



## Child Safe Policy

Approved/effective date	110718
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### 1. Basic Beliefs

Torquay Community House is committed to promoting and protecting the interests and safety of children. We have zero tolerance for child abuse. Everyone working and volunteering at Torquay Community House is responsible for the care and protection of children and reporting information about child abuse.

### 2. Purpose

The purpose of this policy is to demonstrate the strong commitment of Torquay Community House to the care, safety and wellbeing of all children who take part in activities offered by the House. It provides an outline of the procedures and strategies developed to keep children safe from harm, including all forms of abuse in the House environment, including our online environment. The policy takes into account relevant requirements within the State of Victoria, including the specific requirements of the Victorian Child Safe Standards.

This policy outlines a range of preventative, proactive strategies that promote a shared responsibility to develop an open and aware culture of child safety. It sets out:

- the steps Torquay Community House will take to promote the safety and wellbeing of children.
- appropriate standards of behaviour and practices for people working and volunteering with children
- increasing staff and volunteer awareness of risks to children and the strategies in place to minimise them
- building staff and volunteer knowledge of how to identify suspected child abuse or neglect and respond appropriately

## Scope

This policy will apply to all staff, volunteers (including Board members), contractors and tutor/leaders whether or not they work in direct contact with children or young people.

All of the people to which this policy applies have a role and responsibility in relation to child protection. They all must:

- understand the indicators and risks of child abuse.
- appropriately act on any concerns raised by children; and
- understand and follow all applicable laws in relation to the protection of children and reporting or management of child safety concerns.

## 4. Definitions

- **Allegation** refers to a claim or assertion, without definitive proof, that a wrongdoing (i.e. abuse or grooming of a child) has happened or is likely to happen.
- **Board** also known as the Board of Management, means the governing authority.
- **Child** means a child or young person under the age of 18 years.
- **Child Abuse** includes any act committed against a child involving a sexual offence, or an offence under section 49B(2) of the Crimes Act 1958 (grooming), or the infliction on a child of physical violence, serious emotional or psychological harm, or serious neglect of a child.
- Child **neglect** is the failure by a parent, guardian or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing.
- Child **physical abuse** generally refers to the non-accidental use of physical force against a child that results in harm to the child. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning. The fabrication or induction of an illness by a parent, guardian or caregiver (previously known as Munchausen syndrome by proxy) is also considered physically abusive behaviour.
- **Child protection** is the statutory services designed to protect children who are at risk of serious harm.
- **Child Safety** encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.
- **Child sexual abuse** is sexual activity between a child under the age of consent (16) and an adult or older person (i.e. a person five or more years older than the victim) is child sexual abuse. Child sexual abuse can also be:

- any sexual behaviour between a child and an adult in a position of power or authority over them (e.g. a teacher); the age of consent laws do not apply in such instances due to the strong imbalance of power that exists between young people and authority figures, as well as the breaching of both personal and public trust that occurs when professional boundaries are violated
- any sexual behaviour between a child and an adult family member, regardless of issues of consent, equality or coercion
- sexual activity between peers that is non-consensual or involves the use of power or coercion
- non-consensual sexual activity between minors (e.g. a 14 year old and an 11 year old), or any sexual behaviour between a child and another child or adolescent who, due to their age or stage of development, is in a position of power, trust or responsibility over the victim. Sexual activity between adolescents at a similar developmental level is not considered abuse.
- **Contractor** conducts child-connected work authorised by the Board and performed by an adult while children are present or reasonably expected to be present.
- **Mandatory Reporting:** The legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. Mandated persons include teachers, nurses, police, psychologists, psychiatrists and medical practitioners.
- **Reasonable Belief:** When staff are concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.
- **Torquay Community House environment** means any physical or virtual place made available or authorised by the Board for use by a child during or outside of House contact hours including – any House online environment (including email and intranet systems), other locations provided by Torquay Community House for a child's use.
- **The House** refers to Torquay Community House.
- **Staff** being an individual working at Torquay Community House who is directly engaged or employed by Torquay Community House.
- **Tutor/Leader** means a person paid by Torquay Community House or a person who hires the venue to deliver programs.
- **Volunteer** being an individual who offers their time to work at Torquay Community House. This includes members of the Board of Management.

## 5. Guiding Principles

Torquay Community House strategies take into account the diversity of the children attending the House, and their particular vulnerabilities. For example, children with a disability, Aboriginal and Torres Strait Islander children and children from culturally and linguistically diverse backgrounds. This document applies to all children. At no time must anyone treat a child unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity.

The following principles underpin our commitment to child safety at Torquay Community House:

- All children deserve, as a fundamental right, safety and protection from all forms of abuse and neglect.
- The House works in partnership with families and the community to ensure that they are engaged in decision-making processes, particularly those that have an impact on child safety and protection.
- All adults at the House, including staff, volunteers, tutor/leaders and contractors, have a responsibility to care for children and young people, to positively promote their wellbeing and to protect them from any kind of harm or abuse.
- The policies, guidelines and codes of conduct for the care, wellbeing and protection of children are based on honest, respectful and trusting relationships between adults and children and young people.
- Policies and practices demonstrate compliance with legislative requirements.
- All persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect.
- Staff, volunteers, contractors, tutor/leaders, parents/guardian/caregivers and children should feel free to raise concerns to the Coordinator or delegate about child safety, knowing these will be taken seriously by the Board.
- Appropriate confidentiality will be maintained, with information being provided to those who have a right or a need to be informed legally.

### Policy Commitments

All children who take part in activities offered by Torquay Community House have the right to feel safe and be safe. The wellbeing of children in our care will always be our first priority and we do not and will not tolerate child abuse. We aim to create a child-safe and child-friendly environment where children are free to enjoy life to the full without any concern for their safety.

## 6. Responsibilities

Staff and volunteers at Torquay Community House have a responsibility to understand the important and specific role s/he plays individually and collectively to ensure that the wellbeing and safety of all children is at the forefront of all they do and every decision they make.

### 6.1 The Board will

- Demonstrate its commitment to child safety and monitor the House's adherence to its child safety policy and statement of commitment
- Communicate that it has zero tolerance of child abuse (in any form).
- Conduct ongoing review of the effectiveness of the House's child safety practice.
- Ensure an appropriate reporting process is in place for child abuse that includes overseeing outcomes.
- Oversee and monitor the implementation and improvement of child safety strategies.
- Report on the number of breaches of child safety and preventative measures in its annual report.
- Ensure child safety values and principles guide the House in developing policies and procedures to create and maintain a child safe environment at Torquay Community House.

### 6.2 The Coordinator will

- Demonstrate commitment to child safety and monitor the House's adherence to its child safety policy and statement of commitment.
- Support, encourage and enable staff, volunteers, parents/guardian/caregivers, and children to understand, identify, discuss and report child safety matters.
- Support or assist children who disclose child abuse or are otherwise linked to suspected child abuse. (e.g. link to counselling)
- Ensure processes are in place to confirm currency of Working with Children Check for volunteers and staff working with children.
- Arrange induction in child safety for all staff, contractors, tutors/leaders and volunteers during the induction process.
- Follow Torquay Community House Recruitment Policy when recruiting staff.
- Screen and review the suitability of existing staff through performance appraisal procedures.
- Communicate child safety information and strategies and any updates to the community by publishing information on the House website and *Springboard* newsletter.
- Review of child safety strategies after an incident and report to the Board the outcome of the review.

### 6.3 Staff will:

- Demonstrate commitment to child safety and adherence to the House's child safety policy and statement of commitment.
- Support or assist children who disclose child abuse or are otherwise linked to suspected child abuse.
- Undertake training to detect inappropriate behaviour including mandatory reporting training.
- Report inappropriate behaviour using the House's reporting procedures.
- Support the House to implement its child safety strategies for all physical House environments, that include:
  - regularly reviewing the physical environment to ensure all risks are identified and managed.
  - assessing new or changed physical environments for child safety risks.
  - supervising or monitoring children's activities.
  - Implement the House's child safety strategies for its online environments (e.g. intranets, online learning systems, social media) including:
    - clear boundaries of roles between staff and children
    - proactive strategies to detect inappropriate behaviour such as online searches (Google, Facebook etc).

### 6.4 Volunteers, Contractors and Tutors/Leaders will:

- Comply with the House's child safety strategies and allocated roles and responsibilities.
- Provide relevant documentation such as current Police Check, Working with Children Check.
- Undertake training to detect inappropriate behaviour including mandatory reporting training.
- Tutors conducting online learning whereby the students and tutors are off site from TCH, are restricted to correspond with students during the tutoring session. Any follow up question or communication must occur during the tutoring session. The online session will consist of the Tutor, the student or students and will be administered by a TCH staff member.

## 7. Procedures / Guidelines

To maintain a safe environment for children, Torquay Community House reviews its risks regularly and implements strategies to minimise and manage these risks.

### 7.1 Valuing Diversity

We value diversity and do not tolerate any discriminatory practices.

To achieve this:

- We will promote the cultural safety, participation and empowerment of Aboriginal children and their families.
- We will promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds and their families.
- We will welcome children with a disability and their families and act to promote their participation.
- We will seek appropriate staff and volunteers from diverse cultural backgrounds.
- The Board will apply strong governance arrangements through the documented roles and responsibilities of duty of care; and
- The Board will embed a culture of diversity across staff, volunteers, contractors, tutors/leaders and children.

### 7.2 Recruiting staff and volunteers

The House takes the following steps to ensure best practice standards in the recruitment and screening of staff and volunteers:

- Interview and conduct referee checks on all staff and volunteers.
- Identify selection criteria which clearly demonstrates our commitment to child safety.
- Require police checks and Working with Children Checks for all staff, contractors, tutors/leaders and volunteers (including Board Members).
- Commitment to Child Safety and screening requirements statements are included in all advertisements and as part of the induction process for new staff, contractors, tutors/leaders or volunteers.

### 7.3 Supporting staff and volunteers

The House seeks to attract and retain the best staff and volunteers. We provide support and supervision, so people feel valued, respected and fairly treated. We have developed a Child Safe Code of Conduct to provide guidance to our staff and volunteers, all of whom receive training on the requirements of the Code.

#### 7.4 Training and supervision

- Training and education are important to ensure that everyone in our organisation understands that child safety is everyone's responsibility.
- The House culture aims for all staff, volunteers and contractors (in addition to parents/guardian/caregivers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.
- For all jobs that require child connected work there will be an induction process providing explicit information about the job's requirements, duties and responsibilities and the House's child safety practices, including the code of conduct (*318-01 Child Safe Code of Conduct and 318-02 Child Safety Reporting Process*).
- We also support our staff and volunteers through ongoing supervision to: develop their skills to protect all 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.

#### 7.5 Reporting a child safety concern or complaint

The House has appointed the Coordinator as the Child Safety Person with the specific responsibility for responding to any complaints made by staff, contractors, tutors/leaders, volunteers, parents/guardians/caregivers or children. The coordinator can be contacted in person at the office, telephoning the office 5261 2583 or emailing the coordinator – [co-ordinator@torquaycommunityhouse.org.au](mailto:co-ordinator@torquaycommunityhouse.org.au). If the coordinator is not available, the concern or complaint is to be directed to the Community Program Officer using the same contact details. Our reporting process is outlined in the *381-02 Child Safe Reporting Process* and our complaints process is outlined in the policy *309 Resolving Workplace Grievance Policy*.

#### 7.6 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.

#### 7.7 Children's right to participation and empowerment in our House programs

- Children will be encouraged to express their views. Staff, volunteers, tutors/leaders and contractors will listen to their suggestions, especially on matters that directly affect them, and we will actively encourage all



children who use our services to have a say about things that are important to them. The House will collect views and opinions via annual surveys.

- Child Safe posters will be displayed to help a child identify what they can do if they feel unsafe. We will listen to and act on any concerns children or their parents/guardians/caregivers raise with us.

## 7.8 Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, contractors, tutors/leaders, parents/guardians/caregivers 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 and will disclose how this information is recorded, what will be done with it, and who will have access to it.

## 7.9 Risk Management

We recognise the importance of a risk management approach to minimising the potential for child abuse or harm to occur and use this to inform our policy, procedures and activity planning. As part of our risk management strategy and practices, the Board monitors and evaluates the effectiveness of its Risk Register and Risk Rating Matrix on a six-monthly basis through -

- Monitoring its child safety risk management strategies to ensure they are implemented and effective;
- The Board of Management ensuring that training is provided to new members of the Board and the staff regarding the following;
  - individual and collective obligations and responsibilities for managing the risk of child abuse;
  - child abuse risks in the House environment;
  - the House's current Child Safety Standards.

## 8. Reporting

The House records any child safety complaints, disclosures or breaches of the Child Safety Code of Conduct and stores the records in accordance with security and privacy requirements and documented in Torquay Community House *102 Confidentiality and Privacy Policy*. The Chairperson of the Board is also notified.

Torquay Community House document *301-02 Child Safe Reporting Process* sets out the actions required under the relevant legislation when there is a reasonable belief that a child who takes part in activities at the House is in need of protection or a criminal offence has been committed and provides guidance and procedures on how to make a report.

Document 301-04 *Signs of Child Abuse* will assist staff, volunteers, contractors and families to:

- Identify the indicators of a child or young person who may be in need of protection in conjunction with
- Understand how a 'reasonable belief' is formed

Document 301-02 *Child Safe Reporting Process* must be completed to make a report of a child or young person who may be in need of protection. Staff, volunteers, tutors/leaders and contractors must comply with mandatory reporting obligations under child protection law and their legal obligations relating to criminal child abuse and grooming under criminal law.

## 9. Evaluation

At Torquay Community House we are committed to continuous improvement of our child safety systems and practices. We intend this policy to be a dynamic document that will be regularly reviewed to ensure it is working in practice and updated to accommodate changes in legislation or circumstance. It will be reviewed as part of the House review cycle every two years or after any incident involving child safety.

## 10. Associated Documents

- *Privacy and Data Protection Act 2014*
- *Working with Children Act 2005*
- *Child Wellbeing and Safety Act 2005*
- *Children Legislation Amendment (Reportable Conduct) Act 2016*
- Victorian Government Department of Justice 2016, [Betrayal of Trust Implementation](#).
- 309 Resolving Workplace Grievance Policy
- 318-01 Code of Conduct
- 318-02 Child Safe Reporting Process
- 318-03 Child Safe Reporting Form
- 318-04 Child Safe Standards Poster
- Confidentiality and Privacy Policy
- Risk Management Policy
- Risk Management Register