

Responding to Child Abuse, Neglect and Other Harms Policy

At MercyCare, we are committed to safeguarding children and young people. It is our duty of care and legal obligation to identify, report, and respond to any concerns, allegations, or incidents of abuse, neglect and harm towards the children and young people we serve.

This policy is written in accordance with MercyCare's Safeguarding Children and Young People Policy and provides guidance on responding to concerns, disclosures, and allegations. MercyCare has zero tolerance for child abuse.

Disclaimer: For the purpose of this document, the term 'child' will refer to both children and young people up to the age of 24 years old. The term MercyCare 'people' refers to MercyCare employees, volunteers, contractors, and students.

1 Outcomes

All MercyCare people will identify, report, and respond to any concerns, allegations, or incidents of abuse, neglect and harm towards` children and young people. We are required to respond to abuse or neglect perpetrated by MercyCare people or by other people.

MercyCare upholds every child and young person's right to be heard, protected, and supported. In responding to concerns, allegations, or incidents of abuse or harm, equity is promoted, diversity is respected, and children and their families are listened to, taken seriously, and supported through a fair and timely process.

This policy applies to all MercyCare people, which includes employees, volunteers, contractors, and volunteers.

2 Roles and Responsibilities

2.1 Employees, Volunteers, Contractors, and Students

- Ensure compliance with this policy

2.2 Managers

- Ensure policy and procedures are implemented and followed
- Ensure employees, students and volunteers have access to support and advice to understand how to implement this policy

2.3 Human Resources

- Ensure investigations are conducted in accordance with the WA Reportable Conduct Act when the abuse matter involves MercyCare people
- Ensure recruitment of staff includes mandatory checks of Working With Children and National Police Clearance Checks and additional Safeguarding processes inclusive of two referee checks.
- Human Resources will also be responsible for maintaining compliance

2.4 Mandatory Reporters

- Uphold legal requirement to report all reasonable beliefs of child sexual abuse to the Department of Communities

2.5 Safeguarding and Inclusion Manager

- Report to the Executive Manager in relation to Safeguarding incidents and external reports
- Provide support and guidance to staff including managers and executives in relation to reporting and general safeguarding matters
- Review and update safeguarding documents and supporting resources in consultation with relevant stakeholders

2.6 Safeguarding Reference Group

- Provide advice and recommendations on safeguarding practice and documentation.
- Review trends, risks, and emerging issues across the organisation to support continuous improvement.
- Act as an internal consultation group to support the Safeguarding Manager and Executive Directors in strengthening safeguarding culture.

2.7 Executive Directors

- Monitor safeguarding incidents and use data to inform service delivery, planning and improvement at a strategic level

2.8 Care Quality Committee

- Review and make recommendations to the Board with regards to safeguarding matters

2.9 CEO

- Responsible for organisational adherence to this policy including the delegation of responsibilities as appropriate

2.10 Board

- Approves and endorses this policy
- Provides strategic oversight and governance to ensure its effective implementation across the organisation.

3 Abuse, Neglect and Other Harms

At MercyCare, our paramount concern is safeguarding the well-being of children and young people. This policy outlines the various abuse types and other harms we are committed to addressing. Our goal is to provide a safe and nurturing environment for all individuals under our care. The following are the abuse types and other harms covered under this policy:

- **Physical Abuse:** Any non-accidental act that causes or may cause physical harm or injury to a child or young person. This includes hitting, slapping, pushing, kicking, or any other form of physical violence.
- **Emotional Abuse:** The persistent emotional ill-treatment of a child or young person, causing severe and adverse effects on their emotional and psychological well-being. This may involve intimidation, humiliation, verbal abuse, or isolation.
- **Sexual Abuse:** Involves forcing or enticing a child or young person to take part in sexual activities. It includes any form of non-consensual sexual contact, exploitation, or exposure to inappropriate sexual content.
- **Neglect:** The persistent failure to meet a child's basic physical and emotional needs, leading to their health, development, and well-being being significantly impaired. This includes inadequate supervision, lack of proper nutrition, and failure to provide necessary medical care.

- **Family Violence:** The abuse or violence that occurs within a family or domestic setting, which can have severe physical and emotional impacts on children and young people. This includes intimate partner violence, child abuse within the family, and violence between family members.

While the primary focus of this policy focuses on responding to occurrences and/or concerns for abuse and neglect, MercyCare is committed to vigilantly monitoring and proactively addressing a broader range of potential harms, to ensure the holistic safeguarding and well-being of every child and young person in our care.

‘Other’ harms are encompassed through the following harm types:

- **Bullying:** Repeated aggressive behaviour, either physical, verbal, or relational, intended to harm, intimidate, or distress a child or young person.
- **Harassment:** Unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment. This includes cyberbullying and any form of discrimination.
- **Discrimination:** Treating someone unfairly or less favourably based on their characteristics such as race, ethnicity, gender, religion, disability, or sexual orientation.
- **Grooming:** Deliberate actions taken to build a relationship with a child or young person for the purpose of sexual exploitation, manipulation, or abuse. It involves establishing trust and emotional connection to facilitate harmful intentions.
- **Self-Harm:** Deliberate acts of physical harm inflicted on oneself, often to cope with emotional distress. It is essential to recognise signs of self-harm and provide appropriate support.
- **Suicidal Ideation:** Thoughts about or plans for ending one's own life. Any mention or indication of suicidal ideation should be treated with the utmost seriousness.
- **Absconding:** Running away or escaping from the designated and supervised area without permission. Absconding poses significant risks to the individual's safety.
- **Substance Abuse:** The misuse of drugs or alcohol, which can harm the young person's physical and mental health. Substance abuse may also increase vulnerability to other forms of harm.
- **Financial Abuse:** Exploitative or coercive practices that involve the misuse or control of a child or young person's financial resources, assets, or finances. This includes actions that compromise their financial well-being, such as theft, fraud, or manipulation.
- **Breach of Safeguarding Policy:** Any violation or failure to comply with established safeguarding policies and procedures designed to protect children and young people.
- **Breach of Confidentiality:** Sharing sensitive information with unauthorised individuals or not maintaining confidentiality as required under safeguarding protocols.
- **Breach of Duty of Care:** Failing to exercise reasonable care and protection towards the children and young people under our responsibility.
- **Online Safety Concerns:** Any potential risks or threats related to internet usage, social media, or other online platforms. This includes exposure to harmful content or interactions with malicious individuals online.

4 Allegations of Abuse, Neglect and Other Harm

The notification of an allegation of abuse, neglect, or other harm can manifest in various ways. Individuals within MercyCare, such as employees, volunteers, contractors, or students may become aware of an allegation through direct contact with the child or young person. Alternatively, the service may receive notifications from external sources.

It is important to recognise that allegations of abuse, neglect, and other harm can also be directed against MercyCare people.

Important note: When a child or young person discloses allegations of abuse or neglect, it is imperative that MercyCare people maintain basic principles of active listening by being calm, supportive, and reassuring, concentrate on how they are feeling rather than questions and answers, and explain what you are going to do.

5 Forming a Belief on Reasonable Grounds

A person may form a belief on reasonable grounds that a child or young person needs protection after becoming aware that a child or young person's health, safety or wellbeing is at risk and the parents/carers/guardians are unwilling or unable to protect the child or young person.

There may be reasonable grounds for forming such a belief if:

- A child or young person states that they have been abused
- A child or young person states that they know someone who has been physically or sexually abused (sometimes they may be talking about themselves)
- Someone who knows the child or young person states that the child or young person has been abused
- A child or young person shows signs of being abused
- The person is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on the child or young person's safety, stability or development

The person observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision.

6 Taking Action

MercyCare people have a duty of care, and at times, a legal obligation specific to their roles to ensure that incidents are responded to and managed appropriately, and that reasonable steps must be taken to prevent harm to children and young people.

MercyCare people must **immediately** report any incident or suspected incident of abuse, neglect, or other harm, including near misses. If immediate reporting is not possible, they must report before ending their shift or session. This includes cases where a child or young person has suffered, or is likely to suffer, significant harm from abuse or neglect.

It is important to note that should the child or young person be at risk of imminent harm, MercyCare People must contact the relevant authorities directly. This includes the Department of Communities – Child Protection and Family Support and/or WA Police.

6.1 Reporting of concerns or alleged abuse, neglect and other harm

Upon becoming aware of a concern, allegation of abuse, neglect, or other harm, MercyCare employees, volunteers, contractors, or students are required to promptly notify their reporting line manager, referred to as the Responsible Officer (RO). This reporting obligation also extends to situations involving concerns or allegations against MercyCare personnel.

If the Responsible Officer is implicated in the allegations, or is unavailable, the report must be made to the next higher level of management or an alternative designated authority.

Mercy Care must ensure that it meets reporting, privacy and employment law obligations for all parties, in the process of handling reports.

6.2 Out of Office Hours

Any allegations must ensure a right to a fair process.

In the event where an employee is to be stood down during out-of-office hours, this decision must be made by an Executive Manager.

7 Consultation

MercyCare will report to and consult with relevant stakeholders (e.g., WA Police, Department of Communities, Education and Care Regulatory Unit, and the WA Ombudsman) to ensure ongoing compliance with legislative and jurisdictional requirements when responding to child abuse reports and allegations.

8 Evaluation and Improvement

To assess compliance with standards of the Safeguarding Children accreditation, annual reviews (submitted to the Australian Childhood Foundation) take place, reviewing the following (but not limited to):

- Recruitment and onboarding audits and records
- Personnel records
- Changes to safeguarding children policy
- Personnel roles and responsibilities
- Responses to child abuse reports and allegations
- Practice and behaviour guidelines

9 Failure to report abuse and neglect

A failure/inability to report incidents, allegations, disclosures or concerns of abuse or neglect of a child or young person within the prescribed timeframes and methods will be viewed as a serious matter and may, depending on the circumstances, result in disciplinary actions and/or be grounds for immediate dismissal.

Safeguarding Children and Young People Policy prohibits MercyCare people from discussing any matter concerning an allegation with unauthorised personnel – inside or outside the organisation. This prohibition is not intended to limit their right to legal representation or responsibility to report their concerns or allegations but rather to ensure privacy, confidentiality, and natural justice. MercyCare people are prohibited from making deliberately false, misleading, or vexatious allegation.

Approved by: MercyCare Board
Date: 07/08/2025

A handwritten signature in black ink, consisting of a large, stylized initial 'D' followed by a horizontal line extending to the right.