

CHILDREN'S RIGHTS AND SAFETY POLICY

PURPOSE

The purpose of this policy is to ensure that Deans Marsh Community Cottage (the Cottage) provides a child safe environment, is compliant with the Working With Children Act 2005(Vic) and Victorian Child Safe standards.

EXPECTED OUTCOME:

The Cottage is a child safe organisation and that policies and practices create an environment which:

- places emphasis on genuine engagement with and valuing of children
- creates conditions that reduce the likelihood of harm to children
- creates conditions that increase the likelihood of identifying any harm
- responds to any concerns, disclosures, allegations or suspicions
- creates child-friendly mechanisms for a child's voice to be heard

SCOPE:

This policy applies to all staff, volunteers, contractors, service users and visitors.

PRINCIPLES:

1. All children have the right to be safe and be protected by those who are responsible for their health and wellbeing.
2. The Cottage supports the philosophy that "Child Safety, Wellbeing and Development is everyone's business"
3. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
4. Children and young people are informed about their rights, participate in decisions affecting them, and are taken seriously.
5. Families and the community are informed and involved in promoting child safety and wellbeing.
6. Equity is upheld and diverse needs respected in policy and in practice.
7. People working with children and young people are suitable, and supported to reflect child safety and wellbeing values in practice.
8. Processes to respond to complaints and concerns are child focused.
9. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
10. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
11. Implementation of the national child safe principles is regularly reviewed and improved.

RESPONSIBILITIES:

The Cottage:

The Cottage will identify when employees and volunteers are likely to be engaged in activities involving children and ensure that all such identified persons have a valid Working with Children Check.

The Cottage will ensure that employees and volunteers are aware of the Child Rights and Safety Policy and their obligations under the Policy and relevant legislation and regulations.

The Cottage has a zero tolerance of child abuse and will respond appropriately to any instance, actual or suspected, of child abuse or neglect.

Employees and Volunteers

All employees and volunteers engaged in activities identified by the Cottage as involving children must hold and show a current Victorian Working With Children Check. It is the individual's responsibility to apply for a Working With Children check and cover any costs in obtaining the check.

Under the Working with Children Act 2005 and the Working with Children Regulations 2016, all working with Children Check cardholders have legal obligations and responsibilities. All individuals must abide by their cardholder obligations and responsibilities to:

- Advise the Cottage in writing within seven (7) days if there is a change in their criminal record or receive an Interim Negative Notice or a Negative Notice.
- Renew/maintain currency of their check in accordance with the Department of Justice and Regulations requirements and timeframes.

Visiting professionals and contractors:

The Cottage will identify individuals who will need to produce current WWCC cards prior to commencing work with the Cottage.

PROCESSES:

If a child discloses an incident of abuse to you:

- Try and separate them from other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.
- Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.
- Explain to them that this information may need to be shared with others, such as with their parent/carer, specific people in your organisation, or the police.
- Do not make promises to the child (such as promising not to tell anyone about the incident) except that you will do your best to keep them safe.
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
- As soon as possible after the disclosure, record the information using the child's words and report the disclosure to your manager and child protection.
- Ensure the disclosure is recorded accurately, and that the record is stored securely.

If you suspect an incident of abuse has occurred:

- Remain alert to any warning signs or indicators that a child is experiencing or is at risk of abuse

- o Observe the child and make written notes as soon as you begin to have concerns — pay attention to changes in their behaviour, ideas, feelings and the words they use.
- o Remember that child abuse does not go away and usually becomes more serious over time.

If a parent/carer says their child has been abused at the Cottage or a program run by the Cottage:

- o Explain that the organisation has processes to ensure all abuse allegations are taken very seriously.
- o Ask about the wellbeing of the child.
- o Allow the parent/carer to talk through the incident in their own words.
- o Advise the parent/carer that you will take notes during the discussion to capture all the details.
- o Explain to them that the information may need to be repeated to authorities or others, such as the organisations management, the police or child protection.
- o Do not make promises at this early stage, except that you will do your best to keep the child safe.
- o Provide them with an incident form to complete, or complete it together.
- o Ask them what action they would like to take and advise them of what the immediate next steps would be.
- o Ensure the report is recorded accurately, and that the record is stored securely.

PROCEDURES:

If any of these situations outlined above occurs follow the reporting procedure below.

Physical or sexual abuse of children is a crime and must be reported to the police. If a child is in imminent or immediate danger, call 000 immediately.

Protective Concerns that are required to be reported as per the CY&FA Section 162:

Children are in need of protection when any of the following grounds exist:

- o the child has been abandoned by his or her parents and after reasonable inquiries, the parents cannot be found and/or no other suitable person can be found who is willing and able to care for the child;
- o the child's parents are dead or incapacitated and there is no other suitable person willing or able to care for the child;
- o the child has suffered, or is likely to suffer, significant harm as a result of physical injury and child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- o the child has suffered, or is likely to suffer, significant harm as a result of sexual abuse and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- o the child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the child's emotional or intellectual development is, or is likely to be, significantly damaged and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- o the child's physical development or health has been, or is likely to be, significantly harmed and the child's parents have not provided, arranged or allowed the

provision of , or are unlikely to provide, arrange or allow the provision of, basic care or effective medical, surgical or other remedial care.

Harm may be constituted by a single act, omission or circumstance or accumulate through a series of continuing acts, omission or circumstances. "Significantly" is not defined in the CY&FA as it will vary depending on pattern/ history and likelihood of harm taking into account families cultural backgrounds, age of children and what other protective factors impact the family at the time of the report.

How to report a protective concern:

Any employee or volunteer who forms a belief, based on reasonable grounds, that a child is in need of protection must report their belief to Child Protection at the Department of Families, Fairness and Housing (DFFH).

A key aspect in assessing the need for protection is that the child has suffered or is likely to suffer significant harm and that the child's parents/caregivers have not protected them or are unlikely to protect them from harm.

Prior to making a report the staff member should have the following information:

- Child's First name and Surname, date of birth and address
- Parent/s names and addresses
- Siblings names and ages if known
- Cultural diversity
- Aboriginal status
- Disability
- Whether family is aware of report being made by the organisation/worker
- What other agencies are involved or have been consulted
- Reporter's relationship to child
- An outline of the concerns and what safety planning has been put in place by the organisation.

Reports to CP are confidential and reporter's identity is protected

Wellbeing concerns

Where there are significant concerns about a child or young person's safety, stability and or development anyone can refer or consult the Orange Door. The Orange Door can be contact on 1800 312 820.

Families where there may be concerns about wellbeing may have complex needs which can adversely impact on a child's development if appropriate supports and interventions are not provided.

This can include families where there are:

- Significant parenting issues and challenging behaviour
- Serious family conflict/breakdown
- Family members with a mental illness, disability, physical health issues, alcohol and or drug problems
- Past or current incidences of family violence
- Significant social or economic disadvantage
- Unstable housing, transience or homelessness

How to report a wellbeing concern:

Anyone can refer significant concerns about a child or young person's wellbeing to the Orange Door.

A child safe organisation respects cultural differences and variations in child rearing practices due to a family's personal, cultural or religious beliefs. The Cottage has a zero tolerance to discrimination of any form.

Promoting the cultural safety of Aboriginal children:

- Every Aboriginal person and every Aboriginal child needs to feel that their sense of self and their identity is valued in some way by the people and environments that surround them.
- Cultural identity and safety is fundamental to a child's overall wellbeing. It is important to ensure a culturally appropriate response if an allegation of abuse involves an Aboriginal child. This could involve engaging with parents and the extended family of the Aboriginal children, local Aboriginal community members or an Aboriginal controlled organisation for secondary consultation such as Wathaurong Geelong phone 52770044 and Gunditjmara Warrnambool phone 55629729.

Promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds:

- All staff will be welcoming and respectful to all families regardless of their cultural backgrounds and sensitive to the varying needs of culturally diverse groups.
- It is important to be aware of times of importance to different cultures and where possible ensure the physical environment has a positive image of a range of cultures, in terms of decoration and artwork.
- Staff should ask families about the best way to provide information to children and families and not assume and be prepared to consult a specialist culturally diverse agency.
- It is important to be aware that some children and their families from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. These may include experiences of anxiety and trauma when talking with Police or other authority figures and communicating in English.

Promoting the safety of children with a disability:

- Some children with a disability, include children with hearing or cognitive impairments, may experience barriers disclosing an incident. Cottage employees or volunteers must ensure those children receive the support required to help them explain the incident.
- The Cottage acknowledges that children with a disability are particularly vulnerable and require vigilant risk awareness and an existing disability worker/advocate if appropriate.
- The Cottage ensures that our environment does not pose access difficulties for children and families with a disability. If an employee or volunteer becomes aware of access issues they must report them to the Coordinator for further follow up to ensure inclusiveness.

**Criminal Offences (Crimes Amendment Act 2014):
Failure to Protect**

All employees and volunteers must protect a child from sexual abuse. Failure to protect a child from sexual abuse offences apply to persons who hold positions of authority, know of a substantial risk that another adult may commit a sex offence against a child under 16 within the Cottage's care and have the power or responsibility to remove or reduce that risk BUT negligently fail to do so.

Failure to Disclose

All employees and volunteers must report to Police any reasonable belief that a sexual offence has been committed by an adult (over 18) against a child under the age of 16.

Grooming Offence

All employees and volunteers are to report to Police any incidents of known grooming that targets communication, including online communication, with a child under the age of 16 or their parents with the intent of committing child sexual abuse.

Disciplinary Procedures:

Disciplinary procedures will be initiated if an allegation of child abuse is made against those covered in this policy, or if a breach of the Code of Conduct is known or suspected.

The Code of Conduct outlines expected standards of appropriate behaviour with and in the company of children.

Reporting of child abuse does not constitute unprofessional conduct, or breach of professional ethics. Failure to report does.

CHILD SAFETY CODE OF CONDUCT

All employees and volunteers of the Deans Marsh Community Cottage (the Cottage) are responsible for supporting the safety, participation, wellbeing and empowerment of children by:

- Adhering to the Cottage's child safe policy at all times
- Taking all reasonable steps to protect children from abuse
- Treating everyone with respect
- Listening and responding to the views and concerns of children, particularly if they are telling you that they or another child has been abused and/or are worried about their safety or the safety of another
- Promoting the cultural safety, participation, and empowerment of Aboriginal children (for example, by never questioning an Aboriginal child's self-identification)
- Promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination)
- Promoting the safety, participation and empowerment of children with a disability (for example, during personal care activities)
- Ensuring as far as practicable that adults are not left alone with a child
- Reporting any allegations of child abuse to the Cottage Coordinator and ensuring any allegation are reported, where appropriate, to the police or child protection
- Reporting any child safety concerns to the Cottage Coordinator
- If an allegation of child abuse is made, ensure as quickly as possible, that the child(ren) are safe
- Encouraging children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them.

All employees and volunteers must not:

Develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children)

Exhibit behaviours with children which may be construed as unnecessarily physical (for example inappropriate sitting on laps. Sitting on laps could be appropriate sometime, for example while reading a storybook to a small child in an open plan area)

Put children at risk of abuse (for example, by locking doors)

Do things of a personal nature that a child can do for themselves, such as toileting or changing clothes

Engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities)

Use inappropriate language in the presence of children

Express personal views on cultures, race or sexuality in the presence of children

Discriminate against any child, including because of culture, race, ethnicity or disability

Have any online contact with a child or their family (unless necessary, for example providing families with e-newsletters)

Ignore or disregard any suspected or disclosed child abuse.