



Child Safety – Complaints and Reporting Procedure

Purpose

The purpose of this Child Safety Procedure is to provide clear guidance on Punch Buggy Pictures reporting procedures for alleged, suspected or observed breaches of the Child Safety and Wellbeing Policy, Child Safe Code of Conduct and related risk management procedures.

Scope

This procedure applies to all people working with Punch Buggy Pictures, including management, production crews and performers, paid and unpaid, as well as, volunteers and family members, on set. This procedure applies to all aspects of production conducted by Punch Buggy Pictures, including, but not limited to: auditions, meetings, rehearsals, filming, post production and screenings.

Definitions

Child abuse means:

- a sexual offence committed against a child
- an offence committed against a child under section 49M(1) of the Crimes Act 1958 (Vic), such as grooming
- physical violence against a child
- causing serious emotional or psychological harm to a child
- serious neglect of a child.

For more information, visit the Commission for Children and Young People information @ <https://ccyp.vic.gov.au/children-and-young-people/get-help-or-make-a-complaint/>

Reporting procedures apply to either *concerns* and/or *complaints*, where a *concern* refers to any potential issue that could impact negatively on the safety and wellbeing of children. And a *complaint* is an expression of dissatisfaction to Punch Buggy Pictures related to one or more of the following:

- our services or dealings with individuals,
- allegations of abuse or misconduct by a staff member, a volunteer or another individual associated with Punch Buggy Pictures,
- disclosures of abuse or harm made by a child or young person,
- the conduct of a child or young person while involved in activities for Punch Buggy Pictures,
- the inadequate handling of a prior concern,
- general concerns about the safety of a child, group of children, or activity.

Harm is damage to the health, safety or wellbeing of a child or young person, including as a result of child abuse by adults or the conduct of other children. It includes physical, emotional, sexual and

psychological harm. Harm can arise from a single act or event and can also be cumulative, that is, arising as a result of a series of acts or events over a period of time.

Child/Children are defined by the Commission for Children and Young People, as a person under the age of 18 years.

Supporting legislation

- *Child Wellbeing and Safety Act 2005 (Vic)* (including Child Safe Standards)
- *Child Employment Act 2003 (Vic)* (amended July 2023 - Part 2, div 5: Employment in Entertainment)
- *Children, Youth and Families Act 2005 (Vic)* (including reporting to Child Protection)
- *Crimes Act 1958 (Vic)* (including Failure to Protect and Failure to Disclose offences)
- *Wrongs Act 1958 (Vic)* (including Part XIII – Organisational liability for child abuse)

Procedure

Who can make a report?

1. Any person (including cast, crew, parents/ guardians and children) who has concerns about the safety of any child involved with a Punch Buggy Pictures project should promptly report their concerns or lodge a complaint.
2. Anyone working or volunteering with Punch Buggy Pictures who witnesses an incident of non-acceptable behavior towards a child (including by another child), is obliged to report the incident, as well as ensuring that the child is safe from any further possible incidents.

What concerns should be reported?

Any of the following incidents should be reported:

- alleged, suspected or observed incidents of abuse or harm;
- breach of the Punch Buggy Pictures Child Safety and Wellbeing Policy, Child Safe Code of Conduct or any other Child Safety policies and procedures; or
- health and safety issues (e.g. unsafe production sets, children working in extreme weather conditions, etc.)

Who should reports be made to?

Reports can be made, as a matter of urgency, to:

- the On-Set Child Safety Officer,
- the project Producer,
- Punch Buggy Pictures Management,
- **if you have immediate concerns for a child's safety, call the police on 000**, in addition to reporting the incident to one of the above people.

ADDITIONALLY, if anyone, staff, volunteer, child, family or community member is concerned about the conduct of anyone involved in a Punch Buggy Pictures Production, there are also a number of outside organisations they can contact:

- If you see or hear something that is concerning and you are not sure what to do or who to tell you can contact:

- **Commission for Children and Young People**
Phone: [1300 782 978](tel:1300782978)
Email: contact@ccyp.vic.gov.au
Website: ccyp.vic.gov.au
- If you receive a disclosure from a child about abuse or neglect, or observe indications of abuse or neglect contact:
 - **Department of Health and Human Services, Child Protection**
Phone: [1300 664 977](tel:1300664977)
Website: dhhs.vic.gov.au
- You have formed a reasonable belief that a child is experiencing abuse, immediately contact:
 - **Victoria Police**
Phone: [000](tel:000)
Website: police.vic.gov.au

How do you make a report?

Reports with Punch Buggy Pictures can be lodged via email, phone call, or by speaking face-to-face with the above people.

How are reports handled?

1. Unless the complaint is resolved at first point of contact, the report is immediately recorded via the Complaints Reporting Form. See Appendix 1)
2. Complaints will be acknowledged at the time of receipt, or as soon as possible afterwards.
3. A preferred communication method will be nominated by the person making the report.
4. A contact point for the child or young person affected, and their parent or carer, will be identified.
5. The child or young person will be provided with information about the complaint-handling process, the likely next steps, and expected timeframe.
6. The initial assessment of a complaint will involve the following questions being asked:
 - Does the complaint raise any immediate risks to the safety or wellbeing of a child or young person or other person?
 - Is referral to relevant external bodies required?
 - What other issues does the complaint raise?
 - What steps need to be taken to address and manage risks throughout the complaints process?
 - Does the child or young person affected by the complaint (or other children involved or impacted) require any additional supports during the complaints process?
 - What evidence needs to be immediately secured/protected/kept confidential?
 - How serious, complicated or otherwise urgent are the issues raised in the complaint (from both the perspective of the complainant, the involved child or young person and the organisation)?
 - Are the issue/s raised within our organisation's control? If not, who should they be referred to?
 - Are the outcomes sought by the complainant viable?
 - If more than one issue is raised, will they need to be separately addressed?
 - What other authorities or agencies (e.g., police, health services) need to know about the issues raised by the complaint or be involved in the response?
 - What type of information should the complainant be provided with?

- Is further information needed from the complainant in order to properly assess and resolve the complaint?
7. If the complaint is not about something that Punch Buggy Pictures can respond to, we will ensure that the complainant is told this and that they are referred to a person or organisation that can help as quickly as possible.
 8. A plan will be developed to involve the affected child or young person and their parent or carer at key stages of the complaint, including when and how information will be communicated to them throughout the process and how they will be supported.
 9. After assessing the complaint, a plan of action will be implemented to manage and resolve the issue.
 10. Wherever possible, we will try to resolve complaints promptly with a complainant and—particularly where the matter is minor—as soon as possible after the complaint is made.
 11. Where there are delays, we will keep the complainant informed about what is happening with their complaint and clarify timeframes where there are delays. We will also record of any reasons for delays in responding to complaints, and any communication with the person making the complaint.
 12. The nature and scope of any action taken will depend on a number of factors including:
 - the circumstances of each case
 - any statutory requirements
 - the issue(s) complained about
 - the parties involved
 - the likely outcome.
 13. When complaints are assessed to be within our ability to resolve:
 - We will work with the person making the complaint to see how the issues can be appropriately addressed.
 - Make enquiries with the person or persons who are subject of the complaint, where appropriate.
 14. If complaints are outside our scope to resolve, we will maintain our records of the issues raised in the complaint, under the guidance and in cooperation with police/child protection authorities, where relevant.
 15. We will report final findings to the complainant, the subject of complaint and other stakeholders, considering privacy, confidentiality and procedural fairness obligations.
 16. Explain to the complainant and the subject of complaint—using the most appropriate communication channel and putting in place any necessary supports—the key steps taken to investigate the complaint, the outcome (including the reasons for our decision), and available avenues for review, if they are dissatisfied with the outcome and/or the complaints process.
 17. We will then close the complaint and keep comprehensive records about:
 - how the complaint was managed
 - the outcome
 - any recommendations and/or outstanding actions and how they have been addressed.
 18. We will also address any systemic issues identified and invite people to provide feedback at the conclusion of the complaints process.
 19. At the finalising of a complaint, we will ask whether the person who made the complaint or a child or young person involved in the complaint (or their parents/carers) needs or wants any ongoing support.
 20. We will collect relevant data on every complaint for systematic review, to advise adjustments to any systems or practice weaknesses identified by a specific complaint or general feedback, with the aim of improving performance.

Record Keeping

Punch Buggy Pictures is committed to making and keeping full and accurate records about all child-related complaints or safety concerns.

All child safety complaints, concerns, incidents and near misses will be recorded as parts of our ongoing safety and risk assessment practices. All records of reports will be kept, even if an investigation does not substantiate a complaint.

We will record and keep the outcome of any investigations, and the resolution of any complaints. This includes findings made, reasons for decisions and actions taken.

Records will be stored securely electronically, and kept by Punch Buggy Pictures for at least 7 years.

Information sharing

Punch Buggy Pictures may share relevant information to promote the safety and wellbeing of children, where it is appropriate and in their best interests. Punch Buggy Pictures will keep information about complaints confidential, except where it is necessary to share information to respond properly to a complaint or to prioritise child safety. We may also need to share information about incidents or complaints with external authorities to comply with the law or to prioritise safety.

Procedure document status and review

This Complaints and Report Procedure document was created and approved by the Punch Buggy Pictures Management Group on 29th November 2023.

The Management Group will conduct a review this document annually, to assess its effectiveness.

Such reviews will be overseen by the Management Group and will be informed by consultation with children, families and staff involved in our projects.

Resources:

- National Office for Child Safety Complaints Handling Guidelines:
<https://www.childsafety.gov.au/resources/complaint-handling-guide-upholding-rights-children-and-young-people>
- Victorian Mandatory Code of Practice for the Employment of Children in Entertainment @ <https://www.vic.gov.au/guide-employment-children-victorian-entertainment-industry/mandatory-code-practice-employment>
- The Arts Law Centre of Australia information sheet on working with children in creative processes@
[https://static1.squarespace.com/static/609f226e52796501345002f2/t/610e1d82723fd06b055d7e45/1628315012656/Children in the creative process - Australia EV.pdf](https://static1.squarespace.com/static/609f226e52796501345002f2/t/610e1d82723fd06b055d7e45/1628315012656/Children+in+the+creative+process+-+Australia+EV.pdf)
- Commission for Children and Young People information @
<https://ccyp.vic.gov.au/children-and-young-people/get-help-or-make-a-complaint/>

Appendix 1):

Child Safety and Wellbeing Complaint Record Form

Date:
Name of person taking report:
How was the complaint received (e.g. phone, email, in person):
Name of complainant 1. Name of child or young person involved in the complaint: 2. Name of person making the complaint [if different to above]: 3. 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:
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:

- Was the child or young person offered an interpreter?
- Was the child or young person offered a communication assistant?
- Was the child or young person offered a support person, advocate, family member?
- 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? 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.