



# Responding to Safeguarding Concerns Procedure

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## Contents

Overview .....	1
Definitions .....	2
Procedure Statement.....	5
Record.....	7
Manage .....	8
Risk and Compliance.....	9
Location .....	9
Feedback.....	9
Related Documents and References.....	9
Document Control Information.....	11

## Overview

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<b>Overarching Policy</b>	This procedure implements the Person of Interest (Safeguarding) Policy (GO_LR_POL_TPOI).
<b>Purpose</b>	<p>This procedure provides direction to TSA personnel who have a reasonable suspicion that a child or an adult client, customer or Corps participant has been or is at risk of abuse or harm.</p> <p>For Salvation Army International Development (SAID), this procedure is to be used in line with, Preventing Sexual Exploitation, Abuse and Harassment Standard (PSEAH).</p>
<b>Who does this apply to?</b>	All TSA personnel involved in responding to an identified safeguarding concern.
<b>Effective date</b>	28 April 2022

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## Definitions

Definitions are located in the [Glossary of Terms and Definitions](#) (GO\_LR\_GUI-03\_TPMP).

Term	Definition
<b>Fact-finding</b>	A process seeking to establish the facts of a matter and determine if a Person of Concern poses a safeguarding risk. During a fact-finding process available information is reviewed and then used for the purpose of assessing the extent of risks posed. This differs from an investigation in that it does not seek to determine whether, on the balance of probability events occurred.
<b>Grooming</b>	<p>Any behaviour regarded as “grooming” either of a child, or of an adult with the purpose of gaining access to that individual, sexual contact and/or exploitation is unacceptable, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Developing a “special” relationship by spending inappropriate “special time” with them, giving gifts, showing favours, allowing the individual to overstep boundaries and rules or asking the child to keep the relationship secret</li> <li>• Testing boundaries with an individual by encouraging inappropriate physical contact including “accidental” intimate touching, talking about sex or sexual behaviours</li> <li>• Inappropriate personal communications, including emails, text messaging, social media and web-based contact, that seeks to establish a relationship</li> <li>• Extending a relationship with a child outside personnel stated role and responsibilities</li> <li>• Requesting a child to keep any aspect of the behaviour, actions or communications of a member of personnel secret</li> </ul> <p>Grooming can also occur online. When a child is groomed online, groomers may hide who they are by sending photos or videos of other people, often representing themselves as someone younger to gain trust. Like direct grooming behaviours, online groomers will use tactics such as giving individual attention to a child, buying gifts, isolating child from friends and family introducing the idea of ‘secrets’ to control, frighten and intimidate. Online groomers may target one child online or contact lots of children quickly and wait for them to respond. A groomer will use the same sites, games, and apps as young people, spending time learning about a child’s interests and using this to build a relationship with them. Children can be groomed online through a range of media channels including: social media, text messages, email, text, voice and video chats.</p>
<b>Harm or Risk of Harm</b>	Includes physical harm or psychological harm (whether caused by an act or omission) and includes harm caused by sexual, physical, emotional abuse, exploitation and neglect.
<b>Investigation</b>	<p>A structured process involving the gathering and examination of information and evidence in order to:</p> <ul style="list-style-type: none"> <li>▪ Establish the facts of an event (i.e., notification, incident, complaint);</li> <li>▪ Understand the contributing factors; and</li> <li>▪ Determine actions for managing parties involved and preventing reoccurrence or minimising impacts of reoccurrence.</li> </ul>

Term	Definition
<b>Person of Concern (POC)</b>	<p>Any Corps participant engaged or involved with TSA who poses, is alleged or known to pose a safeguarding risk and/or who is subject to a safeguarding or fact-finding process. Soldiers are considered a Person of Concern; however, they are subject to investigation processes under the Safeguarding Investigation Procedure. Personnel subject to investigations would be considered Persons of Concern if they attend and/or participate at Corps outside of their personnel role. When a person falls under both the Person of Concern and the Safeguarding Investigations Procedure, allegations are managed by way of investigation rather than fact-finding.</p>
<b>Reportable Conduct</b>	<p>Any allegation of child abuse, misconduct or a crime (whether convicted or not) committed by a member of TSA personnel, against, with or in the presence of a child or young person and which has met the threshold requiring that it be reported to a regulatory authority of a Reportable Conduct Scheme in the relevant state/territory. Schemes also require that TSA investigate allegations raised, as well as reduce or remove risk to children and young people identified as part of the allegation.</p> <p>Examples of reportable conduct by TSA personnel include alleged sexual offences, sexual misconduct, actual violence as well as intimidation and threats, causing psychological harm and neglect against, with or in the presence of a child or young person.</p> <p>For the purposes of Reportable Conduct Schemes, it makes no difference whether the alleged child abuse was committed in a TSA program or in any other setting, it is still reportable conduct.</p> <p>Some schemes also capture certain other misconduct and behaviour which amount to offences in related state/territory laws and which can include failure to report child abuse to Child Protection authorities or Police, as well as failure to reduce or remove known safeguarding risks to children and young people.</p> <p>In the states/territories where Reportable Conduct Schemes exist, regulatory authorities include the Office of the Children's Guardian (NSW), Commission for Children and Young People (VIC) and the ACT Ombudsman (ACT).</p>

Term	Definition
<b>Safeguarding Concern</b>	<p>Anything that leads a person to believe the safety or wellbeing of a TSA client, customer or Corps participant is at risk due to the behaviour or practices of another person, but which has not been proven as fact through an investigation/fact-finding assessment.</p> <p>This also includes behaviours which support increased opportunities for abuse, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Behaviours that are indicative of grooming</li> <li>• Behaviours by TSA personnel that are a breach of TSA policy, procedure or standards</li> </ul> <p>A safeguarding concern will be apparent by one of more of the following:</p> <ul style="list-style-type: none"> <li>▪ Your own observations</li> <li>▪ Allegations/ disclosures/ complaints that you have been made aware of</li> <li>▪ Reports from any person that someone connected to TSA has a history of abusing children or adults, and/or</li> <li>▪ ‘Gut-feelings’ that something about an interaction may have been abusive or harmful and which you need to seek support from a Safeguarding Consultant to assess</li> </ul> <p>In relation to the work of SAID, safeguarding concerns also include any concerns of sexual exploitation, abuse and harassment inclusive of fraternisation.</p>
<b>Safeguarding Risk</b>	<p>Any issue which has been proven as fact, through an investigation/fact-finding process, that the safety or wellbeing of a child or adult was and would continue to be at risk due to the actions, behaviours or practices of a person connected to TSA.</p> <p>A safeguarding risk will be apparent by one or more of the following:</p> <ul style="list-style-type: none"> <li>▪ Reports from another organisation or regulatory authority which has established as fact that a person has harmed/abused an adult or a child</li> <li>▪ Receiving a report from Police or an admission of guilt from a Person of Concern or Subject of Allegation themselves that a history of causing abuse/harm exists, and/or</li> <li>▪ A TSA investigation/fact-finding process has proven that a risk exists</li> </ul>
<b>Safeguarding Risk Assessment</b>	<p>Process of:</p> <ul style="list-style-type: none"> <li>▪ Identifying hazards and risk factors that have the potential to cause harm (identification)</li> <li>▪ Analysing and evaluating the risk associated with that hazard (risk analysis and evaluation), and</li> <li>▪ Determining appropriate ways to eliminate the hazard or control the risk where the hazard cannot be eliminated (mitigation)</li> </ul>
<b>Subject of Allegation</b>	<p>A member of TSA personnel or a soldier against whom an allegation of abuse or safeguarding misconduct has been made and where an investigation has yet to determine if the allegation(s) are substantiated.</p> <p>A Subject of Allegation does not refer to corps participants who are subject to fact-finding processes.</p>

## Procedure Statement

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**In scope** All allegations of where there is a reasonable suspicion that a child or adult client, customer or corps participant has been abused, neglected, harmed or is at risk of abuse regardless of where the abuse, harm happened or who is the alleged perpetrator.

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**Privacy and Confidentiality** Information related to safeguarding concerns must be managed by giving due consideration to laws and privacy and confidentiality of the individual harmed, alleged perpetrator and all witnesses.

All TSA personnel must keep information related to a safeguarding concern private and confidential and only share information with others who have an identified need to know for the effective reporting and management of the incident, as detailed in this procedure.

If you are unsure consult with Safeguarding Consultant or Privacy Officer.

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## Identify

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**Identify a Concern** You may become aware of a safeguarding concern due to:

- Something you observe, and/or
- Something someone tells you

If you are unsure if something constitutes a safeguarding concern or have a suspicion or 'gut-feeling' that something is not right, you **must** contact your Safeguarding Consultant. They will support you to determine if the information you have suggests a child is being harmed or is at risk of harm and will advise you of how to report to the relevant statutory authority.

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If someone tells you about a safeguarding concern:

- Clarify the information shared with you
- Do not ask leading questions
- Assure the person that appropriate action will be taken
- If the person is a child, assure them they are not in trouble



Do **not** investigate the matter yourself or attempt to establish the truth of the allegation by questioning anyone involved in the matter, as you may place people at risk and compromise a formal investigation.

For further information on how to respond to disclosure of abuse please see:



How to Manage Disclosures of Abuse Guidelines (GO\_LR\_GUI-02\_TPOI).

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## Reduce or Remove Risk

Take any immediate action necessary to secure the child or adult's safety including:

- Call an ambulance
- Call police
- Ask others to leave if they pose a risk, and/or
- Remove items from the environment that pose a risk



The Salvation Army has a duty of care to protect children and adults who access their programs and services from known risks of abuse or harm. Failing to take steps to protect anyone who accesses TSA facilities and programs including children may amount to a criminal offence against the organisation and/or the person who has failed in respond to and report the harm.

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## Report a Concern

### Report to Police

#### Immediate danger:

If you believe a crime has been/is being or is likely to be committed **and** that a TSA client, customer or corps participant (including a child) is in immediate danger you must call police on 000.

Examples of crimes that might indicate immediate danger include:

- Abduction/kidnapping
- Imminent threats to harm or kill
- A person is being assaulted

#### No immediate danger:

Where you believe a crime has occurred, and there is no immediate danger you must make a report to police and statutory authority (where relevant) as a matter of priority on the day the concern is received.

During normal working hours, you **must** inform your Safeguarding Consultant.

Outside of normal working hours:

- Report the incident to police and statutory authority where relevant, and
- Email [safeguarding@salvationarmy.org.au](mailto:safeguarding@salvationarmy.org.au) with the details of the report including the allegations, who they were reported to and any reference numbers



NOTE for SAID: In international projects, concerns about harm to children and adult clients will be reported to police in line with the local law and the policy and procedure of the relevant partner agency only after consultation with Safeguarding and if/when the victim/survivor or responsible adult has provided consent for the report.



Failure to report or 'concealment' of certain crimes is itself considered an offence in many states/territories/countries and can result in penalties or imprisonment.

### Inform Line Manager

You must inform your line manager of the safeguarding concern once you have taken any immediate safety actions. If your line manager is not available, you must advise your line manager's manager.

You must contact your line manager's manager if the safeguarding concern relates to your line manager or if your line manager has a conflict of interest.

Conflicts of interest can include:

- Being a relative or friend of the alleged victim/survivor or their family
- Being a relative or friend of the alleged person responsible

### Inform Safeguarding

Safeguarding concerns in relation to children **must** be reported to your Safeguarding Consultant. Except for Salvation Army International Development, where they must be reported via [safeguarding@salvationarmy.org.au](mailto:safeguarding@salvationarmy.org.au). Outside business hours all child related concerns must be emailed to [safeguarding@salvationarmy.org.au](mailto:safeguarding@salvationarmy.org.au).

Safeguarding concerns in relation to adults **must** be reported to [safeguarding@salvationarmy.org.au](mailto:safeguarding@salvationarmy.org.au). Safeguarding consultant may be consulted for any safeguarding concerns in relation to vulnerable adults.

Complaints where a witness and/or survivor (victim) of alleged abuse or harm seeks anonymity will be assessed and managed on a case-by-case basis by Safeguarding Consultants in consultation with Legal.

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## Report to Child Protection Authority

You must report to a Child Protection Authority when a child has been abused, neglected, harmed or is at risk of harm within their family and/or has no parent or carer who is willing/able to keep them safe from abuse or harm.

More information about how and where to report concerns can be found in:



External Reporting Requirements Guidelines (GO\_LR\_GUI-01\_TPOI)

NOTE for SAID: Reports to appropriate Child Protection authorities must be made in line with the local law and the policy and procedures of the relevant international partner agency.

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## Reportable Conduct

In certain States and Territories, TSA is required by law to report when there is alleged misconduct by Personnel toward children. Safeguarding is responsible for meeting Reportable Conduct requirements.

All safeguarding concerns in relation to children **must** be reported to your Safeguarding Consultant so that Reportable Conduct requirements are met.

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## External Reporting for Adults

You may be required to report to an external regulatory authority when safeguarding concerns relate to an adult. Please check your service streams operational guidelines for additional reporting requirements and refer to:



External Reporting Requirements Guidelines (GO\_LR\_GUI-01\_TPOI)

NOTE: These guidelines contain details of multiple reporting requirements which may need to be considered but may not apply to all situations.

For SAID, reports to appropriate Child Protection authorities must be made in in line with the local law and the policy and procedures of the relevant international partner agency.

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## Record

### Log incident in SolvSafety

All safeguarding concerns must be recorded in SolvSafety as a 'Client Incident' in accordance with the Incident Management Policy (GO\_QA\_POL\_TCIM).

Your incident record must include:

- Who was present/involved – include full names, dates of birth of the alleged victim/survivor(s) and the alleged person, including their role at TSA, if relevant
- Details of the concern: when it occurred, where it happened, what happened
- Any relevant and exact wording used when the disclosure was made
- Details of any external reports made including who you reported to and any reference numbers provided, and
- Any other relevant details or actions taken which were not captured by the above



The incident must be recorded in SolvSafety no later than the end of the day, the incident became known to TSA personnel or by 5.00pm (local time) the following business day for incidents received after hours.

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# Manage

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<b>Personnel Allegations</b>	When the alleged person is a member of TSA Personnel the investigation will be managed under the Safeguarding Investigation Procedure (GO_LR_PRO-03_TPOI).
<b>Soldier Allegations</b>	<p>Where the alleged person is a Soldier the investigation will be managed under the Safeguarding Investigation Procedure (GO_LR_PRO-03_TPOI) and their safe participation in Corps activities will be managed under the Managing a Person of Concern Procedure (GO_LR_PRO-02_TPOI).</p> <p>When a Soldier is subject to a substantiated investigation finding and/or it is determined that they pose a safeguarding risk a Safeguarding Management Plan will be developed to manage their continued participation at Corps, under the Managing a Person of Concern Procedure (GO_LR_PRO-02_TPOI).</p>
<b>Corps participant allegations</b>	<p>Where the alleged person is a TSA Corps participant these concerns will be managed under the Managing a Person of Concern Procedure (GO_LR_PRO-02_TPOI).</p> <p>When a member of personnel is also a Corps participant, the investigation will be managed under the Safeguarding Investigation Procedure (GO_LR_PRO-03_TPOI) and their safe participation in Corps activities will be managed under the Managing a Person of Concern Procedure (GO_LR_PRO-02_TPOI).</p> <p>When a Corps participant is subject to a substantiated investigation finding and/or it is determined that they pose a safeguarding risk, post investigation, a Safeguarding Management Plan will be developed to manage their Corps participation/attendance, under the Managing a Person of Concern Procedure (GO_LR_PRO-02_TPOI).</p>
<b>Client allegations</b>	Where the alleged person is a client, the matter will be managed in accordance with operational procedures for the service area. If the client is also a TSA Corps participant, their safe participation in Corps activities concerns will be managed under the Managing a Person of Concern Procedure (GO_LR_PRO-02_TPOI).
<b>Support victim/survivor</b>	The Service Manager or Corps Officer where an alleged victim/survivor attends, is responsible for ensuring the victim/survivor and/or their family if a child, is supported and kept updated as advised by Safeguarding or HR as relevant.

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## Risk and Compliance

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<b>Obligation</b>	All TSA personnel under the terms of their service, employment, engagement or contract must comply with all TSA policies, procedures and supporting documents.
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<b>Consequences of non-compliance</b>	Failure to comply with this procedure or failure to report as required to statutory authorities may result in disciplinary action and, in serious cases, termination of employment or engagement with TSA.
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## Location

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<b>Repository</b>	<a href="#">Territorial Policy Hub</a>
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## Feedback

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<b>Feedback is encouraged</b>	Feedback is used to improve and enhance the impact of this procedure. It will be considered when reviewing and updating the document.
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<b>Who is feedback provided to?</b>	All feedback is to be forwarded to the Executive Manager, Policy and Practice via email to <a href="mailto:safeguarding@salvationarmy.org.au">safeguarding@salvationarmy.org.au</a> .
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## Related Documents and References

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<b>Related Policy Documents</b>	Person of Interest (Safeguarding) Policy (GO_LR_POL_TPOI) Privacy Act Compliance Policy (GO_LR_POL_PACP) Preventing Sexual Exploitation, Abuse and Harassment Standard (MD_OM_STA-01_TCSS) Managing a Person of Concern Procedure (GO_LR_PRO-02_TPOI) Safeguarding Investigation Procedure (GO_LR_PRO-03_TPOI) Incident Management Policy (GO_QA_POL_TCIM) Incident Management Procedure (GO_QA_PRO-01_TCIM)
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### Orders and Regulations

#### Guidelines

External Reporting Requirements Guidelines (GO\_LR\_GUI-01\_TPOI)  
How to Manage Disclosures of Abuse Guidelines (GO\_LR\_GUI-02\_TPOI)

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<b>Related Legislation</b>	<p><i>Crimes Act 1914 (Cth)</i>  <i>Criminal Code 1995 (Cth)</i>  <i>Children and Young People Act 2008 (ACT)</i>  <i>Crimes Act 1900 (ACT)</i>  <i>Children and Young Persons (Care and Protection) Act 1998 (NSW)</i>  <i>Crimes Act 1900 (NSW)</i>  <i>Care and Protection of Children Act 2007 (NT)</i>  <i>Domestic and Family Violence Act 2007 (NT)</i>  <i>Criminal Code Act 1983 (NT)</i>  <i>Child Protection Act 1999 (Qld)</i>  <i>Criminal Code Act 1899 (Qld)</i>  <i>Criminal Law (Rehabilitation of Offenders) Act 1986 (QLD)</i>  <i>Children and Young People (Safety) Act 2017 (SA)</i>  <i>Children's Protection Law Reform (Transitional Arrangement and Related Amendments) Act 2017 (SA)</i>  <i>Criminal Law Consolidation Act 1935 (SA)</i>  <i>Children, Young Persons and their Families Act 1997 (Tas)</i>  <i>Criminal Code Act 1924 (Tas)</i>  <i>Child Wellbeing and Safety Act 2005 (Vic)</i>  <i>Children, Youth and Families Act 2005 (Vic)</i>  <i>Crimes Act 1958 (Vic)</i>  <i>Children and Community Services Act 2004 (WA)</i>  <i>Criminal Code Act Compilation Act 1913 (WA)</i>  <i>ACT Teacher Quality Institute Act 2010 (ACT)</i>  <i>Ombudsman Act 1989 (ACT)</i>  <i>Working with Vulnerable People (Background Checking) Act 2011 (ACT)</i>  <i>Children's Guardian Act 2019 (NSW)</i>  <i>Child Protection (Working with Children) Act 2012 (NSW)</i>  <i>Child Protection (Working with Children) Regulation 2013 (NSW)</i>  <i>Teacher Accreditation Act 2004 (NSW)</i>  <i>Teacher Registration (Northern Territory) Act 2004 (NT)</i>  <i>Education (Queensland College of Teachers) Act 2005 (QLD)</i>  <i>Teachers Registration and Standards Act 2004 (SA)</i>  <i>Teachers Registration Act 2000 (Tas)</i>  <i>Education and Training Reform Act 2006 (Vic)</i>  <i>Children and Community Services Act 2004 (WA)</i>  <i>Criminal Code Act Compilation Act 1913 (WA)</i>  <i>Education and Care Services National Law (WA) Act 2012 (WA)</i>  <i>Teacher Registration Act 2012 (WA)</i></p>
<b>Funding Agreement Requirements</b>	N/A
<b>Governance/ Accreditation/ Certification Standards</b>	N/A

**Audit Report Findings**

N/A

**Other Relevant Documents /Resources**

[UN Convention on the Rights of the Child](#)  
[National Principles for Child Safe Organisations](#)  
[National Office for Child Safety: Reporting and Support Services](#)  
[DFAT Child Protection Policy](#)  
[DFAT Preventing Sexual Exploitation Abuse and Harassment Policy](#)

**Document Control Information****Document ID** GO\_LR\_PRO-01\_TPOI**Theme** Governance**Category** Legal, Risk and Compliance**Policy Owner** Assistant to the Chief Secretary**Policy Implementer** Head of Quality and Safeguarding**Approval Authority** Australia Territory Board**Review Date** April 2022**Next Review Date** December 2024**Previous Documents** **AUE** - CPP 0517 Safeguarding Children/ Vulnerable Persons Policy  
CPP 0617 Safeguarding Children/Vulnerable Persons Procedure**AUS** - KCS Keeping Children Safe Policy  
RCA Reporting Child Abuse Procedure**Document History**

Version	Date Approved	Summary of Changes
1-0	12/12/2021	Inaugural version
2-0	04/04/2022	Changed by document owner to include extended definition of grooming.