



PROFESSIONAL STANDARDS

COMPLAINTS HANDLING POLICY

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First approved by:	Superior and Council
Person/section responsible	Superior and Council Director of Operations Safeguarding Coordinator
Procedures and related or supporting documents that belong with this policy	<p> Appendix 1 - Complaint Handling Procedure Appendix 2 - Feedback and Complaint Information Sheet Appendix 3 - How to Make a Complaint Information Sheet Appendix 4 - Complaint Form Appendix 5 - Complaint Form (Child) Appendix 6 - Receiving a Disclosure of Harm – The 3R Response System Appendix 7 - External Reporting Obligations Factsheet (Australia & Philippines) </p> <p> Safeguarding Policy SGS Code of Practice Good Samaritan Commitment to Safeguarding SGS Procedure: Responding to a Breach of the SGS Code of Practice Conducting Internal Investigations (Child Related) Policy Conducting Internal Investigations (Adult/Adult at Risk) Policy Conducting Internal Investigations (General) Policy Records Keeping Policy </p>
Relevant Legislation & External Documents:	National Catholic Safeguarding Standards (Australia) Integrity in Ministry (Australia) Integrity in the Service of the Church (Australia) National Response Protocol Principles (Australia) Vos Estis Lux Mundi
Policies superseded by this approval:	Professional Standards and Child Safety Complaints Handling Policy
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Purpose

The Sisters of the Good Samaritan (the Congregation) believes that all children and adults have the right to make a complaint when they are dissatisfied by actions or inactions of Sisters, Oblates, employees, volunteers or contractors, or the services provided by the Congregation. The Congregation is committed to providing accessible and supportive pathways for Sisters, Oblates, employees, volunteers, contractors, families, children and community members who wish to make a complaint and will ensure complaints are handled with respect, fairness, efficiency and transparency.

Principles and Values

- Complaints are taken seriously and responded to promptly and thoroughly.
- Complaints will be dealt with honestly and fairly.
- Complainants will be listened to and heard; this will be met with the support of appropriately trained personnel.
- Complainants and where appropriate their support personnel are kept informed as to the progress of dealing with their complaints, subject to relevant statutory requirements.
- The Congregation's complaints handling approach prioritises the safety and well-being of children, adults at risk and secondary victims.
- Sisters, Oblates, employees, volunteers and contractors should be confident in reporting immediately any inappropriate behaviour around children and adults at risk.
- The Congregation will act impartially and promptly to assess, investigate and resolve complaints.
- The concept of procedural fairness will apply to all aspects of the complaint handling process.
- Be observant to any canonical processes that may apply.
- Use the data, insights and learnings from complaints to improve professional behaviour and practice within the Congregation and ongoing delivery of supports and services.
- This policy is underpinned by the Sisters of the Good Samaritan (SGS) Code of Practice and is informed by the Good Samaritan commitment to safeguarding.

Scope

- This policy applies to all Sisters of the Good Samaritan, Oblates, employees, volunteers and contractors engaged across the Congregation.

Types of Complaints

All complaints should be reported, this includes:

- Disclosure of abuse
- Inappropriate behaviour around children and adults at risk
- Suspicion of abuse or harm to a child or adult
- A breach of the SGS Code of Practice

Policy Review

This policy is reviewed every two years and will be checked against any associated relevant legislation.

Roles and Responsibilities

Role	Responsibility
Superior	Superior is responsible for: <ul style="list-style-type: none">• convening the Professional Standards Committee.• implementing the process for standing a Sister down during an investigation and ensuring suitable arrangements have been made to support the Sister during this time.• assisting the Professional Standards Committee and providing oversight to the Director of Operations with the SGS Complaint Handling Procedure (see Appendix 1).
Professional Standards Committee	The Professional Standards Committee are responsible for: <ul style="list-style-type: none">• responding to and investigating complaints in accordance with the SGS Procedure: Responding to a Breach of the SGS Code of Practice. The Professional Standards Committee is comprised the Superior, First Counsellor and Director of Operations. In the case where the Superior or First Counsellor are the subject of the alleged breach another Counsellor will be nominated to take their place on the Committee in that instance.
Safeguarding Advisory Group	The Safeguarding Advisory Group is responsible for: <ul style="list-style-type: none">• giving advice on policy and practices and ongoing education and formation.• reviewing recommendations arising from the complaint process.• analysing identified causes and systemic failures in safeguarding practices.
Director of Operations	The Director of Operations is responsible for: <ul style="list-style-type: none">• the handling of complaints related to the safety of a child that are received through the complaints handling process.• the handling of historical allegations of abuse of a child that are received through the complaints handling process.• reporting complaints to the Superior promptly ensuring all reporting obligations are met and comply with the relevant legislation.
All Sisters	All Sisters are responsible for: <ul style="list-style-type: none">• maintaining vigilance in safeguarding practices according to the Safeguarding Policy and SGS Code of Practice.• understanding their reporting obligations for the jurisdiction in

	<p>which they live or minister.</p> <ul style="list-style-type: none"> • following the Congregational procedures for responding to complaints.
All Oblates	<p>All Oblates are responsible for:</p> <ul style="list-style-type: none"> • maintaining vigilance in safeguarding practices according to the Safeguarding Policy and SGS Code of Practice. • understanding their reporting obligations for the jurisdiction in which they live or minister. • reporting complaints to the Director of Operations or Oblate Coordinator without delay.
All Employees	<p>All Employees are responsible for:</p> <ul style="list-style-type: none"> • maintaining vigilance in safeguarding practices according to the Safeguarding Policy and SGS Code of Practice. • understanding their reporting obligations for the jurisdiction in which they work. • reporting complaints to the Director of Operations without delay.
All Volunteers	<p>All volunteers are responsible for:</p> <ul style="list-style-type: none"> • advising the coordinating person for the role they perform with regard to concerns or complaints received and/or observed regarding the safety of children and adults.
All Contractors	<p>All contractors are responsible for:</p> <ul style="list-style-type: none"> • advising the coordinating person for the role they perform with regard to concerns or complaints received and/or observed regarding the safety of children and adults.

External Reporting Obligations

The Congregation has a legal and moral obligation to ensure reporting processes are implemented to their fullest. The Congregation will report according to the required laws of the jurisdiction in which the Congregation is present. Refer to [Appendix 7 - External Reporting Obligations Factsheet \(Australia & Philippines\)](#) for detailed information.

Making a complaint

Complaints or concerns can be made by:

- Face to face meeting
- Website (online Form)- <https://www.goodsams.org.au/contact/contact-us/>
- Phone call - +61 2 8752 5300 (inside and outside Australia)
- Form (Adult)
- Form (Child)
- Email – safeguarding@goodsams.org.au
- Letter – PO Box 1076, Glebe NSW 2037, Australia

Privacy and Confidentiality

Anyone can make a complaint or provide feedback without fear of repercussions.

- The Congregation will endeavour to ensure that anyone making a complaint does not suffer adversely because they have made a complaint.
- All complaints are to be treated in the strictest confidence. Only those who need to know will be informed of the complaint.
- The Congregation ensures all privacy and other lawful obligations are met.

Record Keeping

Complete and accurate records are created and maintained for all incidents, complaints, responses and decisions in accordance with the SGS Record Keeping Policy.



Appendix 1

Complaint Handling Procedure

Purpose

This procedure sets out the actions of the delegated Congregation members, in accordance with the SGS Complaints Handling Policy, to address complaints relating to:

- Disclosure of abuse
- Inappropriate behaviour around children and adults at risk
- Suspicion of abuse or harm to a child or adult
- A breach of the SGS Code of Practice

Application

1. Receiving a Complaint

1.1. Complaints may be made to Sisters of the Good Samaritan (the Congregation) in the following ways:

- Face to face meeting
- Website (online Form)- <https://www.goodsams.org.au/contact/contact-us/>
- Phone call - +61 2 8752 5300
- Form (Adult)
- Form (Child)
- Email – safeguarding@goodsams.org.au
- Letter – PO Box 1076, Glebe NSW 2037, Australia

1.2. Upon being notified of a complaint the Congregation will:

- a. receive details about the complaint and any supporting information
- b. determine contact information for the complainant
- c. identify issues raised by the complainant and the desired outcome
- d. identify any support issues that may be required for the complainant
- e. log the complaint into the SGS Complaint Register
- f. where a complaint relates to the safety and wellbeing of a child and/or adult at risk, immediately notify the Superior

1.3. If any Sister, Oblate, employee or volunteer receives a complaint from a caller on the telephone, from someone they meet socially, on social media or in the course of their work or ministry, they should listen with empathy and offer the option to provide their contact details and a briefing of their complaint to the Director of Operations on their behalf who will in turn contact the complainant or refer the person to contact the Director of Operations directly. Regardless of the scenario the Director of Operations will advise the Superior.

2. Acknowledging a Complaint

2.1. The Congregation will endeavour to acknowledge complaints within 48 hours (two business days) of receipt but no later than five business days following a complaint notification. The acknowledgement will be offered in writing (including

email) or via phone (depending on the most appropriate medium for contacting the complainant).

- 2.2. Where a complaint has been made that relates to the abuse or neglect of a child, the Congregation will, as soon as practicable, report this to the appropriate external authorities e.g. Reportable Conduct Scheme/Child Protection.
- 2.3. Immediate contact with Police will occur if it is deemed the child has experienced or is in danger of significant harm.

3. Assessing a Complaint

- 3.1. The complaint will be assessed to determine:
 - a. if the complaint raised is within the jurisdiction of the Congregation as the responsible authority (e.g. some complaints may relate to a volunteer organisation, another church authority or incorporated entity).
 - b. the type of complaint that has been received including, breaches of the SGS Code of Practice, disclosures, allegations or concerns of current abuse of a child, an adult bringing forward a complaint of abuse suffered as a child; and an adult bringing forward a complaint of current abuse.
 - c. where a complaint has been made relating to the health, safety or wellbeing of a child an initial risk assessment will be conducted to identify and mitigate risks of harm to children e.g. where a complaint of child abuse has been made about a member of the Congregation, that person will be excluded from engagement with children while the complaint is considered/ investigated.
 - d. whether a report must be made to an external agency e.g. Police, Reportable Conduct Scheme, Child Protection.
 - e. whether more information is required to continue an investigation or settle onto an appropriate outcome.
 - f. the impact on the complainant.
 - g. a timeframe for resolving the complaint.
 - h. the correct role/person to manage the complaint.
 - i. whether an interpreter is required.

4. Addressing a Complaint

- 4.1. In addressing a complaint, the Congregation will:
 - a. take the complaint seriously and respond promptly and thoroughly in a trauma-informed and victim-centred approach.
 - b. seek information from the applicable parties the complaint relates to.
 - c. investigate the claims made in the complaint, in accordance with the SGS policies – Conducting Internal Investigations (Child Related) and (Non-Child Related).
 - d. where a complaint has been made that relates to the suspected abuse or neglect of a child, the Congregation will work in cooperation with any external bodies in place to investigate the complaint e.g. Police/State-based Reportable Conduct Schemes.

- e. where a complaint has been made that relates to a historical allegation of child abuse, the Congregation will work in cooperation with external agencies e.g. Police/State-based Reportable Conduct Scheme and assist the complainant to make a claim.
 - f. Where a complaint has been made that relates to an adult at risk, the Congregation will work in cooperation with any external bodies that are required to be notified eg. Police.
 - g. where a claim has been made directly through the National Redress Scheme, the Congregation will participate in the Direct Personal Response process and work in cooperation with any external bodies that are required to be notified as a result of the claim e.g. Police/State-based Reportable Conduct Regulator.
- 4.2. Throughout the process, the Congregation will keep the complainant informed of progress and alert them to any changes to the timeline for resolution. The Congregation will be led by the complainant on the medium for communication. Ordinarily, to enable a person's complaint to be addressed effectively and in good time, the Superior may appoint a Member of Council to liaise with herself, the person making the complaint, the person against whom the complaint is made.
- 4.3. The Superior will ensure that a Sister, employee, volunteer or contractor who is the subject of a complaint is given ongoing pastoral, psychological, spiritual and legal support throughout the process.

5. Determining the Outcome of a Complaint

- 5.1. Following consideration of a complaint, the Congregation will identify the most appropriate outcome:
- a. *Substantiated*: there is sufficient evidence to support that the conduct occurred as alleged.
 - b. *Unsubstantiated – Insufficient Evidence*: There is insufficient evidence to support that the conduct occurred as alleged.
 - c. *Unsubstantiated – Lack of evidence of weight*: There is little evidence of weight outside the allegation itself to support that the conduct occurred as alleged.
 - d. *False* – There is clear evidence that shows the alleged conduct did not occur as alleged.
- 5.2. Where the Sisters of the Good Samaritan have reached an outcome, the Congregation will contact the complainant and inform them of:
- a. the outcome of the complaint and the action taken (where possible).
 - b. the reasons behind the decision.
 - c. changes/resolutions/risk management strategies proposed or put in place.
- [Note: Where a complaint about the sexual abuse of a child or adult is substantiated, the appropriate action will be determined following a risk management process and where the subject is a Sister, in alignment with Church Protocols.]

- d. any options for review (internal and external) that the complainant may seek if they are not satisfied by the outcome.

6. Pastoral Support

- 6.1. When an issue of complaint has been resolved, Sisters are encouraged to continue a pastoral relationship with the person who has made a complaint if the Superior, in consultation with all concerned, considers this to be appropriate and the complainant agrees.

7. Record Keeping and Confidentiality

- 7.1. Every Sister and anyone associated with the Congregation who is involved in receiving or addressing a complaint will respect the privacy and confidentiality of the person making the complaint.
- 7.2. Throughout the complaints process the Congregation will keep comprehensive records about:
 - a. how a complaint has been managed including any issues, barriers or delays.
 - b. the outcome of the complaint including whether a complaint or elements of a complaint have been substantiated; recommendations made to address risks identified throughout the process and decisions made on those recommendations.
 - c. responsible parties and due dates for follow-up actions/recommendations.
- 7.3. Any records of complaints related to concerns for children, or child abuse allegations (including historical allegations) will be maintained and stored securely indefinitely (but for no less than 50 years).

8. Learning and Continuous Improvement

- 8.1. All complaints (ongoing and resolved) will be stored on a complaints' register and regularly reviewed and analysed to identify trends, policy, procedure and practice learnings. Sisters of the Good Samaritan will regularly review:
 - a. the number of complaints received
 - b. issues identified in complaints
 - c. systemic issues
 - d. outcomes and resolution pathways for complaints
 - e. the number of external reports made in response to complaints
 - f. the number of requests for review of complaints (internal and external)
- 8.2. Systematic reporting to the Superior and Council and Safeguarding Advisory Group (where relevant) will occur quarterly or immediately where complaints arise.



Appendix 2

Feedback and Complaints Information Sheet

Preamble

Sisters of the Good Samaritan welcomes feedback, suggestions, compliments and complaints. Your feedback is important to us and can be used to help to improve our practice.

Compliments

Sisters of the Good Samaritan accepts compliments by phone, letter, email or in person to:

- The Director of Operations or the Congregational Leader on phone 02 8752 5300 (within Australia) 00 61 2 8752 5300 (outside of Australia) or by email safeguarding@goodsams.org.au or to congleader@goodsams.org.au.

You can also write to:

The Congregational Leader
Good Samaritan Congregational Centre
PO Box 1076
Glebe NSW 2037 Australia

Complaints

Anyone who has come into contact with a Good Samaritan ministry or service can make a complaint, either on their own behalf or where appropriate, using an advocate.

All complaints will be treated fairly, efficiently, responsively and transparently. We will treat all matters confidentially and in accordance with the Privacy Act 1998 (Cth) except where we believe that the safety or wellbeing of someone is at risk or we are required by law to report.

You can make a complaint in the following ways:

- An Online Form can be accessed through the Sisters of the Good Samaritan website.
- A Child-Friendly Complaint Form can be downloaded from the Sisters of the Good Samaritan website.
- A Complaint Form can be downloaded from the Sisters of the Good Samaritan website.
- Phone 02 8752 5300 (within Australia) 00 61 2 8752 5300 (outside of Australia) and ask to speak to the Director of Operations or email safeguarding@goodsams.org.au.
- You can also make a complaint in person at any of the locations in which you engage/d with us.
- We may need to contact you about your complaint, so please provide your name and contact details. For anonymous complaints we will still follow our complaints handling policy with the information you have shared with us.



Appendix 3

How to Make a Complaint Information Sheet

Sisters of the Good Samaritan believe that all children and adults have the right to make a complaint when they are dissatisfied by our personnel's actions or inactions, or the services we provide, and encourage such feedback from all stakeholders. **We take all complaints seriously.**

If you would like support during the complaints process, you can nominate a representative to assist you.

Providing your name and contact details

We may need to contact you about your complaint, so please provide your name and contact details. For anonymous complaints we will still follow our complaints handling policy with the information you have shared with us.

Returning this form:

This form can be submitted:

- in person to a member of Sisters of Good Samaritan; or
- by email to safeguarding@goodsams.org.au; or
- by post to

The Director of Operations
PO Box 1076
Glebe NSW 2037
Australia

What will happen next?

Once we have received your complaint we will:

- take immediate action if there is a risk of harm to a child or adult at risk.
- record your complaint on our complaints' register.
- acknowledge your complaint within two business days of receipt.
- identify the appropriate person to manage your complaint. This person will be identified as your contact person. You can tell us if you wish to have a different contact person.
- we may ask you to provide more information to help us understand the complaint.
- if your complaint involves a member of personnel, we will contact them and ask them to comment and provide any relevant information. We will keep your name and contact details confidential during this process.
- keep you informed throughout the stages of the complaint handling process.
- investigate the complaint and advise you of the outcome.

What if I'm not satisfied with the outcome?

- You can ask for a review of the complaint, and we will assign the process to a different set of team members.
- Contact the Congregational Leader by email congleader@goodsams.org.au or by telephone 02 8752 5300 (within Australia) 00 61 2 8752 5300 (outside of Australia).



**Appendix 4
Complaint Form**

First Name:		Family Name:	
Phone:	Business:	Mobile:	
Email:			
Address:			
Suburb:		State:	Postcode:
I would like to be contacted by (tick any):			
<i>Phone</i>	<input type="checkbox"/>	<i>Email</i>	<input type="checkbox"/>
		<i>In writing</i>	<input type="checkbox"/>

What is your complaint about?

Please provide some details to help us understand your concerns.

What happened?

When did it happen?

Where did it happen?

Who was involved?

Additional Information

What outcome are you seeking? (What would help resolve your complaint?)

If you have any further information or supporting documentation or evidence, please attach or scan and return with this form to safeguarding@goodsams.org.au.

Appendix 5

Complaint Form (Child)

complaints form: children & young people

A complaint form is a formal way of letting someone know you are unhappy with something.

After filling in this form, we will listen to you and work with you to find a solution to the problem.

You can ask a family member or another trusted adult to help you with this form.

Once you've finished the form, you can send it to our Safeguarding Coordinator at safeguarding@goodsams.org.au

If you would rather hand it in to us in person, you can do that too!



Name and contact details:
You do not have to give us your name and contact information to make a complaint, but it will be easier for us to support you if we can contact you.

First Name		Family Name	
Phone		Email (if you have one)	
Address			
Suburb		State	Postcode
I would like to be contacted by (tick any)			
Phone	<input type="checkbox"/>	Email	<input type="checkbox"/>
		In writing	<input type="checkbox"/>

Someone from Sisters of the Good Samaritan will contact you to make a time to talk about your complaint with you and a parent/carer or other support person.

We will try and find a way to make this problem better.

It's up to you how you fill out this form.
You can write things down or draw a picture.
You can also give us a call on XXXX



• **What is making you unhappy?**

Large empty rounded rectangular box for writing or drawing.



What would make the problem better?

Large empty rounded rectangular box for writing or drawing.

Your Signature

Date

Contact information of staff member receiving this form/ supporting the completion of this form:

Staff Member		Position	
Phone		Email	
Format Received		Date Received	



Appendix 6

Receiving a Disclosure of Harm

THE 3R RESPONSE SYSTEM

- REASSURE THE PERSON**
- RECORD THE INFORMATION**
- REPORT THE INCIDENT**

TIPS ON WHAT TO DO IF RESPONDING TO A DISCLOSURE OF ABUSE OR NEGLECT

DO

- Remain calm;
- Listen carefully without interrupting;
- Establish the welfare and safety of the child or adult;
- Make detailed notes and document all the information received (as soon as possible after the disclosure);
- Support the child or adult and reassure them they have done the right thing by talking to you;
- Explain clearly what will happen next;
- Report to the Director of Operations and/or Superior;
- Immediately contact 000 if the child or adult is in immediate danger;
- Consider if you have legislated reporting obligations.

DON'T

- Express panic, shock, anger or disbelief;
- Ask leading questions;
- Dismiss, minimise or challenge the disclosure;
- Make promises you cannot keep (including keeping the disclosure a secret);
- Confront the perpetrator;
- Discuss with others (except with the Director of Operations and/or Superior);
- Make judgement about what you hear.



Your way of acting should be different from the world's way; the love of Christ must come before all else. RB 4:20-21



Appendix 7

External Reporting Obligations Factsheet (Australia and Philippines)

Australian Capital Territory	
Legislation	What does it mean?
Children and Young People Act 2008	<p>The Act establishes the legislative framework governing child wellbeing and providing child protection and out-of-home care services in ACT. The Act states that a person may make a voluntary report where they believe or suspect that a child or young person (under 18) is being abused, is being neglected, and is at risk of abuse/neglect. A person who gives information in good faith is protected from civil liability.</p> <p>The Act also outlines mandatory reporting (a mandatory reporter has a legal obligation to report incidences of sexual abuse and non-accidental injury) and identifies those roles that are classified as mandatory reporters:</p> <ul style="list-style-type: none"> • a minister of religion, religious leader or member of the clergy of a church or religious denomination; • a doctor; a dentist; a nurse; an enrolled nurse; a midwife; a psychologist; • a teacher at a school; a person authorised to inspect education programs, materials or other records used for home education of a child or young person under the Education Act 2004; a person employed to counsel children or young people at a school; a person coordinating or monitoring home-based care for a family day care scheme proprietor; a person caring for a child at a child care centre; • a police officer; • a public servant who, in the course of employment as a public servant, works with, or provides services personally to children and young people or families; the public advocate; an official visitor; a person who, in the course of the person's employment, has contact with or provides services to children, young people and their families and is prescribed by regulation.

<p>Royal Commission Criminal Justice Legislation Amendment Act 2019 (Failure to Report)</p>	<p>The Australian Capital Territory introduced new legislation in 2019, making the reporting of child sexual abuse mandatory for all adults. Under Section 66AA of the Royal Commission Criminal Justice Legislation Amendment Bill 2019, a person commits an offence if:</p> <ul style="list-style-type: none"> • as an adult, they obtain information that leads them to reasonably <u>believe</u> that a sexual offence has been committed against a child, and they do not as soon as practicable report that belief to the Police.
<p>Crimes Act 1900 (ACT)</p>	<p>Section 66A of the Crimes Act 1900 relates to the failure of a person with authority in an institution to reduce or remove a risk of a sexual offence occurring to a child involved/under care of that institution.</p>
<p>Ombudsman Act 1989</p>	<p>The scheme introduced in 2017 to oversee how organisations prevent and respond to allegations of child abuse and misconduct. Certain employers who work with children are covered by the scheme and will need to report to the ACT Ombudsman. Reportable conduct includes:</p> <ul style="list-style-type: none"> - sexual offences and convictions where a child is a victim or is present; - offences against the person including physical offence and convictions, where a child is a victim or is present; - conviction, or finding of guilt, under a territory law or a state or Commonwealth law, involving reportable conduct; - offences against the Education and Care Service National Law (inappropriate discipline or offences relating to protecting children from harm); - ill-treatment of a child (including emotional abuse, hostile use of force/physical contact, neglect and restrictive intervention); - psychological harm; - misconduct of a sexual nature.²¹ <p>The Royal Commission Criminal Justice Legislation Amendment Act 2019 included the following changes to the scheme:</p> <ul style="list-style-type: none"> - The obligation of religious bodies to report allegations of reportable conduct made during a religious confession will be limited to those relating to sexual abuse or non-accidental physical injury of a child. - Religious bodies will be required to nominate a head of entity.

¹ ACT Ombudsman: ACT Ombudsman Practice Guide No. 2 Identifying Reportable Conduct

	<ul style="list-style-type: none"> - Clarification that a person is not considered 'an employee' of a religious body under the scheme merely because they participate in worship. <p>For more information about the ACT Reportable Conduct Scheme click here.</p>
Sexuality and Gender Identity Conversion Practices Act 2020	This Act bans "conversion practices" that target LGBTQIA+ people. A 'conversion practice' is a practice that attempts to change or suppress a person's sexual orientation or gender identity. It is sometimes referred to as 'conversion therapy' or a 'change suppression practice'.
Working with Vulnerable People (Background Checking) Act 2011	The Working with Vulnerable People (Background Checking) Act 2011 requires people who work or volunteer with vulnerable people (including children) to have a background check and be registered.

New South Wales	
Legislation	What does it mean?
Children and Young Persons (Care and Protection) Act 1998	<p>The Act establishes the legislative framework governing child wellbeing and providing child protection and out-of-home care services in NSW. Any person who has reasonable grounds to suspect a child is at risk of harm may make a report to the appropriate authority.</p> <p>Mandatory reporters must report where they have reasonable grounds to suspect that a child is at risk of significant harm.</p> <p>Mandatory reporters are:</p> <ol 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; and 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; and a person in religious ministry, or a person providing religion-based activities to children; and a registered psychologist providing a professional service as a psychologist.
Crimes Act 1900	<p>Failure to Report:</p> <p>All adults in NSW are required to report information to Police if they:</p>

	<ul style="list-style-type: none"> • know, believe or reasonably ought to know that a child has been abused; or • know, believe or ought to reasonably know that they have information that might materially assist in securing the apprehension, prosecution or conviction of the offender; • the offence covers sexual abuse, serious physical abuse and extreme neglect of a child (under 18 years). <p>Failure to Protect: An adult working in an organisation that engages workers in child-related work commits an offence if they:</p> <ul style="list-style-type: none"> • know that an adult worker engaged by the organisation in child related work poses a serious risk of abusing a child (under 18 years), and • have the power or responsibility to reduce or remove the risk, and • negligently fail to reduce or remove that risk. • the offence covers failures to protect against sexual or serious physical abuse and is punishable by up to two years imprisonment. <p>Grooming: The grooming offence was broadened in 2018. It now covers:</p> <ul style="list-style-type: none"> • An adult person who engages in conduct that exposes a child to indecent material or provides a child with an intoxicating substance or offers a child or adult with a child in their care a material or financial benefit with the intention of making it easier to access the child for sexual activity with that or any other person.
<p>Children’s Guardian Act 2019</p>	<p>Pursuant to the <i>Children’s Guardian Act 2019</i> all heads of relevant entities must report an allegation of Reportable Conduct to the Office of the Children’s Guardian as soon as practicable or within seven working days of becoming aware of the alleged conduct. A Reportable Conduct allegation relates to the alleged conduct of an employee or volunteer of a relevant entity, including Religious personnel, that holds or is required to hold a valid Working with Children Check (WWCC). Reportable Allegations include:</p> <ul style="list-style-type: none"> • a sexual offence committed against, with or in the presence of a child • sexual misconduct with, towards or in the presence of a child • ill-treatment of a child • neglect of a child • physical assault of a child • behaviour that causes emotional or psychological harm to a child

	<ul style="list-style-type: none"> • failure to reduce or remove risk of child becoming a victim of child abuse (Crimes Act 1900 s43B) • concealing a child abuse offence (<i>Crimes Act 1900 s316A</i>) <p>The allegation does not have to relate to the persons current work or ministry and can have occurred at any time anywhere in the world.</p>
Child Protection (Working with Children) Regulation 2012	The Child Protection (Working with Children) Regulation 2012 makes a WWCC a requirement for people who work or volunteer in child-related work.

Queensland	
Legislation	What does it mean?
Child Protection Act 1999	<p>The act governs and guides child protection across Queensland.</p> <p>Reporting: Any person can report to the appropriate authority where they have a reasonable suspicion that a child may be in need of protection.</p> <p>Mandatory reporters: Mandatory reporters are required to make a report to Child Safety if 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 may not have a parent able and willing to protect them. Mandatory reporters in Queensland are identified as:</p> <ul style="list-style-type: none"> • a doctor • registered nurse • teacher • police officer • early childhood education and care professional • a person performing a child advocate function under the Public Guardian Act 2014
Working with Children (Risk Management and Screening) Regulation 2011	<p>Blue Card Services screening assesses a person's eligibility to engage in work with children by examining their past police and disciplinary information, monitors information on an ongoing basis for changes to police information and requires organisation to manage risks to children.</p> <p>Recent amendments in Queensland mean that a person cannot begin child-related employment or volunteering without a valid Blue Card.</p>

	From February 1, 2021 a new worker screening process commenced in Queensland for workers who provide support and services to people with a disability. People working with children with a disability may require an NDIS worker screening clearance and a blue card.
Public Health Act 2005	Chapter 5B Conversion Therapies. This amendment to the Act bans “conversion practices” that target LGBTQIA+ people. A ‘conversion practice’ is a practice that attempts to change or suppress a person’s sexual orientation or gender identity. It is sometimes referred to as ‘conversion therapy’ or a ‘change suppression practice’.

South Australia	
Legislation	What does it mean?
Children and Young People (Safety) Act 2017	<p>The Act governs and guides child protection in South Australia. The protection of children and young people from harm is the paramount consideration in the application of the Act. Under the Act anyone can make a notification to Child Protection.</p> <p>Mandatory notification: Mandated notifiers are those who, due to their profession or position within the community must notify Child Protection if they have a reasonable belief that a child has suffered or may be at risk of harm. Mandated notifiers are:</p> <ul style="list-style-type: none"> • medical practitioners • pharmacists • registered or enrolled nurses • dentists • psychologists • police officers • social workers • community corrections officers • teachers • family day care providers • a minister of religion, a person who is an employee of, or a volunteer in, an organisation formed for religious or spiritual purposes • any employee or volunteer in an organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children – a person who: <ul style="list-style-type: none"> ○ provides the services directly to children and young people or

	<ul style="list-style-type: none"> ○ holds a management position in the organisation directly responsible for the provision of services to children and young people.
Child Safety (Prohibited Persons) Regulations 2016	<p>The legislation outlines the offence in place for a person to work with children in South Australia without having obtained a Working with Children Check in the last 5 years.</p> <p>'Working with children' is defined in the Act as a person who runs a business that provides, or they themselves provide a service or undertake an activity that is child-related work. A person who has physical contact with a child, is in close proximity to a child or children through their work, communicates with a child (in writing, or orally) is considered to have contact with children.</p>

Tasmania	
Legislation	What does it mean?
Children, Young Persons and their Families Act 1997	<p>The Act guides the safety and protection of children and young people in Tasmania. The Act places emphasis on maximising a child's best interests.</p> <p>Mandatory reporting: The Act outlines mandatory reporting requirements and identifies the professions and community positions that fall under mandatory reporter definitions:</p> <ul style="list-style-type: none"> ● medical practitioners ● nurses ● dentists ● police officers ● psychologists ● probation officers ● child safety officers ● school principals ● teachers ● kindergarten teachers ● management of child care services ● employees and volunteers in government agencies or organisations funded by the Crown that provide health, welfare, education or care for children.
Registration to Work with Vulnerable People Act 2013	<p>The Act applies to persons involved in child-related employment of volunteering activities. Organisations are required to check the validity of the card on the online system.</p>

Victoria	
Legislation	What does it tell us?
Children, Youth and Families Act 2005	<p>Governs and guides the process of child protection in Victoria. Under this Act a person can make a report to Child Protection Services if they have:</p> <ul style="list-style-type: none"> • a significant concern for a child’s wellbeing; belief the child is in need of protection; significant concern before the birth of a child about his/her wellbeing after his/her birth. <p>The Act also outlines mandatory reporting obligations (a reasonable belief that physical or sexual abuse has taken place or may take place) and identifies mandatory reporters as:</p> <ul style="list-style-type: none"> • registered medical practitioners • midwives • registered nurses • a person registered as a teacher under the education, training and reform act 2006 or teachers granted permission to teach under the act • principals of a school • members of the police force <p>In 2019, mandatory reporting laws expanded to include those who work in:</p> <ul style="list-style-type: none"> • out of home care • youth justice • early childhood • registered psychologists • school counsellors • religious ministry
Children Legislation Amendment (Reportable Conduct) Act 2017	<p>The scheme is in place to improve oversight of how organisations respond to allegations of child abuse and child-related misconduct by workers and volunteers. Under the scheme, the Commission for Children and Young People will have the power to:</p> <ul style="list-style-type: none"> • monitor organisations’ investigations of abuse or misconduct and report on trends. • share information with key organisations such as the Working with Children Check Unit and certain professional registration bodies to improve child safety. • inquire into the safety systems of organisations engaged in child-related work; and share relevant information to better protect children from the risks of abuse.

<p>Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015</p>	<p>Establishes the Victorian Child Safe Standards that certain entities engaging with children must comply with:</p> <p>Standard 1: Strategies to embed an organisational culture of child safety, including through effective leadership arrangements.</p> <p>Standard 2: A child safe policy or statement of commitment to child safety.</p> <p>Standard 3: A code of conduct that establishes clear expectations for appropriate behaviour with children.</p> <p>Standard 4: Screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel.</p> <p>Standard 5: Processes for responding to and reporting suspected child abuse.</p> <p>Standard 6: Strategies to identify and reduce or remove risks of child abuse.</p> <p>Standard 7: Strategies to promote the participation and empowerment of children.</p>
<p>Crimes Amendment Act 2014 (Grooming)</p>	<p>Refers to the offence of grooming. A grooming offence is committed if the offender communicates, by words or conduct, with a child under the age of 16 years or their carer or supervisor; and intends to commit a sexual offence involving the child.</p>
<p>Crimes Amendment Act 2014 (Failure to Protect)</p>	<p>Refers to the failure to protect children from sexual offences. If any individual or organisation could have reasonably protected a child from sexual abuse and fails to do so it may be considered a criminal offence.</p>
<p>Crimes Amendment Act 2014 (Failure to Disclose)</p>	<p>Refers to the responsibility of all individuals to disclose to authorities if they have a reasonable belief that a child under the age of 16 years has been sexually abused. Failure to do so is a criminal offence.</p>
<p>Worker Screening Act 2020</p>	<p>This Act replaced the Working with Children Act 2005. The Worker Screening Act creates a combined screening framework for both NDIS workers and people who work with children. The Working with Children Check is a screening process for assessing or re-assessing people who work with or care for children in Victoria.</p> <p>The screening involves taking a detailed look at the criminal history and relevant professional conduct findings of applicants.</p>

Wrong's Amendment (Organisational Child Abuse) 2017	The Act imposes a duty of care that forms part of a cause of action in negligence on organisations exercising care, supervision or authority over children to prevent physical or sexual abuse of children committed by persons associated with the organisation.
Child Information Sharing Scheme	The Child Information Sharing Scheme will allow information sharing between authorised and trained professionals specifically to promote children's wellbeing and safety.
Change or Suppression (Conversion) Practices Prohibition Bill 2020	The Bill passed the Upper House of Parliament in February 2021. Commencement date for this legislation will be prior to or on 4 February 2022. This legislation bans "conversion practices" that target LGBTQIA+ people. A 'conversion practice' is a practice that attempts to change or suppress a person's sexual orientation or gender identity. It is sometimes referred to as 'conversion therapy' or a 'change suppression practice'.

Western Australia	
Legislation	What does it mean?
Children and Community Services Act 2004	<p>The Act provides legal protection to children and young people and promotes their wellbeing and safety as paramount.</p> <p>Reporting: Any person with a reasonable belief that a child has been harmed or may be at risk of harm can report to the appropriate authority.</p> <p>Mandatory reporting: Mandatory reporters must report a reasonable belief that a child has been sexually abused in Western Australia. Mandatory reporters include:</p> <ul style="list-style-type: none"> • doctors • nurses • midwives • teachers or boarding supervisors • police officer
Working with Children (Criminal Record Checking) Act 2004	The Working with Children Check is compulsory for persons working or volunteering with children in Western Australia and the Christmas and Cocos (Keeling) Islands. The check involves an examination of the person's criminal history and other relevant information to see if they have charges, convictions and behaviours that indicate they may harm a child.

The Philippines	
Legislation	Overview
(RA 7610) Special Protection of Children Against Abuse, Exploitation and Discrimination	<p>This legislation provides special protection to children from all forms of abuse, neglect, cruelty, exploitation and discrimination. Under Article 1, Section 3 the law refers to child abuse as the maltreatment, whether habitual or not of the child which includes psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment.</p> <p>Prison penalties apply for any person who commits acts of child abuse, cruelty or exploitation.</p> <p>The Committee for the Special Protection of Children (CSPC) is responsible for coordinating and monitoring the investigations of cases involving violations of RA 7610.</p>
(RA 9344) Juvenile Justice and Welfare Act 2006	<p>The law established a comprehensive juvenile justice and welfare system. It also created the Juvenile Justice and Welfare Council under the Department of Justice.</p> <p>Under Section 13, it states the responsibility of the educational system that should work together with families, community organizations and agencies in the prevention of juvenile delinquency and in the rehabilitation and reintegration of children in conflict with the law.</p>
DEP-ED Order no. 40 Series 2012: Child Protection Policy	<p>Institutionalized zero tolerance against any form of violence against the child and provided for the establishment of a Child Protection Committee (CPC) in all public and private schools.</p>
Presidential Decree No. 603: Child and Youth Welfare Code	<p>It states the importance of the child, their rights and responsibilities as well as the role that the state, school and their parents play in promoting their general welfare.</p> <p>Under Article 3, it guarantees the child's right to protection against exploitation, improper influences, hazards, and other conditions or circumstances prejudicial to their physical, mental, emotional, social and moral development.</p>
(RA 9262) Anti-Violence against Women and their children Act 2004	<p>The law aims to protect women and children from any act or series of acts committed by any person against a woman:</p> <ul style="list-style-type: none"> • who is wife or former wife, • has or has had a sexual or dating relationship or • with whom they have a common child or against her child <p>which result in or is likely to result in physical, sexual, psychological harm or suffering or economic abuse including threats of acts, battery, assault, coercion, harassment or</p>

	arbitrary deprivation of liberty.
(RA 9775) Anti-Child Pornography Act 2009	Prohibits the production, offering, distribution and possession of child exploitation material. Note: While the legislation refers to child pornography, the more commonly accepted term used worldwide is child exploitation material.
Anti-Trafficking in Persons Act of 2003	The legislation was put in place to support the reintegration and recovery of trafficked persons back into society, as well as specifically criminalising trafficking for the purposes of exploitation. The legislation has a particular focus on women and children.
Cybercrime Prevention Act of 2012	Cybercrime prevention increases the penalties of the anti-CP Act when they are committed `through a computer.