

## 4. Handling disclosures or suspicions of harm

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<b>Document Owner</b>	Diocesan Safeguarding Coordinator	<b>Scheduled review date</b>	December 2020

ROLE	RESPONSIBILITIES
Parish Priest or Administrator or Agency Director  Parish Priest or Administrator or Agency Director to identify and appoint who has the responsibility	<ul style="list-style-type: none"> <li>• Ensure this procedure is discussed at scheduled Parish Council, Ministry or Agency leadership meetings and documented in Minutes;</li> <li>• Support and provide direction to Church personnel on concerns (if concerns are disclosed to them or they suspect a vulnerable person has been or is at risk of being harmed) as per this procedure;</li> <li>• Utilise the <a href="#">Child Protection Guide</a> to assist with decision-making and advise and liaise with the Diocesan Safeguarding Coordinator</li> <li>• Ensure compliance with legislated mandatory reporting requirements;</li> <li>• Be familiar with the <i>Complaints Policy</i> and procedures and have it easily accessible for all Church personnel in the Parish, Ministry or Agency.</li> </ul>
Church personnel	<ul style="list-style-type: none"> <li>• Be aware of signs of possible abuse and be alert to any possible abuse or neglect of those who are vulnerable in parishes, ministries or agencies;</li> <li>• Utilise the <a href="#">Child Protection Guide</a> to assist with decision-making and advise and liaise with the Diocesan Safeguarding Coordinator;</li> <li>• Report concerns to authorities such as Queensland Police Service if there is immediate risk of harm or a life-threatening situation and ensure compliance with legislated mandatory reporting requirements;</li> <li>• Inform key contacts within the Church including Parish Priest/Administrator, Agency Director, Safeguarding Representative, Diocesan Safeguarding Coordinator on any concerns received or observed – provided the concerns are not implicating that key contact person.</li> </ul> <p>Note: If there is a key contact person implicated in a concern received or observed, immediately contact the Diocesan Safeguarding Coordinator or call Queensland Police Service if the matter is urgent or of a criminal nature.</p>
Diocesan Safeguarding Coordinator	<ul style="list-style-type: none"> <li>• Support parishes, ministries and agencies to understand this procedure and the responsibility of all Church personnel to be informed on possible abuse and neglect;</li> <li>• Appropriately respond to disclosures or suspicions of harm received and support Church personnel to facilitate a notification to authorities as required;</li> <li>• Support Safeguarding Representatives (where appointed) to be clear on this procedure and refer to it as required, including providing training to relevant staff and volunteers;</li> <li>• Disseminate and educate on reporting using the complaints management flowchart;</li> </ul>

	<ul style="list-style-type: none"> <li>Ensure completed <i>disclosures or suspicion of harm reporting</i> documents are confidentially filed and maintained in the Diocesan Office for referencing if required by authorities.</li> </ul>
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**1. Handling disclosures or suspicions of harm - procedure outline:**

**1.1. Defining Harm**

- 1.1.1. Harm is defined as ‘any detrimental effect of a significant nature on the vulnerable person’s physical, psychological or emotional wellbeing’. Harm can be caused by physical, psychological, or emotional abuse or neglect; or sexual abuse or exploitation;
- 1.1.2. Considerations when forming a reasonable suspicion about harm to a vulnerable person include:
  - Whether there are detrimental effects on the person’s body or psychological state or emotional state which are evident or likely to become evident in the future;
  - In relation to any detrimental effects mentioned above, considering the nature and severity and the likelihood that they will continue;
  - The age of the person and if they are a child under 18 years (section 13C of the Child Protection Act 1999).
- 1.1.3. Harm can be caused by a single act or omission or a series of acts or omissions.

**1.2. Identifying Harm**

<b>Types of Abuse</b> Actions/behaviours by perpetrator	<b>Resulting Harm</b> Impact experienced by the vulnerable person
<p style="text-align: center;"><b>Physical Abuse</b></p> <ul style="list-style-type: none"> <li>• Hitting</li> <li>• Shaking</li> <li>• Burning/scalding</li> <li>• Biting</li> <li>• Causing bruise or fractures by excessive discipline</li> <li>• Poisoning</li> <li>• Giving children alcohol, illegal drugs or inappropriate medication</li> <li>• Domestic and family violence</li> </ul>	<p style="text-align: center;"><b>Physical</b> <i>Refers to the body</i></p> <ul style="list-style-type: none"> <li>• Bruising</li> <li>• Fractures</li> <li>• Internal injuries</li> <li>• Burns</li> </ul> <p style="text-align: center;"><b>Psychological</b> <i>Refers to the mind and cognitive processes</i></p> <ul style="list-style-type: none"> <li>• Learning and development delays</li> <li>• Impaired self-image</li> </ul> <p style="text-align: center;"><b>Emotional</b> <i>Refers to the ability to express emotions</i></p> <ul style="list-style-type: none"> <li>• Depression</li> <li>• Hypervigilance</li> </ul>
<p style="text-align: center;"><b>Psychological or Emotional Abuse</b></p> <ul style="list-style-type: none"> <li>• Scapegoating</li> <li>• Persistent rejection or hostility</li> <li>• Constant yelling, insults or criticism</li> <li>• Cultural affronts</li> <li>• Teasing/ bullying</li> <li>• Domestic and family violence</li> </ul>	
<p style="text-align: center;"><b>Neglect</b></p> <ul style="list-style-type: none"> <li>• Not giving a vulnerable person sufficient food, housing, hygienic living conditions, health care and adequate supervision</li> <li>• Leaving children unattended</li> </ul>	

<ul style="list-style-type: none"> <li>• Children missing school</li> </ul>	
<p><b>Sexual Abuse or exploitation</b></p> <ul style="list-style-type: none"> <li>• Kissing or holding a vulnerable person in a sexual manner</li> <li>• Exposing a sexual body part to a vulnerable person</li> <li>• Exposing vulnerable people to sexual acts or pornography</li> <li>• Having sexual relations with a child or young person under the age of 16 or any behaviour of a sexual nature against a person (no matter their age) which is unwanted and takes place without the consent or understanding of that person.</li> </ul>	<ul style="list-style-type: none"> <li>• Poor self esteem</li> <li>• Self-harm</li> <li>• Fear/anxiety</li> </ul>

**Note:** This is not a complete list of the types of abuse and resulting harm, however this should be used as a tool for potential signs of harm and in such cases, ensure a report is made to the Diocesan Safeguarding Coordinator.

1.2.1. **Disclosure of Harm** – A disclosure of harm occurs when someone, including a child, tells you about harm that has happened, is happening, or is likely to happen.

Disclosures of harm may start with:

- ‘I think I saw...’
- ‘Somebody told me that...’
- ‘Just think you should know...’
- ‘I’m not sure what I want you to do, but...’

It is important to act quickly and in the best interest of the vulnerable person after a disclosure of harm is received, irrespective of the alleged source of harm and especially if the vulnerable person is a child;

1.2.2. **Suspicion of harm** – A suspicion of harm is when someone has a reasonable suspicion that a vulnerable person has suffered, is suffering, or is at unacceptable risk of suffering significant harm. This includes circumstances which relate to an unborn child who may be in need of protection after he or she is born. A vulnerable person who has been, or may be experiencing, abuse may show behavioural, emotional or physical signs of stress and abuse;

1.2.3. There may also be other circumstances where there is concern for a person’s welfare but it does not reach the threshold to be considered a disclosure or suspicion of harm;

1.2.4. You have a duty of care to follow up on any suspicions of harm or potential risk of harm to children and vulnerable adults in your care. You can do this by observing and recording the actions of children or vulnerable adults who might be at risk, and reporting your concerns to the Diocesan Safeguarding Coordinator or relevant authorities if you have immediate concerns.

You can suspect harm if:

- A child or vulnerable adult tells you they have been harmed;
- Someone else, for example another child, a parent, or an employee, tells you that harm has occurred or is likely to occur;

- A child or vulnerable adult tells you that they know someone who has been harmed (it is possible that they may be referring to themselves);
- You are concerned at significant changes in the behaviour of a child or vulnerable adult, or the presence of new unexplained and suspicious injuries;
- You see harm happening.

### 1.3. Managing and recording a disclosure or suspicion of harm – refer to Flowchart and follow the detailed steps in this procedure

#### 1.3.1. Disclosure of harm – how to manage and record

##### Important things to consider when receiving and managing a disclosure of harm

All Church personnel have a responsibility to be informed on what to do when managing a disclosure of harm. Key steps to note and apply are:

##### Receive:

- Remain calm and be welcoming to the person.

##### Respect:

- Listen attentively, supportively and non-judgmentally;
- Ensure a private conversation occurs, respecting confidentiality, whilst remaining in an open space if possible.

##### Record:

- Encourage the person to talk in their own words and ensure just enough open-ended questions are asked to act protectively (e.g. 'Can you tell me what happened'... or 'Can you tell me more about that'). Don't ask leading questions which tend to suggest an answer.
- Document the disclosure as clearly as possible – it may be more appropriate to wait until after the person has disclosed before documenting or they may give you permission to take notes. You should try and accurately record:
  - The relevant dates, times, locations of alleged offences and who was present;
  - Exactly what the person disclosing said, using 'I said,' 'they said' statements;
  - The questions you asked;
  - Any comments you made;
  - Your actions following the disclosure.
- Do not attempt to investigate or mediate an outcome. The Queensland Police Service may want to know the following:
  - Name, age and address of the vulnerable person making the disclosure;
  - Whereabouts of the vulnerable person at that point in time;
  - Any identifying information of the alleged perpetrator;
  - Details of person reporting the harm.

##### Reassure:

- If the person is a child ensure you advise and reassure them that the disclosure cannot remain a secret and it is necessary to advise someone in order to get help for them;
- Reassure the person they have done the right thing by telling you;
- If the person is over 18 years, explain that you would like to tell someone else who can help and seek their consent to report the concerns and to provide them support.

##### Refer:

- **If the child or vulnerable adult is in a life-threatening situation, you should immediately notify Queensland Police Service on 000.**
- If the person is over 18 and is **not** at risk of immediate harm, but does not seek assistance, provide the person with the details for the Queensland Professional Standards Office: 1800 337 928 – 9am-

5pm Mon-Fri. If you have concerns about their mental health or decision-making capacity refer to 1.5. of this procedure;

- For a child under 18 years, refer to 1.4. of this procedure for reporting a disclosure of harm, considering mandatory reporting requirements to the Queensland Police Service or Child Safety Services;
- In all cases you should advise the Diocesan Safeguarding Coordinator and complete a [Disclosure or suspicion of harm reporting form](#). The Diocesan Safeguarding Coordinator can assist you to complete this document.

### 1.3.2. **Suspicion of harm** – how to manage and record

#### **Important things to consider when managing a suspicion of harm**

All Church personnel have a responsibility to be informed on what to do when managing a ‘suspicion’ of harm. Key steps to note and apply are:

- Remain alert to any warning signs or indicators as outlined in this procedure;
- Pay close attention to changes in the vulnerable persons behaviour and the words they use;
- Make written notes of observations in a non-judgmental and accurate manner;
- Utilise the [Child Protection Guide](#) to assist with decision-making and advise and liaise with the Diocesan Safeguarding Coordinator;
- Follow this procedure for reporting a suspicion of harm, considering mandatory reporting requirements to the Queensland Police Service or Child Safety Services **(for children under 18 years)**

### 1.3.3. **Key Contacts** to notify when managing and recording a disclosure or suspicion of harm

- There are key contacts within the Catholic Diocese of Townsville who should be contacted once you have received and recorded a disclosure of harm or suspicion of harm, **however if you think the vulnerable person is in a life-threatening situation, you should immediately notify Queensland Police Service on 000.**

If you assess that the vulnerable person is not in immediate risk of being harmed, you should immediately notify the key contacts who are:

- Parish Priest/Administrator/ Ministry or Agency Director – if appropriate and not implicated in the concerns; or
- Safeguarding Representative (where appointed) – if appropriate and not implicated in the concerns; and
- Diocesan Safeguarding Coordinator (Professional Standards)
- Whistleblowers STOPLine phone number or email

#### **Important things to note**

Nothing that is written in these procedures below prevents any Clergy, Religious, Church lay person, paid employee or volunteer or any other person from taking immediate action to notify Queensland Police Service and/or the Child Safety Services **(for children under 18 years)**, particularly if he or she believes that it is essential to act to ensure a vulnerable persons safety.

Any issues relating to suspected or alleged harm to children or vulnerable adults is highly sensitive and must be treated in such a way. The matter should only be discussed with relevant key contacts in the Catholic Diocese of Townsville including the Diocesan Safeguarding Coordinator and Officers of statutory authorities such as Queensland Police Service, Child Safety Services and Office of Public Guardian.

#### 1.4. Reporting a disclosure or suspicion of harm – for children under 18 years

1.4.1. Reporting a disclosure or suspicion of harm requires key considerations. These are:

**Consider** whether the disclosure or suspicion needs to be reported to Queensland Police Service. Actions are:

- Contact Queensland Police Service immediately on 000 if there is immediate danger or a life-threatening situation;
- Advise your key contact person for consideration and direction before making contact with the parent or guardian. In some cases, the parent or guardian may be implicated in the concerns and therefore police will need to be advised immediately;
- If any reporting on a disclosure or suspicion of harm occurs without first speaking with the key contact person/s, the Diocesan Safeguarding Coordinator must be immediately notified.

**Consider** whether the disclosure or reasonable suspicion of harm needs to be reported to Child Safety Services (**for children under 18 years**). Actions are:

- Advise your key contact person for consideration and direction. If a report to authorities is determined as necessary, immediately notify the Diocesan Safeguarding Coordinator;
- Mandatory reporters must report to Child Safety Services if there is a reasonable suspicion that a child has suffered, is suffering, or is at unacceptable risk of suffering significant harm caused by physical or sexual abuse AND does not have a parent able and willing to protect the child from the harm. Mandatory reporters should immediately report through the Agency Director;
- If the Agency does not have a specific reporting procedure to follow, then this procedure applies and the Diocesan Safeguarding Coordinator must be advised in writing as soon as possible;
- If any reporting on a disclosure or suspicion of harm occurs without first speaking with the key contact person, the Diocesan Safeguarding Coordinator must be immediately notified.

**Consider** whether referral is required to other support services, including Family and Child Connect services. Actions are:

- Advise your key contact person for consideration and direction. The Diocesan Safeguarding Coordinator can assist;
- Encourage the family to access supports if suitable;
- The [Family and Child Connect](#) website provides useful materials, including Training resources in relation to family support services, which can assist you further.

#### Important things to note for children under 18 years

Section 13C of the Child Protection Act 1999 provides guidance when forming a reasonable suspicion about whether a child has suffered significant harm, is suffering significant harm, or is at an unacceptable risk of suffering significant harm. The matters that a person may consider include:

- Whether there are detrimental effects on the child’s body or the child’s psychological or emotional state—
  - (i) that are evident to the person; or
  - (ii) that the person considers are likely to become evident in the future; and
- In relation to any detrimental effects mentioned in *paragraph (a)* —
  - (i) their nature and severity; and
  - (ii) the likelihood that they will continue; and
- The child’s age.

### **Mandatory Reporting in Queensland Legislation:**

People with [mandatory reporting](#) obligations include doctors, registered nurses, approved teachers, early childhood education and care professionals; and police officers with child protection responsibilities. Mandatory reporters MUST report to Child Safety Services a reasonable suspicion that a child has suffered, is suffering, or is at unacceptable risk of suffering significant harm caused by physical or sexual abuse AND does not have a parent able and willing to protect the child from the harm.

Mandatory reporters should also report to Child Safety Services a reasonable suspicion that a child or unborn child may be in need of protection where the harm or risk of harm relates to any other type of abuse or neglect under s13A of the Child Protection Act 1999. [Making a report to Child Safety](#)

### **Mandatory Reporting by Early Childhood Education and Care Professionals**

Early childhood education and care (ECEC) professionals are now mandated by law to report child safety concerns to the department, where there is a reasonable suspicion that the child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse, and there is not a parent willing and able to protect the child from harm.

ECEC professionals under the National Quality Framework and Standard 2.2.3 “Child Protection”, must ensure they are aware of their roles and responsibilities to identify and respond to every child at risk of abuse and neglect.

ECEC professionals include staff from family day care, kindergarten, limited-hours care, long day care and after-school hours care. Individuals who are volunteers or under 18 years of age are not mandatory reporters.

ECEC professionals are not prescribed entities and cannot refer families to [Family and Child Connect](#) or an intensive family support service without their consent. If concerns about a family do not meet the legislative threshold for reporting to the department, ECEC professionals are encouraged to refer families to support services, with their consent.

Information resources are provided below to assist mandatory reporters and other professionals in better understanding when and how to report their worries regarding children’s safety and wellbeing. The resources include four short videos and a range of information sheets and resources which cover aspects of child protection and prevention.

### **Information Resources for Reporting**

- [Video 1 - About Family and Child Connect](#)
- [Video 2 - Mandatory reporting, Child Protection](#)
- [Video 4 - Information Sharing, Child Protection](#)
- [Presentation - Mandatory reporting by early childhood education and care professionals \(PDF, 1.1 MB\)](#)
- [Information sheet 1 – Mandatory reporting by early childhood education and care professionals \(PDF, 475 KB\)](#) [Information sheet 1 – Mandatory reporting by early childhood education and care professionals \(DOCX, 17 KB\)](#)
- [Information sheet 2 - The Child Protection Guide \(PDF\)](#)
- [Information sheet 3 - Principal Child Protection Practitioner \(PDF, 89 KB\)](#) [Information sheet 3 - Principal Child Protection Practitioner \(DOCX, 17 KB\)](#)
- [Information sheet 4 - Sharing information with Family and Child Connect \(PDF, 167 KB\)](#) [Information sheet 4 - Sharing information with Family and Child Connect \(DOCX, 769 KB\)](#)
- [Information sheet 5 - What is Family and Child Connect? \(PDF, 211 KB\)](#) [Information sheet 5 - What is Family and Child Connect? \(DOCX, 774 KB\)](#)
- [Information sheet 6 - Frequently asked questions \(PDF, 490 KB\)](#)

- [Information sheet 7 - Understanding domestic and family violence \(PDF, 453 KB\)](#)
- [Information sheet 8 - Impact of parental substance misuse on children \(PDF, 357 KB\)](#)
- [Information sheet 9 - How to have a difficult conversation \(PDF, 370 KB\)](#)
- [Information sheet 10 - Understanding children's sexual behaviour \(PDF, 482 KB\)](#)
- [Family and Child Connect - information for professionals \(PDF\)](#) [Family and Child Connect - information for professionals \(RTF, 67 KB\)](#)
- [A guide to reporting child protection concerns and referring families to support services \(PDF\)](#) [A guide to reporting child protection concerns and referring families to support services \(RTF, 168 KB\)](#)
- [Contact sheet \(PDF, 274 KB\)](#)
- [Mandatory reporting A3 poster \(PDF, 218 KB\)](#)

#### **Determining if there is a parent willing and able to protect the child:**

A parent may be willing to protect a child, but not have capacity to do so and therefore they are not considered 'able'. This may include parents suffering from a severe mental health condition or physical illness/injury.

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

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

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

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

The information which must be provided to Child Safety Services if reporting is:

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

- The basis on which the person has formed the reportable suspicion,
- The information prescribed by regulation, to the extent of the person's knowledge.

#### **Non-Mandatory Reporting:**

Child protection is everybody's responsibility and every person SHOULD report to Child Safety Services if that person forms a reasonable suspicion that a child (including an unborn child) has suffered, is suffering, or is at unacceptable risk of suffering significant harm AND does not have a parent able and willing to protect the child from the harm.

#### **Making a Report to Child Safety Services:**

- See below for online reporting:  
[Making a report to Child Safety](#)

- After hours and on weekends - contact the Child Safety After Hours Service Centre on 1800 177 135 or (07) 3235 9999. The service operates 24 hours a day, seven days a week.

A person making a report is protected from liability under the Child Protection Act 1999 from civil or criminal legal actions and is not considered to have broken any code of conduct or ethics.

## 1.5. Reporting a disclosure or suspicion of harm – for a vulnerable adult over 18 years

### 1.5.1. Reporting a disclosure or suspicion of harm must consider:

Whether the disclosure or suspicion needs to be urgently reported to Queensland Police Service. If so, the actions are:

- Contact Queensland Police Service immediately on 000 if there is immediate danger or a life-threatening situation;
- Monitor safety of the vulnerable adult, others and your own safety until emergency assistance arrives;
- Advise your key contact person for consideration and direction as soon as is practical (ensuring immediate safety is prioritised).

If there is no immediate risk of harm to the vulnerable adult, engage and seek their consent to report the disclosure or suspicion of harm. Complete the *Safeguarding Disclosure and Suspicion of Harm Reporting Form* and send to the Diocesan Safeguarding Coordinator. This form is available in the [Safeguarding Supporting Documents/ Forms](#);

With consent of the vulnerable adult, the family members (if appropriate and not implicated in the suspicion of harm) should be notified and requested to provide immediate assistance and support. If it is known that the vulnerable adult has an appointed Adult Guardian, then the Office of the Public Guardian will need to be notified;

Support services should be identified, with the consent of the vulnerable adult, if there are no family available and there is no Adult Guardian appointed. The Diocesan Safeguarding Coordinator can assist to consider available support services;

If there are serious concerns for the vulnerable adult's mental health or decision-making capacity, you should notify your key contact person immediately to assist you. Remember to call Queensland Police Service immediately on 000 if there is immediate danger or a life-threatening situation.

#### Important things to note

Situations may become volatile very quickly for all involved and may place everyone in that situation at risk of harm if not considered carefully. Safety to Church personnel, specifically the person engaging with the vulnerable adult must take first priority and Queensland Police Service should be called without hesitation on 000 if there is an escalation in behaviour and if safety for any person is compromised.

Debriefing and pastoral care after a disclosure or suspicion of harm is reported is very important for the self-care and well-being of all personnel impacted.

## 1.6. Effective Complaints Management including reporting current concerns and historic allegations of abuse

1.6.1. The Catholic Diocese of Townsville is formalising a complaint handling process. The following flowchart will apply for when a disclosure or suspicion of harm complaint is received, pursuant to National Safeguarding Standard Six, for effective complaints management.

1.6.2. Pope Francis has issued '*Vos estis lux mundi*' - a motu proprio by Pope Francis, promulgated on 9 May 2019, which is an official order on mandatory reporting within the Catholic Church. A specific policy for the Australian Catholic Church will likely be developed however the below flowchart will direct any complaints received on the Bishop, clergy or religious to the Queensland Professional Standards Office (Queensland Provincial Office). All complaints which may be criminal in nature should be directly reported to Queensland Police Service.

## Complaints Management Flowchart



Safeguarding Coordinator facilitates next steps which may include:

- If an immediate report to Police, Child Safety Services or Public Guardian is required;
- If an immediate risk assessment and management plan is required to ensure safeguard measures are in place;
- Apply the National Response Protocol and its procedures where required;
- Referral avenues for the complainant are provided;
- Determine with Bishop (where required) to convene his Consultative Panel to ensure all safeguarding steps are in place for all involved; including pastoral care for the complainant as well as the respondent facing allegations;
- Investigation process undertaken by the relevant authority, monitor progress and await outcome;
- Findings and recommendations are considered and an action plan developed (Consultative Panel if required);
- Undertake review on relevant policy, procedures and systems; implement and report back to relevant stakeholders.