

Child Safe Policy

QA REFERENCE	POL033 – Rev 13-03-24
LAST REVIEWED	13 March 2024
NEXT REVIEWED	13 March 2024
RESPONSIBILITY	The Director of People & Culture is responsible for the review and currency of this policy and associated procedures.
APPROVED	Approved by the Chief Executive Officer on the 13 March 2024.
REFERENCES –	
Legislative Acts and other sources of Authority	<ul style="list-style-type: none"> • Children, Youth and Families Act 2005 • Child FIRST reporting • Failure to Disclose offence • Failure to protect offence • Working with Children Act 2005 • Client Incident Management System (CIMS) DFFH • Children and Young Persons (Care and Protection) Act 1998 (NSW) • Children’s Guardian Amendment (Child Safe Scheme) Bill 2021 (NSW)
Related Standards, Guidelines and other References	<ul style="list-style-type: none"> • Mandatory Reporting • Victorian Child Safe Standards • NSW Child Safe Standards • Complaint Handling Guide - upholding the rights of children and young people • Child Safe Standards link on MASP Sharepoint • Client Incident Management System (CIMS) DFFH
Related MASP Policy and Procedure documents	<ul style="list-style-type: none"> • Incident Reporting - M't P&P No 25 • Code of Conduct – M't P&P No 34 • Whistleblower – HRM P&P No 23 • Clients at Risk and our Duty of Care - CWG P&P No 02 • Recruitment and Selection - HRM P&P No 14 • MASP's Commitment to Child Safety - CWG I&G No 11
Related MASP Forms and Templates	<ul style="list-style-type: none"> • Incident Report - M't F&T No 07

ACRONYMS/DEFINITIONS	
<ul style="list-style-type: none"> • Child Protection 	<ul style="list-style-type: none"> • Any responsibility, measure or activity undertaken to safeguard children from harm.
<ul style="list-style-type: none"> • Child abuse 	<ul style="list-style-type: none"> • An act by any person against a child involving physical violence, sexual offences, serious emotional or psychological abuse and serious abuse.
<ul style="list-style-type: none"> • Child safety 	<ul style="list-style-type: none"> • Measures to protect children from abuse.
<ul style="list-style-type: none"> • Child sexual abuse 	<ul style="list-style-type: none"> • 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.
<ul style="list-style-type: none"> • Cultural abuse 	<ul style="list-style-type: none"> • Actions and attitudes that deliberately ignore, denigrate or attack the culture of a person or community.
<ul style="list-style-type: none"> • Reasonable grounds for belief 	<ul style="list-style-type: none"> • A belief based on reasonable grounds that child abuse has occurred when all considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed.

PURPOSE

SCOPE

All children who attend MASP have a right to feel safe. The welfare of the children who access our services will always be our first priority. We aim to create a child safe and child friendly environment where children feel safe and secure whilst attending our organisation or associated program or activities.

MASP has zero tolerance to child abuse. All allegations and safety concerns will be treated seriously. Everyone working within the organisation is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.

We support and respect all children. We are committed to the cultural safety of Aboriginal children, the cultural safety of children from culturally and/or linguistically diverse backgrounds and provide a safe environment for children with a disability. MASP recognise and understand that these factors are known to increase the vulnerability of children.

MASP has specific policies and procedures to support human resources and recruitment practices. We take all reasonable steps to employ skilled people to work with children.

MASP maintains internal systems to protect children from abuse such as

- Risk identification and mitigation
- Working with Children Checks for staff providing services to children
- Staff training and development
- Incident management systems
- Feedback management systems

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

Roles and Responsibilities

Board of Directors

- Review risk management for recruitment protocols, consumer awareness and reporting
- Monitor governance requirements for identifying and reporting child abuse.

Managers and Team Leaders

- Review risk management for recruitment protocols, consumer awareness and reporting
- Assist with educating staff regarding policy content and code of conduct requirements
- Assist with review of policy, review compliance with policy and update as required
- Assist with undertaking audits to monitor compliance, evaluate audits and action as required to improve compliance

Staff

- Understand and comply with policy and code of conduct
- Report breaches of code of conduct
- Educate clients to be aware of abuse and report it

POLICY

Children

MASP staff encourage children to express their views by listening to their suggestions, especially on matters that directly affect them. We actively encourage all children who use the service to 'have a say' about things that are important to them.

We promote diversity and tolerance within the organisation. To achieve this the organisation will

- promote the cultural safety, participation and empowerment of Aboriginal children and their families;
- promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds and their families;
- welcome children with a disability and their families and act to promote their participation.

Staff

MASP takes all reasonable steps to employ skilled people to work with children. We interview and conduct referee checks on all staff and require police checks and Working with Children's checks for relevant positions. Selection criteria and advertisements clearly demonstrate our commitment to Child Safety.

MASP has a Code of Conduct to provide guidance to our staff, all of whom receive training on the requirements of the Code.

All staff will receive training and education to identify, assess and minimise risks of child abuse and to detect potential signs of child abuse.

If it is alleged that a member of staff may have committed an offence or have breached the organisation's policies or Code of Conduct the person concerned may be stood down (with pay, where applicable) while an investigation is conducted. If the investigation concludes that an offence has occurred then disciplinary action may follow, including dismissal.

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. MASP will have safeguards and practices in place to ensure any personal information is protected.

Recruitment of Foster Carers

The MASP Carer Recruitment & Support Worker and any other worker assisting that worker must have completed the Victorian Step by Step and Shared Lives Victoria training packages to be able to complete the recruitment and accreditation process for potential foster carers.

It is a mandatory requirement that all foster carers have passed a carer registry check which occurs via an online system called Oracle Carer Registry. The check determines if the potential foster carer has previously been listed as a disqualified carer, which would indicate they have been investigated and found proven for a quality of care concern in regards to a child or young person previously in their care.

The disqualification of a carer from the register relates to proven allegations of physical and/ or sexual abuse of a child in care.

Legal requirements

There are a number of legal requirements and obligations for the protection of children in Victoria that effect the staff of the organisation and as an individual. These are

- **Grooming offence:** The offence applies when an adult communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child and the intention of the communication is to facilitate the child's involvement in sexual conduct, either with the groomer or another adult.
- **Child Sexual Exploitation:** When a person commits sexual exploitation of a minor by knowingly: recording, filming, photographing, developing or duplicating any visual depiction in which a minor is engaged in exploitive exhibition or other sexual conduct and when there is a degree of power imbalance in the relationship between the person and the minor.
- **Failure to Disclose offence:** Any adult who holds a reasonable belief that a sexual offence (not physical) has been committed by an adult against a child (under 16 years) in Victoria must report that belief to police unless they have a reasonable excuse.
- **Failure to Protect offence:** Applies to people within organisations who know of a risk of child sexual abuse by someone in the organisation and had the authority to reduce or remove the risk, but negligently failed to do so.
- **Mandatory reporting:** Mandatory reporting involves legal responsibility for specific people to report abuse be it sexual or physical.
- **Child First reporting:** The primary purpose of Child FIRST is to ensure that vulnerable children, young people and their families are linked effectively into relevant services.

PROCEDURE

Reporting

Any staff member who has grounds to suspect abusive activity must immediately notify the appropriate child protection service or the police. They should also advise their supervisor about their concern.

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.

Due to the seriousness of these allegations it would not be unreasonable to inform the CEO of MASP directly if deemed appropriate.

Risk Management

MASP recognises 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. In addition to general occupational health and safety risks, we proactively manage risks of abuse to children at MASP by continually monitoring and updating policies and undergoing regular compliance audits of staff.

Staff training and development

Resources and support for the Child Safe Standards

<https://ccyp.vic.gov.au/resources/child-safe-standards/#TOC-4>

<https://ocg.nsw.gov.au/child-safe-scheme/implementing-child-safe-standards>

Flowchart: CHILD SAFETY REPORTING PROCESS

