



HARNESS RACING VICTORIA

HRV Child Safe Reporting and Investigation Procedure

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	<h1>HRV Child Safe Reporting and Investigation Procedure</h1> <p>OFFICIAL</p>	<p>LRO-PR-002 (3 June 2020)</p>
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1. PURPOSE

This procedure provides guidance of the internal and external reporting requirements relating to child safety concerns identified and ensures that cases of child safety concerns are managed appropriately and reported to the correct channels of management. This reporting process must be followed.

Harness Racing Victoria ("HRV" inclusive of both HRV and Tabcorp Park) will treat all concerns raised seriously and ensure that all parties will be treated fairly. Any person who intentionally makes a false or malicious allegation will face disciplinary action.

2. SCOPE

This procedure applies to all HRV Representatives, whether it is in a paid or unpaid capacity. For the purposes of this procedure, **HRV Representatives** includes employees, contractors and volunteers directly engaged by HRV and Country Clubs. Whilst HRV does not directly administer child safety for Country Clubs, there is an expectation that Country Clubs manage child safety in accordance with this policy.

3. DEFINITIONS

Term	Definition
Child or young person	Person under the age of 18 years old.
HRV Protection Office	A dedicated team of HRV personnel who has the role of internal management of child safety concerns.
HRV Representatives	Any person who represents HRV, including employees, contractors and volunteers (including Country Clubs).
Reasonable belief	<p>A reasonable belief is a belief based on facts that would lead a reasonable person to think that reportable conduct may have occurred. A reasonable belief is more than just suspicion. There must be some objective basis for the belief. However, it does not require certainty. For example, a person is likely to have a reasonable belief if they:</p> <ul style="list-style-type: none">• Observe the conduct themselves;• Heard from a child that the conduct occurred;

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Term	Definition
	<ul style="list-style-type: none">Received information from another source (including another person who witnessed reportable conduct or misconduct).
Reportable conduct	<p>Means:</p> <ul style="list-style-type: none">a sexual offence committed against, with or in the presence of, a child, whether or not, a criminal proceeding in relation to the offence has been commenced or concluded; orsexual misconduct committed against, with or in the presence of a child; orphysical violence committed against, with or in the presence of, a child; orany behaviour that causes significant emotional or psychological harm to a child; orsignificant neglect of a child.

4. RESPONSIBILITIES

All HRV Representatives have a duty of care to ensure that children participating in our sport are protected and where there are concerns, that it is not ignored, but dealt with in accordance with this Procedure as well as in accordance with applicable legislation.

HRV's Child Safe Office, act as the first point of contact to those who have matters of concern for children's safety at HRV. It is important to highlight that the HRV Child Safe Officers **do not** have the role of investigating child safe matters, but simply to ensure that any safety concerns are escalated to the correct external reporting channels.

5. PROCEDURE

5.1 REPORTING SUSPECTED CHILD ABUSE

Anyone who has reasonable grounds for suspecting that a child or young person is being neglected abused or needs protection should report it. The person does not have to be certain or have proof, but only needs to make sure the concerns are well founded and based on information they know or have

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received from a reliable source (referred to as “**reasonable belief**”). Where a child is in immediate danger you must call Victoria Police.

Reporting suspected child abuse could be from a parent, a child, HRV staff member, volunteers, representatives or a member from the public. Concerns about the safety and wellbeing of children can range from an uncomfortable feeling through to a direct observation of abuse. HRV staff, volunteers, children and families are encouraged to speak to someone if they have concerns and to be proactive. HRV Representatives need to be aware of their duty of care to children and of their other legal responsibilities.

Examples of child safety concerns may include (but are not limited to):

- Inappropriate relationships developing between staff or volunteers and children.
- Breaches of HRV’s Child Safe Code of Conduct, particularly if they are persistent;
- Feelings of discomfort about interactions between a staff member or volunteer and a child;
- Suspicions or beliefs that children are at risk of harm;
- Observations concerning changes in behaviour;
- Concerns about a physical environment that may pose a risk to children (this includes health and hygiene issues); and
- Children’s disclosures of abuse or harm, which must be reported to Victoria Police, Department of Health and Human Services (DHHS) and where appropriate any other regulator?

These matters should be reported immediately or as soon as practicable where possible.

Where a child is in immediate danger, you must call 000.

Reporting channels include verbal (including face to face, phone call or meeting) or written (via email or letter). Child safety concerns should be reported to the Protection Office.

5.2 PRIVACY PROTECTION

All information provided will be treated in accordance with the Privacy legislation. All information gathered is to be clearly documented, filed and maintained in a safe and secure repository either physically or electronically. Information will only be shared with those persons who are directly involved in the investigation and decision-making process and/or the provision of professional advice on the matter.

5.3 GUIDE TO DEALING WITH CHILDREN

Where a child has raised concern, it is vital that HRV Representatives show care, including:

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- Allow the child to speak in their own words;
- Listening carefully to what the child says about his or her concern or allegation;
- Reassuring the child that you believe what he or she is telling you;
- Be calm, patient and non-judgemental;
- Use non-suggestive words of encouragement, such as “okay, yes I see.”, which are designed to keep the child talking in an open-ended way.
- Ensuring that the child understands and is reassured that he or she is not responsible for the abuse and that it is not their fault that it has occurred;
- Ensure that the child understands that a report will be made to those with the necessary authority to stop the abuse and that the child is assisting in that process by sharing about his or her experience;
- Providing assurance to the child that it was right that they shared the information with you;
- Organising appropriate professional support for the child including physical and/or mental support.

When discussing abuse with a child during the first telling ensure that there is a clear understanding of the emotional distress, the child may be experiencing. Ensure a caring and sensitive approach to the child and assure him or her of the willingness to listen and assist if there is a problem.

It is also important when handling a disclosure that you don't:

- Panic or show other negative emotions (e.g. – anger);
- Make promises you cannot keep;
- Ask why or ask closed or leading questions;
- Give an impression that you blame the child;
- Touch the child; or
- Attempt to investigate or confront persons accused in the disclosure.
- Avoid leading questions; for example:
 - What the person hit you?
 - Did you cry when that person hit you?

Most importantly, once you form a reasonable belief, you must stop asking the child questions. Speak to the Protection Office and make a report. This is to ensure that children do not have to speak about the abuse in detail and can make a full disclosure to Victoria Police or DHHS when they attend.

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5.4 WRITTEN RECORDS

It is important that clear and comprehensive notes on all observations, disclosures and other details that lead you to suspect abuse are retained. These notes should include; dates, times, places, others involved, facts, actual words spoken and your observations.

When making records, don't include judgements or opinions in the record, it is important to focus on recording the facts. In addition to recording the details that lead to suspicion, it's just as important to record any actions that you have taken in response, for example:

- Reports to our consultations with external agencies;
- Consultations with managers and co-workers;
- Discussions with the child's family (where relevant); and
- Support provided to the child.

These written records must be contained within the HRV Child Safe Incident Form which is maintained by the Protection Office.

5.5 INTERNAL REPORTING

The child safe internal reporting processes are provided below.

Step 1:	Listen to the person who has brought the matter to your attention. Advise them that you are here to help. If the matter being advised presents immediate danger to the child – call Victoria Police on 000.
Step 2:	Contact HRV's Child Safe Office by either calling (03) 9214 0660 or emailing childsafefice@hrv.org.au .
Step 3:	HRV Child Safe Office will gather information regarding the concern, and will complete the HRV Child Safe Incident Form (on HRV's Calibre system) with the person who is reporting the safety concern. It is important to highlight that HRV's Child Safe Officers are not mediators. The role of HRV's Child Safe Officers are simply to ensure that the concern is recorded and forwarded to the appropriate external bodies, as deemed required by law. The Child Safe Office must also ensure that appropriate steps are taken to ensure that the safety of the child(ren) in question is not compromised (for example, ensuring that the child is not directly in contact with the employee/volunteer in question).

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Step 4:	Any externally reportable child safe concern must be reported to the CEO and General Counsel.
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5.6 MANDATORY (EXTERNAL) REPORTING

Although everyone has a moral and social responsibility to report concerns about child abuse, some individuals are legally required to make a report to Child Protection if they form a belief on reasonable grounds that the child has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse and the child's parents have not protected, or are unlikely to protect the child from harm of that type.

Under the Children, Youth and Families Act 2005 (VIC), doctors, nurses, teachers and school principals, police, youth workers, social workers and psychologist are all mandatory reporters. Whilst HRV is not a mandatory reporter, mandatory reporting applies to all people in Victoria who have a reasonable belief that a sexual offence has been committed against a child or young person. This must immediately be reported to Victoria Police.

Once the internal reporting process has occurred, it may be necessary to report the child abuse allegations externally, to Victoria Police as well as other statutory bodies such as the Department of Health and Human Services (DHHS). As HRV is not considered a reportable organisation, it is exempt for reporting to the Commissioner for Children and Young People (CCYP).

It is important to highlight that before contacting other external agencies, you must report the issue to Victoria Police.

Where the reasonable belief test has been satisfied in the internal reporting and investigation of the case, and there is a decision made to report the matter externally, there are various statutory bodies that may be reported to, depending on the nature of the child abuse case. The process below must be followed and facilitated by the HRV's Child Safe Officers.

Step 1:	Contact and make a report with the Victoria Police.
Step 2:	Where the case relates to child abuse which presents concern surrounding the protection of the child in that there is an unlikelihood that the child's parent(s)/guardian will protect them, the matter is required to be reported to Department of Health and

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	Human Services (DHHS). If there is no concern surrounding the child's protection by parent(s) guardian, then the matter does not have to be reported to DHHS.
Step 3:	Where the child's protection is not immediately compromised but there is still significant concern surrounding the child's wellbeing, reporting the matter to either ChildFIRST or The Orange Door would be most appropriate.

5.7 CRIMINAL OFFENCES

HRV needs to be aware of and responsive to the following obligations and potential criminal offences that help protect children from harm.

Victoria Police

All reportable allegations must be reported to Victoria Police prior to being reported to other statutory authorities.

Department of Health and Human Services (DHHS)

If the child abuse case relates to neglect and there is a reasonable belief that the child's parent(s)/guardian will not likely protect the child, the matter must be reported to DHHS. Whilst not being a mandatory reporter, HRV has a duty of care to report concerns of abuse and neglect. Where the child's wellbeing is not immediately compromised, but there is still a child protection concern, the matter should be referred to ChildFIRST or The Orange Door instead of DHHS.

ChildFIRST or The Orange Door

If you have significant concerns for the wellbeing of a child, but do not believe that they are at risk of significant harm, or where the immediate safety of the child will not be compromised, a referral to ChildFIRST or The Orange Door may be appropriate. Child FIRST, as the access point for family services, is progressively transitioning to The Orange Door. The Orange Door is the new access point for families who need assistance with the care and wellbeing of children, including those experiencing family violence, to contact the services they need to be safe and supported.

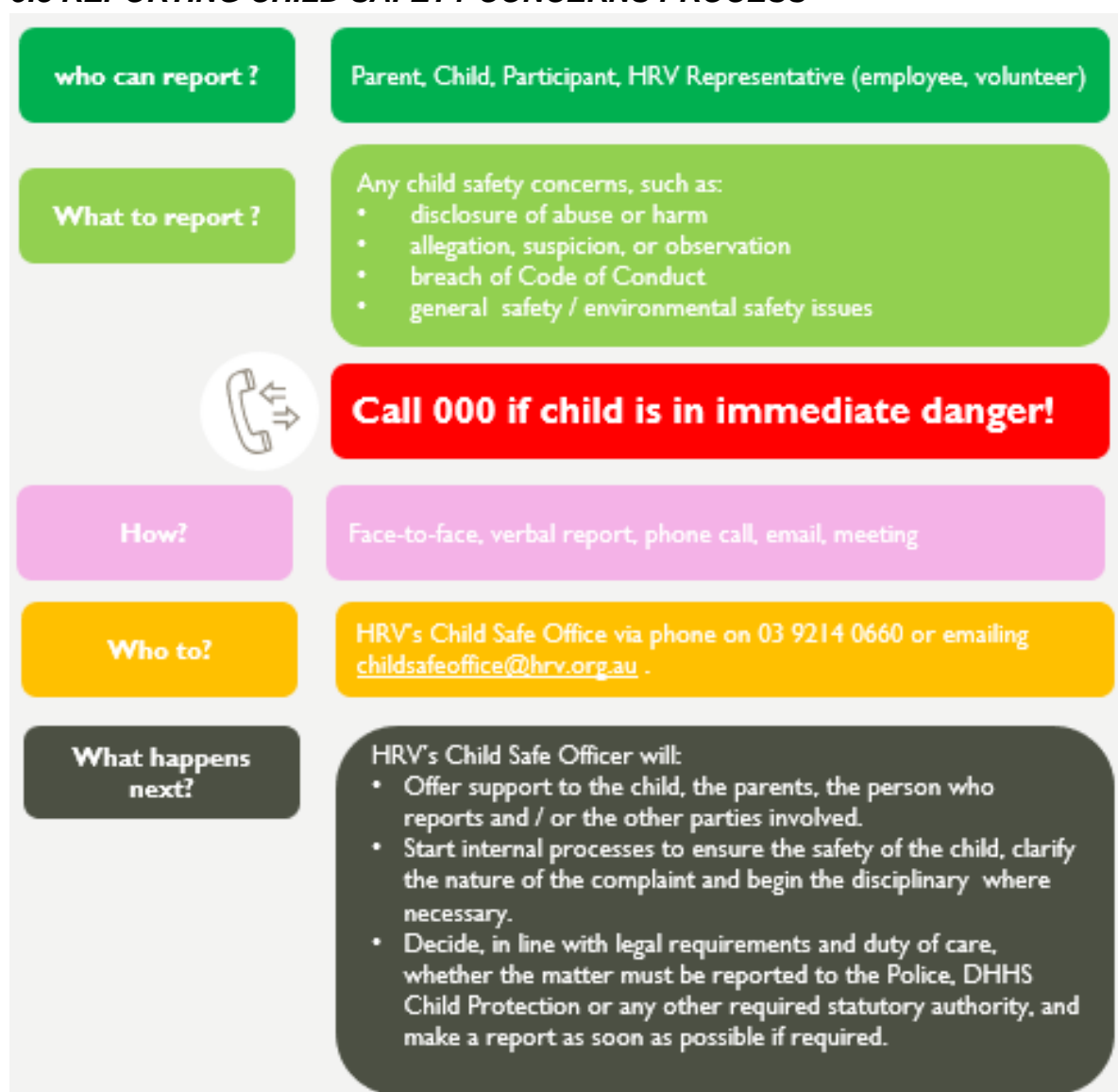
Referring to ChildFIRST or The Orange Door would be appropriate where families:

- Are experiencing significant parenting problems that may be affecting the child's development.
- Are experiencing family conflict, including family breakdown.

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- Are under pressure due to a family member's physical or mental illness, substance abuse, disability or bereavement;
- Are young, isolated or unsupported; or
- Are experiencing significant social or economic disadvantage that may adversely impact on a child's care or development.

5.8 REPORTING CHILD SAFETY CONCERNS PROCESS





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6. RECORDS

Documents used to manage the HRV Child Safe Reporting and Investigation Procedure will be produced in a format that allows tracking for verification and review purposes. Where records are produced, they will be stored in the Calibre system.

7. REVIEW

This procedure will be subject to a planned review by Manager, Risk & Compliance in accordance with the requirements outlined in the Document Control Procedure.

Other methods for reviewing and evaluating the performance of this procedure will include:

- Inspection and audit activity;
- Review of corrective actions;
- Incident investigations root cause analysis;
- Outcomes from performance reports identifying opportunity for improvement.

The outcome of any review will form part of the management review activity and any identified deficiencies will be managed in accordance with corrective action requirements.

Changes to this procedure will be made in consultation with the EMT.

8. RELATED SYSTEM DOCUMENTS

Access to any of the references below shall be via the HRV intranet, manager or supervisor in accordance with the Document Control Procedure.

Related Policies and Procedures:

- HRV Child Safety Commitment Statement;
- HRV Child Safety Policy; and
- HRV Child Safe Code of Conduct.

9. REFERENCES

- Code of Conduct for Victorian Public Sector Employees 2016;
- Working with Children Act 2005;
- Charter of Human Rights and Responsibilities Act 2006;

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- Child Wellbeing and Safety Act 2005;
- Children Legislation Amendment (Reportable Conduct) Act 2016; and
- Privacy and Data Protection Act 2014.

10. AUDITABLE OUTPUTS

The following examples of records will be used to verify implementation of this procedure:

- Training records on Litmos; and
- HRV Child Safe Incident Form on Calibre system.



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APPENDIX 1: CONTACT NUMBERS

FOR IMMEDIATE HELP

If you have **immediate safety** concerns about a child or young person please call **VICTORIA POLICE on 000**

If you have **general safety** concerns about a child or young person please call the **Child Protection Crisis Line on 13 12 78**.

COMMISSIONER OF CHILDREN AND YOUNG PEOPLE

Tel: 1300 78 29 78 (9am-5pm local time)

Fax: (03) 8601 5877

Email: contact@ccyp.vic.gov.au

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Child Protection contacts – business hours 8:45am – 5pm (Mon-Fri)

North Division – 1300 664 977

South Division – 1300 655 795

East Division – 1300 3603914

West Division (rural and regional only) 1800 075 599

West Division (metropolitan only) 1300 664 977

After hours ring Children Protection Emergency Services on 13 12 78 (5pm-9am Mon-Fri and 24 hours on weekend and public holidays).

KIDS HELPLINE

Tel: 1800 55 1800 (24 hour service)

A free, private and confidential counselling service for young people

THE ORANGE DOOR

Tel: 1800 319 353

HRV CHILD SAFE OFFICER

Tel: (03) 9214 0660

Email: childsafeoffice@hrv.org.au

CHILDFIRST

Tel: 1300 721 383

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