

ARMIDALE OUT OF SCHOOL HOURS CARE

Procedure for the Management of a Complaint that Alleges a Child is Exhibiting Harmful Sexual Behaviours

Related Policies:	Complaints Handling, Child Protection and Child Safe Policy and Procedure (including Providing a Child Safe Environment), Incident, Injury, Illness and Trauma, Privacy.
Regulations/ Standards:	National Regulations 12, 84, 149, 168, 170, 172 -174, 176. National Quality Standard 6 & 7.
Related Procedures:	Confidentiality, Supervision.
Reference:	ACECQA, OFFICE OF THE Children's Guardian.
Date effective	August 2025
Date for review	August 2028
Purpose	Approved providers play an important role in making informed professional judgements regarding sexualised behaviour involving children.
Responsibility	Directors, Management, Nominated Supervisors and Educators

Key information:

Armidale Out of School Hours Care recognises that families, children, educators and the community need to feel confident that any concerns or issues they may raise will be dealt with promptly and professionally.

All stakeholders can be confident that all complaints, including complaints that allege a child is exhibiting harmful sexual behaviours will be taken seriously and addressed effectively.

Not all sexual behaviours involving children pose a risk to their safety, it may be age appropriate sexualised behaviour.

Informed judgements regarding sexual behaviour help to ensure the health, safety and wellbeing of children by:

- Supporting healthy sexual development (age-appropriate behaviour, and
- Protecting them from abuse.

Reporting Requirement: *In some cases, the Approved Provider, Nominated Supervisor or Educator may be required to report on incidents and suspected incidents involving children under legislative reporting requirements, including child protection legislation.*

Managing a Complaint:

- Where possible, complaints will be dealt with immediately,
- All complaints will be dealt with in line with Armidale OSHC's Complaints Handling Policy,
- All complaints will be documented and any legal requirements in relation to the complaint will be considered.

Notifiable Complaints:

Complaints that the safety, health or wellbeing of a child was, or is, being compromised, or that the law has been breached, will be reported by the Approved Provider to the Regulatory Authority within 24 hours of the complaint being made.

Under Regulation 168 (2), the name of the person to whom a complaint can be made is clearly visible at Armidale OSHC.

The Approved Provider must report complaints that allege:

- A serious incident has occurred or is occurring while a child is being educated and cared for by a service
- The National Law and/or Regulations have been contravened.

Direct Complaints

Families can make a complaint to the Regulatory Authority where the complaint alleges that:

- The safety and wellbeing of a child was or is being compromised while the child is being educated and cared for by the service,
- The relevant legislation has been compromised.

Ensuring stakeholder voices are heard and that they are supported	
Children who have allegedly been exposed to sexual abuse by another child	Ensure that the child's voice is heard Children are reassured of their safety by people that they trust Child Protection procedures are activated
Child who has sexually abused another child	Ensure they are supervised at all times Ensure they are aware their behaviour is inappropriate Ensure they are aware they are supported and intentional teaching occurs around child safety and child protection
Responsibilities of Educators	To promptly document and record all incidents To provide written incident reports to the Nominated Supervisor To maintain confidentiality

	To utilise Traffic Light Framework (See attached Appendix A) to make informed decisions To ensure that everyone is using language that is respectful in describing the behaviour and does not traumatize the child
Responsibilities of Nominated Supervisors	To report all incidents in line with Regulatory requirements within 24 hours To ensure Educators have current child protection training To have a complaints handling process in place to facilitate discussion between families, the approved provider, nominated supervisors and educators To utilise Traffic Light Framework (See attached Appendix A) to make informed decisions
Families – Child who was sexually abused	Ensure concerns are discussed confidentially Seek to support and reassure the child Approved provider to offer debriefing/counselling Approved Provider to give clear information about the progress of the complaint Approved Provider to make families confident that concerns and issues are handled promptly and professionally
Families of a child who sexually abused another child	To be made aware by the Nominated Supervisor of the steps to be taken in reporting To be offered referral to counselling

Follow Up and Review

Each complaint will be reviewed as an opportunity for improvement

After the complaint is dealt with Armidale OSHC will:

- Analyse the complaint to see if any policy or procedural changes need to be implemented
- Follow through to determine that complaints have been successfully resolved to everyone's satisfaction
- Communicate with the complainant to determine if they were satisfied with the way the issue was handled
- Consult with Educators about the outcome from an operational viewpoint.