

Safeguarding Children and Young People

Complaints & Reporting Procedure

EFFECTIVE DATE	01/02/2023
POLICY OWNER	Participation, Community and Game Development
POLICY CONTACT	NRL Child Safety and Policies Officer

1. PURPOSE

This Safeguarding Children and Young People Complaints and Reporting Procedure (**Complaints and Reporting Procedure**) sets out the procedure that all NRL People must follow to meet their responsibilities in relation to identifying, reporting, and responding to concerns about, or incidents of, Child Abuse or other inappropriate behaviour towards Children or Young People in our sport.

The Complaints and Reporting Procedure is issued in connection with the Safeguarding Children and Young People Framework (**Framework**) and the Safeguarding Children and Young People Policy (**Policy**) and forms part of the Framework Documents.

NRL is committed to protecting the Children and Young People who participate in programs, activities, services and facilities across rugby league. Our staff and volunteers are required to respond to abuse or neglect perpetrated by staff and/or volunteers within our organisation or by other persons who may be external to NRL.

The unique needs of Aboriginal and Torres Strait Islander Children and Young People, Children and Young People from culturally and linguistically diverse (**CALD**) backgrounds and Children and Young People with a disability taken into account within the Framework Documents.

All capitalised terms in the Complaints and Reporting Procedure are defined terms which can be found in the Dictionary of the Policy.





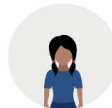
Flowchart – Child safety reporting process within an organisation

REMEMBER! Always call 000 if a child is in immediate danger

WHO MIGHT REPORT A MATTER?



PARENT OR CARER



CHILD OR YOUNG PERSON



STAFF MEMBER OR VOLUNTEER



OTHER PERSON
(e.g. witness to an incident)



ANOTHER SERVICE PROVIDER

WHAT TO REPORT?

Any child safety concerns, including:

- ▶ disclosure of abuse or harm
- ▶ allegation, suspicion or observation
- ▶ breach of a Code of Behaviour
- ▶ safety issues relating to the physical environment.

HOW?



FACE-TO-FACE VERBAL REPORT



EMAIL



TELEPHONE CALL



LETTER



MEETING

WHO TO?



NRL Safeguarding Children & Young People CONTACT OFFICER



MANAGER



SUPERVISOR

WHAT HAPPENS NEXT?

The Contact Officer, manager or supervisor will:

- ▶ offer support to the child, the parents/carer and the person who reports
- ▶ initiate internal risk management processes to ensure the safety of the child, clarify the nature of the complaint and commence disciplinary process (if required)
- ▶ decide, in accordance with legal requirements and duty of care, whether the matter should/must be reported to the Police or Child Protection authority and make report as soon as possible if required
- ▶ wait for clearance from authorities before starting the investigation
- ▶ report to regulators, oversight bodies if allegation is reportable, and working with children check operators where appropriate.

2. FRAMEWORK DOCUMENTS

The Complaints and Reporting Procedure should be read in conjunction with and is supported by the Safeguarding Children and Young People Framework which includes:

[Safeguarding Children and Young People Policy \(Policy\)](#);

[Safeguarding Children and Young People Code of Behaviour \(Code\)](#);

[Safeguarding Children and Young People Recruitment and Screening Requirements \(Recruitment and Screening Requirements\)](#); and

[Safeguarding Children and Young People Induction and Training Requirements \(Induction and Training Requirements\)](#).

3. SCOPE

The Complaints and Reporting Procedure applies to all NRL People and is operational across the NRL.

- all NRL staff (employees and contractors);
- all employees and contractors of the NRL Affiliated States;
- Volunteers, coaches, sports trainers and participants who have a current and valid registration via the NRL Competition Management System;
- anyone engaged to provide NRL Services on behalf of NRL;
- any other league which adopts this policy.

In circumstances where the Complaints and Reporting Procedure does not apply to NRL clubs, state or community leagues, the NRL is committed to supporting the understanding of the NRL commitment to safeguarding Children and Young People through provision of resources, access to training materials and transparent and consistent communication.

4. IMMEDIATE RESPONSE

If you become aware that a Child or Young Person is at imminent risk of harm or in immediate danger, you must report the situation directly to the **Police - CALL '000'** (within Australia).

5. WHAT TO REPORT

The following types of behaviours, including observed or suspected abuse, in relation to any Child or Young Person involved in NRL activities, programs, services or facilities **must be reported in the manner described in this Complaints and Reporting Procedure**:

- Disclosure of abuse or harm by a Child or Young Person;
- Allegation, suspicion or observation of abuse or harm of a Child or Young Person;
- Breach of the Code; and/or
- Safety issues regarding the physical environment where Children and Young People are present.

Examples of scenarios which may be signs of Child Abuse or Neglect:

- Distrust or wariness of adults;
- Extreme behaviour - aggressive, submissive, anxious, distressed;
- Low self-esteem, being withdrawn or having difficulty relating to adults or other children;
- Being overly obedient and trying hard to please;
- Difficulty concentrating;
- Excessive rocking, humming, sucking or biting;
- Bedwetting, frequent nightmares or sleeping difficulties (seeming tired and falling asleep at unusual times);
- Seeming to be accident prone or having unexplained bruises or injuries at different stages of healing;
- Explanations for injuries that are unbelievable, vague or don't align with the type of injury;
- Alcohol or drug abuse;
- Suicidal tendencies;
- Not wanting to go home (or somewhere else);
- Creating stories or artwork about abuse; and
- Inappropriate sexual knowledge or behaviour for the age and development of the child.

6. HOW TO MAKE A REPORT

NRL People must report child safety concerns that they are informed of, observe or suspect.

Immediate action will be taken in relation to any matter reported to the NRL.



The NRL will act with integrity, provide strong leadership and make decisions that are child centred, legal, ethical, accountable and transparent whilst meeting national legislative requirements.

6.1 OBLIGATIONS OF AN NRL PERSON WHO RECEIVES A REPORT

- Step 1:** If the Child or Young Person is in imminent risk of harm or immediate danger, the reporting person is required to report the situation directly to the police - **CALL '000'**.
- Step 2:** Regardless of whether the matter is reported to the police, the reporting person must also immediately contact the NRL Child Safety Officer or General Counsel by emailing safechildren@nrl.com.au or seeking advice in person.
- Step 3:** When practical, the reporting person must make a report on the NRL's online reporting platform, SHIELD. This report should be accompanied via an email to safechildren@nrl.com.au.

In some circumstances, the NRL Child Safety Officer (or their delegate) may take a statement and formally record the statement in the Child Safety reporting database.

All NRL People retain the right to report directly to relevant authorities, such as police or child protection, any concerns they may have in relation to the safety and welfare of Children and Young People, regardless of whether or not they have also reported that matter internally.

6.2 CHILD SAFETY OFFICER'S REPORTING OBLIGATIONS

When the a NRL executive or Child Safety Officer is notified by a reporting person (Step 2) the following will occur:

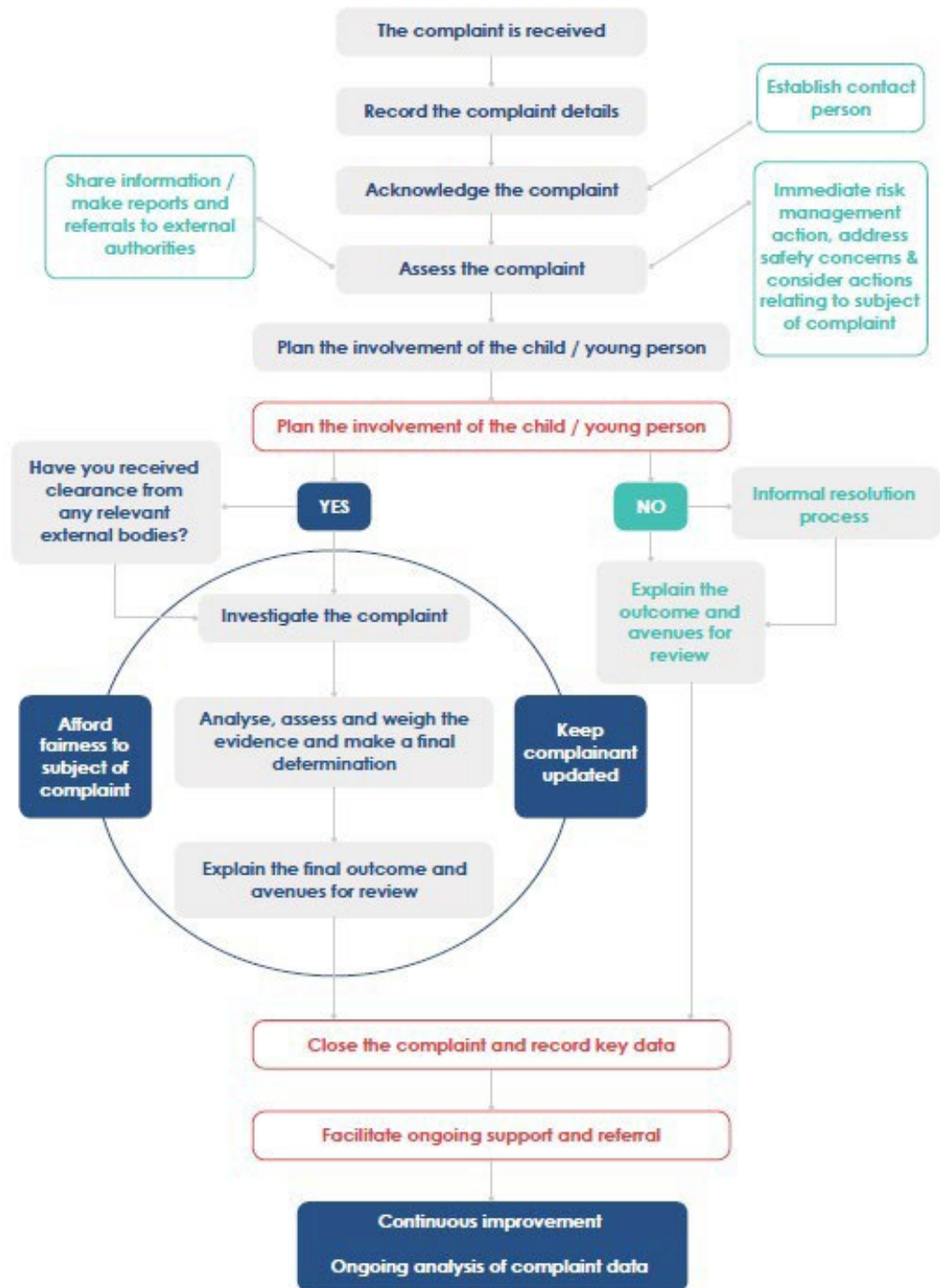
1. Offer support to the Child/Young Person, the parents/carer and the person who reports the incident;
2. Initiate internal risk management processes to ensure the safety of the child, clarify the nature of the complaint and, where applicable, engage appropriate internal personnel to commence disciplinary process;
3. Create a record of the report based on the reporting person's written report per Step 3;

4. Obtain advice as applicable and decide, in accordance with legal requirements and duty of care, whether the matter should/must be reported to the Police or Child Protection in the relevant jurisdiction and make a report as soon as possible if required;
5. Wait for clearance from authorities (where reported to an external agency) before starting investigations;
6. Report internally to Executive Leadership representative and externally to regulators, oversight bodies if the allegation is reportable, and working with children operators where appropriate.

In taking a report or disclosure of an incident from others, the reporting person is not to assess the validity of allegations or concerns, but to report all allegations as described.

Complaint Handling:

Upholding the rights of children and young people (an overview)



6.3 REPORTING TIMEFRAMES

Reports and notifications must be made as soon as practicable and no later than before ending that person's shift or session of work.

6.4 MANDATORY REPORTING PROVISIONS

In Australia, each state and territory have child safety laws that set out responsibilities for both organisations and individuals who work or have contact with Children and Young People. The following link will direct you to the responsibilities associated with each state and territory: <https://pmc.gov.au/domestic-policy/national-office-child-safety>.

6.4.1 WHAT IS MANDATORY REPORTING?

Mandatory reporting is a term used to describe the legislative requirement for selected groups of people to report suspected cases of child abuse and neglect to government authorities. Parliaments in all Australian states and territories have enacted mandatory reporting laws of some description. However, the laws are not the same across all jurisdictions. The main differences concern who must report and what types of abuse and neglect have to be reported.

6.4.2 WHO IS MANDATED TO MAKE A NOTIFICATION?

All jurisdictions in Australia have child abuse mandatory reporting legislation. All jurisdictions require a reasonable belief or suspicion that a child is at risk of harm to trigger a mandatory report. However, the type of harm triggering a report varies between jurisdictions. Most jurisdictions require reporting of all types of abuse. Some jurisdictions limit mandatory reporting requirements to sexual or physical abuse.

6.4.3 WHAT TYPES OF ABUSE ARE MANDATED REPORTERS REQUIRED TO REPORT?

In addition to differences describing who is a mandated reporter across jurisdictions, there are differences in the types of abuse and neglect that must be reported. In some jurisdictions it is mandatory to report suspicions of each of the four classical types of abuse and neglect abuse (i.e., physical abuse, sexual abuse, emotional abuse and neglect). In other jurisdictions it is mandatory to report only some of the abuse types



(e.g. VIC, ACT). Some jurisdictions also require reports of exposure of children to domestic violence (e.g. NSW, TAS).

It is important to note that in most jurisdictions the legislation generally specifies that except for sexual abuse (where all suspicions must be reported), it is only cases of significant abuse and neglect that must be reported (see Table 1 for jurisdictions that specify the extent of harm).

TABLE 1 - MANDATORY REPORTING REQUIREMENTS – STATES & TERRITORIES

Australian Capital Territory	
Who is mandated to report?	A person who is: a doctor; a dentist; a nurse; an enrolled nurse; a midwife; a psychologist; a teacher at a school; a person authorised to inspect education programs, materials or other records used for home education of a child or young person under the <i>Education Act 2004</i> ; a police officer; a person employed to counsel children or young people at a school; a person caring for a child at a child care centre; a person coordinating or monitoring home-based care for a family day care scheme proprietor; a public servant who, in the course of employment as a public servant, works with, or provides services personally to, children and young people or families; the public advocate; an official visitor; a person who, in the course of the person's employment, has contact with or provides services to children, young people and their families and is prescribed by regulation
What must be reported?	A belief, on reasonable grounds, that a child or young person has experienced or is experiencing sexual abuse or non-accidental physical injury; and the belief arises from information obtained by the person during the course of, or because of, the person's work (whether paid or unpaid)

TABLE 1 - MANDATORY REPORTING REQUIREMENTS – STATES & TERRITORIES

<p>Abuse and neglect types that must be reported</p>	<ul style="list-style-type: none"> ▪ Physical abuse ▪ Sexual abuse
<p>Legal provisions</p>	<p>Section 356 of the <i>Children and Young People Act 2008 (ACT)</i></p>
<p>New South Wales</p>	
<p>Who is mandated to report?</p>	<p>A person who, in the course of his or her professional work or other paid employment delivers health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children.</p> <p>A person who holds a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children.</p>
<p>What must be reported?</p>	<p>Reasonable grounds to suspect that a child is at risk of significant harm; and those grounds arise during the course of or from the person's work</p>
<p>Abuse and neglect types that must be reported</p>	<ul style="list-style-type: none"> ▪ Physical abuse ▪ Sexual abuse ▪ Emotional/ psychological abuse

TABLE 1 - MANDATORY REPORTING REQUIREMENTS – STATES & TERRITORIES

	<ul style="list-style-type: none"> ▪ Neglect ▪ Exposure to domestic violence
Legal provisions	Sections 23 and 27 of the <i>Children and Young Persons (Care and Protection) Act 1998 (NSW)</i>
	NT
Who is mandated to report?	Any person
What must be reported?	A belief on reasonable grounds that a child has suffered or is likely to suffer harm or exploitation
Abuse and neglect types that must be reported	<ul style="list-style-type: none"> ▪ Physical abuse ▪ Sexual abuse or other exploitation of the child ▪ Emotional/ psychological abuse Neglect ▪ Exposure to physical violence (e.g., a child witnessing violence between parents at home)
Legal provisions	Sections 15, 16 and 26 of the <i>Care and Protection of Children Act 2007 (NT)</i>
	QLD

TABLE 1 - MANDATORY REPORTING REQUIREMENTS – STATES & TERRITORIES

Who is mandated to report?	Relevant persons: doctors; registered nurses; teachers; a police officer; early childhood education and care professionals; school staff
What must be reported?	Has a reasonable suspicion that a child in care (a child placed in the care of an entity conducting a departmental care service or a licensee) has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse
Abuse and neglect types that must be reported	<ul style="list-style-type: none"> ▪ Physical abuse ▪ Sexual abuse
Legal provisions	Part 1AA, Section 13e of the <i>Child Protection Act 1999 (Qld)</i>
SA	
Who is mandated to report?	Medical practitioners; pharmacists; registered or enrolled nurses; dentists; psychologists; police officers; community corrections officers; social workers; a minister of religion, a person who is an employee of, or volunteer in, an organisation formed for religious or spiritual purposes, (with the exception of disclosures made in the confessional); teachers in educational institutions including kindergartens; approved family day care providers; any other person who is an employee/volunteer in a government or non-government organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children, being a person who is actively engaged in the delivery of those services to children or who holds a management position in the relevant organisation, the duties of which

TABLE 1 - MANDATORY REPORTING REQUIREMENTS – STATES & TERRITORIES

	include direct responsibility for, or direct supervision of, the provision of those services to children
What must be reported?	Reasonable grounds to suspect that a child has been or is being abused or neglected; and the suspicion is formed in the course of the person's work (whether paid or voluntary) or carrying out official duties
Abuse and neglect types that must be reported	<ul style="list-style-type: none"> ▪ Physical abuse ▪ Sexual abuse ▪ Emotional/ psychological abuse ▪ Neglect
Legal provisions	Sections 6, 10 and 11 of the <i>Children's Protection Act 1993 (SA)</i>

Tasmania

Who is mandated to report?	Medical practitioners; registered or enrolled nurses; persons registered under the Health Practitioner Regulation National Law (Tasmania) in the midwifery, dental (dentists, dental therapist, dental hygienist or oral health therapist) or psychology professions; police officers; probation officers; principals and teachers in any educational institution including kindergartens; persons who provide child care or a child care service for fee or reward; persons concerned in the management of an approved education and care service, within the meaning of the Education and Care Services National Law (Tasmania) or a child care service licensed under the <i>Child Care Act 2001</i> ; any other person who is employed or engaged as an employee for, of, or in, or who is a volunteer in, a government agency that
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	provides health, welfare, education, child care or residential services wholly or partly for children, and an organisation that receives any funding from the Crown for the provision of such services; and any other person of a class determined by the Minister by notice in the Gazette to be prescribed persons
What must be reported?	A belief, or suspicion on reasonable grounds, or knowledge that: a child has been or is being abused or neglected or is an affected child
Abuse and neglect types that must be reported	<ul style="list-style-type: none"> ▪ Physical abuse ▪ Sexual abuse ▪ Emotional/ psychological abuse ▪ Neglect ▪ Exposure to family violence
Legal provisions	Sections 3, 4 and 14 of the <i>Children, Young Persons and Their Families Act 1997 (Tas.)</i>
Victoria	
Who is mandated to report?	Any adult
What must be reported?	Belief on reasonable grounds that a child is in need of protection
Abuse and neglect types that must be reported	<ul style="list-style-type: none"> ▪ Physical injury ▪ Sexual abuse Sexual offence

Legal provisions	Sections 182(1)(a)-(e), 184 and 162(c)-(d) of the <i>Children, Youth and Families Act 2005 (Vic)</i>
Western Australia	
Who is mandated to report?	Doctors; nurses and midwives; teachers or boarding supervisors; and police officers
What must be reported?	<p>Belief on reasonable grounds that child sexual abuse has occurred or is occurring and forms this belief in the course of the person's work, whether paid or unpaid</p> <p>Reasonable grounds for suspecting that a child has been: abused, or is at risk of being abused; ill treated, or is at risk of being ill-treated; or exposed or subjected to behaviour that psychologically harms the child</p>
Abuse and neglect types that must be reported	<ul style="list-style-type: none"> ▪ Physical abuse ▪ Sexual abuse ▪ Neglect <p>Psychological harm including (but not limited to) harm caused by being subjected or exposed to family violence.</p>
Legal provisions	Sections 124A and 124B of the <i>Children and Community Services Act 2004 (WA)</i>

6.5 WHO INVESTIGATES THE REPORT?

Legislative and policy requirements will dictate how the report is handled and investigated. Where the report is of a particular nature and legislative requirements apply, NRL will



ensure that one (1) or more of the following entities will investigate the report or disclosure:

- State or Federal Law Enforcement Agency (i.e. Police) *Where Required;
- Child Protections Services or State equivalent *Where Required;
- the NRL (legal or integrity); and
- Where the report or disclosure does not require reporting to a nominated authority, the NRL may undertake some investigations of the disclosure either through internal resourcing or by appointing an independent third party advisor with specialty experience in the area of Child Safe processes.

At no stage will the NRL investigate in parallel to a State or Federal Law Enforcement Agency (i.e. Police) investigation. The NRL will only investigate once they have received confirmation and permission in writing from the relevant Law Enforcement Agency (i.e. Police) that their investigation is completed.

7. MINIMUM REQUIREMENTS – RESPONDING TO DISCLOSURES OF CHILD ABUSE

The following points are to be considered and applied when a reporting person is receiving a disclosure of Child Abuse from a Child or Young Person.

DO

- ✓ Actively listen to the Child or Young Person and encourage them to talk in a ‘free narrative’. Let them tell their story without interruption or prompts to continue or expand
- ✓ Adopt an open and accepting manner – avoid facial expressions or comments which may suggest disbelief, disapproval or approval of particular evidence
- ✓ Reassure the Child or Young Person that they have done the correct thing by reporting
- ✓ Respect the Child or Young Person may only reveal some details
- ✓ Let the Child or Young Person use their own words in their own time - be patient
- ✓ Ask open ended questions
- ✓ Explain to the Child or Young Person that other people may need to be told
- ✓ Keep any records of the discussion safe and secure

DO NOT



- ✗ Ask leading questions
- ✗ Make your own judgement or assessment
- ✗ Press for detail, a minimal account will suffice
- ✗ Make promises you cannot keep
- ✗ Share information with others

*Excludes Police, State Government Child Protection Agencies, NRL Legal, NRL Integrity, your Manager

8. CONFIDENTIALITY & PRIVACY

Confidentiality and privacy of all concerned (including the alleged perpetrator) will be maintained by NRL, except if doing so would compromise the welfare of Children and Young People and/or investigation of the allegation.

NRL Legal will be responsible for the authorisation of the disclosure and sharing of any information relating to any incident reported pursuant to this procedure.

9. MONITORING

All reports recorded will be reviewed by a designated member of the NRL Legal team or other person nominated by the Chief Executive Officer. Only the nominated person is authorised to close a case and will ensure all relevant persons have been informed of the outcome.

10. INCIDENT REPORTING PROCESS

10.1 WHAT TO REPORT

- Observed Abuse, Harm or Neglect - (Emotional, Physical, Sexual)
- Potential Abuse Harm or Neglect - (Emotional, Physical, Sexual)
- Any suspicion of Abuse, Harm or Neglect - (Emotional, Physical, Sexual)
- Breaches of the Code, Code of Conduct (Community Rugby League) and/or Code of Conduct (Employees)

10.2 WHAT HAPPENS TO THE REPORT

- Assessment of report for investigation allocation (Police and/or NRL)
- Provide wellbeing and support service referrals for Child, family and other relevant parties



11. NRL RESPONSIBILITIES

- Mandatory Reporting Requirements (Police, OHS, Other)
- *Where Required, NRL Safeguarding Children & Young People Policy Incident Reporting Process
- Legislation relevant to the protection of Children and Young People is binding on the NRL and all NRL People
- A full list of relevant legislation is set out in the Appendix





Appendix

Complaint Record Form

Date:		Your name:		Position:	
How was the complaint received (e.g. phone, email, in person)			Complaint record reference:		
			Complaint assigned to:		
Name of complainant					
1. Name of child or young person/Name of person making the complaint [if different]:					
Name of the person who the complaint was made about [if applicable]:					
Contact details:					
4. Complainant contact details:					
a. Address:					
b. Phone number:					
c. Email:					
*Preferred contact method: _____					
Details relating to the child or young person:					
5. Age:					
6. Gender:					
7. Do they identify as Aboriginal or Torres Strait Islander?					
8. Are they from a culturally and linguistically diverse background? If, yes, specify:					
9. Are they in out-of-home care?					
10. Do they have a disability? If, yes, provide any relevant details _____					
11. Do they have communication support needs? If yes:					
<input type="checkbox"/> Was the child or young person offered an interpreter?					
<input type="checkbox"/> Was the child or young person offered a communication assistant?					
<input type="checkbox"/> Was the child or young person offered a support person, advocate, family member?					
<input type="checkbox"/> Any other supports?					
12. Provide any relevant information relating to the child or young person's preferred communication methods, support needs, and involvement in the complaint-handling process:					



13. If the complainant has a disability, provide any relevant details relating to their guardianship, advocacy or other decision-making arrangements (e.g. the name and contact details of any nominees authorised to receive information on their behalf):

Details relating to the complainant (if made by an adult on behalf of the affected child or young person)

14. Age:

15. Gender:

16. Relationship to the affected child or young person:

17. Do they identify as Aboriginal or Torres Strait Islander?

18. Are they from a culturally and linguistically diverse background? If yes, specify:

19. Do they have a disability? If, yes, provide any relevant details _____

20. Do they have communication support needs? If yes:

- Was the complainant offered an interpreter?
- Was the complainant offered a communication assistant?
- Any other supports?

21. Provide any relevant information relating to the complainant's preferred communication methods, support needs, and involvement in the complaint-handling process:

Nature of the complaint:

22. Complaint description (accurately record the issues, concerns, details of any witnesses, as far as possible in the child's own words):

23. What outcome to the complaint is the complainant seeking?

Immediate risk considerations:

24. Details of any injuries and if the child or others received medical attention:

25. Does the complaint indicate the possibility of criminal conduct? Yes/No/Unsure

26. Is a mandatory child protection report required? Yes/No

27. Does the complaint involve a reportable allegation/incident? Yes/No/Unsure

28. Is any immediate risk management action required? Yes/No

Next steps:

Signed: _____ Date: _____

Print name: _____

Complaint records should be meticulously and accurately maintained and securely stored in compliance with legal requirements.