

## PURPOSE

The Child Safe Standards (standards) were introduced via amendment to the *Child Safety and Wellbeing Act 2005* and are compulsory for all Victorian organisations that provide services or facilities for children. Compliance with the standards is regulated and monitored by the Commission for Children and Young People. As a provider of services to children, Great Ocean Road Health (GORH) has a legal obligation to comply with the standards.

GORH's Child Safe Policy sets out the organisations approach to creating a child safe organisation where children and young people are safe and feel safe and provides the policy framework for the organisations approach to the Child Safe Standards. GORH is committed to protecting children from abuse and nurturing an environment where children feel safe, respected, valued and encouraged to reach their full potential.

The Child Safe Policy outlines the organisations commitment and obligations to creating a child safe organisation; to ensuring that the safety of children is promoted, child abuse is prevented and allegations of child abuse are properly responded to.

## TARGET AUDIENCE

GORH's Child Safe Policy applies to all staff (employees, volunteers, students contractors, students and consultants) engaged by Great Ocean Road Health. It covers a broad range of situations at GORH where interactions with children may occur, such as;

- The provision of services specifically for children
- The provision of facilities specifically for use by children who are under the organisations supervision
- The engagement of a child as an employee, volunteer or contractor that assists the organisation in providing services, facilities etc.
- Through incidental contact.

## POLICY

### GORH's commitment to child safety

GORH is committed to protecting children from abuse and nurturing an environment where children feel safe, respected, valued and encouraged to reach their full potential. GORH is committed to the safety, participation and empowerment of all children. GORH has a zero-tolerance to child abuse. All allegations and safety concerns will be treated seriously and consistently through our policy framework. Particular attention is given to the child safety needs of Aboriginal children, those from culturally and linguistically diverse backgrounds, international students, children with disabilities, those unable to live at home, children and young people who identify as lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+) and other students experiencing risk or vulnerability.

All staff are required to support GORH's commitment to child safety and the responsibility to protect the safety and wellbeing of children.

GORH's demonstrates its commitment to child safety by;

- embedding a culture of child safety throughout the organisation;
- Enhancing the wellbeing of children in our services by ensuring their safety, but providing services in a safe environment, free from physical, sexual and emotional abuse, neglect, violence and/or preventable injury;
- Empowering and actively involving children in decision making, respecting their choices and acknowledging that they are active participants in their services; actively listening to and supporting children to promote their participation and empowerment;
- Maintaining internal systems to protect children from abuse such as:
  - Risk identification and mitigation;
  - Systematic & diligent recruitment and screening processes for all staff
  - Staff training and development;
  - Incident management systems; and
  - Feedback management systems.

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- Providing a consistent, sensitive and timely response to children who experience abuse or neglect or where abuse or neglect is suspected;
- Responding to allegations of misconduct or abuse in ways that ensure children are protected from future harm and ensure all safety concerns and allegations are treated seriously in accordance with the law, including contacting authorities as appropriate;
- Maintaining legal responsibilities for reporting and co-operating with agencies, such as Police and Government, in safeguarding children;
- Designing and delivering services in accordance with the Child Safe Standards and the following principles:
  - promoting the cultural safety, participation and empowerment of Aboriginal children
  - promoting the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds
  - ensuring that children with a disability are safe and can participate equally.
- provide induction, training and supervision to ensure staff understand their obligations to protect children, identify child abuse risks and prevent, detect and report any inappropriate behaviour, misconduct or suspected child abuse;
- Promoting [Child Safe Code of Conduct](#), which specifies the standards of conduct required when providing services to any consumer.

*We are committed to regularly reviewing our child safe practices, and seeking input from our community, staff, and volunteers to inform our ongoing strategies along with providing ongoing education and training regarding child safe practices.*

## DEFINITIONS

**Child** - means a child or young person under the age of 18 years.

**Child Safe Standards** - as made under section 17(1) of the *Child Wellbeing and Safety Act 2005*. The Child Safe Standards (Standards) were introduced via amendment to the Child Safety and Wellbeing Act 2005 and are compulsory for all Victorian organisations that provide services or facilities for children. Compliance with the Standards is regulated and monitored by the Commission for Children and Young People. There are seven standards to be met, and they are intended to effect cultural change within organisations to promote child safety and prevent child abuse of any form. The standards aim to drive cultural change so that protecting children from harm and abuse is embedded in the everyday thinking and practice of leaders, staff and volunteers.

**Child Abuse** includes:

- any act committed against a child involving:
  - a sexual offence or
  - an offence under section 49M(1) of the Crimes Act 1958
- the infliction, on a child, of:
  - physical violence
  - serious emotional or psychological harm and
  - serious neglect of a child

**Child Safety** - encompasses matters relating to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse and responding to incidents or allegations of child abuse.

**Child Safe Officer** - The Child Safe Officer for GORH is the Director Clinical Services (DCS). Alternatively, if the DCS is not available, it is the nurse in charge relevant to each campus. The Child Safe Officer has knowledge of child safety issues and are the single point of contact for children, parents and employees/volunteers who have questions or concerns or want to report an allegation of abuse.

**Reportable Conduct Scheme** - requires allegations of *reportable conduct* involving a child (being a person under the age of 18 years), committed by an employee within or connected to certain entities, to be reported by the entity to the Commission for Children and Young People (Commission). This scheme outlines how organisations in Victoria with a high level of responsibility for children, must respond to allegations of child abuse and child-related misconduct. The Reportable Conduct Scheme has been designed to ensure that the Commission for Children and Young People will be aware of every allegation of certain types of misconduct involving children in relevant organisations that exercise care, supervision and authority over children.

**Staff** - means any person employed/engaged by GORH and includes employees, volunteers, contractors, students, and consultants.

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## PROCEDURE

### Culturally Safe Environment

#### **Standard 1**

*Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued*

At GORH we are committed to establishing an inclusive and culturally safe environment where the strengths of Aboriginal culture, values and practices are respected. We recognise Aboriginal and/or Torres Strait Islander people as the first peoples of this continent and the Islands of the Torres Strait. We acknowledge our shared history, recognise the right to self-determination and the importance of connection to and access to country. We respect the distinct Aboriginal and/or Torres Strait Islander cultural differences, beliefs, values and languages. The Inclusive Practice committee coordinates the improvement and coordination of an inclusive and culturally safe [environment](#)

GORH is committed to:

Promoting the importance of and commitment to offering an Acknowledgement to Country at the commencement of significant meetings and events to show awareness and respect for the traditional Aboriginal and/or Torres Strait Islander peoples of the land.

Visual representation of Aboriginal and/or Torres Strait Island flags and plaques on site

Recognising and where possible, celebrating Aboriginal and Torres Strait Islander events such as NAIDOC week and National Reconciliation Week.

Ensuring the rights of Aboriginal and/or Torres Strait Islander staff, volunteers, and program participants, are promoted and upheld through anti-discrimination policies and processes.

#### **Standard 2**

*Child safety and wellbeing is embedded in organisational leadership, governance and culture*

##### **Promote a culture of child safety**

GORH aims to promote the cultural safety, inclusion, participation and empowerment of all children and is committed to protecting all children from abuse and nurturing an environment where children feel safe, respected, valued and encouraged to reach their full potential. GORH will recognise and respect cultural identity and welcome all children, including those with special needs and those from different backgrounds, and acknowledges that some children are particularly vulnerable. A culture of child safety is embedded through proactive leadership that demonstrates appropriate values, attitudes and behaviours expected of all management, employees, contractors and volunteers. Child abuse and discrimination of any description will not be tolerated by GORH.

##### **Child safe policy (& statement of commitment to child safety)**

GORH's Child Safe Policy & [Statement of Commitment](#) outlines the organisations commitment to Standard two.

#### **Standard 3**

*Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously*

##### **Empowering Children**

GORH is committed to empowering and actively involving children in decision making, respecting their choices and acknowledging that they are active participants in their services. This is reflected in Staff induction processes and relevant Child Safe Induction material. A copy of the Child Safe Code of Conduct and child safety information sheet are available to children and parents/carers in a child friendly, inclusive and accessible format.

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### **Standard 4**

*Families and communities are informed and involved in promoting child safety and wellbeing*

To support family engagement, GORH are committed to providing families and community with accessible information about our child safe policies and practices and involving them in our approach to child safety and wellbeing. We will create opportunities for community to have input into the development and review of our child safety policies and practices and encourage them to raise any concerns and ideas for improvement.

Our child safety policies and procedures are available on all of our websites

Child Safety posters are displayed across all sites in areas where children frequent.

### **Standard 5**

*Equity is upheld and diverse needs respected in policy and practice*

#### **Family Engagement**

As a child safe organisation, we celebrate the rich diversity of children, families and community and promote respectful environments that are free from discrimination.

We recognise that every child has unique skills, strengths and experiences to draw on.

We pay particular attention to individuals and groups of children and young people in our community with additional and specific needs. This includes tailoring our child safety strategies and supports to the needs of:

- Aboriginal children and young people
- children from culturally and linguistically diverse backgrounds
- children and young people with disabilities
- children unable to live at home or impacted by family violence
- children and young people who identify as LGBTIQ+.

### **Standard 6**

*People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice*

#### **Human Resources approaches**

##### Recruitment of staff

GORH maintains robust human resources and recruitment practices to reduce the risk of child abuse by new and existing staff and volunteers. GORH applies best practice standards in the recruitment of all staff and takes all reasonable steps to ensure the engagement of suitable staff with qualifications and prerequisites to work with children. Selection criteria and recruitment advertisements are developed and implemented to clearly demonstrate the organisations commitment to child safety and an awareness of the social, ethical and legislative responsibilities. All position descriptions include the organisation's commitment to child safety and these are advertised when positions become vacant.

GORH supports a comprehensive pre-employment screening process which supports the organisation's commitment to child safety. GORH conducts face to face interviews, reference checks, National Criminal History checks and International Criminal History Checks (ICHC) where relevant.

GORH requires a current Victorian Working with Children Check and nominate / update GORH as being recorded as the 'employer' in the organisational field of the check for the following identified individuals;

- All Clinical staff & clinical placement students, (Registered Nurses, Enrolled Nurses, Personal Care Attendants)
- All In Home & Social Support Staff (excluding Administration)

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- All Primary Care / Allied Health Staff
- Neighbourhood House Coordinator
- Lorne Community House staff
- Managers responsible for the supervision of employees aged under 18
- General Practitioners
- All Volunteers
- Contractors (Where applicable)

Prospective staff and volunteers will be required to present and have sighted their WWC Card prior to commencement of employment.

GORH encourage applications from Aboriginal people, people from culturally and/or linguistically diverse backgrounds and people with a disability.

#### Fair procedures for staff and volunteers

The decisions GORH make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence. All allegations of abuse and safety concerns are recorded using our incident reporting methods, including investigation updates. All records are securely stored. If an allegation of abuse or a safety concern is raised, updates will be provided to children and families on any actions the organisation will take to investigate the matter and where required implement changes to systems and practices to keep children safe.

### **Standard 7**

*Processes for complaints and concerns are child-focused*

#### **Responding and Reporting**

##### Allegations, concerns and complaints

**All allegations of child abuse / child safety concerns by GORH management, staff, volunteers or contactors must be reported to the CEO.**

Where GORH management, staff, volunteers or contractors feel that a child they meet as part of their role is at risk of harm or is vulnerable, the [Child Safe Mandatory Reporting Template](#) will assist in the reporting process. Staff are required to refer to the Child Safe Officer for guidance and support, in their absence, all concerns are to be reported to the CEO.

GORH takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Staff and volunteers are trained and supported to deal appropriately with allegations. GORH will work to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

All Staff have a responsibility to report an allegation of abuse if there is a reasonable belief that an incident took place. If an individual has a **reasonable belief** that an incident has occurred then they must report the incident. Factors contributing to reasonable belief may be:

- A child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- Behaviour consistent with that of an abuse victim is observed
- Someone else has raised a suspicion of abuse but is unwilling to report it
- Observing suspicious behaviour.

### **Standard 8**

*Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training*

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### Training and Supervision

GORH is committed to regularly training and educating staff and volunteers on child safety risks. GORH recognises that training and education is important to ensuring all staff at GORH understands that child safety is everyone's responsibility. GORH's organisational culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. Staff are trained to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse. Staff are also supported through ongoing supervision to: develop their skills to protect 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 children with a disability.

New staff will be supervised regularly to ensure they understand the organisation's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate (please refer to this organisation's code of conduct to understand appropriate behaviour further). Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter.

GORH's staff induction includes child safe standards and all new employees and volunteers on commencement are provided a Child Safe Information Sheet outlining the Child Safe Standards, GORH's Child safe reporting process as well as GORH's Child Safe Code of Conduct.

**Standard 9** *Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed*

### **Risk Management and Mitigation**

In Victoria, organisations are required to protect children when a risk is identified. In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children. GORH has risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments.

### **Standard 10**

*Implementation of the Child Safe Standards is regularly reviewed and improved*

GORH have established processes for the review and ongoing improvement of our child safe policies, procedures, and practices.

*We will:*

- *review and improve our policy every 2 years or after any significant child safety incident*
- *analyse any complaints, concerns, and safety incidents to improve policy and practice*
- *act with transparency and share pertinent learnings and review outcomes with school staff and our school community.*

Child Safe Standards as a standing item on QR&S meeting agenda,

### **Standard 11**

*Policies and procedures document how the organisation is safe for children and young people*

## **Supporting the Child Safe standards**

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### Code of conduct

GORH's Child Safe Code of Conduct outlines the expected standards of appropriate behaviour with and in the company of children to keep children safe.

- Child Safe Code of Conduct will be communicated to staff
- All staff must sign the code of conduct
- Disciplinary procedures clearly demonstrate the consequences of breaches of the code of conduct.

### Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety. GORH has safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it.

### Governance and Accountability

GORH's Quality, Risk & Safety (QRS) Committee is responsible for the Child Safe Policy and Child Safe Standards Compliance Framework. GORH's compliance with the QRS Committee is overseen by the Board of Governance.

### Legislative Responsibilities

GORH takes its legal responsibilities in relation to the Standards seriously, together with other relevant legislative obligations including:

**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. Further information on **Failure to disclose** can be found here, <https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence>

**Failure to protect:** People of authority in GORH 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. Further information on **Failure to protect** can be found here, <https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-protect-a-new-criminal-offence-to>

**Mandatory Reporting:** Any staff or volunteers who are mandatory reporters must comply with their duties. Mandatory reporting is a statutory requirement for;

- registered medical practitioners
- nurses & midwives
- registered teachers & early childhood teachers (educators) & supervisors
- school principals
- school counsellors
- early childhood workers
- out of home care workers
- registered psychologists
- youth justice custodial workers & youth justice and youth parole officers;
- police officers
- people in religious ministry

For further information on mandatory reporting, fact sheets and FAQ's can be found here, <https://providers.dhhs.vic.gov.au/mandatory-reporting>

**Child Protection** - The child protection intake service responds to concerns of a child at risk of significant harm as a result of abuse or neglect.

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**Authorised by: CEO | Version Date: 14/09/2022**

**Business hours 8.45 -5.00pm - West Division Intake - 1800 075 599**

**After hours Child Protection Emergency Service - 13 12 78**

<https://services.dhhs.vic.gov.au/child-protection-contacts>

**Reportable Conduct Scheme:** The Reportable Conduct Scheme has been designed to ensure that the Commission for Children and Young People will be aware of every allegation of certain types of misconduct involving children in relevant organisations that exercise care, supervision and authority over children. The *Child Wellbeing and Safety Act 2005* requires the head of an entity (CEO) to ensure systems are in place to prevent reportable conduct within the course of an employee's employment and to investigate and respond to any reportable allegation (being a reasonable belief that an employee or volunteer has committed reportable conduct) and to enable any person to notify the head of the entity of a reportable allegation. The Act requires allegations of reportable conduct involving a child (being a person under the age of 18 years), committed by an employee within or connected to certain entities, to be reported by the entity to the Commission for Children and Young People (Commission). GORH is legally required to notify the Commission of such allegations. Failure to comply is a criminal offence.

The Act defines **reportable conduct** as:

- a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded; or
- sexual misconduct, committed against, with or in the presence of, a child; or
- physical violence committed against, with or in the presence of, a child; or
- any behaviour that causes significant emotional or psychological harm to a child; or
- significant neglect of a child.

For further information on the Reportable Conduct Scheme <https://providers.dhhs.vic.gov.au/reportable-conduct-scheme>

## Further information – general

Further information about the [Child Safe Standards](https://dhhs.vic.gov.au/publications/child-safe-standards) <<https://dhhs.vic.gov.au/publications/child-safe-standards>> can be found on the Department of Health and Human Services (the department) website. This includes a link to additional resources that have been designed for organisations that are funded and/or regulated by the department.

In particular, an [overview of the Victoria Child Safe Standards](https://providers.dhhs.vic.gov.au/overview-victorian-child-safe-standards-word) <<https://providers.dhhs.vic.gov.au/overview-victorian-child-safe-standards-word>> has information to help organisations to understand the requirements of each of the Child Safe Standards.

Further information is also available on the [Child Safety page](https://ccyp.vic.gov.au/child-safety/) <<https://ccyp.vic.gov.au/child-safety/>> on the Commission for Children and Young People's website.

## RELATED and SUPPORTING INTERNAL DOCUMENTS

- Child Safe Code of Conduct
- Child Safe Statement of Commitment
- Child Safe Standards Information Sheet
- Child Safe Poster
- Human Resource Manual

**Source documents must be listed under here in the format;**

LCH – Child Safe Policy

OH – Child Safety & Mandatory Reporting Procedure

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## RELEVANT LEGISLATION ACTS and STANDARDS

Child Safe Standards

Child Wellbeing and Safety Act 2005 (Vic) (the **Act**)

Child Wellbeing and Safety Regulations 2017 (Vic) (*the Regulations*).

Child Wellbeing and Safety Amendment Regulations 2019 No.85 (Vic) (*the Amending Regulations*)

Children, Youth and Families Act 2005 (Vic) (*the Act*)

Crimes Act 1958 (Vic) (Crimes Act).

Children Legislation Amendment Act 2019 No.30 (Vic)

Working with Children Act 2005

NSQHS – Clinical Governance Standard

## REFERENCES

A guide for creating a Child Safe Organisation – Commission for Children and Young People

Child Safe Standards – Department of Health & Human Services – Child Safe Policy – May 2020

Department of Health and Humans Services (DHHS) – Victorian State Government website

An overview of the Victorian Child Safe Standards

## COMPLIANCE and EVALUATION

- Regular document revision and review of relevant 'RiskMan' Reports
- This policy will be reviewed and updated annually and following significant incidents if they occur. Feedback received from families and children will be considered as part of the review process. Where possible GORH will do our best to work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability when reviewing this policy.

## CONTRIBUTORS

	<b>Name</b>	<b>Position</b>
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Committee:	Quality, Risk & Safety Committee	

## ALTERNATIVE SEARCH WORDS

- Mandatory reporting, Child safe standards, Children, Code of Conduct, Child Safety

## End of Document