

39. CHILD SAFETY POLICY

Version number	1.0
Month and year	March 2017
Procedures under this Policy	Organisational Values and Code of Conduct Duty of Care Client Relationship Managing Client Risk Mandatory Reporting Professional Responsibilities with Clients Recruitment Volunteer Management Managing Underperformance and Inappropriate Conduct Privacy and Confidentiality Incident Reporting Compliments, Complaints & Grievance Managing Underperformance & Inappropriate Conduct

Introduction

Kids First Australia is committed to the safety and wellbeing of all children and young people and our vision is that *'All children and young people thrive in resilient, strong and safe families and communities'*.

This policy underpins Kids First Australia's vision, mission and values to support and improve the safety and wellbeing of vulnerable children, young people and families, and places children's best interests at the heart of all decisions made at and services delivered by Kids First Australia.

Kids First Australia recognises the importance of keeping all children in our community safe with consideration given to responding to the needs of our most vulnerable children as stated in Kids First Australia's inclusion statement below:

Kids First Australia is committed to the cultural safety of Aboriginal children and those from a culturally and/or linguistically diverse background, providing a safe environment for children from Aboriginal and CALD backgrounds, LGBTI children and children living with a disability.

Purpose

The policy reflects Kids First Australia's commitment to:

- provide a safe environment for all children which promotes their health, safety and wellbeing
- promote an organisational culture of child safety in which children feel valued, respected and cared for
- identify, reduce and remove risk of child abuse
- intervene when a child may be at risk of abuse
- make staff aware of their legal and duty of care obligations in reporting child abuse.
- inform all other policies and procedures in addition to general occupational health and safety risks.

Definitions

Abuse	Includes sexual abuse, physical abuse, emotional abuse and neglect. It includes harassment, bullying and harassment.
Child	Includes all children and young people under the age of 18 receiving services from Kids First Australia.
Child Safety	Means measures to protect children from abuse
Child Abuse	<p>An act by parents or caregivers (or others) which endanger a child or young person's physical or emotional health or development. Child abuse can be a single incident or take place over time.</p> <p>The Department of Health and Human Services' practice definitions for child abuse are listed below:</p> <p>Physical abuse</p> <p>Physical abuse occurs when a child suffers or is likely to suffer significant harm from an injury inflicted by a child's parent or caregiver. The injury may be inflicted intentionally or may be the inadvertent consequence of physical punishment or physically aggressive treatment of a child. The injury may take the form of bruises, cuts, burns or fractures.</p> <p>Sexual abuse</p> <p>Sexual abuse occurs when a person uses power or authority over a child to involve the child in sexual activity and the child's parent or caregiver has not protected the child. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity. It includes fondling of the child's genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or other object, or exposure of the child to pornography.</p> <p>Emotional abuse</p> <p>Emotional Abuse occurs when a child's parent or caregiver repeatedly rejects the child or uses threats to frighten the child. This may involve name calling, put downs or continual coldness from the parent or caregiver, to the extent that it significantly damages the child's physical, social, intellectual or emotional development.</p> <p>Neglect</p> <p>Neglect is the failure to provide the child with the basic necessities of life such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is, or is likely to be, significantly harmed.</p>
Risk	Includes anything that can threaten the safety and wellbeing of children

Principles

Kids First Australia believes:

- all children have a right to be safe and protected from harm and abuse
- all Kids First Australia employees have a responsibility to protect children from abuse and harm and promote their healthy development
- all Kids First Australia employees have a duty to report disclosures, observations of concern or a reasonable belief that a child is suffering abuse and harm
- the racial and cultural backgrounds, cultural safety, religious beliefs, ability levels, gender identity and sexual orientation of all children and their families are valued, respected and promoted.

Kids First Australia's policies and procedures will be maintained to address the child safe standards as listed below:

Standard 1: Strategies to embed an organisational culture of child safety, including through effective leadership arrangements.

Standard 2: A child safe policy or statement of commitment to child safety

Standard 3: A code of conduct that establishes clear expectations for appropriate behaviour with children

Standard 4: Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel

Standard 5: Processes for responding to and reporting suspected child abuse

Standard 6: Strategies to identify and reduce or reduce the risk of abuse

Standard 7: Strategies to promote the participation and empowerment of children

Scope

This policy applies to all persons working for Kids First Australia in either a direct or non-direct client related role at a Kids First Australia site or in an outreach capacity

Persons include:

- Board members
- Employees (permanent and casual)
- Volunteers
- Contractors and subcontractors
- Students on placement or work experience
- Any other person/s involved with Kids First Australia, including co-located staff.

In this policy, the term 'employee' covers all persons listed above.

Policy

Kids First Australia is committed to maintaining a child safe environment by:

- preventing child abuse by identifying risks early and removing and reducing these risks.
- encouraging and respecting the views of children and young people who access our services.
- listening to and acting upon concerns that children or their families may raise, including concerns raised by Kids First Australia employees
- creating an environment and culture that provides a safe place for children and young people.
- providing cultural safety of Aboriginal children, the cultural safety of children from a culturally and/or linguistically diverse background, providing a safe environment for children with a disability and LGBTI children.
- always acting in the best interests of children and young people and take reasonable steps to ensure the safety and protection of children at all times.

Kids First Australia has a zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and dealt with a sense of urgency in accordance with Kids First Australia incident and complaints handling processes.

Code of Conduct

All Kids First Australia employees are expected to follow Kids First Australia code of conduct which sets out the acceptable and unacceptable behaviours when working with or in the vicinity of children or young people.

Kids First Australia employees will be issued with a Kids First Australia Organisational Values and Code of Conduct Policy as part of their induction and will endorse the code of conduct by signing the induction checklist.

The Kids First Australia Organisational Values and Code of Conduct Policy is the overarching code of conduct to be followed by Kids First Australia employees, however, employees may be required to endorse additional expectations specific to the program they are working for.

Training and Supervision

All Kids First Australia employees are responsible child safety and will be provided with a child safety training as part of their induction process. KIDS FIRSTAUSTRALIA employees will be trained to:

- Understand that everyone with the organisation is responsible for child safety and have a role to play in protecting children from abuse
- Report any inappropriate behaviours carried out by a Kids First Australia employee and witnessed by another Kids First Australia employee to their immediate Manager/Team Leader or Executive Director/ CEO.
- Report and respond appropriately to allegations of suspected abuse and neglect by notifying the Department of Health and Human Services in accordance with program specific reporting requirements.

Employees working directly with children will be provided with ongoing training and supervision to develop their skills to protecting 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 LGBTI children and children with a disability.

Recruitment

Kids First Australia has robust recruitment processes in place to ensure that only suitably qualified people are engaged to work with children. All Kids First Australia employees, including volunteers are required to hold a Working with Children Check and undergo a Police Check (national and/or international).

Refer to the Kids First Australia Recruitment Policy for additional information on our safety screening process.

Privacy

Kids First Australia recognises the importance of protecting the privacy of personal information accessed, recorded or stored during its operations and is committed to complying with legislation and funding obligations to protect this.

Kids First Australia will ensure that our client's information is protected in accordance with the Kids First Australia Privacy Statement and the Kids First Australia Privacy and Confidentiality Policy.

Legislative Responsibilities

Kids First Australia employees are expected to comply with all laws and regulations pertaining to the safety and protection of children and young people, and the Kids First Australia Mandatory Reporting policy and relevant program specific processes.

The Kids First Australia Mandatory Reporting policy requires staff to exercise a duty of care to their clients (mandated and non-mandated reporters) and they must comply with processes for reporting any allegations of child abuse that have been disclosed by a child or their family or any safety concerns relating to the actions of an employee within Kids First Australia:

- **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.
- **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.
- **Grooming offences:** This offence targets predatory conduct designed to facilitate sexual activity with a child.

Risk Management

Kids First Australia has risk management strategies in place to identify, assess and take steps to minimise child abuse risks, including potential occupational health and safety (OHS) risks posed by the physical environment. These risk management strategies include but are not limited to:

- Kids First Australia employees are provided with Child Safe Standards training as part of their induction process
- Kids First Australia employees are made aware of Kids First Australia Child Safety Policy and Code of Conduct Policy and are held to account for the behavioural expectation identified
- Kids First Australia employees are trained to report and respond to any allegation of child abuse immediately
- Kids First Australia employees are aware and responsive to the particular needs of Aboriginal and Torres Strait children and children from a culturally and/or linguistically background, LGBTI children and children with a disability
- Providing a physically safe environment by ensuring Kids First Australia facilities are free of any identifiable OHS hazards
- Planning so that no child is left alone (or is out of sight) with a contractor, volunteer, student, parent/guardian or visitor.

As part of our ongoing risk management process, Kids First Australia will review risks regularly and implement strategies to minimise and manage these risks to ensure that a child safe environment is maintained at all times.

Allegations, concerns and complaints

All child abuse allegations, concerns and complaints raised by children, parents/carers or Kids First Australia employees will be treated with utmost importance and will be dealt with expeditiously in accordance with Kids First Australia Mandatory Reporting policy and program specific reporting processes to Children Protection.

Any allegations, concerns or complaints about child abuse or child safety involving Kids First Australia will be dealt with in accordance with Kids First Australia incident and complaints handling processes and be reported to the CEO within 24 hours.

Continuous Improvement

To assess the whether the principles and the purpose of this policy have been achieved, Kids First Australia will:

- Review this policy every three years and following a reportable incident against a Kids First Australia staff member, volunteer, student, visitor or contractor.
- Seek feedback from Kids First Australia employees to ascertain its effectiveness to identify and respond to child safety concerns.
- Monitor the implementation, compliance and incidents specific to this policy.
- Keep the policy up to date with current legislation, research, policy and best practice
- Identify and provide appropriate resources and training to assist Kids First Australia employee to implement this policy.

LEGISLATION

Relevant legislation includes but is not limited to:

Children, Youth and Families Act 2005 (Vic)

Child Wellbeing and Safety Act 2005 (Vic)

Charter of Human Rights and Responsibilities Act 2006 (Vic)

Specific to the Kids First Australia Child and Family Centres:

Education and Care Services National Law Act 2010 (Vic): Section 165 166, 167

Education and Care Services Regulations 2011 (Vic): Section 84, 85, 86,99, 100, 101, 102, 168 (2) (h)