questions only.

vii) Conduct a risk assessment for the child/young person/vulnerable person in line with the Operational Manual requirements.

viii) Do what you need to do to make the child, young person or /vulnerable person feel safe.

3.3 Immediate Follow Up Processes and Procedures

a) The Western Edge Officer who received the disclosure or has concern of harm is required to refer to their Western Edge Operational Manual to complete the appropriate Child Safety Standards Incident Report/Police Report or contact emergency services.

b) The Operational Manual will outline instructive processes regarding:

- i) Responding to disclosures
- ii) Risk Assessment
- iii) Notifying Child Safety Officer
- iv) Contacting emergency services (if required)
- v) Completing a Child Safety Standards Incident Report and/or Police Report (including what to report)
- vi) Debrief and Self Care

c) A report should be made regardless if all the above information is known or not. If uncertain you have enough information, please discuss with your Manager regarding what

action should be taken or contact the Child Safety Officer. Reports should be made each time you become aware of any additional information or further grounds for concern. Reports must be made on the day of the disclosure. All reports should be reviewed and signed by your manager or a Child Safety Officer if possible before submission.

d) It is vital for Managers to record disclosure information. Upload a copy of the documentation as well as a record of any discussion with the relevant State police or child protection authority. A written or online notification is always required following a verbal notification.

e) In all disclosures of potential self-harm, suicidal or criminal intention, Western Edge must exercise their duty of care to the participants/s. Western Edge must make attempts to reassure and support the person making the disclosures as this can be a stressful time. Once a child or young person makes a disclosure of potential self-harm, suicidal or homicidal ideations, Western Edge's Officers have a duty of care to take immediate action.

3.5 Who to report to (concern of harm to child or vulnerable person): in a school setting

a) Notify School (if applicable): Staff member to notify the Principal (and Guidance Officer if applicable) who will then make a report to the police and/or relevant child protection service. The staff member should support this process to ensure all relevant information is included (see 'What to Report'). However, due to location/time restraints, it is ultimately the Principal's responsibility to ensure the correct process is followed and the child is supported. Record report reference number in Western Edge's 'Child Safety Standards Incident Report Form' if reference number is given. Staff member may need to follow up and ensure report has been made. Refer to BISL, website & provide a brochure about available support services (appropriate to location). Explain that you are a mandatory reporter by Western Edge Policy and may also need to report (if required details are known about the child/disclosure).

b) Inform Western Edge Manager: Staff member to notify their Manager of the situation.

c). Complete Western Edge form: Western Edge Child Safety Standards Incident Report Form.

d) If you have significant details (for example a full name and address of home or education establishment) of the disclosure, notify child protection by completing a Child Safety Standards Incident Report Form and submitting to the relevant police and/or child protection in the child's state or territory. Provide a copy of this notification to your Manager. The Manager will provide a signed copy of this notification to the Child Protection and Young Person Safety Officer.

e) If there are not enough details to complete a Police Report or a Child Safety Standards Incident Report, the Manager will still require a Child Safety Standards Incident Report detailing the disclosure. The Manager will provide a signed copy of this notification to the Child Protection and Young Person Safety Officer for secure filing.

f). Make sure that all information is passed onto your Manager as they will follow up with the Principal to confirm the matter has been addressed and 'close the loop'. Alternatively, they will delegate this to an appropriate team member or coordinator.

g) If you are not confident that a report has already been made, you must complete a Child Safety Standards Incident Report and/or Police report based on the information you have available as well as follow up with the principal (if applicable).

3.6 Who to report to (concern of harm to adult or vulnerable person over the age of 18):

- a) If immediate risk identified (harm to self or others) - Contact emergency services via 000 or relevant State contacts. Report to principal (if applicable).
- b) If no risk imminent identified - Provide Helpful Numbers Card or applicable support services.
- c) Inform Western Edge: Staff member to notify their Manager of the situation.
- d) Inform parents/guardian (if appropriate): If staff member is aware that the vulnerable person has a guardian it may be appropriate to contact them to support the vulnerable person.
- e) If the concern of harm relates to an NDIS provider: Support the participants by advising them they have the right to raise their complaint with the NDIS Commission. Inform them that they are able to do this by contacting the NDIS Commission via calling 1800 035 544 or visit www.ndiscommission.gov.au.
- f) If a person is uncertain on who to report the concern of harm to they can contact their Manager or reach out to one of the Child Safety Officer for advice.

3.7 What to include in the report to Child Protection and/or Police (if necessary):

- a) Details - the child's name, age/grade and address or school address.
- b) Indicators/concerns of harm - What concerns have led you to reasonably suspect that the child/ren has/have been significantly harmed or at risk of significant harm? How did you become aware of these concerns? For example, child disclosed, or parent disclosed. Details of the alleged offender/s (if known).
- c) Other services - your knowledge of other services involved with the family, (including details of the school and/or childcare).
- e) Family information - any other information about the family (if known).
- f) Social/Cultural characteristics - any specific cultural or other details that will help to care for the child (e.g.-interpreter or disability needs (if known)).

A report should be made regardless of whether or not all the above information is known. If uncertain you have enough information, please discuss with your Manager regarding what action should be taken. Reports should be made each time you become aware of any additional information or further grounds for concern. Reports are required to be made on the day of the disclosure.

3.8 Debriefing

Schedule a time to have a debrief with your Manager within 24 hours of disclosure and implement self-care strategies.

3.9 State Police and Child Protection contact details

a) Contacting Police

If you need to make a report to police (unless in an emergency when contacting 000) contact your Manager or Child Safety Officer first for advice.

b) State Child Protection Reporting Links

- Victoria – Health and Human Services <https://providers.dhhs.vic.gov.au/making-report-child-protection>

4. Internal Allegations

4.1 Allegations about actions or persons inside Western Edge organisation or in connection with the delivery or provision of Western Edge programs

a) If a Western Edge Officer, receives a disclosure or concern, observes or has reasonable grounds for suspicion about the actions or behaviours (including verbal behaviours) of a Western Edge Officer, Board or Committee member or concerns regarding their own actions or behaviours (including verbal behaviours), they have a duty of care to take immediate action.

b) Concerns must be taken seriously and reported directly to a relevant Department Manager, Senior Executive Team member or the Chair of the Board immediately. Information regarding the concerns should be recorded on the Child Safety Standards Incident Report. The Senior Executive Team will further follow investigative processes as needed as per Western Edge Grievance and Dispute Policy and Procedures and in collaboration with this policy.

c) Western Edge as an organisation will always abide by government, legislative and contractual obligations to report all reportable incidents (including allegations), even where the organisation has recorded and responded within their own incident management system. The external body may exercise their right to investigate the matter independently to Western Edge. External reporting bodies include (but is not limited to):

- i) Victoria Police
- ii) NDIS Quality and Safeguards Commission – NDIS Commission; and
- iii) Department of Social Services - DSS.
- iv) ANSVAR Insurance and other related insurance providers
- v) Commission for Children and Young People – Reportable Conduct Scheme

d) Reportable incidents to the above bodies include:

- i) The death of a child, young person or any person with disability;
- ii) Serious injury of a child, young person or any person with disability;
- iii) Abuse or neglect of a child, young person or any person with disability;
- iv) Unlawful sexual or physical contact with, or assault of, a child, young person or any person with disability;

v) Sexual misconduct, committed against, or in the presence of, a child, young person or any person with disability, including grooming of the person with disability for sexual activity; and

vi) Unauthorised use of restrictive practices in relation to a person with disability where the use is not in accordance with an authorisation (however described) of a state or territory in relation to the person, or if it is used according to that authorisation but not in accordance with a behaviour support plan for the person with disability; an incident that relates to any of the Services or a child or person with disability and that requires an emergency response including fire, natural disaster, bomb threat, hostage situation, or any criminal activity

4.2 Notifications with allegations against Western Edge Officers, concerning harm against a child, young person and/or vulnerable person

a) If the disclosure or complaint is in respect to the behaviours or actions of a Western Edge Officer or Board and Committee member, Western Edge needs to protect itself and the rights of its participants.

b) On receipt of a notification, the relevant Senior Executive Team member will:

i) Ensure that the incident is reported to the relevant external bodies identified above if it is listed as a notifiable incident.

ii) Ensure that the notifier has completed the Western Edge Child Safety Standards Incident Report and reported to relevant authorities:

ii) Ensure the notifier is aware of confidentiality requirements and is assured that the notification will be treated seriously.

iii) Ensure the immediate safety and protection of the child or vulnerable person.

iv) Ensure that the Senior Executive Team is made aware of the situation to ensure that the Western Edge Officer is provided with the correct advice and support around their rights.

v) Ensure that the Child Safety Officer is made aware of the situation to ensure a coordinated effort in following the required procedures and reporting requirements.

vi) Ensure the Board is informed and updated at each stage of an investigation.

vi) Ensure ANSVAR Insurance and other relevant insurance bodies are made aware of the situation

vii) If relevant, inform the funding body.

c) Suspension with full pay will occur immediately and be authorised by the Chair of the Board. The rights of the person subject to allegations must be upheld.

d) The person will also be asked not to contact clients or their family members, or other staff members to discuss the allegations while the investigation is ongoing. The Senior Executive Team will discuss with the person appropriate contact (if any) following the outcome of the investigation. Failure to adhere to this may result in additional disciplinary action.

e) Any concerns that are immediately confirmed by the relevant Senior Executive Team or Chair must be reported to the Police. If the allegation is unable to be substantiated, then the concerns must be immediately presented to the Board where a decision will be made in consultation with industrial advice. Western Edge will abide by our reportable incident management process in line with our contractual and legal obligations.

f) All actions taken must be reported on the Western Edge Child Safety Standards Incident Report and provided to the Child Safety Person to be placed on the staff files and client record system SRS. as an accurate record of events irrespective of the outcome.

5. Completing Western Edge Child Safe Standards Incident Report

5.1 The Department Manager or relevant Senior Executive Team member will complete a Child Safe Standards Incident Report Form in relation to the above disclosure of harm/risk of harm to a child or vulnerable person and submit the report to the Senior Executive Team immediately. If the incident pertains to the Senior Executive Team or any Board member with the exception of the Chair, the report should be submitted to the Chair of the Board. Should the incident pertain to the Chair, then the report should be submitted to the Deputy Chair and the relevant external body applicable to service funding.

a) A Child and Young Person Protection incident report should document:

- i) date of incident;
- ii) nature of incident;
- iii) any contributing factors;
- iv) person or people affected, and how they were affected;
- v) action taken;
- vi) any follow-up action required.

b) This report will be provided to relevant departments if a notifiable incident has occurred as per contractual and legislative obligations.

c) You can locate a copy of the Child Safety Standards Incident Report Form here:

6. Confidentiality

a) Confidentiality is crucial to ensure a fair and effective reporting procedure. It is unacceptable, and potentially defamatory, for concerns of harm (and alleged offender details) to be spread throughout an organisation. All Western Edge Officers must understand the importance of following the set reporting guidelines when concerns arise. Confidentiality protects the child, young person or vulnerable person, the notifier, the alleged offender and the organisation. Anyone deemed to be engaging in rumours or gossip in relation to such matters will be managed within the Western Edge Child Safe Code of Conduct.

b) In all matters, the best interests of the child, young person or vulnerable person will be paramount.

c) Once all the necessary steps have been taken to respond to the allegations or disclosure and the immediate safety and wellbeing of all concerned has been established, consideration needs to be given to the emotional response or reactions that will follow.

d) When the allegation has been made against a Western Edge Officer it can precipitate an acute crisis in the organisation which needs to be managed. Thus, the matter will be elevated to the Senior Executive Team and Child Safety Officer as soon as possible.

e) Western Edge holds personal information in accordance with the *Privacy Act (Cth) (1988)* and the *Australian Privacy Principles (APP)*. This policy is in relation to *APP 11* and “applies to personal information that an entity holds” and pertains to the internal processes in place surrounding Western Edge’s holding of personal information.

In the process of reporting and investigation Western Edge will;

- Collect only information which the organisation requires as defined by Victoria Police, DSS and other reporting bodies for the purposes of investigating ;
- Ensure that children, young people and vulnerable people are informed as to why we collect the information, how we store the information, how they may retrieve or correct the information and who (Vic Police, DSS) we are administering the information to;
- Store personal information securely, protecting it from unauthorised access; and
- Western Edge will not disclose reports or details of reports to third parties, such as parents/guardians, without the child, young person or vulnerable person’s consent.

6.1 Child, young person or vulnerable person

Information is provided to the child, young person or vulnerable person or their parents/legal guardian (if appropriate to do so) as soon as possible regarding the steps being taken to ensure their ongoing safety. They may also want to know what is happening regarding the alleged perpetrator. All questions asked by the child, young person or vulnerable person should be answered in developmentally appropriate manner where appropriate and with the consent of their parents/legal guardian (if applicable) and within Western Edge’s Privacy Policy.

6.2 Guardian/Carers

The child, young person or vulnerable person’s parents/legal guardians may also require support and professional counselling. If parents/legal guardians do not want to seek external counselling, Western Edge can support them by keeping in regular contact and advising them of each step that is being taken and answering their questions in a straightforward and timely manner.

Western Edge will also offer further avenues of support to the parents/carers via external agencies if appropriate.

6.3 Staff, volunteers, Board and Committee members

Whilst due care will be paid to confidentiality; staff, volunteers, Board or Committee members directly involved in the reporting or the information gathering need to be advised of the investigative process in place and possible outcomes. Information is only to be shared on a need to

know basis with the best interests of the child or young person being the primary consideration and in line with Western Edge's Privacy Policy.

6.4 Person whom allegation has been made against

Support will be provided to the person about whom the allegation has been made. They are entitled to a fair process and to be kept informed of the steps to be taken. The Child Safety Officer will maintain communication with the person until a decision or an outcome has been reached.

7 Reporting a Notifiable Incident to External Funding Bodies

7.1 Who is required to make the report to the external body?

The relevant Department Manager or Senior Executive Team member who are overseeing the incident management are required to make the report to the relevant external body.

7.2 Time Frames for reporting

There are set timeframes for you to notify DSS and the NDIS Commission or other relevant state bodies. These are:

- Within 24 hours of key personnel becoming aware of a reportable incident or allegation

An exception to this rule is notifying the NDIS Commission of the use of a restrictive practice that is unauthorised or not in accordance with a behaviour support plan. In these instances, the registered NDIS provider must notify the NDIS Commission within five business days of being made aware of the incident. If, however, the incident has resulted in harm to a person with disability, it must be reported within 24 hours.

AND

- Within five business days of key personnel becoming aware of a reportable incident, to provide additional information to that supplied in the immediate notification form (NDIS only).

Forms required to be completed

DSS

There are no set forms required for the DSS to report a notifiable incident. However as per this policy it is a requirement for Western Edge officers to complete the Child Safe Standards Incident Report. A copy of this final report would also be provided to the DCYJMA once approved.

NDIS Commission

The Immediate Notification Form (available both as a written form and an online form) must be completed by Western Edge within 24 hours of becoming aware of any reportable incident or allegation occurring, except for an unauthorised use of a restrictive practice or the use of a restrictive practice which is in accordance with an authorisation of a State or Territory but which is not in accordance with a behaviour support plan.

All reportable incidents, including the use of a restrictive practice causing serious injury, must be notified to the NDIS Commission within 24 hours of you becoming aware of the incident. Any unauthorised use of restrictive practices not causing serious injury must be notified within 5 days.

The notification must include the following information to the NDIS Commission:

- The name and contact details of the registered NDIS Provider, the person making the notification and the persons involved in the reportable incident, including the person with disability affected by the reportable incident, and any subject/s of an allegation
- A description of the reportable incident, including (if known) the time, date and place the Incident occurred
- A description of the impact on, or harm caused to, the person with disability (Note: where the reportable incident is a death, this information does not need to be provided)
- The immediate actions taken in response to the reportable incident, including any actions relating to the health, safety and wellbeing of the person with disability affected by the incident, including medical treatment provided, and whether the incident has been reported to the police or any other body

The NDIS Commission will acknowledge receipt of the notification within 24 hours.

If the specific information required in the form is not available within 24 hours of the registered NDIS provider becoming aware that a reportable incident has occurred, remaining information may be provided to the NDIS Commission within five business days.⁸

Registered NDIS providers also have five business days to notify the NDIS Commission of:

- The names and contact details of any witnesses to the reportable incident (including workers, people with disability or third parties)
- Any further actions proposed to be taken in response to the reportable incident. The NDIS Commission will acknowledge receipt of the notification within 24 hours of receiving the additional information

The Five Day Notification form must be completed by registered NDIS providers within 5 business days of becoming aware of a reportable incident or allegation of the use of an unauthorised restrictive practice or the use of a restrictive practice in accordance with an authorisation of a State or Territory but not in accordance with a behaviour support plan (section 21 of the NDIS Rules); and as a follow up notification for all other reportable incidents (section 20 of the NDIS Rules).

The reportable incident 5 day notification Five Day Notification form requires the registered NDIS provider to provide information from the immediate notification form as well as the following additional information:

- The name and contact details of the support person for the impacted person with disability;
- The name and contact details of the individual or person with disability who is the subject of allegation;
- A description of the impact on, or harm caused to, the person with disability;
- The name and contact details of any witnesses to the reportable incident;
- A description of support provided and further action being considered for the person with disability impacted by the incident and for the subject of the allegation;
- A description of the risk processes being undertaken by the registered NDIS provider;
- If applicable circumstances surrounding the death of a person with disability;

- If applicable details surrounding the use of unauthorised restrictive practice in relation to a person with disability.

Both notification forms must be submitted to the NDIS Commission with copies of all documents relating to the incident. This includes incident reports, file notes, risk management assessments and/or plans, person with disability's plans relevant to the incident such as a behaviour support plan, as well as copies of correspondence between relevant persons or agencies.