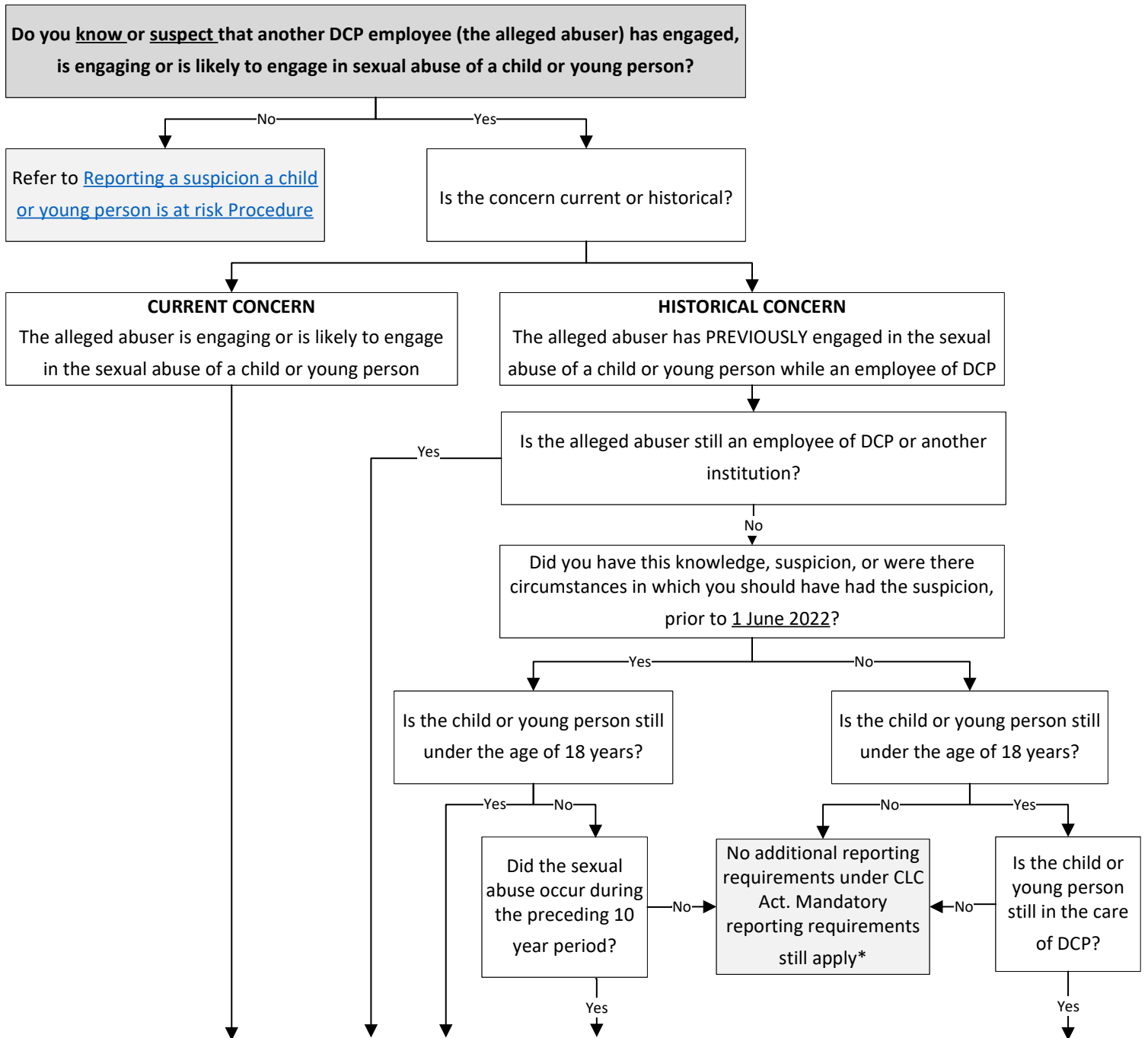




Criminal Law Consolidation Act 1935 flowchart

*The requirements below are in addition to mandatory reporting requirements as outlined in the [Reporting a suspicion a child or young person is at risk Procedure](#). The term DCP employee is used to refer to all DCP staff (including DCP residential care), agency carers in DCP residential care sites, students and volunteers. The identity of those who report is protected by section 163 of the CYPs Act.

Section 64A Failure to report suspected child sexual abuse



REPORT MUST BE MADE TO SAPOL BY ATTENDING A POLICE STATION IN PERSON
Failure to report to SAPOL is a criminal offence. Maximum penalty: Imprisonment for 3 years

AND

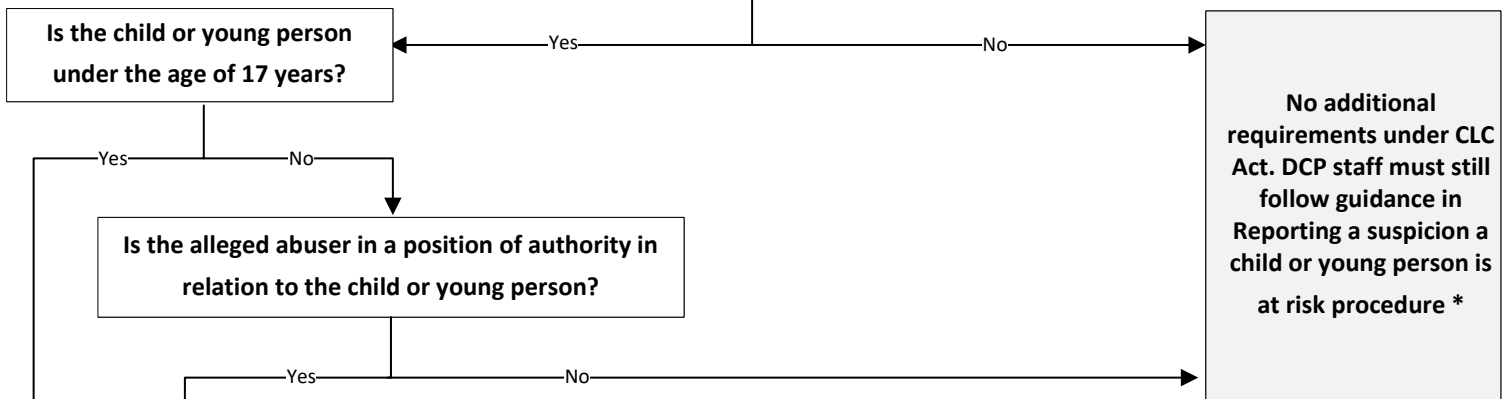
REPORT MUST BE MADE TO CHILD ABUSE REPORT LINE BY CALLING [REDACTED]

DCP staff MUST maintain their own personal records of actions taken. DCP staff MUST NOT raise the notification themselves in C3MS. DO NOT record any information relating to the identity of the alleged abuser in C3MS, E-Log, Observation logbook.



Section 65 Failure to protect child from sexual abuse

Do you know that there is a substantial risk that another DCP employee (the alleged abuser) will engage in the sexual abuse of a child or young person?



DCP EMPLOYEE MUST TAKE STEPS TO REDUCE OR REMOVE THE RISK THE ABUSE WILL OCCUR

For most DCP staff this will involve informing a manager (or next most senior person if appropriate) of their suspicions or knowledge, unless they have direct line management of the alleged abuser. Any further actions can then be discussed in consultation with the manager.
 For DCP staff that have the authority to reduce or remove the risk of abuse from occurring, they must act accordingly.
 DCP staff **MUST** maintain their own personal records of actions taken (Refer to [Case recording Procedure](#)). **DO NOT** record any information relating to the identity of the alleged abuser in C3MS, E-Log or Observation logbook

If a child or young person is at imminent risk of sexual abuse, do not delay intervening to ensure the safety of the child or young person in order to discuss the matter with a manager. However, discussion with a manager should take place as soon as possible after.

Definitions

<p>Employee</p>	<p>An employee of an institution is defined by the CLC Act to include an adult who:</p> <ul style="list-style-type: none"> i. is a self-employed person who constitutes, or who carries out work for, an institution; or ii. carries out work for an institution under a contract for services; or iii. carries out work as a minister of religion or as part of the duties of a religious or spiritual vocation; or iv. undertakes practical training with an institution as part of an educational or vocational course; or v. carries out work as a volunteer for an institution; or vi. is of a class prescribed by the regulations;
<p>Institution</p>	<p>(a) an entity (whether private or public) that operates facilities or provides services to children who are in the care, or under the supervision or control, of the institution and includes (without limitation) medical and religious institutions and any services or functions provided by persons as part of the duties of a medical practitioner or of a religious or spiritual vocation; or</p> <p>(b) an entity of a class prescribed by the regulations;</p>
<p>Position of authority</p>	<p>A person is in a position of authority in relation to a person under the age of 18 years (the child) if—</p> <ul style="list-style-type: none"> (a) the person is a teacher and the child is a pupil of the teacher or of a school at which the teacher works; or (b) the person is a parent, step-parent, guardian or foster parent of the child or the de facto partner or domestic partner of a parent, step-parent, guardian or foster parent of the child; or (c) the person provides religious, sporting, musical or other instruction to the child; or (d) the person is a religious official or spiritual leader (however described and including lay members and whether paid or unpaid) in a religious or spiritual group attended by the child; or (e) the person is a health professional or social worker providing professional services to the child; or (f) the person is responsible for the care of the child and the child has a cognitive impairment; or (g) the person is employed or providing services in a correctional institution (within the meaning of the <i>Correctional Services Act 1982</i>) or a training centre (within the meaning of the <i>Young Offenders Act 1993</i>), or is a person engaged in the administration of those Acts, acting in the course of the person's duties in relation to the child; or (h) the person is employed or providing services in a licensed children's residential facility (within the meaning of the <i>Children and Young People (Safety) Act 2017</i>), or a residential care facility or other facility established under section 36 of the <i>Family and Community Services Act 1972</i>, or is a person engaged in the administration of those Acts, acting in the course of the person's duties in relation to the child; or (i) the person is an employer of the child or other person who has the authority to determine significant aspects of the child's terms and conditions of employment or to terminate the child's employment (whether the child is being paid in respect of that employment or is working in a voluntary capacity).