



# CHILD SAFETY FRAMEWORK USER GUIDE

## Guidance to Deal with Child Safety Concerns

**The following Child Safe resource is provided as a reference only.**

This document and its content is provided as a guide for your organisation as of July 2020. Your organisation should also consider referencing any information, documents and strategies that might be specifically required for your organisation and relevant to its circumstances, structure and operations.

The information contained in this document is general in nature and should not be considered or relied upon as a substitute for legal advice.

**Please note that references in [square brackets] throughout this document should be tailored for your organisation's policies and procedures.**

Cricket Victoria recommends using this resource with due consideration and consulting a child safe expert or legal advisor to assist with any questions.

Who <u>can</u> report?	Anyone! We all have an obligation to report breaches of the Child Safety Framework.	
What to report and to whom?	<b>If in immediate danger or a life threatening situation</b>	<b>Someone must CALL 000 (Police) as soon as possible</b>
Generally – what to do regarding Child Safety concerns:	<b>Always ensure that conversations occur discretely with the appropriate people &amp; maintain confidentiality</b>	<ul style="list-style-type: none"> <li>Take reasonable steps to protect Children &amp; Young People (CYP) and others at risk.</li> <li>Tell a Child Safety Officer (CSO) or an appropriate senior person in cricket.</li> <li>The CSO or appropriate senior person gathers relevant information (eg, who, what, when, where, how, why &amp; what next?) and must inform Cricket Victoria.</li> <li>If any concerns/conflicts of interest, contact Cricket Victoria direct by phone or email.</li> </ul>
What you <u>must</u> report – 3 categories of mandatory reporting:	<b>Reasonable belief or suspicion of Child Sexual Abuse, Child Abuse or Neglect or Reportable Conduct</b>	<ol style="list-style-type: none"> <li>Report matters where you have a reasonable belief<sup>^</sup> that <b>child sexual abuse of a child under 16 years</b>, by an adult, has occurred or is likely to occur, <a href="#">to police</a>.</li> <li>Report matters where you have a reasonable belief<sup>^</sup> that a child has suffered, or is likely to suffer, significant harm from physical or sexual abuse and their parent/guardian has not protected, or is unlikely to protect the child from harm of that type <a href="#">to the Department of Health &amp; Human Services (DHHS)</a>.</li> <li>Report to <a href="#">the Commission for Children and Young People (CCYP) within 3 business days</a> if <b>“Reportable Conduct”</b>* occurs on camps or overnight stays OR the person complained about (or complaining) has a role in an organisation outside of cricket, that requires the matter to be reported to CCYP.</li> </ol> <ul style="list-style-type: none"> <li>For these matters, the CSO/senior person <u>must refer the matter to Cricket Victoria</u> who will appoint a Key Liaison Officer (KLO) to guide management of the matter, including notifying Cricket Australia.</li> <li><b>This is particularly important where the physical and/or mental health or wellbeing of any CYP in cricket is at risk.</b></li> </ul>
What you are <u>advised</u> to report to DHHS and CCYP (if outside the above mandatory reporting categories)	<b>If reasonable belief<sup>^</sup> or suspicion of actual or likely abuse of a child under 18 years that has caused, or has the potential to cause <u>significant harm</u></b>	<ul style="list-style-type: none"> <li>Take reasonable steps to protect Children &amp; Young People (CYP) and others at risk.</li> <li>Confidentially, tell a CSO, an appropriate senior person in cricket or <a href="#">call DHHS or CCYP</a> if the matter is urgent.</li> <li>The CSO or appropriate senior person gathers relevant information (eg, who, what, when, where, how, why &amp; what next?) and <u>must inform Cricket Victoria</u>.</li> <li>If any concerns/conflicts of interest, contact Cricket Victoria direct by phone or email.</li> </ul>
What details should be provided when reporting?	Who?	Who was involved? Were there witnesses? Provide names, ages (if children) and contact details if known – <u>with CONSENT</u> .
	What?	What happened?
	When?	When did the conduct and/or behaviour occur?

<p>*Ask for <u>consent</u> to provide contact details &amp; a record of the concerns to appropriate people - discretely.</p>	<p>Where?</p>	<p>Where did the conduct and/or behaviour occur?</p>
	<p>How?</p>	<p>How did the conduct and/or behaviour breach the CSF? How was damage or impact to yourself/others caused?</p>
	<p>Why?</p>	<p>Why are you concerned?</p>
	<p>What next?</p>	<p>What do you and/or the person(s) affected want to happen next? What does the CYP want (if talking to their parent/guardian)? <b>Note</b> – Don't promise that what they want will happen.</p>
	<p>Other questions/ areas to address</p>	<ul style="list-style-type: none"> <li>• Who else (if anyone) have you spoken to?</li> <li>• Reinforce obligations of confidentiality.</li> </ul>
<p>What must you and/or the person to whom you report the matter to, do?</p>	<ul style="list-style-type: none"> <li>• Ensure you are in a position to talk privately, take detailed notes and retain securely.</li> <li>• Take concerns seriously and remember – innocent until proven guilty.</li> <li>• Be calm, listen to and be supportive of any child or young person involved.</li> <li>• Offer support to other persons as appropriate.</li> <li>• Inform those affected that other people may need to be told to deal with the issue.</li> <li>• Pass on the information received to the club's CSO/Member Protection Information Officer/President, Cricket Victoria and other relevant organisation(s).</li> <li>• Contact authorities (Police, DHHS or CCYP) as appropriate (see: "What you <u>must</u> report" and "What you are advised to report", above).</li> <li>• Record details of the complaint in the Confidential Record of Child Abuse Allegation Form (see CSF "Resources" page on Cricket Victoria website and Annexure E in Australian Cricket's Policy for Safeguarding Children and Young People).</li> </ul>	
<p>What happens next for matters involving a reasonable belief or suspicion that a CYP is at risk of significant harm?</p>	<ul style="list-style-type: none"> <li>• Next steps will depend on the nature and seriousness of the concern(s).</li> <li>• Cricket Victoria may provide guidance regarding managing the matter, including:             <ul style="list-style-type: none"> <li>○ Gathering more information.</li> <li>○ Reporting the matter to DHHS, CCYP and/or police, depending on the nature of what is uncovered through gathering the facts.</li> <li>○ Reporting the matter to Cricket Australia who may assist to guide the matter.</li> <li>○ Delegating the matter to another organisation as appropriate (eg, school, council, employer, facility, etc).</li> <li>○ Ensuring that the person complained about has received the allegations and has an opportunity to respond to those. This is called "natural justice".</li> <li>○ Discussing options for professional counselling support for those involved.</li> <li>○ Resolving through informal conversation/mediation and/or education.</li> <li>○ After internal investigation, determining that no further action is necessary.</li> <li>○ Taking provisional action (ie, suspension) if necessary.</li> <li>○ If more formal action is necessary, following our complaints process under the <b><u>Cricket Victoria Member Protection By-Law</u></b>.</li> </ul> </li> </ul>	

\* **"Reportable Conduct"** includes any one or more of the following, including where the conduct occurs on overnight camps or stays or if you are employed elsewhere and are required to report in that role:

Sexual offence committed against a child

Sexual offence committed with a child

Sexual offence committed in the presence of a child

Physical violence committed against a child

Physical violence committed with a child

Physical violence committed in the presence of a child

Sexual misconduct committed against a child

Sexual misconduct committed with a child

Sexual misconduct committed in the presence of a child

Behaviour that causes significant emotional or psychological harm to a child

Significant neglect of a child

^ **"Reasonable belief"** – *a reasonable person in the same position would have formed the same belief on the same grounds.*