

*We acknowledge and pay respect to the Wotjobaluk, Jaadwa, Jadawadjali, Japagulk and Wergaia people, the traditional owners/custodians of the land.
 We pay respect to their Elders, past, present and emerging and acknowledge all Aboriginal and Torres Strait Islanders.*

Child Safe Policy

Policy Number:	QPLCYG-06	Version	5
Drafted by:	QA Officer	Approved by the Board	31 May 2018
Responsible Person	CEO	Scheduled Review Date:	1 July 2028



POLICY STATEMENT

Goolum Goolum Aboriginal Co-operative (GGAC) is committed to the Child Safe Standards.

We want children to be safe, happy and empowered. We support and respect all children, as well as our staff and volunteers.

We are committed to the safety, participation and empowerment of all children.

We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.

We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

Our organisation is committed to preventing child abuse and identifying risks early, removing and reducing these risks.

Our organisation has robust human resources and recruitment practices for all staff and volunteers.

GGAC is committed to regularly training and educating our staff and volunteers on child abuse risks.

We support and respect all children, as well as our staff and volunteers. We are committed to the cultural safety of Aboriginal children, the cultural safety of children from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.

GGAC has specific policies, procedures and training in place that supports our leadership team, staff and volunteers to achieve these commitments.

WHAT IS CHILD ABUSE?

Child abuse is an act by parents or caregivers which endangers a child or young person's physical or emotional health or development. Child abuse can be a single act but usually takes place over time. Children can also be abused by omission i.e. something missing.

In Victoria, under the Children Youth and Families Act 2005 a child or young person is a person under eighteen years of age.

ONLINE SEXUAL ABUSE

Communication technologies facilitate a range of sexually abusive behaviours and allow perpetrators to have anonymous contact with a large number of children. Forms of perpetration include grooming children in a virtual environment such as through instant messaging or voice-over-Internet-protocol, accessing child exploitation material, and producing and distributing exploitation material even where there is no sexual interest in children.

Online sexual abuse behaviours are often active with perpetrators seeking out minors online, and perpetrators may move from making connections with children online to making contact offline.

CULTURAL ABUSE

Cultural abuse is:

- the loss of cultural identity and sense of belonging in one's community
- the loss of connection to family and kin; the loss of connection to spirituality and land
- the denial of one's sovereign rights
- the loss of connection to one's Elders and all of the knowledge and cultural systems of learning that are passed on through them including language
- the loss of parenting skills, cultural beliefs and values that could have been passed on to survivors' descendants if not for the cultural abuse that occurred.

It is also important to note that cultural abuse by institutions was perpetrated through the imposition of Western education and religion and the denigration and devaluation of Aboriginal culture.

FAILURE TO DISCLOSE

Failure to disclose child sexual abuse is an offence that requires adults to report to police a reasonable belief that a sexual offence has been committed against a child. It establishes that reporting child sexual abuse is a community-wide responsibility.

The law states that all adults must report to police:

- any reasonable belief that a sexual offence has been committed
- by another adult (over 18)
- against a child under the age of 16.

unless there is a reasonable excuse or an exemption applies. Failure to disclose does not change mandatory reporting obligations. Maximum penalty is 3 years imprisonment.

REASONABLE BELIEF

Reasonable Belief exists, when there is a reasonable basis to believe that a crime is being or has already been committed. In criminal law, it is a subjective standard.

It considers whether an individual acted on personal knowledge of facts and circumstances which are reasonably trustworthy that would justify a person of average intelligence and caution to believe that a crime has been or is being committed. Proof is not required of Reasonable Belief.

CHILD SAFE STANDARDS – as of 1 July 2022

GGAC adheres to the Child Safe Standards:

Standard 1: Culturally safe environments – Establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.

Standard 2: Leadership, governance, and culture – Ensure that child safety and well-being are embedded in School leadership, governance and culture.

Standard 3: Child and student empowerment – Children and young people are empowered about their rights, participate in decisions affecting them, and are taken seriously.

Standard 4: Family engagement – Families and communities are informed and involved in promoting child safety and well-being.

Standard 5: Diversity and equity – Equity is upheld, and diverse needs are respected in policy and practice.

Standard 6: Suitable staff and volunteers – People working with children and young people are suitable and supported to reflect child safety and well-being values in practice.

Standard 7: Child-focused complaints processes – Ensure that processes for complaints and

concerns are child-focused.

Standard 8: Child safety knowledge, skills, and awareness – Staff and volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe through ongoing education and training.

Standard 9: Physical and online environments – Physical and online environments promote safety and well-being while minimising the opportunity for children and young people to be harmed.

Standard 10: Review of child safety practices - Implementing the Child Safe Standards is regularly reviewed and improved.

Standard 11: Implementation of child safety practices – Policies and procedures document how Schools are safe for children, young people, and students.

1.0 Our Children

This policy is intended to empower children who are vital and active participants in our organisation. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and tolerance in our organisation, and people from all walks of life and cultural backgrounds are welcome. In particular we:

- promote the cultural safety, participation and empowerment of Aboriginal children
- promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds
- ensure that children with a disability are safe and can participate equally
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2.0 Our Staff and Volunteers

This policy guides our staff and volunteers on how to behave with children in our organisation.

All of our staff and volunteers must agree to abide by our code of conduct which specifies the standards of conduct required when working with children. All staff and volunteers, as well as children and their families, are given the opportunity to contribute to the development of the code of conduct.

3.0 Training and Supervision

Training and education is important to ensure that everyone in our organisation understands that child safety is everyone's responsibility. GGAC's 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. We train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We also support our staff and volunteers through ongoing supervision to: develop their skills to protect children from abuse; and promote the cultural safety of our Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.

New employees and volunteers will be supervised regularly to ensure they understand our 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.

4.0 Recruitment

GGAC takes all reasonable steps to employ skilled people to work with children. We develop selection criteria and advertisements which clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities. Our organisation understands that when recruiting staff and volunteers we have ethical as well as legislative obligations.

We strongly encourage applications from Aboriginal peoples and invite people from culturally and/or linguistically diverse backgrounds and people with a disability to apply for positions at GGAC.

All people engaged in child-related work are required to hold a Working with Children Check and to provide evidence of this Check. If during the recruitment process a person's records indicate a criminal history then the person will be given the opportunity to provide further information and context.

4.1 Police Checks

All new or existing GGAC staff members covered by the scope of this policy are to complete police check prior to commencement and/or the offer of employment or engagement in a volunteer position which may be dependent upon a satisfactory police check.

The requirement for a police check is for any employment or engagement with GGAC as a staff member, director or volunteer. All applicants shall be asked at the time of recruitment if they have lived overseas for more than one year in the last ten years. If so, an international police check will be conducted.

4.2 Working with Children Checks

Working with Children Check is an important part of GGAC's recruitment process to prevent people who pose a risk to the safety, welfare and well-being of children from being employed or engaged in child-related work.

- WWC Checks are valid for five years unless the Department suspends or revokes it
- The Act allows most people to do child-related work during the screening process except for the circumstances listed in **refer to www.workingwithchildren.vic.gov.au**
- The Working with Children Check monitors a cardholder's criminal and professional conduct records for the life of their card.
- The department is bound by privacy and confidentiality laws. It will not provide GGAC with the details of a person's criminal or professional conduct records.

- There are significant penalties for employees who contravene WWC requirements. GGAC will take any necessary measures to ensure that staff members are not working in breach of WWC regulations.
- New employees will not be involved in any community projects/GGAC event or with clients, until confirmation of a positive WWCC clearance is received by GGAC.
- Current employees will not be allowed to be involved in any community projects/GGAC event or with clients, until confirmation of a renewal is confirmed by WWCC.
- GGAC will conduct a bulk validity check on ALL WWCC for current GGAC employees
- In the event of WWCC or Police Checks being out of date or not renewed, employees will be stood down with no work contact at all, until the relevant check is finalised and a confirmation is received by GGAC.
- All employees MUST list GGAC as their current employer on the WWCC system.

The Difference Between the Working with Children Check and Police Check

The Working with Children Check and the Australian National Character Check are two different checks.

- The Working with Children Check is an ongoing assessment of a person's eligibility to work with children and involves a check of a person's criminal history and other disciplinary and police information.
- A Nationally Coordinated Criminal History Check is a point-in-time check that discloses criminal history

5.0 Fair procedures for personnel

The safety and wellbeing of children is GGAC's primary concern. We are also fair and just to personnel. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

We record all allegations of abuse and safety concerns using our incident reporting and management policy and related procedures, including investigation updates. All records are securely stored.

If an allegation of abuse or a safety concern is raised, we provide updates to children and families on progress and any actions we as an organisation take.

6.0 Privacy

All personal information considered or recorded at GGAC 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. We have 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.

7.0 Legislative responsibilities

Goolum Goolum takes our legal responsibilities seriously, including:

Grooming for Sexual Conduct

The offence of grooming for sexual conduct with a child under the age of 16 years is defined as: • A person of or over the age of 18 years must not communicate, by words or conduct, with a child under the age of 16 years or a person under whose care, supervision or authority the child is (whether or not a response is made to the communication) with the intention of facilitating the child's engagement in or involvement in a sexual offence with that person or another person who is of or over the age of 18 years.

Failure to Protect Offence

The offence of failure to protect a child under the age of 16 years from sexual offence is defined as:

- A person who by reason of the position he or she occupies within a relevant organisation, has the power or responsibility to reduce or remove a substantial risk that a relevant child will become the victim of a sexual offence committed by a person of or over the age of 18 years who is associated with the organisation ; and knows that there is a substantial risk that that person will commit a sexual offence against a relevant child must not negligently fail to reduce or remove that risk. The failure to protect offence applies to people within organisations who knew of a risk of child sexual abuse by someone in the organisation and had the authority to reduce or remove the risk but did not act to protect the child. The offence applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk but negligently fail to do so. This offence encourages organisations to actively manage the risks of sexual offences being committed against children in their care to protect them from harm.

Failure to Disclose Offence

The offence of failure to disclose a sexual offence committed against a child under the age of 16 years is defined as:

- a person of or over the age of 18 years (whether in Victoria or elsewhere), who has information that leads the person to form a reasonable belief that a sexual offence has been committed in Victoria against a child under the age of 16 years by another person of or over the age of 18 years, must disclose that information to a member of the police force of Victoria as soon as it is practicable to do so, unless the person has a reasonable excuse for not doing so. The failure to disclose offence helps to ensure that protecting children from sexual abuse is the responsibility of the whole community.

Mandatory Reporting

All mandatory reporters must make a report to the Police or relevant local Child Protection Services Authority as soon as practicable if, during the course of carrying out their professional roles and responsibilities, they form a belief on reasonable grounds that:

- a child has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse
- the child's parents have not protected, or are unlikely to protect, the child from harm of that type. 8 It's a criminal offence not to report in these circumstances.

- **Individuals who are required to report:**

- Victorian Institute of Teaching (VIT) registered teachers, including principals, and early childhood teachers
- schoolstaff who have been granted permission to teach by the VIT
- registered medical practitioners, nurses and midwives
- police officers
- registered psychologists
- people in religious ministry
- early childhood workers
- youth justice workers
- out-of-home care workers (excluding voluntary foster and kinship carers)
- school counsellors including staff who provide direct support to students for mental, emotional, or psychological wellbeing, including (but not limited to) school health and wellbeing staff, primary welfare officers, student wellbeing coordinators, mental health practitioners, chaplains, and Student Support services staff.

What are the 4Rs of Safeguarding children?

The 4 R's of safeguarding children are a set of strategies for promoting the welfare and safety of children. They stand for:

1. **Recognise** – signs of abuse or potential risks to welfare
2. **Respond** – appropriately and promptly to any concerns about child safety
3. **Record** – all relevant information accurately and confidentially
4. **Refer** – on to the appropriate services for further investigation or support.

These strategies are essential in ensuring that you are able to effectively identify risks, respond effectively and refer on where necessary. They help to ensure that vulnerable children and young people receive the protection and support they need.

8.0 The Reportable Conduct Scheme

The Reportable Conduct Scheme requires organisations involving children to notify the Commission for Children and Young People (CCYP) of any alleged abuse by people employed by:

- the organisation
- volunteers, as well as foster and kinship carers in a formal care arrangement.
- contractors
- office holders
- ministers of religion
- officers of a religious body

There are 5 types of 'reportable conduct':

- sexual offences (against, with or in the presence of, a child)
- sexual misconduct (against, with or in the presence of, a child)
- physical violence (against, with or in the presence of, a child)
- behaviour that causes significant emotional or psychological harm
- significant neglect.

The GGAC CEO or delegate shall ensure that there are systems in place that:

- prevent reportable conduct from being committed
- enable reportable allegations to be made to the head of the organisation
- enable reportable allegations that involve the head of the organisation to be reported to the Commission.

GGAC recognises that it can contact the Commission for clarification and guidance, and to talk through any issues of concern.

9.0 Risk management

In Victoria, organisations are required to protect children when a risk is identified (see information about failure to protect above). In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

Goolum Goolum 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 (for example, no staff or volunteer is to have contact with a child in organisations on social media).

10.0 Regular Review

This policy will be reviewed every three years and following significant incidents if they occur and/or when there is legislative changes. We will ensure that families and children have the opportunity to contribute. We will continue to work with our local Aboriginal communities and with culturally and/or linguistically diverse communities and people with a disability.

11.0 Allegations, concerns and complaints

GGAC takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with allegations.

We 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.

We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place.

RESPONSIBILITIES

Leadership at the Board and Management level is responsible for embedding a culture of child safety at GGAC. Leadership will take the lead in protecting children from abuse and will be made aware of child abuse allegations and risks and take responsibility for ensuring an appropriate response.

GGAC has a dedicated Child Safe Champion, refer to the OHS Noticeboards.

All Staff, Employees, Students, Volunteers, Contractors and other relevant personnel

- To be aware of, understand and apply the requirements of this policy in all areas of work.
- Work with GGAC to embed and uphold the Child Safe Policy.

- Attend Child Safe training.
- Report any abuse/neglect concerns, allegations or disclosures to the child safe champion and/or relevant authorities.
- Understand the legislation and legal obligations to report.
- Obtain and maintain a valid Working with Children Check as required for their role.
- Where a child is in immediate danger, call the Police.
- Respond appropriately to a child who makes or is affected by an allegation of child abuse.

Child Safe Standards is a compulsory framework that supports GGAC to promote the safety of children by requiring them to implement policies to prevent, respond to and report allegations of child abuse. The Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021 give the Commission and other regulators more powers to assess and enforce compliance with the Child Safe Standards

RELATED DOCUMENTS:

GGAC ChildSafe Statement of Commitment

GGAC Child Safe Code of Conduct

GGAC Child Safe Procedure

GGAC Employee Screening Policy

GGAC Confidentiality Policy

GGAC Privacy Policy

Charter of Rights for Aboriginal Children

Child Safe Standards

Commissioner for Children and Young People

GAGC Incident Reporting & Management Policy & Procedure

GGAC Feedback System (Complaints, Suggestions & Compliments)

Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement)
Amendment Act 2021

Child, Youth and Families Act 2005

Working with Children's Clearance (WWCC) Act 2020

The Child Employment (Amendment) Act 2022

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