

RECOGNISING AND RESPONDING TO RISK OF CHILD ABUSE

Policy number	2	Version	1
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Authorisation	Alice Gerlach	Scheduled review date	March 2021

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1. Purpose

- 1.1 It is a whole of The Song Room's (TSR) responsibility to protect children from the risk of physical abuse, sexual abuse, emotional abuse and neglect.
- 1.2 This procedure assists in ensuring that all staff, volunteers and subcontractors (workers) can recognise when a child is at risk of harm and respond accordingly.

2. Scope

- 2.1 This procedure applies to all TSR workers.
- 2.2 This procedure applies to any child whom TSR workers encounter through the course of their work.

3. Definitions

Abuse and neglect of a child: refers to physical abuse; sexual abuse; emotional abuse; neglect; and exposure to family and domestic violence. See Appendix I.

Best interests of the child: the principle of the best interests of the child is set out in the *United Nations Convention on the Rights of the Child* and refers to when the primary consideration in all actions and decisions that are taken is that of the child.

Case Manager: for the purposes of this procedure is a TSR worker who has a frontline service delivery role.

Carer/s: are adults who provide paid/unpaid care and support to children for a range of reasons. A carer may be directly providing an official care service (such as disability support or day care), or by way of a formal arrangement with the child protection authority (usually referred to as foster care), or informally caring for a child as their parents are unable to.

Child: refers to a child under the age of 18 years.



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Note: Relevant legislation, services and authorities may refer to a child between the ages of 12 and 18 as a 'young person'

Child in need of protection/care: is when a child is taken into the protection/care of a child protection authority as they have suffered, or are likely to suffer, from abuse or neglect and their parents/carers are not able to protect them.

Child protection authority: the State or Territory government agency that is responsible for protecting children from the risk of abuse or neglect when their parents or carers are unable to do so.

A list of relevant authorities by State and Territory is listed in Appendix III

Child protection report: an official notification of a risk of abuse concern to a State or Territory child protection authority by a TSR worker as a responsible reporter.

Disclosure of abuse or neglect: when a child tells a TSR worker that they have been, or are being, abused in some way. This may be physical, sexual or emotional abuse or neglect, or exposure to family and domestic violence.

Duty of care: for the purpose of this procedure, it is the moral or legal obligation of TSR workers to take reasonable steps to keep children safe from foreseeable abuse and provide a safe environment.

Good faith: for the purpose of this procedure, it is a sincere belief or motive by a TSR worker, without malice or desire to defraud another, when they report that a child is being abused or is at risk of abuse.

Mandatory report: an official report of a risk of abuse concern to a State or Territory child protection authority by a mandatory reporter as required in legislation.

One-off observation of a minor nature: for the purpose of this procedure refers to a one-off observation of a child where a report to a child protection authority would not be required e.g. children underdressed in cold weather, child comes to centre dirty and unkempt, gate of home left open and children wandering on street. These observations would not meet the threshold of a Client Incident and would not be recorded as an Incident.

Parent/s: includes parent/s of an unborn child where there is a concern that the child will be at risk of harm at, or immediately after birth.

Reasonable grounds for belief is a belief based on reasonable grounds (see below) that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

A reasonable belief is formed if a reasonable person believes that:

- (a) the child is in need of protection,
- (b) the child has suffered or is likely to suffer "significant harm as a result of physical injury," or
- (c) the parents are unable or unwilling to protect the child.

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation.



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A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed if:

- a) a child states that they have been physically or sexually abused;
- b) a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- c) someone who knows a child states that the child has been physically or sexually abused;
- d) professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or
- e) signs of abuse lead to a belief that the child has been physically or sexually abused.

Reportable conduct scheme: reportable conduct schemes in NSW and Victoria require misconduct towards children to be reported to the Office of the Children's Guardian in NSW and the Commission for Children and Young People in Victoria. These schemes have specific criteria as to the behaviours that constitute reportable conduct as well as additional reporting requirements.

Responsible reporter: in accordance with TSR's organisational duty of care to children, all TSR workers are required to recognise and respond to risk of abuse or neglect concerns, and as such are referred to as responsible reporters. For the purposes of this policy and procedure all TSR workers are considered responsible and mandatory reporters.

Workers include all staff, contractors and volunteers including all Board and Committee members.

4. Principles

Best interests of the child

We will ensure the best interests and immediate safety of children are paramount in responding to the risk of abuse or neglect and in ongoing service provision.

Children's rights

Children have a right to feel safe and protected from harm. We will listen to, support and take appropriate action to protect children who disclose abuse or neglect.

We also respect the right of children to participate in decisions that affect their lives, and we will do this taking into consideration their chronological and developmental age.

Collaboration and sharing of information

We will work collaboratively and share information with child protection authorities and other relevant stakeholders in line with State and Territory legislation and information sharing guidelines.

Duty of care

We will respond to all risk of child abuse concerns regarding a child as part of our duty of care.

Equity and diversity

We will consider the cultural needs of Aboriginal and Torres Strait Islander and culturally and linguistically diverse children and families, and the specific needs of LGBTQI children, and children with disability when responding to risk of child abuse.



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Good faith

The Song Room workers will reasonably endeavour to respond to risk of child abuse concerns in good faith.

Reporting requirements

We will abide by all legislative, contractual and regulatory reporting requirements.

Risk of harm training

All TSR workers will be provided with appropriate training relevant to their role to recognise and respond to risk of child abuse concerns.

Support and supervision

We will provide support for all TSR workers who recognise and respond to risk of child abuse, throughout the process and in the provision of ongoing services to a child, or family.

5. Procedure

5.1 Recognising risk of child abuse

5.1.1 Types of abuse or neglect of children

TSR workers must familiarise themselves with the types of abuse or neglect of children, including the associated signs and behaviours as detailed in Appendix I.

5.1.2 Source of information

Concerns about the abuse or neglect of children may be identified by directly witnessing, experiencing or being notified, either internally or externally. Information may come to light immediately or at a later point in time. Information can be provided verbally (face-to-face or by phone), in writing, or via social media.

5.1.3 Disclosure of abuse or neglect by a child

In the event of disclosure of abuse or neglect by a child, TSR workers must listen to, and reassure and respect the child who has made the disclosure and ensure appropriate supports are addressed by the school or early years centre.

5.1.4 Risk of child abuse concern relates to the conduct of a TSR worker

Should the risk of child abuse concern relate to the conduct of a TSR worker, TSR workers must comply with the Responding to Concerns or Allegations of Misconduct towards Children Policy. All risk of child abuse concerns must also be reported to the relevant TSR Manager and Executive team.

5.2 Responding to Risk of Child Abuse

5.2.1 Responsibility of all TSR workers

All TSR workers are required to respond to risk of child abuse concerns as responsible reporters. TSR workers must also report certain risk of child abuse concerns as a mandatory reporter.

5.2.2 Type of response



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The flowchart in Appendix II illustrates the sequence of steps to be undertaken when responding to a risk of child abuse concern.

Where the risk of child abuse is such that the child is in immediate danger or in a life threatening situation, the TSR worker is to:

- Contact the Police and/or ambulance immediately by dialling 000.
- Contact the Child Protection Authority for an immediate response.

In these instances, a TSR Manager is to be informed after the emergency response has been made. In all other situations, TSR workers are required to immediately report the concern to the appropriate TSR Manager.

TSR Managers will then report the Critical Incident to the Executive team.

Under the Reportable Conduct Scheme in Victoria and NSW there are specific time requirements and notification guidelines for reporting. See Appendix III for reporting guidelines.

The Executive team, including the Chief Executive Officer, are responsible for ensuring that all incidents of child abuse, concerns or allegations of misconduct are reported to the Child Protection Authority in the relevant State or Territory.

5.2.3 Escalation of risk of child abuse concern

If after making the child protection report/referral the TSR worker is not satisfied with the response of the Child Protection Authority or is still concerned about the safety of the child the matter should be escalated to the TSR Board.

In such instances an immediate meeting of the TSR Board will be called.

5.3 Documenting and recording risk of child abuse

Any reports are to be fully documented and recorded as Critical Incidents and tabled before the TSR Audit, Risk and Finance Committee (AFRC) and the TSR Board in line with the TSR Risk Management policy.

All reports of abuse toward children are considered Critical Incidents.

6. Responsibilities

Other than those instances where the risk of child abuse is such that the child is in immediate danger or in a life threatening situation it is the responsibility of the TSR worker to:

- Inform the appropriate TSR Manager of any concerns or allegations about the abuse or neglect of children **verbally and then by email or in writing.**
- Ensure that they are familiar with TSR policies and resources on Child Safety.

It is the responsibility of the TSR Manager to:

- Report all concerns about the abuse or neglect of children to the Executive team **verbally and then by email or in writing.**



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- Ensure that all reports are fully documented as a Critical Incident.
- All Critical Incidents must be logged as a 'Child Safety Critical Incident' in Salesforce.
- Ensure that all TSR workers are familiar with Child Safety policies and resources.
- Ensure that all TSR workers are following the Child Safety policies and resources.

It is the responsibility of the Executive team to:

- **Report all concerns about the abuse or neglect of children to the relevant Child Protection Authority.**
- Report all concerns about the abuse or neglect of children to the relevant school or early years centre.
- Ensure that all concerns about the abuse or neglect of children are fully documented, recorded and reported as Critical Incidents to the AFRC.
- Ensure that all TSR workers receive appropriate Child Safety training.
- Ensure that Child Safety Policies and resources are included in all recruitment and induction procedures.
- Ensuring that all Child Safety Policies and resources are easily accessible.
- Ensure that all Child Safety policies and procedures are in line with State and Territory requirements.

It is the responsibility of the AFRC to:

- Ensure that all Child Safety Policies and resources are reviewed annually.
- Report all concerns about the abuse or neglect of children as Critical Incidents to the TSR Board.
- Ensure that where a concern has been reported to the relevant Child Protection Authority that an immediate meeting of TSR Board be called.

It is the responsibility of the TSR Board to:

- Ensure that TSR has fulfilled its obligations for any concerns about the abuse or neglect of children.
- Ensure that TSR has appropriate Child Safety policies and resources.
- Ensure that all Child Safety Policies and resources are reviewed annually.



APPENDIX I

Types of Child Abuse and Neglect of Children

All types of abuse and neglect may be acute, episodic or chronic and may cause cumulative harm over time.

Physical Abuse

Physical abuse occurs when a child is deliberately hurt or injured by their parent/carer or another person. It may also be the result of the parent/carer or another person putting a child at risk of being injured.

Sexual Abuse

Sexual abuse occurs when a child is exposed to, or involved in, sexual activity that is inappropriate to the child's age and developmental level. It includes circumstances where the child has less power than another person involved, is exploited or where the child has been bribed, threatened, or coerced.

Emotional Abuse

Emotional abuse occurs when a person harms a child's development by constantly putting them down, humiliating and shaming them, not providing love, support or guidance, continually ignoring or rejecting them, scapegoating and threatening abuse or bullying. Emotional abuse can lead to poor self-esteem, feelings of worthlessness, difficulties with emotional regulation, depression, and anxiety.

Neglect

Neglect is when children do not receive adequate food or shelter, medical treatment, supervision, care or nurturance to such an extent that their development is damaged or they are injured. It also includes lack of adequate sensory, social and language stimulation in babies and young children such that there are noticeable delays in speech, motor skills, social skills, and/or cognitive ability.

Family and Domestic Violence

Family and domestic violence can take many forms such as verbal, physical, emotional, social, sexual, spiritual and financial abuse. It can also take the form of stalking and using controlling behaviours. Living in a home where there is family and domestic violence is harmful and can have a serious negative impact on a child's wellbeing, with the effects lasting into adulthood.

Grooming

Grooming is when a person builds an emotional connection with a child to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking. Children can be groomed online or face-to-face, by a stranger or, more usually, by someone they know.

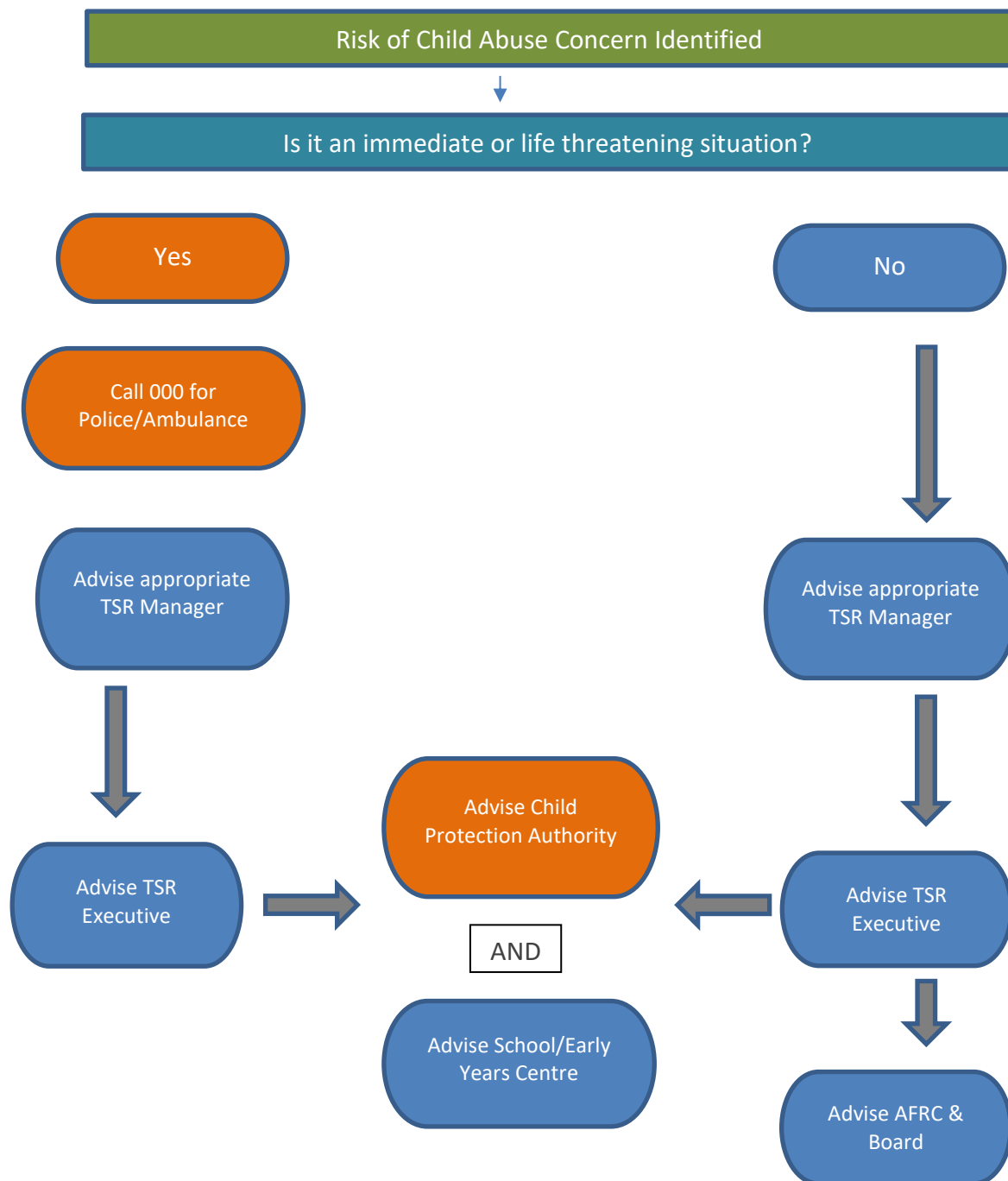
Children with harmful sexual behaviour

Harmful sexual behaviour between children is any behaviour of a sexual nature by or between children that is outside of normal developmental behaviour; is aggressive or violent or causes harm to the child or others; or where there is a substantial difference in age or developmental ability of the children involved.

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APPENDIX II

Risk of Child Abuse Flow Chart



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APPENDIX III

APPENDIX I

Legislation	Mandated reporters	When must a report be made?	Who is a child?
AUSTRALIAN CAPITAL TERRITORY			
<i>Children and Young People Act 2008 (ACT)</i>	<ul style="list-style-type: none"> • Doctors, nurses, enrolled nurses, midwives • Dentists • Teachers (including assistant teachers) and people providing education to a child or young person who is registered for home education under the Education Act 2004 • Police officers • School counsellors • People caring for a child at a child care centre • People coordinating or monitoring home-based care for a family day care scheme proprietor • Public servants who work with children and young people or families • The public advocate • An official visitor (i.e. someone authorised to be on the premises) • A person who, in the course of their employment, has contact with or provides services to children, young people and their families 	<p>A mandated reporter must make a report if:</p> <ul style="list-style-type: none"> • the person believes on reasonable grounds that a child or young person has experienced, or is experiencing, sexual abuse or non-accidental physical injury; and • that belief is formed in the course of the person's work <p>NB: exceptions may apply.</p>	<p>A person under 12 years old</p> <p>NB: A 'young person' is a person who is 12 years old or older, but not yet 18 years old</p>

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<i>Ombudsman Act 1989 (ACT)</i>	<p>The head (i.e. CEO, Principal etc.) of a designated entity.</p> <p>A designated entity means:</p> <ul style="list-style-type: none"> • an administrative unit that deals with the safety, welfare or wellbeing of a particular child or class of children; • a health service provider; • a government school or a non-government school; • a provider of an education and care service; • a child care service; • an approved kinship and foster care organisation; • an approved residential care organisation; or • any other entity prescribed by regulation. 	A mandated reporter must provide a written report to the Ombudsman if they become aware of a reportable allegation or any reportable conviction involving an employee, volunteer or contractor of the entity.	A person under 18 years old
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NEW SOUTH WALES

<i>Children and Young Persons (Care and Protection) Act 1998 (NSW)</i>	<ul style="list-style-type: none"> • A person who, in the course of his or her professional work or other paid employment, delivers health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children • A person who holds a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children 	<p>A mandated reporter must make a report to the Department of Family and Community Services if:</p> <ul style="list-style-type: none"> • they have reasonable grounds to suspect that a child is "at risk of significant harm"; and • those grounds arise during the course of or from the person's work. <p>NB: exceptions may apply.</p>	A person under 16 years old
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<i>Crimes Act 1900 (NSW)</i>	Any person	<p>A mandated reporter must make a report to the police if:</p> <ul style="list-style-type: none"> the person knows or believes that a serious indictable offence has been committed (i.e. child abuse); and their information might be of assistance to police in apprehending, prosecuting or convicting the offender. <p>NB: exceptions may apply.</p>	A person under 18 years old
	<p>The head of a designated government or non-government agency.</p> <p>A designated non-government agency includes non-government schools, organisations that provide out-of-home care or substitute residential care for children, approved education and care services, and affiliated health organisations within the meaning of the Health Services Act 1997 (NSW).</p>	<p>A mandated reporter must make a report to the Office the Children's Guardian if they become aware of a reportable allegation or reportable conviction against an employee, volunteer or contractor of the agency.</p>	<p>A person under 18 years old</p> <p>u</p>
NORTHERN TERRITORY			
<i>Care and Protection of Children Act 2007 (NT)</i>	Any person	<p>A mandated reporter must make a report to the Department of Health and Families or the police if the person believes on reasonable grounds that:</p> <ul style="list-style-type: none"> a child under 18 years old has suffered or is likely to suffer harm or exploitation; or a child under 14 years old has been or is likely to be a victim of a sexual offence; or 	A person under 18 years old

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		<ul style="list-style-type: none"> a child under 18 years old had been or is likely to be a victim of a sexual offence occurring in the context of a special care relationship. <p>NB: exceptions may apply.</p>	
	<p>In the NT, there are additional reporting obligations on 'registered health practitioners'.</p> <p>Registered health practitioners include Aboriginal health workers, chiropractors, dentists, dental hygienists, dental prosthetists, dental specialists, dental therapists, medical practitioners, midwives, registered nurses authorised to practise midwifery, registered and enrolled nurses, occupational therapists; optometrists; osteopaths; pharmacists, physiotherapists, psychologists and radiographers.</p>	<p>A registered health practitioner is under additional reporting obligations and must make a report if:</p> <ul style="list-style-type: none"> they believe on reasonable grounds that a child aged 14 or 15 years old has been or is likely to be a victim of a sexual offence; and the age difference between the child and the sexual offender is greater than two years. <p>NB: exceptions may apply.</p>	A person under 18 years old
<i>Domestic and Family Violence Act (NT)</i>	A person	<p>A mandated reporter must make a report if the person believes on reasonable grounds that the life or safety of a person (i.e. a child) is under serious or imminent threat because domestic violence has been, is being or is about to be committed.</p> <p>NB: exceptions may apply.</p>	A person under 18 years old
QUEENSLAND			
<i>Child Protection Act 1999 (QLD)</i>	<ul style="list-style-type: none"> Teachers (specifically, approved teachers under the Education [Queensland College of Teachers] Act 2005, employed at a school) Doctors Registered nurses Police officers with child 	<p>A mandated reporter must make a report if:</p> <ul style="list-style-type: none"> they form a reasonable suspicion that a child has suffered, is suffering or is at an unacceptable risk of suffering significant harm caused by physical or sexual abuse; and 	A person under 18 years old

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	<p>protection responsibilities</p> <ul style="list-style-type: none"> • A person performing a child advocate function under the Public Guardian Act 2014 • Child Safety employees <p>Licensed care services employees</p>	<ul style="list-style-type: none"> • the child may not have a parent able and willing to protect the child from the harm. <p>NB: exceptions may apply</p>	
<i>Education (General Provisions) Act 2006 (Qld)</i>	Staff members at a school	<p>A mandated reporter must make a report if they reasonably suspect, in the course of their employment at the school, that:</p> <ul style="list-style-type: none"> • a student under 18 years old attending the school has been or is likely to be sexually abused by another person; • a pre-preparatory age child registered in a pre-preparatory learning program at the school or a distance education pre-preparatory learning program at the school; or • a person with a disability who is being provided with special education at the school and is not enrolled in the preparatory year at the school. <p>NB: exceptions may apply</p>	
SOUTH AUSTRALIA			
<i>Children's Protection Act 1993 (SA)</i>	<ul style="list-style-type: none"> • Doctors • Pharmacists • Registered or enrolled nurses • Dentists • Psychologists • Police officers and community corrections officers • Social workers • Teachers in education institutions including kindergartens • Family day care providers 	<p>A mandated reporter must make a report to the Department of Education and Child Development if:</p> <ul style="list-style-type: none"> • they have reasonable grounds to suspect that a child has been or is being abused or neglected; and • the suspicion is formed in the course of the person's work (whether paid or voluntary) or carrying out of their official duties. <p>NB: exceptions may apply</p>	A person under 18 years old

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	<ul style="list-style-type: none"> Employees/volunteers in a government department, agency or instrumentality, or a local government or non-government agency that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children Ministers of religion (with the exception of disclosures made in the confessional) and employees or volunteers in a religious or spiritual organisation. 		
TASMANIA			
<i>Children, Young Persons and Their Families Act 1997 (TAS)</i>	<ul style="list-style-type: none"> Registered medical practitioners Nurses and midwives Dentists, dental therapists or dental hygienists Registered psychologists Police officers and probation officers Principals and teachers Persons who provide child care Persons involved in the management of a child care service licensed under the Child Care Act 2001 Employees or volunteers of government agencies that provide health, welfare, education, child care or residential services for children, and organisations that receive any funding from the Australian Government for the provision of such services <p>Any other person of a class determined by the relevant government Minister by notice in the Tasmanian Government Gazette</p>	<p>A mandated reporter must make a report to the Department of Health and Human Services or a Community-Based Intake Service</p> <p>if, in the course of carrying out their official duties:</p> <ul style="list-style-type: none"> they believe or suspect on reasonable grounds, or know that a child has been or is being abused or neglected; or there is a reasonable likelihood of a child being killed or abused or neglected by a person with whom the child resides. <p>This also applies to unborn children.</p> <p>NB: exceptions may apply</p>	A person under 18 years old
VICTORIA			

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<i>Crimes Act 1958 (Vic)</i>	<ul style="list-style-type: none"> Any person 18 years or older 	<p>A mandated reporter must make a report to the police if they form a reasonable belief that a sexual offence has been committed in Victoria against a child by another person of or over the age of 18 years.</p> <p>NB: exceptions may apply.</p>	A person under 16 years old
<i>Children, Youth and Families Act 2005 (Vic)</i>	<ul style="list-style-type: none"> Registered medical practitioners, midwives and registered nurses Teachers registered or granted permission to teach under the Education, Training and Reform Act 2006 Principals Police 	<p>A mandated reporter must make a report if:</p> <ul style="list-style-type: none"> They form a belief on reasonable grounds that a child is in need of protection from physical injury or sexual abuse; The parents cannot or will not protect the child; and The belief is formed in the course of practising his/her position of employment. <p>NB: exceptions may apply.</p>	A person under 17 years old
WESTERN AUSTRALIA			
<i>Children and Community Services Act 2004 (WA)</i>	<ul style="list-style-type: none"> 	<p>A mandated reporter must make a report to the Department of Communities Child Protection and Family Support if, in the course of their work, they believe on reasonable grounds that a child has been the subject of sexual abuse or is the subject of ongoing sexual abuse.</p> <p>NB: exceptions may apply.</p>	A person under 18 years old
COMMONWEALTH			
<i>Family Law Act 1975 (Cth)</i>	<ul style="list-style-type: none"> the Registrar or a Deputy Registrar of a Registry of the Family Court of Australia; the Registrar or a Deputy Registrar of the Family Court of Western Australia; a Registrar of the Federal Circuit Court of Australia; 	<p>A mandated reporter must make a report to the prescribed welfare authority if, in the course of performing their duties, functions or powers, they have reasonable grounds for suspecting that:</p> <ul style="list-style-type: none"> a child has been abused; or a child is at risk of being abused 	A person under 18 years old

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	<ul style="list-style-type: none"> • a family consultant; • a family counsellor; • a family dispute resolution practitioner; • an arbitrator; or • a lawyer independently representing a child's interests 		
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WHERE TO CONTACT IF YOU NEED TO RESPOND TO A RISK OF CHILD ABUSE, OR CONCERN OR ALLEGATION OF MISCONDUCT

AUSTRALIAN CAPITAL TERRITORY	Child and Youth Protection Services	http://www.dhcs.act.gov.au/ocyfs 1300 556 728
NEW SOUTH WALES	Office of the Children's Guardian	https://www.kidsguardian.nsw.gov.au/child-safe-organisations/reportable-conduct-scheme/notification-forms
NORTHERN TERRITORY	Child Protection NT	Child Protection Hotline: 1800 700 250 Online: childprotectionreport.nt.gov.au
QUEENSLAND	Department of Child Safety Youth and Women	1800 811 810 https://secure.communities.qld.gov.au/cbir/ChildSafety#
SOUTH AUSTRALIA	Department for Child Protection SA	13 14 78 www.reportchildabuse.families.sa.gov.au
TASMANIA	Department of Communities	1800 000 123 https://www.health.tas.gov.au/contact/child_protection_notification_form
VICTORIA	Commission for Children & Young People	https://ccyp.vic.gov.au/reportable-conduct-scheme/notify-and-update/
WESTERN AUSTRALIA	Department for Child Protection WA	1800 708 704 www.mandatoryreporting.dcp.wa.gov.au

IN ALL INSTANCES WHERE A CHILD IS IN IMMEDIATE RISK OF ABUSE CALL THE POLICE ON 000

