

CHILD PROTECTION POLICY

INTRODUCTION

EDVOS is committed to promoting and protecting the safety and interests of children.

All children who come to EDVOS have a right to feel and be safe. We are committed to the safety and well-being of all children and young people accessing our services and the welfare of the children in our care will always be our first priority. We aim to create a child safe and child friendly environment where all children are valued and feel safe. We will ensure that children are aware of their rights and what they can do if they feel unsafe or something is worrying them. We will listen and act on any concerns children or others may raise.

CONTEXT

This policy reflects our commitment to provide a safe environment where every person has the right to be treated with respect and is safe and protected from harm.

It complies with our obligations under the child Safe Standards and legislation including *Child Youth and families Act 2005*, A Failure to Disclose offence (2014) and A Failure to Protect Offense (2015) and A Grooming Offence (2014).

It also complies with guidelines and evidence based practice around the Child safe environments: Principles of good practice and Child safe environments:

PURPOSE

The purpose of this policy is

1. To facilitate the prevention of child abuse.
2. To work towards an organisational culture of child safety.
3. To prevent child **abuse within EDVOS**.
4. To ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs.
5. To provide guidance to staff/volunteers/contractors as to action that should be taken where they suspect any abuse within or outside of the organisation.
6. To provide a clear statement to staff/volunteers/contractors forbidding any such abuse.

To provide assurance that any and all suspected abuse will be reported and fully investigated.

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POLICY

EDVOS is committed to promoting and protecting the safety and interests of children.

The policy reflects the service's philosophy, values and code of conduct required by staff and volunteers. The policy:

- establishes the procedures for child protection matters including identifying, documenting, reporting and managing concerns or incidents;
- identifies safe protective behaviours for all persons who access the service's facilities and/or programs;
- abides by Federal and Victorian State legislation;
- defines the appropriate direct or indirect physical contact between children and adults in the service;
- identifies and details the procedures when an adult harms a child
- details complaints, grievances and disciplinary procedures;
- demonstrates a commitment to ongoing professional development for staff/volunteers

EDVOS has a duty of care to ensure that all persons are provided with a high level of safety and protection

It is understood by staff volunteers, children and families that there is a shared responsibility between the service and all stakeholders that the Child Protection Policy and procedures are accepted as a high priority.

In meeting the service's duty of care and legislative requirements that the staff and volunteers implement and adhere to the service's Child Protection Policy, and ensure a level of safety and protection to all children who access the service's facilities and/or programs.

EDVOS supports and respects all children, staff and volunteers. EDVOS is committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.

EDVOS is required to report suspect incidences of child abuse or neglect child protection as outlined in mandatory reporting regulations and report suspected child sexual abuse to SOCIT as per the legislative requirement

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AUTHORISATION

RESPONSIBILITIES

The Child safe Standards outline the accountability and governance arrangements in relation to child safety.

The EDVOS Board of 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 are in place.

The EDVOS **CEO** is responsible for:

- Reporting and investigating allegations of child abuse by staff, volunteers, students or contractors;
- Ensuring that reports of allegations of child abuse are made to VicPol (SOCIT) and/or Child protection and DHHS incident reporting guidelines are followed;
- Ensuring that all staff, students, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation’s Code of Conduct;
- Ensuring that all adults who are involved with EDVOS are aware of their obligation to report suspected sexual abuse of a child in accordance with the legislation, policies and procedures;
- Ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety);
- Providing support for staff, studentscontractors and volunteers in undertaking their child protection responsibilities.

All Program **Managers** must ensure that they:

- Promote child safety at all times;
- Assess the risk of child abuse within their area of control and eradicate / minimise any risk to the extent possible;
- Educate employees about the prevention and detection of child abuse; and
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities to CEO, authorities and
- Completing DHHS incident report requirements.

Management should be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct.

All **staff/students/volunteers/contractors** share in the responsibility for the prevention and detection of child abuse, and must:

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- Familiarise themselves with the relevant legislation, incident reporting guidelines, the Code of Conduct, and policy and procedures in relation to child protection, and comply with all requirements;
- Report any reasonable belief that a child’s safety is at risk to the relevant authorities (such as the police and / or child protection service) and fulfil their obligations as mandatory reporters;
- Report any suspicion that a child’s safety may be at risk to their manager (or, if their manager is involved in the suspicion, to a responsible person in the organisation); and
- Provide an environment that is supportive of all children’s emotional and physical safety.

Participation and empowerment of children

All forms of abuse are a symbolic representation of ‘power’ and of the offender’s need to control. The promotion of children’s participation in the development of child safe strategies and policies is a beneficial step in creating child safe environments.

Inclusive and empowering language

EDVOS policy, procedures and information reflect an understanding of diversity and inclusion. In some cases, it may include child friendly and/or appropriate terminology that encourages school age children to actively take part in providing feedback about EDVOS.

DEFINITIONS

Child means a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

Child protection means any responsibility, measure or activity undertaken to protect children from harm.

Child abuse means all forms of physical abuse, emotional abuse, sexual abuse and exploitation, neglect or neglect or other exploitation of a child and includes any actions that results in actual or potential harm to a child (cumulative harm).

Child sexual assault is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child’s inhibitions in preparation for sexual activity with the child.

Reasonable grounds for belief is a belief based on reasonable grounds that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account

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and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation.

A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

For example, a 'reasonable belief' might be formed if:

- A child states that they have been physically or sexually abused;
- A child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- Someone who knows a child states that the child has been physically or sexually abused;
- Professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or
- Signs of abuse lead to a belief that the child has been physically or sexually abused.

All concerns relating to child protection should be discussed with a program manager such that consultation around what constitutes a reasonable belief can be determined. Where necessary, consultation with SOCIT or child protection to clarify any questions should occur.

EMPOWERING CHILDREN TO DISCLOSE ABUSE OR COMPLAIN ABOUT EDVOS

Under the United Nations Convention on the Rights of the Child, children and young people have the right to express their views and to have those views taken into account in regard to decisions that affect them.

Facts about Barriers to Disclosure for Children

Children and young people themselves seldom make official complaints. Most complaints received in relation to children are made on behalf of the child or young person by a parent or another adult.

The reasons why children and young people may not report concerns about their treatment include:

- not believing their problem is big enough to warrant an 'official' complaint
- not understanding they are allowed to make a complaint or how to go about it
- concern about not being believed
- not having the developmental communication capacity to articulate concerns
- not being aware that they are being abused
- not knowing how or who to complain to
- fear of getting into trouble or getting others into trouble

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- embarrassment or shame
- worry about confidentiality and privacy
- fear of repercussions and that things will get worse

EDVOS will empower children to speak out or disclose information through awareness programs that encourage children to be aware of their rights and who may be a 'safe' person for them to talk to if they have concerns about any adult or other young person. We ensure that children, young people and their families know their rights and how to access the complaints procedures available to them.

EDVOS encourages and respects the views of children and young people who access our services. We will listen to and act upon any concerns that children, young people, their mothers or other people raise with us.

We ensure that children, young people and their families know their rights and how to access the complaints procedures available to them.

We value diversity and will ensure cultural safety is understood and supported.

INDUCTION

All staff, volunteers and students will attend induction session which will introduce policies for child protection. They will all be required to sign off that they have read and understood the relevant policies

TRAINING

EDVOS supports the need for regular training for staff, students and volunteers around red flags for child abuse, reporting and responding to disclosures, legislative requirements and child safe standards.

EDVOS is committed to providing ongoing training to staff in the areas of trauma informed, child abuse awareness, working effectively with children and young people and maintaining appropriate boundaries.

RECRUITMENT

EDVOS undertakes a comprehensive recruitment and screening process for all workers and volunteers which aims to:

- Promote and protect the safety of all children under the care of the organisation;
- Identify the safest and most suitable people who share EDVOS's values and commitment to protect children; and
- Prevent a person from working or volunteering at EDVOS if they pose a risk to children.

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EDVOS requires all workers/volunteers to pass through the organisation's recruitment and screening processes prior to commencing.

The screening processes includes applicants being required to provide a police check in accordance with the law and as appropriate and a Working with Children's Check before they commence working and at regular intervals. International police checks will be completed for staff and volunteers who have worked or lived overseas.

EDVOS will undertake thorough reference checks with a minimum of two referees from line managers (preferably) or those who have had direct contact with the applicant. References to include child safe questions. The bona fide of the referee should also be established by calling back on land lines and asking probing questions to ensure the referee is who they say they are. Referee checks should not rely on mobile or emails only as the actual identity of the referee cannot be carefully checked.

Original qualifications of the applicant need to be checked as part of the selection process.

As part of the mandatory paper work at the point of engagement staff/volunteers must review and acknowledge their understanding of this Policy.

Regular contractors who visit EDVOS site should have a working with children's check. All contractors must sign in when they enter and leave the premises.

SUPERVISION, PERFORMANCE REVIEW

- Provides an opportunity to identify individuals' attitudes, expectations and values in the workplace.
- It is a legitimate avenue to address the professional and personal partnerships between staff/carers, volunteers, families and children.
- Displays the service's commitment to professional development and ongoing training in child protection issues.

RISK MANAGEMENT

EDVOS will ensure that child safety is a part of its overall risk management approach. Risk management Identifies, evaluates and plans strategies to minimise the risk of children coming into harm, being abused or neglected by a parent, employee, volunteer or another child.

Child protection risk assessment considers the likelihood of harm or abuse occurring to a child involved in the program and focuses on developing strategies to minimise and manage the risk.

Risk and Quality sub-committee members will receive regular training in relation to child safety.

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REPORTING A COMPLAINT ABOUT STAFF, STUDENT OR VOLUNTEER

HANDLING DISCLOSURES OF ABUSE

If a child or young person discloses to you that someone involved with EDVOS or another party has abused them you need to follow some evidenced informed processes to support the child. Care should be taken on how to respond to disclosure of abuse by children or young people.

1. Listen carefully to what they are saying
2. Tell the child you believe them
3. Tell them it is not their fault and you are pleased they told you
4. Let the child know that you will report to the authorities so they can help stop the abuse

Do not investigate the matter further if the allegation is about an EDVOS staff member, volunteer or student.

Ensure the child is safe. Protect the child from further abuse

STRATEGIES TO MINIMISE RISK

Procedures regarding:

- Transportation
- Taking images of children
- Supervision of children
- Complaints procedures
- Physical contact between staff/volunteers/students and children are outlined in Program manuals.

Staff/volunteers/students will not:

- Take part in any unnecessary physical contact with a child or young person.
- Discriminate against any child or young person because of age, gender, cultural background, religion, vulnerability or sexuality.
- Develop any 'special' relationships with children or young people outside of the professional relationship.

Evaluation of these strategies and the development of additional strategies to minimise and control risks to children and young people occur as part of our ongoing risk management process

- Ensuring children and young people understand their rights and explaining to the child in age-appropriate language what they can expect when participating in a service, activity or program offered by the organisation.
- Responding quickly, fairly and transparently to any serious complaints made by a child, young person or their parent/guardian.

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- Notifying the **Child Protection Crisis Line 131278** and/or **SOCIT** as soon as practicable if they have a reasonable belief that a child or young person has been or is being abused or neglected.

Any staff member, volunteer or contractor who has grounds to suspect child abuse must immediately notify their supervisor about their concern.

In situations where the manager is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the CEO or next highest level of supervision.

Supervisors must report complaints of suspected abusive behaviour or misconduct to the CEO and also to any external regulatory body such as the police.

The EDVOS and DHHS incident reporting procedures must be followed.

INVESTIGATING

If the appropriate child protection service or the police decide to conduct an investigation of this report, all employees, contractors or volunteers must co-operate fully with the investigation.

Whether or not the authorities decide to conduct an investigation, the CEO will consult with the authorities to determine when an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the CEO may decide to conduct such an investigation. All employees, contractors and volunteers must co-operate fully with the investigation. The standard of proof for criminal investigations and that of disciplinary based investigations differs and if staff or volunteers have breached organizational policy then an investigation should occur. Any such investigation will be conducted according to the rules of natural justice.

The CEO will make every effort to keep any such investigation confidential; however, from time to time other members of staff may need to be consulted in conjunction with the investigation.

After an initial review and a determination that the suspected abuse warrants additional investigation, the CEO shall coordinate the investigation with the appropriate investigators internal or external, as deemed appropriate.

RESPONDING

If it is alleged that a member of staff, student, contractor or a volunteer may have committed an offence or have breached the organisation's policies or its Code of Conduct the person concerned may be stood down (with pay, where applicable) while an investigation is conducted.

If the investigation concludes that on the balance of probabilities an offence (or a breach of the organisation's policies or Code of Conduct) has occurred then disciplinary action may follow, up to

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and including dismissal or cessation of involvement with the organisation. The findings of the investigation will also be reported to any external body as required.

PRIVACY

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. EDVOS follows the Privacy policy to ensure any personal information is protected.

RELATED DOCUMENTS

This policy must be read in conjunction with:

- Privacy Policy
- Whistleblower policy
- Recruitment Policy
- Discipline Policy
- Supervision Policy

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