

## Response checklist – concerning or harmful sexual behaviour

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This checklist helps you to consider all the requirements in the 'sexual behaviour in children and young people procedure'. See the procedure for important details.

Concerning and harmful sexual behaviour includes behaviour directed towards self and others. Not all the items in this checklist will apply to all concerning and harmful sexual behaviour. Some behaviour may be a suspected sexual offence or child protection concern and others will not.

### Immediate response – first person involved

- Safely intervene to stop or interrupt the behaviour.
- Respond proportionately – consider your first reaction, remain calm, do not punish or shame.
- Respond to immediate safety concerns.
- Implement processes from any plans already in place.
- Support and closely supervise children and young people.
- Secure digital content and devices if appropriate.
- Inform and handover to site leader.
- Document what you heard, saw and did, including any questions asked of or responses from the children or young people involved.

### Assess and respond to behaviour – site leaders

- Clarify the nature of the incident and who was involved.
- Do not prejudice a potential criminal investigation. Do not ask leading questions. Speak separately to those involved. Minimise the number of times the children or young people are spoken to and the number of people who speak with them. See page 6 of the procedure.

- Thoroughly document all discussions.
- Consult SWISS (government) Ph 8314 4100.
- Use 'sexual behaviour guide' (see Appendix 1) and 'professional judgement assessment checklist' (see Appendix 2) to determine if the behaviour is likely to be developmentally appropriate, concerning or harmful.
- Develop an initial response plan for clear actions.
- Check the wellbeing and support needs of those involved as frequently as required.

### Involve Department for Child protection (DCP)

- Refer to the [Mandatory Reporting Guide](#).
- Report any children or young people at risk to CARL Ph 13 14 78 or through [eCARL](#).
- Advise allocated DCP case worker.
- Seek and follow DCP advice about current or likely DCP involvement, incident management, what information can be provided to others, how to support and protect those involved.
- Make record of notification and advice.
- Do not prejudice a potential child protection investigation by asking leading questions.
- Give DCP the chance to contribute to any plans.
- Continue to work in partnership with DCP.

### Work with police

- Report alleged/suspected sexual offences immediately if child is 10 years of age or older. Ph 13 14 44, or 000 in emergency.
- Report alleged/suspected rape immediately regardless of the age of the child or young person who engaged in the behaviour. Ph 13 14 44, or 000 in emergency.

- Seek and follow police advice about incident management, what information can be given to others, how to support and protect those involved, and how to secure evidence.
- Record police reference number and advice given.
- Do not prejudice a potential criminal investigation.
- Carefully document any information provided by children, young people and others.
- Give police the chance to contribute to any plans.
- Continue to work in partnership with police.
- Seek legal advice from your sector's legal services or via your sector office when offences are involved.

### **Report critical incidents**

- Report to the Education Director or Manager, Family Day Care Programs (government).
- Report to CESA School Performance Leader (Catholic).
- Report to AISSA CE or Head of Legal Services (independent).
- Document critical incidents in critical incident reporting system (government) (see timeframes in the procedure).
- Report to Education Standards Board (preschools, FDC, LDC/rural care program and OSHC only) within [legislated timeframes](#).
- Report to NDIS Quality and Safeguards Commission (RCP only via Manager, Respite Care Program).
- Report to Regulation and Compliance (RCP only).

### **Behaviour support plans, and support and safety plans**

- Develop hypothesis for the function of the behaviour (eg seeking connection with peers).
- Implement alternative strategies for the child or young person's needs to be met without the behaviour (eg explicit teaching of social skills).

- Develop, monitor and review behaviour support plans (see Appendix 9) and/or support and safety plans (see Appendix 10), involving others as appropriate.
- Revise or develop personalised learning plans (eg One Plans in government education and care sites).
- Consult relevant professionals (eg SWISS, Behaviour Support Coach, Special Educator).

### **Communicate with parents**

- Seek advice from police and/or DCP before informing parents (where relevant).
- Advise parents of those directly involved or witness to the incident at the earliest possible opportunity (unless otherwise directed by police or DCP).
- Seek advice from your sector's legal services before advising other parents (see Appendix 11).
- Give parents 'responding to children and young people's sexual behaviour in education and care settings: a guide for parents and carers'.
- Explain how parents can positively reinforce messages about appropriate sexual behaviour.

### **Documentation**

- Keep confidential documentation of incidents and responses in the child or student file.
- Keep the critical incident reporting system up to date.

See 'documentation' in the procedure.

### **Support and debriefing for educators and care providers**

- Offer debriefing, guidance and support.
- Offer psychological support (EAP, counselling, GP).
- Consult [Employee Psychological Services](#) or Ph 82260744 (government).