

Holy Ascension Orthodox Church Child Safe Complaint Management Procedure

Introduction

The purpose of this *Child Safe Complaint Management Procedure* is to set out the steps to be taken when a complaint is made about child safety in parish life. It should be read in conjunction with the Diocesan *Child-Safe Policy* and the parish *Child Safe Policy* and *Statement of Commitment to Child Safety*.

Definitions

Key terms in this Child Safe Complaint Management Procedure are defined in the parish *Child Safe Policy* and *Statement of Commitment to Child Safety*.

Statement of Commitment to Child Safety

Our clergy and Parish Council are committed to the safety and wellbeing of children.

For the children who belong to or visit our parish, we will provide a child safe environment. This means that we will act to ensure that children feel safe, are safe, and can participate appropriately, actively, and confidently in the divine services and in the broader life of our parish.

We have zero tolerance for any form of harm to or abuse of children. This includes emotional abuse, neglect, physical abuse, and sexual abuse.

Our Orthodox Christian parish is multi-cultural and brings together families and individuals of diverse backgrounds, experiences, and needs. We value both our unity and our diversity and are committed to words and actions that make this clear to our children and the children who visit us.

Our Diocese and our parish have publicly available policies and procedures in place to support these commitments, and will provide our clergy, office-bearers, and volunteers with the necessary information, training, and other resources to ensure that they are met.

We take allegations and safety concerns seriously and will deal with them promptly and respectfully. They will be handled in accordance with our parish *Child Safe Complaint Management Policy*, the Diocesan *Child-Safe Policy*, and Victorian law.

We will engage sensitively with survivors of abuse and actively seek their input into our policies, procedures, and training.

All who belong to or visit our parish will be advised of our commitment to child safety and of their role in ensuring the safety and wellbeing of children while here.

Children's Participation

Our Orthodox Christian tradition is rich and multi-faceted. In the life of our parish, we preserve rites and customs developed over many centuries and in significantly different cultural settings. We value these things, the living expression of our Orthodox Christian faith, as a precious inheritance that we, in turn, hope to pass to our children and to their children. To make this possible, we want our children to participate

appropriately, actively, and confidently in the divine services and in the broader life of our parish. To this end, we will answer their questions, listen to their views, respect what they say, and provide them with opportunities to learn, read, sing, serve, and help.

When should a complaint be made?

A complaint should be made by any person who, in the course of parish life:

- witnesses unacceptable behaviour towards or around children
- receives a disclosure of abuse
- suspects harm or abuse towards a child

How should a complaint be made?

A complaint may be made in person, by email or in writing. Complaints should be directed to our Child Safety Contact Persons.

Priestmonk Kyril
frkyril_at_duck_dot_com

Ana Gonzalez
anaglezlang_at_gmail_dot_com

What information should a complaint contain?

A complaint should include the following information:

- The date of the incident
- The name of the child involved
- The name of the person making the complaint
- The name of the person the complaint is about
- The names of any other persons involved
- Detail of the complaint
- Detail of any injury to the child and of any medical attention received
- If the incident was not witnessed, an accurate record of the child's description of the incident

Immediate Actions

When a complaint is received, the following actions will be taken:

- If required, the child will be removed from immediate harm
- The person the complaint is made about will be removed from child-related work
- As required, contact will be made with Victoria Police, the Victorian Department of Justice and Community Safety, and the Commission for Children and Young People
- Assessment of complaint will be carried out in a timely, fair, and - having regard to privacy obligations - transparent manner within the guidelines of Appendix 8 of the Diocesan Child-Safe Policy.
- Without compromising any investigation, the parties will be kept advised
- Support such as counselling will be offered to the child

A report of the complaint and the way in which it was resolved or escalated will be prepared and stored securely.

Reporting obligations I – Criminal Offences

Victoria Police

Any situation involving children that could be considered a criminal offence should be reported to Victoria Police on **131 444**. This includes child sexual assault, physical assault, and grooming offences. Under Victorian law, it is an offence for adults to not report to the police if they “know, believe or reasonably ought to know that a child abuse offence has been committed.” In addition, people employed in child-related work may be subject to a criminal offence if they fail to reduce or remove risk of a child becoming a victim of child abuse.

Reporting Obligations II – Risk of Significant Harm & Reportable Conduct Scheme

Victorian Government Department of Justice and Community Safety Commission for Children & Young People

The *Child Wellbeing and Safety Act 2005 (Vic)* and *Sections 182(1), 184 and 162(1)(c)-(d) of the Children, Youth and Families Act 2005 (Vic)* are the legislative bases for the Reportable Conduct Scheme, which requires heads of organisations with a high degree of responsibility for children to:

- have in place systems to prevent child abuse, and in case child abuse occurs, to ensure allegations can be brought to the attention of appropriate persons for investigation and response
- ensure that the Commission is notified of a reportable allegation and given updates on the organisation’s response to that allegation
- report to Victoria Police as soon as they become aware that a reportable allegation may involve criminal conduct.

Any person can play a role in the Reportable Conduct Scheme by making an allegation to the Commission.

Other legislation contains reporting obligations regarding child safety. These include:

- *Crimes Act 1958 (Vic)*
- *Children, Youth and Families Act 2005 (Vic)*
- *Family Law Act 1975 (Cth).*

This legislation sets out certain reporting obligations relating to the safety of children, which are discussed below.

Crimes Act 1958 (Vic)

Failure to Disclose

Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 18 must report that information to Victoria Police. It is a criminal offence to fail to disclose that information to Victoria Police.

Failure to Protect

If you are a staff member in a position of authority, and you become aware that an adult associated with your organisation (such as a worker or volunteer) poses a risk of sexual abuse to a child who is under the care, authority or supervision of the organisation, you must take all reasonable steps to remove or reduce the risk. If you fail to take reasonable steps in these circumstances, this may amount to a criminal offence.

Children, Youth and Families Act 2005 (Vic)

Doctors, nurses, midwives, teachers (including early childhood teachers), principals, and police are all 'mandatory reporters'. They must report to Child Protection if they form a reasonable belief that a child is in need of protection from physical injury or sexual abuse.

Family Law Act 1975 (Cth)

Family consultants, family counsellors, family dispute resolution practitioners or arbitrators, independent children's lawyers and certain other people whose work is related to the Family Court of Australia are also mandatory reporters. They must report to Child Protection if they suspect on reasonable grounds that a child has been abused or is at risk of being abused.

Sections 182(1), 184 and 162(1)(c)-(d) of the Children, Youth and Families Act 2005 (Vic.)

Registered medical practitioners, nurses, midwives, a person registered as a teacher or an early childhood teacher under the Education and Training Reform Act 2006 or teachers granted permission to teach under that Act; principals of government or non-government schools within the meaning of the Education and Training Reform Act 2006; police officers, a person in religious ministry, out-of-home care workers (excluding voluntary foster and kinship carers), early childhood workers, youth justice workers and registered psychologists.

Reporting Crimes to Victoria Police

Any suspected criminal behaviour should be reported to police.

If a reportable allegation involves suspected criminal behaviour, both Victoria Police and the Commission must be notified.

A police investigation into any matter takes priority over a reportable conduct investigation, and may require an organisation's investigation to be put on hold until the police investigation is complete.

Heads of organisations should consult with Victoria Police before beginning an investigation to gain their advice and find out if police are, or will be, conducting an investigation.

- If you want to report a child in **immediate** risk or danger of a sexual offence please call Triple Zero (000).
- If the report is not in relation to an immediate risk, please contact your local police station. police.vic.gov.au/location
- If you have general concerns about the safety of wellbeing of a child or young person, please contact the Child Protection Crisis Line on 13 12 78.

Head of Relevant Entity

As of 1 June 2023, the Diocesan Head of Relevant Entity (HRE) under the Reportable Conduct Scheme is the Diocesan Bishop. To ensure that the Diocesan HRE is able to report within three days, he must be advised by the parish Child Safety Contact Person of the reportable allegation or conviction as soon as it is becoming known by the parish. The Diocesan authorities have directed that a report to the Diocesan HRE is to be made by completing the Complaint/Incident Record Form in Relation to Children that forms Appendix 1 to the Diocesan Child-Safe Policy and emailing the completed form to the Diocesan Office at admin.anzdiocese@iinet.net.au marked 'Confidential – Sensitive'.

List of related parish policies and documents

The following parish documents are related to this Policy and Statement:

- Child Safe Policy and Statement of Commitment to Child Safety
- Child Safety Contact Person position description
- Child Safe Code of Conduct
- Child Safe discussion points for Parish Committee meetings

Monitoring and Review

With the assistance of the Child Safety Contact Persons, this Complaint Management Procedure will be formally reviewed by the Parish Committee after each complaint, and at least every two years. To the extent possible, review of these Discussion Points will take into account comments and suggestions from children; parish clergy, office-bearers, volunteers, and members; the Commission for Children and Young People; the Diocesan authorities; and the parish insurer. We will particularly endeavour to draw on the experience of survivors of abuse in our own Orthodox Christian community here in Australia. Consideration will also be given to information prepared by organisations advocating for child safety.