



## **CHILD SAFE POLICY**

### **Purpose**

This policy provides a clear set of guidelines and procedures for Tiny Tackers Therapy to;

- Provide a safe environment for all children which promotes their health, safety and wellbeing
- Promote an organisational culture of child safety
- Identify, reduce and remove risks of child abuse
- Intervene when a child may be at risk of abuse or neglect
- Make staff aware of their legal and duty of care obligations in reporting child abuse and neglect
- Inform all other policies, procedures and activity planning in addition to general occupational health and safety risks

Tiny Tackers Therapy uses *A guide for creating a child safe organisation* from the commission for children and young people to guide child safe policies

(<https://ccyp.vic.gov.au/assets/resources/CSSGuideFinalV4-Web-New.pdf>)

### **1. Policy Statement**

#### **Our commitment to child safety**

- Tiny Tackers Therapy is committed to child safety.
- 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 and removing and reducing these risks.
- Tiny Tackers Therapy 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
    - <https://ccyp.vic.gov.au/assets/resources/tipsheet-cultural-safety-aboriginal-children.pdf>
  - the cultural safety of children from a culturally and/or linguistically diverse backgrounds,
    - <https://ccyp.vic.gov.au/assets/resources/tipsheet-safety-children-cult-ling-diverse.pdf>
  - And to providing a safe environment for children with a disability
    - <https://ccyp.vic.gov.au/assets/resources/tipsheet-safety-children-disability.pdf>
  - Continuously improves the way our service prevents child abuse, and encourages reporting and improved responses to allegations of abuse
  - We promote an environment of trust and inclusion that enables children to ask questions and speak up if they are worried or feeling unsafe

#### **Equal Opportunity**

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.

### **Our Staff and Volunteers**

This policy guides our staff and volunteers on the standards of behaviour expected in their interaction 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.

### **Background and Legislation**

#### Background:

Tiny Tackers Therapy, all staff, contractors and volunteers have legal and moral obligations to protect children under their supervision and care.

Duty of care obligations relate to the high level of responsibility to protect children in the care of a service. Duty of care obligations apply to Tiny Tackers Therapy and all staff members within early childhood service and require that they take reasonable steps to protect children from injury that is reasonably foreseeable.

Any person who forms a reasonable belief that a child is in need of protection may report their concerns to Child Protection.

Three criminal offences have been introduced in Victoria in the *Crimes Amendment (Protection of Children) Act 2014* to protect from child abuse:

- Failure to disclose
  - All adults (not just those working with children) have a legal duty to report information about child sexual abuse to Victoria Police. The offence applies to any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 and fails to report that information to Victoria Police
- Failure to protect
  - The offence applies to people within organisations who hold positions of authority within an education and care service, such as a paediatric therapy provider, and who know of the substantial risk another adult associated with the organisation may commit a sex offence and they have the power or responsibility to remove or reduce the risk but negligently fail to do so
- Grooming offence
  - The offence targets predatory conduct by an adult with the intent of committing child sexual abuse. Conduct may include communication, including online communication, with a child under the age of 16 or their parents

#### Legislation and standards:

The relevant legislation and standard include but are not limited to;

- *Children, Youth and Families Act 2005* (Vic)
- *Child Safety and Wellbeing Act 2005* (Vic)
- *Charter of Human Rights and Responsibilities Act 2006* (Vic)
- *Child Safe Standards* (Vic)
- *Crimes Amendment (Protection of Children) Act 2014* (Vic)
- *Family Law Act 1975* (Cth)
- *Working with Children Act 2005* (Vic)
- *Working with Children Regulations 2006* (Vic)

## **Fair Procedures for Personnel**

- The safety and wellbeing of children is our 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 form, 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.

## **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.
- 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.

## **Risk Management**

- In Victoria, organisations are required to protect children when a risk is identified (see background and legislation). In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.
- We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments and online environments (for example, no staff or volunteer is to have contact with a child in organisations on social media). All therapy sessions are conducted in locations which allow access by others at all times.

## **Regular Review:**

This policy will be reviewed every two years and following significant incidents if they occur. The next review date is in June 2022.

## **Allegations, concerns and complaints**

- Tiny Tackers Therapy 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 (see background and legislation).

If an adult 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

## **2. Training and Recruitment**

Tiny Tackers Therapy currently does not recruit employees. If this were to change, the policy would need to be reviewed. The current policy does not outline any steps taken for recruitment purposes.

## **Training and Supervision**

- Training and education are important to ensure that everyone in our organisation understands that child safety is everyone's responsibility.
- Our 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.
- Employees seek external 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 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
- 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.

## **3. What to do When an Allegation is Made**

### If a child discloses an incident of abuse to you

- Try and separate them from the other children (if others are present) 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 their parent/carer 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 the police or child protection.
- Ensure the disclosure is recorded accurately and that the record is stored securely

You need to be aware that some people from culturally and/or or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police and communicating in English may be a barrier for some. You need to be sensitive to these issues and meet people's needs where possible, such as having an interpreter present (who could be a friend or family member).

If an allegation of abuse involves an Aboriginal child, you will need to ensure a culturally appropriate response. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community-controlled organisations to review policies and procedures.

Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters. Advice on communicating with people with a disability can be found on the Department of Health and Human Services website (<https://providers.dhhs.vic.gov.au>)

## Child Safety Risk Analysis

	Questions for Management and Leadership	Yes	No	Action Required If No
1	Do you understand the current social and legal context in your state and nationally concerning child protection?			
2	Does your organisation comply with Victorian child-protection laws? (Note: while not applying to other states/territories, the Victorian laws set a good benchmark for organisations in all states and territories.)			
3	Are you aware of the relevant child protection bodies operating in your state or territory?			
4	Are you aware of the laws that apply in your state that protect people who make reports about suspected child abuse or neglect?			
5	Has your organisation made a clear public statement about its attitude to prevention of and response to child abuse?			
6	Does your organisation have a child-safe policy			
7	Does your organisation have a code of conduct that establishes clear expectations of appropriate behaviour with children,			
8	Are your policies, procedures, code of conduct and other documents relating to child safety written in plain english and publicly available			
9	Have all relevant staff/volunteers received training in your organisation's child-safe policies and procedures?			
10	Does your organisation's recruitment practices include provisions for screening and communication of the organisations position around child safe practices			
12	Have employee and volunteer induction materials been reviewed to ensure they comply with new child-protection laws?			
13	Does the organisation have a system in place to ensure knowledge of and compliance with its policies and procedures?			
14	Does the organisation have an effective internal policy and procedure for managing complaints, unsatisfactory performance and misconduct?			
15	Are staff/volunteers aware of mandatory reporting requirements applying to them?			
16	Have staff and volunteers received training in relation to their privacy and confidentiality obligations?			
17	Does your organisation make available to children age-appropriate information about what might constitute inappropriate behaviour towards them?			

18	Do children under your organisation's care know who they can talk with if they are worried or feeling unsafe?			
19	Does your organisation have a culture that supports the reporting of suspicions or allegations of child abuse to managers, police and other relevant authorities?			
20	Does your organisation encourage open communication with families and carers?			
21	Is information regarding how to make a complaint about the organisation or an employee of the organisation available to community members, including parents?			
22	Does your organisation have a stated commitment to acting immediately in relation to any reports of child abuse?			
23	Does your organisation have processes in place to ensure an immediate and appropriate response to suspected or actual child abuse or neglect?			
24	Are all staff/volunteers clear to whom any reports of suspect or actual child abuse or neglect should be made, and by what methods?			
25	Are children within your organisation's care given the opportunity to contribute to the development of child-protection policies and procedures?			
26	Does your organisation regularly (at least annually) review its child protection policies, procedures and practices?			
27	Do you have in place strategies for ensuring you stay up to date with legal and other developments in this area?			

## Child Safety Risk Analysis

	<b>Questions for Staff and Volunteers</b>	<b>Yes</b>	<b>No</b>	<b>Action Required If No</b>
1	Are you aware of the warning signs of a potential child abuser?			
2	Do you know what grooming is, and what some of the signs of grooming might be?			
3	Do you believe children in your organisation feel able to speak up about any concerns they may have about adult behaviour?			
4	Do you know to whom any reports of suspected or actual child abuse or neglect should be made, and by what methods?			
5	Are you aware of any mandatory reporting requirements that apply to you if you suspect child abuse.			
6	Would you feel confident and comfortable to disclose to management any child safety concerns you might have?			
7	Are you aware of your obligations to children and their parents/carers regarding privacy and confidentiality?			
8	Are you aware of what to do and who to contact if you receive a report of suspected child abuse or neglect?			