

The Management of a complaint that alleges a child is exhibiting harmful sexual behaviours



Review Date: XX/XX/XXXX

Introduction: *Sexualised behaviour involving children*

Providers and educators play an important role in making informed professional judgements regarding sexualised behaviour involving children. Not all sexual behaviour involving children poses a risk to their safety. It may be age-appropriate and expected sexualised behaviour.

Informed judgements regarding sexualised behaviour help to ensure the health, safety and well-being of children by:

- supporting healthy sexual development (age-appropriate sexualised behaviour)
- protecting them from harm or abuse (inappropriate or problem-sexualised behaviour).

Note that in some cases, sexualised behaviour involving children may fall within [reporting requirements under other laws](#).

Reporting requirements under other laws – child protection

Approved providers, educators and other education and care service staff may be required to report on incidents or suspected incidents involving children under other state and territory laws including [child protection legislation](#).

[Resources on identifying and responding to sexualised behaviour in children](#)

[State and territory governments have created a range of resources that may assist providers and educators to identify and respond to sexualised behaviour in children.](#)

New South Wales NSW- [mandatory reporter guide](#) is a structured decision-making tool intended to complement mandatory reporters' professional judgement and critical thinking.

Goals - What are we going to do?

- Nominated Supervisors ensure all voices are heard throughout the process - Follow procedures as stated in the **Complaints and Feedback Policy**.
- Communicate to all stakeholders throughout the complaint process - updating regularly.
- Ensure current reputable training of staff to support their practice.

Complaints

We will notify the [regulatory authority](#) within **24 hours** of any complaint alleging that a serious incident has occurred while a child is educated and cared for or complaints alleging that the Law has been contravened (Section 174(2)(b)).

Under the National Regulations, policies and procedures must be in place for dealing with complaints. The name and telephone number of the person to whom complaints can be made must be clearly visible at the service (Regulation 168(2)(o) and Regulation 173(2)(b)).

<https://education.nsw.gov.au/early-childhood-education/regulation-and-compliance/how-to-give-feedback-or-make-a-complaint>

Email: ececd@det.nsw.edu.au

Strategies for how it will be done?

All stakeholders feel they can be heard and their complaint is processed promptly

Educators will follow procedure and update relevant training to keep at the forefront of practice and ensure we are a child-safe service.

Ensuring stakeholders, voices are heard and are supported	
Children who have allegedly been exposed to sexual abuse by another child	<ul style="list-style-type: none">• The child's voice is heard• Children are supported reassurance of safety in service - (5 people they trust)• Child Protection procedures are engaged
Child who has sexually abused another child	<ul style="list-style-type: none">• Ensure they are supervised at all times• Ensure they are aware their behaviour is inappropriate, however, they are supported and intentional teaching occurs around child safety and child protection
Educators	<ul style="list-style-type: none">• Utilise Traffic Light Framework to make informed decision• Confidentiality is upheld during all parts of the process• Intentionally teaching Child Protective behaviours• Prompt and detailed documentation & recording• Following procedure to maintain confidentiality

	<ul style="list-style-type: none"> • Make sure everyone is using language that respectfully describes the sexually harmful behaviour and does not stigmatise the child
Nominated Supervisors	<ul style="list-style-type: none"> • Reporting under regulatory requirements (within 24 hours) • Provide educators with current and reputable training - eg traffic light framework, child protection updates every 2 years • Have a procedure for documenting discussions with the complainant •
Families Child who has been sexually abused	<ul style="list-style-type: none"> • Concerns are discussed with confidentiality • Seek to Support, reassure, ensure voices have been heard and offer debriefing/counselling • Family is given clear information of the progress of the complaint • Families feel confident that any concerns or issues they may raise are handled promptly and professionally
Families of a child who sexually abused another child	<ul style="list-style-type: none"> • Steps in reporting, • Refer to counselling service

The educators working at Evans Head and Woodburn Preschool are highly trained in child protection, and our organisation is committed to ensuring the safety of all children in our care. We take all complaints very seriously, especially those that allege harmful sexual behaviour by a child. In such cases, our educators will immediately inform the Nominated Supervisor and follow guidance from the traffic light framework to manage the concern or complaint.

- RED signals sexual behaviours which indicate or cause harm
- ORANGE signals sexual behaviours which cause concern
- GREEN signals behaviours part of normal and healthy development



Traffic Light Framework to Manage a concern or complaint

<p>GREEN – provide opportunities to talk, explain and support.</p>	<p>Sexual behaviours which are part of normal and healthy development. They are:</p> <ul style="list-style-type: none"> • spontaneous, curious, light-hearted, easily diverted, enjoyable, mutual and consensual • appropriate to the child’s age and development • activities or play among equals in terms of age, size and ability levels • about understanding and gathering information, balanced with curiosity about other parts of life.
<p>ORANGE – monitor and provide extra support</p>	<p>Sexual behaviours which cause concern because of:</p> <ul style="list-style-type: none"> • persistence, intensity, frequency or duration of behaviours • the type of activity or knowledge for the age and stage of development • inequality in age, size, power or developmental ability • risk to the health and safety of the child or others • unusual changes in a child’s behaviour. <p>These behaviours signal the need to monitor and provide extra support.</p>
<p>RED – provide immediate protection and support</p>	<p>Sexual behaviours indicate or cause harm because they are:</p> <ul style="list-style-type: none"> • excessive, compulsive, coercive, forceful, degrading or threatening • secretive, manipulative or involve bribery or trickery • not appropriate for the age and stage of development • between children with a significant difference in age, developmental ability or power. <p>These behaviours signal the need to provide immediate protection and follow-up support.</p>

Related Policies

Child Protection

Creating a Child Safe Environment

Dealing with Complaints

References

ACECQA, Sexualised behaviour involving children-
<https://www.acecqa.gov.au/resources/applications/reporting#prescribed%20matters>

ACT Government, Traffic light system to assess sexual behaviour-
<https://www.education.act.gov.au/support-for-our-students/feeling-safe-at-school/national-child-safe-principles/responding-to-student-harmful-sexual-behaviour/traffic-light-system-to-assess-sexual-behaviour>

Office of the Children’s Guardian, Early Childhood Education and Care Reporting Obligations-
https://ocg.nsw.gov.au/sites/default/files/2022-10/b_css_earlychildhoodeducationandcarereportingobligations.pdf

NSW Government, Department of Education

President’s Name:

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President’s Signature:

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Date:/...../.....

REVIEW DATE: