

CityLife Child Safety Complaint and Report Handling Procedures

1. Introduction

At CityLife we have zero tolerance for child abuse or harm and take all complaints, disclosures, or allegations related to child abuse seriously, responding promptly and thoroughly.

CityLife has clear procedures in place for responding to actual and suspected child abuse or neglect and is committed to reporting complaints and concerns to relevant authorities, irrespective of mandatory reporting requirements, and actively cooperates with law enforcement agencies for subsequent investigations.

2. Scope

Every person who works or volunteers at CityLife has a role to play in child safety. This includes an obligation to report any concerns, suspicions, or allegations of child abuse or neglect to a leader, manager or Child Safety contact officer, in accordance with the CityLife Child Safety Policy, CityLife Child Safety Code of Conduct, and relevant lawful obligations.

The following procedures also promote the participation and empowerment of children and young people to feel safe and comfortable to report abuse, inappropriate behaviours, and concerns for their safety. Furthermore, families, carers, and the wider CityLife community are encouraged to make reports/complaints about child safety too.

3. Procedure for Reporting Abuse

If any person believes a child is in immediate risk of harm, contact 000 for emergency assistance, prior to informing a CityLife representative.

To report abuse or make a complaint about inappropriate behaviour undertaken by any person involved in CityLife, the following steps must be adhered to:

3.1 Reports/complaints of any suspected or disclosed child abuse should be made to a:

- Leader,
- Manager,
- Pastor, or
- Child Safety Contact Officer¹.

3.2 Reports/complaints should (ideally) be made in writing. Complaints may be submitted via:

- Email to: childsafety@citylife.church
- Written letter addressed to the 'CityLife Child Safety Contact Officers'
- Electronic Complaint or Feedback Forms on the CityLife Child Safety webpage: <https://www.citylife.church/child-safety/>
- Text: 0429 199 626

¹ Child Safety Contact Officers can be reached via the methods listed in 3.2.

3.3 If a complaint cannot be submitted in writing, the person receiving the verbal complaint or report should record it in writing as soon as possible.

3.4 In each case a *Child Safety Incident Report* should be written. This report can be completed by the person reporting the incident, a Contact Officer, or someone acting on behalf of the affected child.

3.5 Complainants will be encouraged to report their allegation to the Police where the conduct is criminal (e.g., sexual abuse).

4. Procedure for Responding to a Complaint/Report of Abuse

When receiving or responding to a complaint or report about child safety, the following steps must be adhered to:

4.1 Listen carefully to the details of the complaint and take it seriously, ensuring the person making the complaint feels heard and understood.

4.2 Inform parents/guardians where appropriate, and consider reporting (including mandatory reporting) requirements.

4.3 If a complaint is made by a child, it is important to consider the following:

- listen and tell the child that they are not to blame;
- not press for information or push the child to reveal the details of the abuse;
- not ask leading questions;
- reassure the child that they are right to tell and that what they say is taken very seriously; and
- do not promise them that no one else will be informed about the complaint.

4.4 Complaints made by someone who witnesses abuse towards a child or is informed about abuse that has allegedly occurred should be taken just as seriously as if the complaint was coming from the child directly.

4.5 Child-on-child sexual abuse allegations will be considered with Victorian Age of Consent legislation and with guidance sought from relevant professional bodies, and where appropriate parents will be informed.

5. Preliminary risk assessment

5.1 Upon receiving a complaint of child abuse, the Safe Ministries Manager or another trained senior staff member will begin a preliminary risk assessment to determine the seriousness of the complaint and the level of risk involved in the child safety matter.

5.2 The assessment will evaluate the safety of the child (and other children that may be involved or affected) and consider whether it is necessary to report to the police, Child Protection, and/or the Commission for Children and Young People under the Reportable Conduct Scheme (see 7.4).

- Where the disclosure is of a non-sexual nature:
 - decide if further information is required to form a view,
 - assess whether a report to authorities is appropriate,
 - decide if, how, and when, reporting should occur,
 - recommend what follow-up action is required.
- Where the disclosure is of a sexual nature, assist and advise on how to make a report immediately, including advising police, Child Protection, and (if appropriate) the Commission for Children and Young People (please see reporting obligations in section 7).

5.3 Offer affected children, families, volunteers, and staff (or if different, the person who made the complaint) support options and referral to professional services.

- Consider the diversity and the cultural norms and expectations that are within the group of affected individuals. Additional safeguards may be required to meet the needs of children with disability, children from culturally and linguistically diverse backgrounds, Aboriginal and Torres Strait Islander children, or children who live in out-of-home care.

5.4 Consider what action should be taken with the accused, including supervision, removal of contact with children, and being stood down from leadership and/or any participation at CityLife.

- If it is alleged that a volunteer has committed child abuse or has breached the CityLife Child Safety Policy or Child Safety Code of Conduct, and there is a risk that person may come into contact with children in the course of their work, the person will be stood down from their position while the complaint is investigated.
- If it is alleged that a member of staff or contractor has committed child abuse or has breached the CityLife Child Safety Policy or Child Safety Code of Conduct, the person concerned may be stood down (with pay, where applicable) while an investigation is conducted.

6. Investigating Complaints

6.1 CityLife will investigate all complaints of conduct that do not reach the criminal threshold but may be inappropriate and/or a breach of the CityLife Child Safety Policy or Child Safety Code of Conduct

- If there is any doubt about whether the criminal threshold has been reached, the allegation should still be reported to the relevant authorities for their advice.

6.2 The CityLife Director Pastoral, Learning and Development (or assigned delegate) will oversee the investigation processes. The person appointed to conduct the investigation may be an employee of CityLife, a contractor to it or independent of it, depending on the incident type and its gravity.

6.3 The investigator will make every effort to keep any such investigation confidential; however, from time-to-time other members of staff or volunteers may need to be consulted in conjunction with the investigation.

6.5 If the investigation concludes that on the balance of probabilities an offence (or a breach of the CityLife Child Safety Policy or Child Safety Code of Conduct) then disciplinary action may follow, up to and including dismissal or cessation of involvement with CityLife Inc. The findings of the investigation will also be reported to any external body as required (please see Section 7 on reporting obligations).

6.6 If the Police or Commission for Children and Young People are investigating or deciding whether to investigate an allegation, CityLife will suspend internal investigations to avoid compromising or undermining possible criminal proceedings.

6.7 If CityLife wishes to communicate with affected parties or the wider CityLife community about the matter, it may seek advice from legal counsel and/or the relevant authorities involved.

7. Reporting, including Mandatory Reporting

Mandatory reporting:

7.1 In Victoria any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to the police. Failure to disclose the information to police is a criminal offence. (See Appendix A on Legislation).

7.2 In Victoria, people in religious ministry commenced as mandatory reporters of child physical or sexual abuse on 17 February 2020, under the *Children, Youth and Families Act* Mandatory reporters must make a report to child protection, if:

- in the course of practising their profession or carrying out duties of their office, position or employment;
- they form a reasonable belief, that a child has been or is at risk of significant harm, as a result of **physical or sexual abuse**, and the child's parents have not protected, or are unlikely to protect the child from that abuse.

7.2 Where a reasonable belief is formed that a child has suffered or is likely to suffer significant harm because of abuse or neglect, and their parent has not protected, or is unlikely to protect the child from that harm, a report must be made to Child Protection.

7.3 Where there is a concern for the welfare of a child, but it is assessed that the child is not at risk of significant harm, and the immediate safety of a child will not be compromised, a referral or report to Orange Door (previously known as Child First) may be appropriate.

Reportable Conduct Scheme:

7.4 From 1 January 2018, Religious Organisations in Victoria came under the Reportable Conduct Scheme.

Consequently, CityLife Inc. is committed to report any allegation of abuse against a staff member, contractor, or volunteer, within a period of three business days of becoming aware of the allegation, to the Commission for Children and Young People according to the Reportable Conduct Scheme.

8. Reporting Outcomes

8.1 All outcomes and reasons for the decisions made following risk assessment and investigation, may be communicated to the complainant and other involved parties, institutions, or agencies, where appropriate.

8.2 Both the complainant and accused will be offered an avenue to appeal decisions made by CityLife.

- This could include discussing the investigation and outcome with CityLife's leadership.
- The parties may present any evidence they consider appropriate, details of which should be notified to CityLife prior to the date.
- A support person may be present with the relevant party.

8.3 CityLife has the discretion to revisit its investigation findings and may decide to implement a modified outcome.

9. Review

9.1 It is important to note that child safety is an ongoing process that requires vigilance, commitment, and continuous improvement. Therefore, the Director of Pastoral, Learning and Development (or delegate) with the Safe Ministries Manager and/or CityLife Business Manager will lead:

- a systemic review (or root cause analysis) on the outcomes of the investigation to enhance child safety and for continuous improvement; and
- review the complaint handling process to identify any areas for improvement.

9.2 The outcomes of reviews may include updating policies and procedures or providing additional training to staff.

10. Record keeping

10.1 Accurate and confidential records of all child safety concerns, reports, investigations, and actions taken will be maintained and kept secure on an electronic complaints register that is password protected.

10.2 The Business Manager shall be responsible for safeguarding the documentation, and only the Business Manager, Director of Pastoral, Learning and Development (or delegate), Safe Ministries Manager, and Senior Minister shall be permitted to access it.

10.3 The complaints register will contain details of all complaints, information obtained, the actions taken and findings, including all steps taken in the complaint handling process, such as (but not limited to):

- receipt of the complaint;
- contact with the complainant;
- contact with witnesses;
- contact with the accused;
- outcomes of the risk assessment; and
- outcome of the investigation.

10.4 Evidence obtained during the investigation, including witness statements, must be retained. The identity of the author of the record, the reason for their involvement, and the date the record was made, shall be documented.

11. Privacy

11.1 Personal information considered or recorded about the complaint will be held private and confidential, unless there is a risk to someone's safety.

11.2 Anyone involved in the circumstances of the complaint is entitled to know how their personal information is recorded, what will be done with it, and who will be able to access it. This information may be requested in writing from a Child Safety Contact Officer.

12. Appendix A- Legislation

In Victoria, the Department of Families, Fairness and Housing is responsible for overseeing and upholding child protection in Victoria.

Numerous Acts (laws) help to govern and guide the process of child protection in Victoria, and how CityLife Inc. approach child safety. These include:

Principal Acts:

- Children, Youth and Families Act 2005 (as amended 2014)
- Child Wellbeing and Safety Act 2005

Other relevant Acts:

- Children, Youth and Families Act 2005
- Child Wellbeing and Safety Act 2005
- Crimes Act 1958 (VIC) (related to Age of Consent)
- Family Law Act 1975
- Failure to Disclose 2014 (related to mandatory reporting)
- Failure to Protect 2015 (related to mandatory reporting)
- Justice Legislation Amendment (Sexual Offences and Other Matters) Act 2022 (relating to Affirmative Consent)
- The Charter of Human Rights and Responsibilities Act 2006
- Working with Children Act 2005 Legislation Changes