

# CSA CHILD HARM, ABUSE & COMPLAINT GUIDELINE 2022

## Introduction:

Christian Surfers Australia is committed to providing a safe and positive environment for all people, including children, personnel or families, who engage in our activities and events. We wish to ensure that any allegations of abuse to children or any person, or any safety concerns are reported by those who feel they want to.

Abuse often occurs in environments where trust is involved, where a person in a position of trust or authority misuses their position to harm another. Often the recipient of the abuse is vulnerable due to their personal circumstances or because the abuser is in a position of power or authority. Abuse is a serious concern and it is the responsibility of leaders within CSA and all those who work with children to do everything possible to prevent and/or minimise the risk of abuse.

CSA adopts the ChildSafe SP3 system and is committed to sound implementation of it. This guideline is intended to achieve this. All CSA leaders must follow this guideline.

For the purpose of this guideline a child is a person under 18 years of age.

## Making Complaints:

- Any child, child's trusted adult representative, employee, leader or member may make a complaint about abuse or inappropriate behaviour undertaken by any person involved in CSA;
- Abuse can involve neglect, emotional abuse, physical abuse, domestic violence and bullying;
- Inappropriate behaviour (that can be sexual in nature) includes but is not limited to:
  - i) Showing favours to one child over another;
  - ii) Baby sitting;
  - iii) Taking photos of the child whilst at a CSA activity unrelated to the CS related activity;
  - iv) Creating situations to be alone unsupervised with a child;
  - v) Wearing inappropriate clothing around children;
  - vi) Using sexual language or gestures;
  - vii) Making written or verbal sexual advances;
  - viii) Sharing sexual photos or videos or other photos of the child;
  - ix) Sharing details with a child of one's own sexual experiences;
  - x) Taking child to one's own house;
  - xi) Sharing numbers with a child unless it is the team leader who keeps all names and contact details;

- xii) Engaging with a child via social media except as indicated in CSA's Social Media Safety guideline;
- xiii) Asking a child to keep a relationship a secret;
- xiv) Showering or dressing/undressing with the door open;
- xv) Not respecting the privacy of children when they are using the bathroom or changing;
- Below are some examples of conduct, which if proven, would constitute a criminal offence;
  - 1) Obscene exposure (for example, an adult masturbating in front of a child, or exposing their genitals);
  - 2) Having, attempting to have, or facilitating any kind of sexual conduct with a child;
  - 3) Possessing, creating, or exposing children to pornography;
  - 4) Giving goods, money, attention or affection in exchange for sexual activities or images;
  - 5) Voyeurism;
  - 6) Sexting;
  - 7) Grooming offences (as outlined by law in most states);
- In appropriate behaviour complaints, or complaints about abuse may realistically be disclosed to anyone in CSA. However, the ordinary reporting process is that complaints are made to the National Director of CSA, Steve Bailey, or board member Lena Johnstone, whose contact details are on the website;
- Complaints should ideally be made in writing, but this is not always possible. If a complaint is made verbally, the person to whom the complaints is made should record it in writing as soon as possible. Complainants should be encouraged to report their allegation to the Police where the conduct is criminal. Individuals should also be informed of their right to also complain to an independent body (such as the Child Protection Ombudsman);

### Responding to Complaints:

- If a complaint is made by a child (and is not subject to Police involvement), the most important thing is to listen and tell the child that they are not to blame. Do not press for information or push the child to reveal the details of the abuse. Do not ask leading questions, rather listen carefully and if possible, take notes. Reassure the child that they are right to tell and that what they say is taken very seriously, but do not promise them that no one else will be informed of the complaint.
- Complaints may be made by someone who witnesses abuse towards a child or is informed about abuse that has allegedly occurred. These complaints should be taken just as seriously as if the complaint is coming from the child directly.
- Christian Surfers Australia should respond promptly and consistently to all complaints.
- Members of CSA must be mindful of the diversity and the cultural norms and expectations that are within the group of people coming into contact with CSA. It is important to be educated about the specific diversity needs within CSA. 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.

- The response to the complaint should not just be about the factual circumstances of the allegation but should take into account of the psychological and other effects on the complainant regardless of whether the complainant has at that stage been formally upheld. Prompt referral to trauma-based counselling including funding of such treatment should occur (where possible and not provided by government systems like the mental health plan for psychologists) to ensure that the potential damage to the victim is minimised.

## Risk assessments

Upon receiving a complaint of child sexual abuse, an initial risk assessment must be conducted to identify and minimise any risks to children. This should include:

- Assessing the safety of the complainant and other children
- Considering what action should be taken about the accused including supervision, removal of contact with children, being stood down and termination. If a complaint of child sexual abuse against a person within Christian Surfers Australia is plausible, and there is a risk that person may come into contact with children in the course of their work, the person should be stood down from their position while the complaint is investigated.
- Considering whether it is necessary to report to another agency and if so, report to that agency, including the police and child protection authorities. If unsure, contact your Regional Coordinator.
- Considering who, if anyone, should be informed of the complaint.
- Considering whether there are any restrictions to informing others, for example, whether the disclosure bypasses the Privacy Act by being required by law or not
- Determining to implement the decisions made as a result of the risk assessment
- Supporting those affected including the child or children involved (or the person who made the complaint).

## Investigating the Complaint

- Christian Surfers Australia must investigate all complaints of conduct that does not reach the criminal threshold but may be inappropriate and/or breach of CSA's Code of Conduct. If there is any doubt about whether the criminal threshold has been reached, the allegation should be reported to the relevant authorities.
- The person investigating may be an employee of CSA, a contractor to it or independent of it, depending on the incident type and its gravity.
- The investigator must ensure that they:
  1. Are impartial and objective, applying a consistent treatment of allegations regardless of who they come from and who they are against.
  2. Have no conflict of interest with the proper investigation of the complainant
  3. Have training, skills, and experience in investigating child abuse
  4. Follow steps to meet the requirements of procedural fairness.
- The National Director should oversee the investigation. They must have sufficient authority to discharge the role effectively and be able to demonstrate they are impartial and objective.

## Outcomes

- All outcomes and decisions made must be accurately recorded, including the reasons for the decisions
- CSA shall consider how to put into effect any decisions, including informing the complainant and other interested people, institutions and other agencies.
- CSA may consider the need to conduct a systemic review or root cause of analysis, in necessary, and consider the need to recommend changes from that process outlining the continuous improvement systemic issues.

## External Bodies

- CSA will report concerns, allegations and disclosures relating to children to external authorities, namely the Police and Child Protection or other relevant authority
- Members of CSA are always able to make a report directly to the Police or Child Protection before going through the complaint process. However, afterwards the National Director must be notified of the report made, in order that CSA can take appropriate safety measures and support the parties involved.
- If the Police are investigating or deciding whether to investigate an allegation, any communication undertaken by CSA might interfere with the Police investigation or undermine possible criminal proceedings. If CSA considers urgent action is required to protect the children in its care, it should consult the Police or Child Protection agency about the action. If CSA wishes to communicate with children, parents or staff about the matter, it should do so only in consultation with the Police or Child Protection agency.

## Documentation

- A complaints register shall be kept by the National Administrator which shall detail all complaints, information obtained, the action taken and findings.
- All steps taken in the complaint handling process must be documented including:
  1. The receipt of the complaint
  2. Contact with the complainant
  3. Contact with the witness
  4. Contact with the accused
- 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.
- Documents are to be kept secure in a complaints register which is contained in the password protected computer system of the National Administrator. The National Administrator shall be responsible for safeguarding the documentation and keeping the Child Safe Safety Management Online System updated.

## Follow up

- CSA should ensure that victims are looked out for even after a complaint is resolved as the effects of child abuse, especially sexual abuse are lifelong. The practice of finalising a complaint and excluding someone from an organisational community should be avoided. At the same time CSA should not hold up the healing of the victim by remaining entangled with the victim in the long term.

For anyone who wishes to make a complaint they may do so on our website on our Complain/Feedback Form in the Footer or click this link [Complaint/Feedback Form](#)



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