

POLICY & PROCEDURAL STATEMENTS

Topic: Child Safety Policy

Background: Victorian Child Safe Standards came into effect for education and training providers on 1 January 2017. Avenue Neighbourhood House @ Eley Inc (ANH@E) is committed to promoting and protecting the interests and safety of children. We have zero tolerance for child abuse. Everyone working at ANH@E is responsible for the care and protection of children and reporting information about child abuse.

Scope: Committee of Management, all staff, tutors and volunteers are expected to adhere to this policy.

Avenue Neighbourhood House @ Eley Inc Child Safety Policy

This child safety policy will be made publicly available at Avenue Neighbourhood House @ Eley (ANH@E) to help raise awareness about the importance of child safety and demonstrate our commitment to protecting children from abuse. This policy and the Child Safety Code of Conduct will be available on the ANH@E website and in induction packs for new personnel, children and families.

Our commitment to child safety

1. Avenue Neighbourhood House @ Eley is committed to child safety.
2. We want children to be safe, happy and empowered. We support and respect all children, as well as our staff and volunteers.
3. We are committed to the safety, participation and empowerment of all children.
4. We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.
5. We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.
6. Avenue Neighbourhood House @ Eley is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.
7. Avenue Neighbourhood House @ Eley has robust recruitment practices for all staff and volunteers.
8. Avenue Neighbourhood House @ Eley is committed to training and educating our staff and volunteers on child abuse risks.
9. We support and respect all children, as well as our staff and volunteers. We are committed to the cultural safety of Aboriginal children, the cultural safety of children from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.
10. We have specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.

If you believe a child is at immediate risk of abuse phone 000.

Our children

This policy is intended to empower children who are vital and active participants in our organisation. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and tolerance in our organisation, and people from all walks of life and cultural backgrounds are welcome.

In particular we:

- promote the cultural safety, participation and empowerment of Aboriginal children;
- promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds;
- ensure that children with a disability are safe and with the required support can participate equally.

Our staff and volunteers

This policy guides our staff and volunteers on how to behave with children in our organisation.

All of our staff and volunteers must agree to abide by our Child Safety Code of Conduct which specifies the standards of conduct required when working with children. All staff and volunteers, as well as children and their families, are given the opportunity to contribute to the development of the Code of Conduct.

Training and supervision

Training and education is important to ensure that everyone in our organisation understands that child safety is everyone's responsibility.

Our organisational culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We also support our staff and volunteers through ongoing supervision to: develop their skills to protect children from abuse; and promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.

New employees and volunteers will be supervised regularly to ensure they understand our organisation's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate (please refer to this organisation's code of conduct to understand appropriate behaviour further). Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter.

Recruitment

We take all reasonable steps to employ skilled people to work with children. We develop selection criteria and advertisements which clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities. Our organisation understands that when recruiting staff and volunteers we have ethical as well as legislative obligations.

We actively encourage applications from Aboriginal people, people from culturally and/or linguistically diverse backgrounds and people with a disability.

We require all employees and volunteers to pass through the organisation's recruitment and screening processes prior to their engagement with ANH@E.

All people engaged in child-related work, including volunteers, are required to hold a Working with Children Check and/or Police Check and to provide evidence of this Check. Please see the Working with Children Check website www.workingwithchildren.vic.gov.au or www.police.vic.gov.au for further

information. Persons applying for a role as a tutor with ANH@E can be registered with the Victorian Institute of Teaching.

We carry out reference checks and Working With Children Checks and/or police record checks to ensure that we are recruiting the right people. Police record checks are used only for the purposes of recruitment and records are kept in locked staff files.

If during the recruitment process a person's records indicate a criminal history then the person will be given the opportunity to provide further information and context.

Fair procedures for personnel

The safety and wellbeing of children is our primary concern. We are also fair and just to personnel. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

We record all allegations of abuse and safety concerns using our incident reporting form, including investigation updates. All records are securely stored.

If an allegation of abuse or a safety concern is raised, we provide updates to children and families on progress and any actions we as an organisation take.

Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety. We have safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it.

Legislative responsibilities

Our organisation takes our legal responsibilities seriously, including:

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.¹
- **Failure to protect:** People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.²
- Any personnel who are **mandatory reporters** must comply with their duties.³
- **Reportable Conduct Scheme:** designated head of the organisation ensures the Commission for Children and Young People is notified and given updates and conclusions on the organisation's response to an allegation.⁴

Risk management

¹ A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

Further information about the failure to disclose offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence) <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence>.

² Further information about the failure to protect offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence) <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence>.

³ Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

See the Department of Health and Human Services website for information about [how to make a report to child protection](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first) <www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first>.

⁴ Further information about the Reportable Conduct Scheme is available on the Commission for Children and Young People website <https://ccyp.vic.gov.au/reportable-conduct-scheme/>

In Victoria, organisations are required to protect children when a risk is identified (see information about failure to protect above). In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments (for example, no staff or volunteer is to have contact with a child in organisations on social media).

Regular review

This policy will be reviewed every two years and following significant incidents if they occur. We will ensure that families and children have the opportunity to contribute. Where possible we do our best to work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

Allegations, concerns and complaints

Our organisation takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with allegations.

We work to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place (see information about failure to disclose above).

If an adult has a **reasonable belief** that an incident has occurred then they must report the incident.

Factors contributing to reasonable belief may be:

- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- behaviour consistent with that of an abuse victim is observed⁵
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

Reporting

1. Any staff member or volunteer who has grounds to suspect abusive activity must immediately notify the appropriate child protection service or the police. They should also advise the House Manager about their concern.
2. In situations where Management is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision – Chair of the Committee of Management.
3. The House Manager must report complaints of suspected abusive behaviour or misconduct to the Committee of Management and also to any external regulatory body such as the police.

Refer to Mandatory Reporting and Reportable Conduct Policy for detailed reporting procedure to be followed at ANH@E.

Investigating

5. The child safe standards aim to protect children from abuse in organisations, including physical violence, sexual offences, serious emotional or psychological abuse and serious neglect. For further explanation of the different types of child abuse, please see see [An Overview of the Victorian child safe standards](http://www.dhs.vic.gov.au/__data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc): <www.dhs.vic.gov.au/__data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc>.

For definitions of key terms, please see [An Overview of the Victorian child safe standards](http://www.dhs.vic.gov.au/__data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc): <www.dhs.vic.gov.au/__data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc>.

1. If the appropriate child protection service or the police decide to conduct an investigation of this report, all staff, contractors or volunteers must co-operate fully with the investigation.
2. Whether or not the authorities decide to conduct an investigation, the House Manager will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the House Manager may decide to conduct such an investigation. All staff, contractors and volunteers must co-operate fully with the investigation.
3. Any such investigation will be conducted according to the rules of natural justice.
4. The House Manager will make every effort to keep any such investigation confidential; however, from time to time other members of staff may need to be consulted in conjunction with the investigation.
5. After an initial review and a determination that the suspected abuse warrants additional investigation, the House Manager shall coordinate the investigation with the appropriate investigators and / or law enforcement officials. Internal or external legal representatives will be involved in the process, as deemed appropriate.

Responding

1. If it is alleged that a member of staff, contractor or a volunteer may have committed an offence or has breached the organisation's policies or its Code of Conduct, the person concerned may be stood down (with pay, where applicable) while an investigation is conducted.
2. If the investigation concludes that on the balance of probabilities an offence (or a breach of the organisation's policies or Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the organisation. The findings of the investigation will also be reported to any external body as required.

Related Documents

- Child Safe Standards Policy
- Child Safety Code of Conduct
- Working with Children Check Policy
- Volunteers Policy
- Mandatory Reporting and Reportable Conduct Policy
- Recruitment, Employment and Induction Policy
- Further Education Tutors – Conditions of Employment

This policy was created in February 2017 in response to the Department of Education and Training Higher Education and Skills Group Child Safe Standards for VET and Higher Education providers.

This policy will be reviewed in February 2019.