

1.0 PURPOSE AND SCOPE

The purpose of this policy is to:

- To provide a clear statement to EACH personnel on the criminal nature of child abuse and EACH's zero tolerance.
- Facilitate the prevention of child abuse within EACH
- Clearly demonstrate EACH's commitment to the safety and wellbeing of children through a child safe culture
- Inform all EACH personnel of their obligations to act ethically towards children and their roles and responsibilities in ensuring the safety and wellbeing of children
- Provide assurance that all cases of suspected abuse are reported and fully investigated
- Give guidance on the processes and procedures that aim to ensure children's safety and wellbeing across EACH

This policy applies to all EACH personnel and is inclusive of EACH services delivered offsite or in partnership with other agencies.

The policy applies to all EACH activities, including direct service recipients or children who are indirectly linked.

This policy must be read in conjunction with the law of the Commonwealth and of the relevant State or Territory.

2.0 POLICY STATEMENTS

2.1 Commitment to child safety

EACH is committed to promoting and protecting the best interests of children and supporting a child safe culture. EACH has zero tolerance for child abuse. Everyone working at EACH is responsible for the care and protection of children and reporting information about suspected child abuse.

EACH Child Safe Commitment Statement

All children who come to EACH have a right to feel and be safe. EACH is committed to the safety and well-being of all children whether they are direct service recipients or indirectly linked to our services such as children of customers. The welfare of children and young people is our first priority. We create a child safe and child friendly environment where all children are valued and heard, are safe and protected.

EACH complies with the National Principles for Child Safe Organisations and the additional principle in the Victorian new Child Safe Standards. Where funders require compliance to specific Standards, this is adhered to. EACH implements strategies to embed an organisation culture of child safety. Refer to Appendix A for the Principles underpinning the EACH child safe culture.

2.2 Aboriginal Cultural safety

EACH is committed to the cultural safety of Aboriginal children and young people in which their diverse and unique identities and experiences are respected and valued.

2.3 Valuing diversity

EACH recognises all children, regardless of their age, abilities, gender identity, sexual orientation, religion, beliefs, or social, economic or cultural background, have equal rights to protection from abuse. EACH values diversity, is committed to cultural safety and does not tolerate discrimination.

2.4 Children's rights to safety and participation

EACH is a child and youth-centred organisation, actively seeking to include the voices of children in the delivery of services and understand what makes children feel safe in our organisation. EACH values the voices of children and act on concerns raised by children or their families regarding their safety. EACH fosters a culture of openness and respect where children and adults feel safe to disclose risk of harm to children. We communicate with children about what they can do if they feel unsafe.

2.5 Recruitment and selection

EACH applies the best practice standards in the recruitment and screening of personnel. Recruitment procedures comply with the *Recruitment and Selection Policy*, ensuring that child safety requirements are addressed.

All positions are advertised with the *EACH Child Safe Commitment Statement* (refer 2.1). National Police Checks and Working with Children Checks (or equivalent) are required for all EACH personnel before commencing work with EACH.

Referee checks include screening regarding working safely with children.

Other screening checks, where relevant are undertaken for various roles, for example, National NDIS Check for EACH personnel working in EACH NDIS/Disability Services.

Before commencing in their role, successful applicants sign the *EACH Code of Conduct and Ethics*.

2.6 Supporting EACH personnel

EACH is committed to ensuring all EACH personnel receive training to ensure they understand their responsibilities in relation to child safety. EACH assists its personnel to incorporate child safety considerations into decision-making and to promote a culturally safe environment where children are empowered to speak up about issues that affect them.

EACH personnel complete training during their induction. This training includes indicators of child abuse and how to respond to disclosures and report child abuse including policies and procedures.

Personnel continue to maintain current knowledge of child safety by completing training every 12-24 months or as directed.

EACH personnel who participate in clinical/practice supervision include discussions/reviews of risk assessment and management where relevant including child safety, as outlined in the *Clinical/Practice Supervision Procedure*.

2.7 Reporting procedures

All EACH Personnel report suspected allegations of child abuse and/or neglect as per reporting procedures and relevant commonwealth and state legislation. The *Child at Risk Procedure* outlines how to respond to an allegation or incident of child abuse.

EACH notifies, investigates and reports the findings of investigations and action taken in relation to allegations of EACH personnel reportable conduct to the relevant state or territory Ombudsman or Commission. All allegations are managed in line with the *Allegations of Reportable Conduct of Child Abuse Procedure*.

2.8 Record keeping and incident monitoring

EACH is committed to best practice record keeping. EACH, in maintaining records on reports of child abuse, ensures confidentiality and privacy for children and families according to legislation.

Serious Incident Reviews involving child safety are monitored and reviewed by the Clinical Governance Committee.

High risk complaints regarding child safety are reported to the CEO and the Board on a monthly basis. Complaints to the Commission for Children and Young People are reported to the CEO and managed by the relevant Managers and Customer Liaison Officer to ensure they are appropriately managed and incorporated into the relevant risk management plan.

2.9 Risk management

EACH 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 policies, procedures and service planning. EACH has a *Quality Management System Policy* and *Risk Management Procedure* to guide risk management.

2.10 Failure to follow this Policy and the Code of Conduct and Ethics

Breaches of, or failure to comply with this Policy or the *Code of Conduct and Ethics* are investigated and may result in limited duties, suspension, termination of employment or other action including reporting to statutory authorities as required by law.

2.11 Reviewing this policy

This policy is reviewed every two years and EACH seeks the views and suggestions from children, parents/carers and personnel as part of this process.

3.0 KEY RESPONSIBILITIES

3.1 Board

The Board requires knowledge of their governance role in respective jurisdictional legislation and the *National Principles for Child Safe Organisations* and any State child safe standards. 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 and a Code of Conduct addressing child safety are in place.

3.2 CEO

The CEO ensures EACH personnel are aware of relevant laws, policies and procedures and the *Code of Conduct and Ethics*, including their obligation to report suspected child abuse. The CEO also ensures allegations of reportable conduct of child abuse are reported and investigated.

3.3 Managers and Leads

The Executive, Managers and Leaders promote a child safe culture at all times. They ensure:

- compliance with mandatory training and other service or funding requirements are met
- compliance and implementation of child safe principles/standards at service/team level to create and maintain child safe services
- child safety risks are reviewed as part of risk assessment processes (as appropriate), and
- facilitate and support the reporting of any inappropriate behavior or suspected abuse.

3.4 EACH Personnel

All EACH personnel promote a child safe culture. They familiarise themselves with relevant laws, the *Code of Conduct and Ethics*, and policies and procedures in relation to child safety and comply with all requirements. This includes direct and indirect interactions with children at EACH. Personnel respond to and report child risk to a manager/leader and the relevant authorities and fulfil obligations as mandatory reporters.

4.0 DEFINITIONS

Child: The term 'child' and 'children' refer to children and young people under the age of 18 years.

Child Abuse: Is a crime and includes any action or inaction towards a child that harms or puts at risk their physical, psychological or emotional health or development. Child abuse can be a single incident or can be a number of different incidents that take place over time.

There are different forms of child abuse-

- physical abuse
- sexual abuse
- grooming
- emotional abuse
- neglect
- family violence.

Further information about the definitions and signs/indicators of child abuse are included in the *Child Safe Guide* and *Child at Risk Procedure*.

Child Safety: Measures to protect children's health, safety and wellbeing.

Clinical/practice Supervision: Clinical/practice supervision refers to a formal, structured process of professional support and guidance for EACH personnel who deliver care/services directly to EACH customers.

Customer: EACH is committed to being a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, personnel, volunteers and members. In the context of this procedure customer is used in reference to external customers.

Disability: For the purpose of this policy, a child has a disability if the child meets the definition outlined in relevant State/Territory Disability legislation or under the eligibility criteria for the National Disability Insurance Scheme (NDIS).

Duty of Care: Refers to your responsibility to adequately protect children in care from harm. This common law concept is usually expressed as “a duty to take reasonable steps to protect children from injury that is reasonably foreseeable.” Victoria State Government (2021). Personnel may breach their duty of care towards a child if they fail to act in the way a reasonable/diligent person would in the same situation. Duty of care includes:

- acting on concerns quickly and in the child’s best interests
- protecting the safety, health and wellbeing of children in their care
- seeking appropriate advice or consulting when unsure
- reporting concerns to the relevant authorities
- providing ongoing support to a child and their family
- sharing information within legislation, to assist child protection authorities or Police to protect and/or promote the wellbeing and development of a child
- attending child protection authorities’ Case Planning meetings.

EACH Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), Board members, volunteers, students, contractors and sub-contractors performing work on behalf of EACH.

Harm: ‘Harm’ is often used to describe an event that is seen as possibly less detrimental than ‘abuse’ but is clearly not in the child’s best interest or promoting their safety and wellbeing. All abuse of children, regardless of whether they are seen as ‘harm’ or ‘abuse’ is damaging.

Risk: Refers to anything that can threaten the safety and wellbeing of children.

Risk Assessment: Overall process of risk identification, risk analysis and risk evaluation.

Safe Culture: The ongoing and genuine provision of organisational beliefs and processes that support EACH as a workplace where all people are able to engage freely without the threat or potential threat of physical or psychological harm.

Safety: The state of being safe; freedom from the occurrence or risk of injury, danger, or loss.

5.0 DOCUMENT OWNER

The Service Design Manager holding the portfolio for child and family and family violence is the subject matter expert and person responsible for this document review.

6.0 REFERENCES AND RELATED DOCUMENTS

EACH policies and procedures to support the Child Safe policy:

- *Allegations of Reportable Conduct of Child Abuse Procedure*
- *Child at Risk Procedure*
- *Customer Family Violence Policy*
- *Customer Family Violence Procedure*
- *Customer Feedback Policy*
- *Customer Feedback Procedure*
- *Customer Information Privacy Policy*
- *EACH Code of Conduct and Ethics*
- *Freedom from Abuse, Neglect and Exploitation Policy*
- *Freedom from Abuse, Neglect and Exploitation Procedure*
- *Incident and Hazard Management Procedure*
- *Information Sharing Schemes Procedure*
- *NDIS Commission Reportable Incidents Procedure*
- *Orientation Procedure*
- *Police Record Check Policy and Procedure*
- *Professional Practice Supervision Policy and Procedure*
- *Quality Management System Policy*
- *Risk Management Procedure*
- *Recruitment and Selection Policy*
- *Termination of Employment Policy*
- *Whistleblower Policy and Procedure*
- *Working with Children Check Policy and Procedure*

EACH Guides:

- *EACH Child Safe Guide*

Services in each state or territory site must comply with relevant legislation and standards:

- [ACT: Children and Young People Act \(2008\)](#)
- [Australia: Family Law Act \(1975\)](#)
- [Child Safe Standards \(Vic\)](#)
- [Criminal Code \(Child Sexual Offences Reform and Other Legislation Amendment Act\) 2020 \(Queensland\)](#)
- [Disability Act 2006 \(Victoria\)](#)
- [Disability Inclusion Act 2014 \(NSW\)](#)
- [Disability Inclusion Regulation 2014 \(NSW\)](#)
- [Disability Services Act 1991 \(ACT\) republication date 1 July 2014](#)

- [Disability Services Act 2006 \(Qld\)](#)
- [Early Childhood Intervention National Best Practice Guidelines \(2016\)](#)
- [Education and Care Service National Law Act 2010](#)
- [Education and Child Care Services National Regulations 2015](#)
- [Family Violence Act \(2004\)](#)
- [Family Violence Protection Act 2008 \(Vic\)](#)
- [National Principles for Child Safe Organisations](#)
- [NSW: Children and Young Person's \(Care and Protection\) Act 1998](#)
- [The Children Legislation Amendment \(Information Sharing\) Act 2018 \(Vic\)](#)
- [Queensland: Child Protection Act \(1999\)](#)
- [United Nations Convention on the Rights of the Child](#)
- [Victoria: Children's Youth and Families Act \(2005\)](#)
- [Victoria: Child Wellbeing and Safety Act \(2005\)](#)
- [Victoria: Responding to allegations of abuse and neglect involving people with disabilities \(2017\)](#)
- [Victoria's new Child Safe Standards \(2022\)](#)

References:

- Child Care Centre Desktop Child Protection Policy
- Child Care Centre Desktop Child Safe Environment Policy
- Commission for Children and Young People (CCYP) – Victorian new Child Safe Standards
- Commission for Children and Young People (CCYP) – A Guide for Creating a Child Safe Organisation (including policy template)
- Department of Education and Training – Four Critical Actions for Early Childhood Services (for EACH Child Childcare)
- Department of Education and Training – Child protection in early childhood (PROTECT) (for EACH Child Childcare)
- Moores Child Safety Toolkit March 2019
- National Principles for Child Safe Organisations - Child Safety and Wellbeing Policy Template

7.0 APPENDIX A – EACH CHILD SAFE PRINCIPLES

These principles, based on the National Principles for Child Safe Organisations, new Victorian Child Safe Standards, and Information Sharing Schemes, underpin the child safe culture at EACH:

- EACH establishes a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
- Child safety and wellbeing is embedded in leadership, governance and culture.
- Children and young people are informed and empowered about their rights, participate in decisions affecting them and are taken seriously.
- Families and communities are informed and involved in promoting child safety and wellbeing.
- Equity is upheld and diverse needs respected in policy and practice. This includes promoting the safety of children with disability, those unable to live at home, those from culturally and linguistically diverse backgrounds and LGBTIQ children.
- EACH personnel working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice through education, professional development and supervision.
- EACH personnel are equipped with the knowledge, skills and awareness to keep children and young people safe through education, professional development and supervision, including their legal obligations and duty of care.
- Suspected abuse, neglect or mistreatment is promptly reported to the appropriate authorities.
- Processes for complaints and concerns are child focused.
- Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- Implementation of child safe principles is regularly reviewed and improved.
- Policies and procedures document how the organisation is safe for children and young people and support ongoing assessment and mitigation of risk.
- EACH personnel share information appropriately and lawfully with other organisations to promote the wellbeing and safety of children and to assess and manage family violence risk.