



Child Protection Policy

for

The Girls' Brigade NSW

May, 2009

This material has been compiled from training resources and information from the Commission for Children and Young People and Child Guardian, Queensland Government, and material developed by The Boys' Brigade Australia.

All material is covered by copyright as acknowledged on the resources.

Brigade Groups and their associated Churches, are welcome to use and modify this material to suit their specific needs provided that the original source is acknowledged. This material CAN NOT be incorporated into any resource or production which will be covered by any additional copyright or provided for sale.

Developed for use of the Girls' Brigade NSW

Overview:

The Girls' Brigade is a world-wide organisation, working in partnership with local churches, to assist in reaching out into the community and providing a supportive Christian community for girls and young women to help in their-

- Christian growth,
- Balanced personal development, and
- Leadership potential.

Girls' Brigade Australia is committed to the safety and wellbeing of all members within the organisation.

Leaders will treat all members with respect and understanding at all times. Girls' Brigade Australia and individual Church-based Groups also support the rights and wellbeing of Leaders, and encourages their active participation in building and maintaining a secure and safe environment for all participants.

Girls' Brigade NSW is committed to assisting Groups to develop and implement procedures for managing Child Safety.

A Brigade Group is only one of the ministries of a Church to children and youth and, as such, must implement the child protection management processes of that Church. Churches have a responsibility, mandated by law, to adopt procedures which cover all aspects of child safety.

This material supports, NOT replaces, current Church practices where they meet the requirements set by legislation and the Church governing body.

Contents:

➤ Being a Leader	
➤ Being Appointed as a Leader	5
➤ Code of Conduct	5
➤ General Principles relating to care	6
➤ Child Protection	6
➤ What is 'current risk of harm'?	6
➤ Forms of Harm	7
➤ Disclosure of Harm	8

Being a Leader:

Being Appointed as a Leader:

Being a Brigade leader, like any other ministry within the Church is a responsibility and a privilege.

Leaders can have a profound influence on the lives and development of young people and it is the responsibility of the Church to ensure that leaders have a genuine calling to the ministry, and a desire to ensure the wellbeing and safety of group members.

The Church will, therefore, have a leader selection and appointment process which will need to be followed. There is also an expectation that the leader will complete any training – including Church based training sessions - as required by the Church and Girls' Brigade Australia.

Code of Conduct:

The Girls' Brigade Australia has a Code of Conduct for all Leaders, and it is expected that leaders involved in The Girls' Brigade at local, regional, state and national levels will conform to that Code.

General Principles relating to Care:

When anyone assumes the responsibility for others, they are required to provide a safe environment in which those being cared for are protected from harm and danger - in all forms. For more information refer to The Girls' Brigade NSW 'Risk Management Guide' and the Leader Manual p63.

This includes any action which might cause any detrimental effect of a physical, psychological or emotional type, and all forms of exploitation and harm.

Child Protection:

Girls' Brigade NSW, along with all church organisations, has a spiritual, as well as a legal responsibility to protect children and young people from harm. This includes being aware of and implementing 'Child Protection' Legislation.

The NSW 'Child Protection' Legislation defines:

- As child as up to 15 years old.
- A young person as 16-17 years old.
- 'current risk of harm.'
- Mandatory reporters and mandatory reporting to DoCS (13 DOCS or 13 36 27).

Churches will also have a requirement for reporting to the church organisation if a staff member or leader is involved in the 'risk of harm.'

What is 'current risk of harm'?

1. 'Harm' to a child is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.
2. It is immaterial how the harm is caused.
3. Harm can be caused by:
 - a) Failure to meet basic physical or psychological needs.
 - b) Failure to provide necessary medical care.
 - c) Physical abuse and ill treatment.
 - d) Sexual abuse and ill treatment.
 - e) Domestic violence.

'Risk of harm' means there must be current concerns about risk of harm now or the likelihood of harm occurring in the future. The key question is 'Do you believe there is a risk of harm'? A legal standard of proof is not required. DoCS will assess the information provided and decide what further action (if any) is required.

Harm may take a number of forms including:

Physical harm or non-accidental physical injury

This may include beating, shaking, burning, biting or grabbing hard enough to leave a mark, throwing a child or strangulation, to the extent that there are lasting physical effects. The fact an injury is inflicted, rather than the degree of the injury, determines the existence of harm and the need for intervention. Many non-accidental injuries result from excessive physical discipline. Non-accidental injuries include unexplained bruises, welts, lacerations, abrasions, fractures, burns, bleeding, serious head or internal injuries and even the death of children and young people.

Practices such as giving extra tasks to children as 'punishment', can be dangerous to their health, especially if they are tired.

The administration of illegal or inappropriate drugs and medications that may affect a child or young person's physical or psychological development may also be a form of harm.

Emotional harm

Emotional harm includes constant criticism, belittling, teasing of a child or young person, withholding praise and affection, or constant yelling.

It can also be caused by a failure to provide the psychological nurturing necessary for a child or young person's physical and emotional growth and development. For example ignoring a child or young person or using unusual, demeaning punishments.

Children and young people respond to encouragement and positive support. Drawing attention to the child or young person's failures or shortcomings, demeaning their performance in front of others or even individually is inappropriate and can be emotionally abusive.

Negative feedback should be avoided, and more productive, constructive advice should be provided. Avoid negative comments based on physical attributes such as weight, lack of coordination or physical appearance.

Neglect

Neglect includes the ongoing failure to provide a child with the basic necessities of life and adequate supervision needed for optimal growth and development. It also includes the failure to use available resources to meet the child or young person's needs. In an extreme form, this could involve abandonment of the child or young person.

Sexual harm

Sexual harm may take many forms, from sexual jokes, innuendo in conversation and showing pornographic images to a child, to sexual touching and invasive sexual acts. It can also include exposure, fondling, voyeurism and exhibitionism, sexual intercourse, involvement with pornography and child prostitution.

It may take place between a child or young person and a person who is older, or has power, authority or control over a child. This authority allows the older person to use force, trickery, emotional bribery or blackmail, or other emotional pressure. It could also involve secrecy, misuse of power and distortion of adult-child relationships.

It is important to note that children aged under 16 cannot legally consent to sexual acts. Sexual activity is a criminal offence even if the child has, or appears to have, consented. Even young people over 16 can be subject to sexual harm where there is improper use of power or authority. Forced consent is not an excuse in these cases.

Exposure to domestic violence

There is a general agreement that violence, abuse and intimidation in a family can have a long term detrimental impact on the development of a child or young person even if the child or young person is not the victim of domestic violence.

The possible effects of harm can be many and varied and can include the following:

Physical harm:

- bruising
- broken bones
- possible brain damage
- sometimes death
- anxiety or low self esteem
- may become abusive

Neglect:

- malnutrition or poor weight gain
- insufficient medical care
- begging or stealing food due to hunger
- missing out on a substantial amount of school
- physical or intellectual developmental delays

Emotional harm:

- low self esteem
- eating disorders

- becoming depressed or suicidal
- anxiety
- delays in physical growth and development
- engaging in self destructive behaviour

Sexual harm:

- feeling betrayed, sad, fearful and angry
- feelings of guilt
- negative effect on relationships
- difficulty in trusting others
- confusion about sexual identity
- low self esteem
- difficulty dealing with emotions
- poor body image
- abuse of alcohol or drugs
- eating disorders
- becoming depressed or suicidal
- risk of sexually transmitted disease and pregnancy

Compiled from "Dealing With Issues" booklet, "Working with Children" Kit
Commission for Children and Young People and Child Guardian (Qld) July 2005

NB: These indicators are to guide leaders. Children and Young People attending Girls' Brigade may have some of these indicators from time to time without being at 'risk of harm'.

Disclosure of Harm:

Suspicion of harm

You have 'reasonable grounds' to suspect harm if:

- a child or young person tells you they have been harmed
- someone else, for example another child, a parent, or a staff member, tells you that harm has occurred or is likely to occur
- a child or young person tells you they know someone who has been harmed. It is possible they may be referring to themselves
- you are concerned at significant changes in the behaviour of a child or young person, or the presence of new unexplained and suspicious injuries,

or

- you see the harm happening.

Disclosures of harm may sound like:

- "I think I saw..."
- "Somebody told me that..."
- "I just think you should know..."
- "I'm not sure what I want you to do, but..."

Any disclosure of harm is important and must be acted upon, regardless of whether the harm to a child or young person has been caused by a person from within or outside Girls' Brigade or the Church, or the child or young person disclosing the harm to you is from within or outside Girls' Brigade.

What to do when a disclosure of harm is made:

If a disclosure of harm is made to you, it is important that accurate records of the conversation are documented.

IT IS ESSENTIAL THAT THE ADOPTED PROCEDURES OF THE CHURCH ARE FULLY IMPLEMENTED AND THE APPROPRIATE PERSON WITHIN THE CHURCH IS CONSULTED.

Under no circumstances should Brigade or the Church:

- conduct its own investigation to substantiate claims
- hold its own internal hearing, such as a 'kangaroo court', or
- attempt to mediate a settlement of the matter instead of notifying relevant authorities.

Inappropriate investigations could lead to:

- the destruction of evidence by an accused person
- intimidation of the person disclosing information, or
- intimidation of the child or young person being harmed (if the disclosure was made by somebody else).

The following suggestions will assist you in dealing with a person making a disclosure of harm:

Don't panic

You may be the first person to whom the disclosure is made. Your reaction may determine whether the person making the disclosure trusts you with the information.

It is important you:

- don't react in a shocked or a critical way, and
- tell the person you are glad they have told you.

Find a private place to talk

Privacy may help the person making the disclosure feel more comfortable and less concerned about telling you what they have to say, especially if they are a child or young person. However you should not be alone with the person in a place where you cannot be seen by others.

Listen

When presented with a disclosure of harm, don't say, "I won't tell," and don't promise to keep secrets. You should:

- reassure the person they have done the right thing in telling
- say you need to tell someone else who can help them, and
- reassure them you will only tell someone who will make them safe.

Believe the person

It is not up to you to judge whether a child, young person, or anyone else, is telling the truth – always act on the basis that what you have been told is the truth. Remember, it is not up to you to decide if what you are being told did or did not happen.

Don't ask leading questions

Leading questions are those that tend to suggest an answer, for example:

- “Did ‘X’ touch you?”
- “Did they touch you where your underwear goes?”

Don't put words in the person's mouth – let them tell you what happened, and if you need to clarify anything, ask non-leading questions such as:

- “Tell me what happened?”
- “What happened then?”
- “Can you tell me about that?”

It is not your role to investigate. Only ask enough questions to confirm the need to report the matter to the Police Service or the relevant Government Department. The safety of the child or young person is paramount. Unnecessary questions or interviews could cause distress, confusion and interfere with any subsequent investigation authorities undertake.

Take detailed notes

At the first opportunity after a disclosure has been made to you, make notes of what occurred. Include information such as:

- dates
- times
- location, and
- who is present.

Include a detailed description of:

- 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.

If you are taking notes as the disclosure is occurring, explain why you are doing it and why it is important, that is, to ensure an accurate record for any subsequent investigation. If the disclosure is being made by a child or young person, remember to explain this to them in a way that is appropriate to their age and understanding. Any reports or documentation on disclosures of harm must be kept confidential and secure, with access strictly limited and on a 'need to know' basis.

When a disclosure of harm has been made, all parties must respect the interests of the child or young person involved as well as the rights of the alleged perpetrator of the harm. However, keep in mind that the needs of the child or young person are paramount.

Direct disclosures may not be the only way by which leaders become aware of harm. Other examples could include:

- explicit, sexualised drawings.
- Drawings or writing indicating violence or abuse.
- Dramatic changes in behaviour, particularly being fearful or withdrawn.

Where there is a drawing or writing, the leader should keep the documentation.

A report should be made to DoCS. Ideally, the Girls' Brigade Captain should contact the Church Minister or Leader and the report should be made to DoCS by both together. The information required by DoCS can be seen in the standardised form found at the end of this document.

If the allegation or disclosure is about a church appointed leader, the Church Minister or Ministry Leader should also report this to the governing body of the Church. Provided confidentiality is maintained, the Girls' Brigade Captain may also want to inform the State Commissioner and seek support if the allegation involves a Girls' Brigade Leader.

Please remember that any reports or documentation on disclosures of harm must be kept confidential and secure, with access strictly limited and on a 'need to know' basis.

Dealing with the media

A disclosure of alleged harm may attract media attention. If this happens, remember you have a responsibility to protect the interests and wellbeing of all parties involved, particularly any children or young people in your care. To avoid placing anyone's privacy at risk, or providing incorrect information, limit any contact with the media to the authorized person in the Church. Leaders should also refer to the 'Emergency Response Plan' of Girls' Brigade NSW.

Compiled from "Dealing With Issues" booklet, "Working with Children" Kit
Commission for Children and Young People and Child Guardian (Qld) July 2005.



RISK OF HARM REPORT

FAX THIS REPORT TO DoCS HELPLINE: 9633 7666
 If you have immediate concerns for the safety of a child or young person,
 you must make your report by telephone on 133 627

PLEASE TYPE OR PRINT CLEARLY

Please make sure all pages are sent

1. YOUR DETAILS			
Reporter's name		Position	
Service / Agency			
Contact phone no.		Fax no.	
Business Address			
Was a message left on the DoCS Helpline telephone system?	<input type="checkbox"/> No <input type="checkbox"/> Yes	If yes →	Date _____ Time _____
COPS Event No. (police only)			
Child Protection Watch Team (tick if applicable)	<input type="checkbox"/> Yes	In relation to this report, are you an Opioid treatment prescriber?	<input type="checkbox"/> Yes

2. DETAILS ABOUT THE CHILD OR YOUNG PERSON			
Child or young person's name			
Date of birth (or expected date)		Age or approximate age	<input type="checkbox"/> Unborn
Gender	<input type="checkbox"/> Male	<input type="checkbox"/> Female	<input type="checkbox"/> Not known
Tick if applicable	<input type="checkbox"/> Aboriginal	<input type="checkbox"/> Torres Strait Islander	<input type="checkbox"/> ATSI
Cultural background			
School / Pre-School attended or other child care (Family Day Care / nanny arrangements etc)			
Child or young person's name			
Date of birth (or expected date)		Age or approximate age	<input type="checkbox"/> Unborn
Gender	<input type="checkbox"/> Male	<input type="checkbox"/> Female	<input type="checkbox"/> Not known
Tick if applicable	<input type="checkbox"/> Aboriginal	<input type="checkbox"/> Torres Strait Islander	<input type="checkbox"/> ATSI
Cultural background			
School / Pre-School attended or other child care (Family Day Care / nanny arrangements etc)			

Child or young person's name			
Date of birth (or expected date)		Age or approximate age	<input type="checkbox"/> Unborn
Gender	<input type="checkbox"/> Male	<input type="checkbox"/> Female	<input type="checkbox"/> Not known
Tick if applicable	<input type="checkbox"/> Aboriginal	<input type="checkbox"/> Torres Strait Islander	<input type="checkbox"/> ATSI
Cultural background			
School / Pre-School attended or other child care (Family Day Care / nanny arrangements etc)			

Child or young person's name			
Date of birth (or expected date)		Age or approximate age	<input type="checkbox"/> Unborn
Gender	<input type="checkbox"/> Male	<input type="checkbox"/> Female	<input type="checkbox"/> Not known
Tick if applicable	<input type="checkbox"/> Aboriginal	<input type="checkbox"/> Torres Strait Islander	<input type="checkbox"/> ATSI
Cultural background			
School / Pre-School attended or other child care (Family Day Care / nanny arrangements etc)			

3. FAMILY DETAILS

Family's address			
Suburb		Postcode	
Home phone			
Interpreter required	<input type="checkbox"/> No <input type="checkbox"/> Yes	→	Please identify language spoken
Disability issues			
Current whereabouts of child / young person			

4. NAME OF PARENTS/ CARERS & THEIR RELATIONSHIP TO THE CHILD OR YOUNG PERSON

Name	
Address (if different from above)	
Phone (if different from above)	
Relationship	
Name	
Address (if different from above)	
Phone (if different from above)	
Relationship	

Significant others close to the child and/or family (eg. grandparents/ aunts/ uncles)	
--	--

5. SAFETY CONCERNS

Known relevant criminal history of parents/carers			
Current Apprehended Violence Order (AVO)	<input type="checkbox"/> Yes ↓	<input type="checkbox"/> No	<input type="checkbox"/> Not known
Who is the AVO against?			
Who is protected by the AVO?			
Family Law Court Orders (please provide details)			
Any known worker safety issues	<input type="checkbox"/> No	<input type="checkbox"/> Yes (please provide details)	

AS PER THE ACT, A CHILD IS DEFINED AS A PERSON WHO IS UNDER THE AGE OF 16 YEARS, AND A YOUNG PERSON IS DEFINED AS 16 YEARS AND ABOVE, BUT IS UNDER THE AGE OF 18 YEARS.

What is the reason for reporting under the <i>Children and Young Persons (Care and Protection) Act 1998</i> ?	<input type="checkbox"/> Request for Assistance (Sect 113)	<input type="checkbox"/> Prenatal (Sect 25)
	<input type="checkbox"/> Risk of Harm (Sect 23/24)	<input type="checkbox"/> Homelessness (Sect 120/121/122)

Please provide details of concern for the safety and/or welfare of the child/ren and/or young persons. Also include any concerns you may have in regards to: <ul style="list-style-type: none"> issues of domestic violence carer's alcohol or other drug misuse carer's mental health issues 	
What have you noticed of concern about the child/ren and/or young person's appearance and behaviour?	
What is the nature of your ongoing professional role, if any, with the child/ren, young person/s and their parents/carers, and the frequency, duration and type (if applicable)?	

What other services or supports are currently in place to support the child/ren, young person/s and their parents/carers (if known)?	
---	--

Is the family, child or young person aware that this report has been made? Yes No

If DoCS considers the report should be referred to NSW Police for criminal investigation, do you consent to your details being forwarded? Yes No

If the report is referred to NSW Police, the same protections and confidentiality relating to your identity will continue to apply as per section 29 of the *Children and Young Persons (Care and Protection) Act 1998*.

Reporter's name (please print clearly)	
Signature	
Date and time	