



**REGIONAL
VICTORIANS
OF COLOUR**

CHILD SAFETY POLICY AND PROCEDURE

PURPOSE

The purpose of this policy is to:

1. Work towards an organisational culture of child safety
2. Demonstrate the strong commitment of the management, staff and volunteers to child safety
3. Demonstrate the zero-tolerance approach to child abuse at Regional Victorians of Colour (RVOC)
4. Ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs
5. To provide a clear statement to staff and volunteers for appropriate behaviour with children.

POLICY STATEMENT

RVOC is committed to promoting and protecting at all times the best interests of children involved in its programs. RVOC has zero tolerance for child abuse.

Management, staff and volunteers at RVOC are responsible for the care and protection of the children at our programs, events and premises and for reporting information about suspected child abuse.

RVOC supports and respects all children, and does not tolerate any discriminatory practices. In order to achieve this, RVOC:

- supports the cultural safety, participation and empowerment of of Aboriginal children and their families,
- supports the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds including refugee backgrounds, and their families,
- is committed to and to providing a safe environment for, and encouraging the participation of, children living with a disability and their families,
- is committed to ensuring that events promote the inclusion of children of all abilities,
- is committed to providing a safe environment for same-sex attracted, intersex, non-binary and gender diverse children and young people and their families.



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RESPONSIBILITY

The **Board** has ultimate responsibility for the detection and prevention of child abuse and is responsible for ensuring that appropriate and effective internal control systems are in place. The Board is also responsible for ensuring that appropriate policies and procedures are in place.

It is the responsibility of the **Director** to:

- Ensure that staff and volunteers are aware of this policy and their obligations, including obligations to report suspected abuse
- Promote child safety at all times
- Assess the risk of child abuse within different programs and eradicate / minimise any risk to the extent possible
- Ensure that any breaches of this policy coming to the attention of management are dealt with appropriately
- Deal with and investigate reports of child abuse, inappropriate behaviour or suspected abusive activities
- Report incidences to the Board

The **Director** will be the Child Safety Officer. They are the point of contact for any concerns or questions about child safety.

All **staff and volunteers** share in the responsibility for the prevention and detection of child abuse, and must:

- Familiarise themselves with RVOC' policy and procedures in relation to child protection, and comply with all requirements
- Report any suspicion that a child's safety may be at risk to their supervisor (or, if their supervisor is involved in the suspicion, to a responsible person in the organisation)
- With support from management, report any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police and/or Department of Health & Human Services) and fulfil their obligations as mandatory reporters; and
- Provide an environment that is supportive of all children's cultural, emotional and physical safety.

DEFINITIONS

Child means a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

Child protection means any responsibility, measure or activity undertaken to safeguard children from harm.

Child abuse means all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial (e.g. for financial gain) or other exploitation of a child and



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includes any actions that results in actual or potential harm to a child. It also includes a child being exposed to, our witnessing, family violence.

Child sexual assault is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by any body part or object, fondling, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child.

Reasonable grounds for belief is a belief based on reasonable grounds that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

A reasonable belief is formed if a reasonable person believes that:

- (a) The child is in need of protection,
- (b) The child has suffered or is likely to suffer "significant harm as a result of physical injury",
- (c) The parents are unable or unwilling to protect the child.

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. For example, a 'reasonable belief' might be formed if:

- a) A child states that they have been physically or sexually abused;
- b) A child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- c) Someone who knows a child states that the child has been physically or sexually abused;
- d) Professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or
- e) Signs of abuse lead to a belief that the child has been physically or sexually abused.

EMPLOYMENT OF NEW PERSONNEL

RVOC applies best practice standards in the recruitment and screening process for all staff and volunteers. This process aims to:

- Promote and protect the safety of all children under the care of the organisation
- Identify the safest and most suitable people who share RVOC values and commitment to protect children



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- Assess the training, guidance and supervision required for the position and the current resources available to meet these requirements
- Prevent a person from working at RVOC if they pose a risk to children.

Paid staff will apply for a position via a written application and face to face interview. All volunteers will undertake a face to face interview. Two forms of identity must be checked at volunteer and staff interviews, including one with a photograph. At least one phone reference check will be conducted with all staff and volunteers, with an emphasis on child safety and wellbeing, and with identity and employment history verified. All staff and volunteers over the age of 18 will undergo a Working with Children Check and a Police Check. Police Checks will be updated every 12 months. WWC Checks and Police Checks will be cited prior to commencement.

Once engaged, staff and volunteers must review and acknowledge their understanding of this Policy. All staff and volunteers will receive an induction which explains their responsibilities to children and young people, including record keeping, information sharing and reporting obligations. Supervision and people management will be consistently focused on child safety and wellbeing, and all staff and volunteers will sign the *Code of Conduct* as part of their induction process. (See Policies and Procedures Manual).

Ongoing education and training will be provided to all staff and volunteers to ensure that they are able to:

- Implement the organisation's child safety and wellbeing policy;
- Recognise indicators of harm (including harm caused by other children and young people);
- Respond effectively to child safety issues and concerns and report colleagues who disclose harm.

RISK MANAGEMENT

RVOC will ensure that child safety is a part of its overall risk management approach. RVOC staff and management will proactively assess and manage risks to children in our programs (and in the communities in which we work) to reduce the risk of harm. RVOC will support management, staff and volunteers to incorporate child safety considerations into decision making and to promote a culturally safe environment where children are empowered to speak about issues that affect them. RVOC commits to implementing new preventative measures when gaps are identified.

All existing and new activities and facilities must be assessed for risks of child abuse including:

- Environmental risks (eg areas where children are unable to be properly supervised)
- Online risks
- Vulnerability risks

RVOC will identify and mitigate risks in physical and online environments without compromising the rights of children and young people to privacy, access to information, social connections and learning opportunities.



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Where RVOC contracts facilities and services from third parties, a risk assessment will be carried out to ensure the safety of children and young people.

REPORTING

Any staff or volunteers who suspect abusive activity or neglect must immediately notify their supervisor. Staff and volunteers will discuss the matter with the supervisor to determine if there are reasonable grounds for belief of abuse or neglect. If, after discussion with the supervisor, the worker believes there are reasonable grounds for belief of abuse or neglect then the first responsibility of that person, with the support of their supervisor, is to ensure that the child or children are safe and the risks of further abuse or harm are mitigated. The staff member or volunteer, with the support of the supervisor, must report the matter. If the incident or allegation of abuse could involve criminal conduct, and is occurring outside the home, including when a worker is suspected, the matter must be immediately reported to Victoria Police. Where the suspected abuse or neglect is occurring within the home, a report will be made to the Child Protection Unit of the Department of Health & Human Services. Supervisors will also report such incidences to the Director.

On making a report, an *Incident Report* will be completed. (See Policies and Procedures Manual).

In situations where the supervisor 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.

All reports of child abuse will be treated as serious, whether they are made by an adult or a child.

When an allegation of child abuse is received, all mandatory reporting requirements must be met, including reporting to:

- Police
- Department of Health and Human Services
- The Commission for Children and Young People under the reportable conduct scheme
- Other government departments or regulators as appropriate.

INVESTIGATING

If Child Protection or the Police decide to conduct an investigation of a report, all workers must co-operate fully with the investigation.

Where there is suspected abusive behaviour or misconduct of workers, the Director 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 Director may decide to conduct such an investigation. All workers must co-operate fully with the investigation.

While investigations are underway, the person under investigation will not have contact with the alleged victim.



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RESPONDING

If it is alleged that a worker may have committed an offence or have 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.

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.

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 **not** occurred the individual will be reinstated and every effort will be made to support the person to take up their normal duties.

RECORD KEEPING AND INCIDENT MONITORING

As required in the Incident Reporting Procedure, all reports of child abuse shall be recorded within the incident reporting system. RVOC will maintain confidentiality and privacy for children and families in accordance with legislation. Records will be retained in line with the recommendations from the Office of Public Records. Reports of child abuse and complains about child safety will be monitored by the Director, to ensure that they're responded to appropriately.

Risks to child safety that are identified in complains and reports of abuse will be reviewed and incorporated into the relevant risk management plan. Any findings of reviews of child safe practices will be reported to staff and volunteers, community and families and children and young people.

NON-COMPLIANCE WITH THIS POLICY AND THE CODE OF CONDUCT

RVOC will enforce this policy and the Code of Conduct. Following any non-compliance we will instigate a review that may result in a restriction of duties, suspension or termination of employment or engagement, or other corrective action.

RELATED DOCUMENTS

Code of Conduct

Incident Report

Confidentiality Policy and Procedure



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Children, Youth and Families Act 2005 (as amended 2014)

Failure to Disclose 2014

The Charter of Human Rights and Responsibilities Act 2006

Working with Children Act 2005

Child Wellbeing and Safety Act 2005

Victorian Child Safe Standards

DOCUMENT CONTROL

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