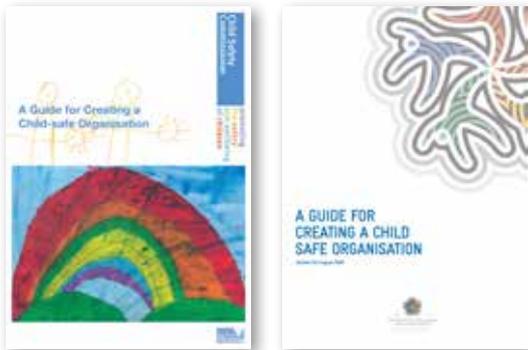


A Guide for Creating a **Child Safe Organisation**





This is the fourth, updated edition of *A Guide for Creating a Child Safe Organisation* produced by the Commission for Children and Young People. This edition replaces the 2006 and 2016 editions shown here.

Disclaimer: This guide provides general information only. It is intended to help a broad range of organisations become more child safe. Each organisation needs to tailor this information to meet its own specific needs, consistent with its duty of care. While all care has been taken in the production of this guide, it is not intended to be legal advice. Because legislation and legal requirements change over time, organisations should confirm the legal requirements that apply to them and seek legal advice about their specific situation.

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The Commission for Children and Young People respectfully acknowledges the Traditional Owners of the country throughout Victoria and pays respect to the ongoing living cultures of First Peoples.

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Message from the Commissioners

This new edition of *A Guide for Creating a Child Safe Organisation* provides practical ways you can meet the legal obligation of your organisation to comply with Victoria's compulsory Child Safe Standards.

The Child Safe Standards exist to prevent abuse. Complying with them will help you ensure the children your organisation works with are kept physically, emotionally and culturally safe.

Importantly, the standards not only protect children from abuse and harm, but nurture their wellbeing and support their voices in speaking out and being heard on the issues affecting them.

Promoting the participation and empowerment of children is itself a standard because we know that when children have control over their lives, and influence over the decisions affecting them, they are better able to speak out to prevent abuse, seek help when it happens, and stop it from continuing. In contrast, when children are silenced, we know they are at greater risk.

It is also vital to recognise that cultural safety is a core element of child safe organisations, and that cultural differences should inform practices to uphold children's fundamental right to safety. The connection of Aboriginal children to family, community and culture, and the contribution of Aboriginal people to policies affecting Aboriginal children, are examples of the vital elements of child safety.

More broadly, the Royal Commission into Institutional Responses to Child Sexual Abuse recognised Child Safe Standards as a key response to its findings of widespread sexual abuse, and included specific recommendations for their national adoption.



We know that most organisations working with children generally have their best interests at heart. Unfortunately, we also know that many organisations do not have the necessary policies, practices and culture in place to protect and nurture children. It is undeniable that organisations failing to act on abuses in the past has allowed those abuses to continue in too many cases.

That is why the Victorian Child Safe Standards are compulsory. As the organisation responsible for administering them, the Commission is intent on doing all that we can to explain why the standards are important, to support organisations as they work to meet their obligation to put them into practice, and to ensure that happens.

Message from the Commissioners

Here you will find the standards clearly explained, with advice on how to raise concerns about children's safety, and how to ensure child-friendly and child-accessible processes are in place.

The seven standards span the culture and leadership of your organisation, the policies you need, how to put together a Code of Conduct, screen, supervise and train staff, respond to and report suspected abuse, identify and remove risks, and, vitally, promote the participation and empowerment of children.

Children deserve to be protected and nurtured. They are entitled to trust the world to give them what they fundamentally need to grow safely towards their potential.

The revelations of the Royal Commission and Victoria's *Betrayal of Trust* inquiry place us on clear notice of the consequences of failing in this responsibility. Yet we also live in a time of powerful knowledge that creates the possibility of action for lasting and positive change.

Individually and collectively, we can act to fulfil the trust of children. A vital way organisations can work to achieve that trust is to join us in a partnership to create truly child safe organisations, and we look forward to working with you to that end.

Liana Buchanan

Principal Commissioner

Justin Mohamed

Commissioner for Aboriginal Children and Young People



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How this guide can help

The Commission for Children and Young People (the Commission) developed the first edition of *A Guide for Creating a Child Safe Organisation* (the guide) in 2006. Following the introduction of compulsory minimum Child Safe Standards in Victoria (the standards), the guide was updated in 2016. This 2018 version of the guide reflects legislative changes and additional experience gained in creating and supporting child safe organisations.

Organisations in Victoria are usually required to comply with the standards if they do one of the following:

- provide any services specifically for children
- provide any facilities specifically for use by children who are under the organisation's supervision, or
- engage a child as a contractor, employee or volunteer to assist the organisation in providing services, facilities or goods.

Creating safe places for children to fully and actively participate in the life of the community benefits everyone. This guide assists organisations in ensuring that the children in their care are protected to the best of their ability in line with their duty of care and the compulsory standards.



Useful definitions

Child

The words 'child' and 'children' in this guide refer to children and young people up to the age of 18 years.

This definition is consistent with the national framework, *Creating Safe Environments for Children – Organisations, Employees and Volunteers*, the *Commission for Children and Young People Act 2012*, the *Child Wellbeing and Safety Act 2005* and the *Children, Youth and Families Act 2005*.

Harm and abuse

This guide uses a broader definition of 'abuse' of children than may be adopted in some Victorian legislation. The use of the word '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.

This guide acknowledges that abuse of children takes many forms. It views all such incidents, regardless of whether they are seen as 'harm' or 'abuse', as damaging. This is discussed in more detail on pages 10–11.

Aboriginal

The term 'Aboriginal' in this guide is inclusive of Aboriginal and Torres Strait Islander peoples.

Disability

Use of the term 'disability' is consistent with that in the *Disability Act 2006*:

In relation to a child, the use of the word 'disability' incorporates:

- a sensory, physical or neurological impairment or acquired brain injury or any combination thereof, which—
 - is, or is likely to be, permanent; and
 - causes a substantially reduced capacity in at least one of the areas of self-care, self-management, mobility or communication; and
 - requires significant ongoing or long term episodic support
- an intellectual disability; or
- a developmental delay.

Cultural and linguistic diversity

The term 'cultural and linguistic diversity' refers to the range of different cultural and language groups represented in the population who identify as having particular cultural or linguistic affiliations. The term acknowledges that diversity may arise from a range of circumstances including place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home.

Setting the scene

Over the past decade, there has been significant research into child abuse in organisations, culminating most recently in the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission). This research has resulted in the implementation of wide-ranging policies and procedures that aim to reduce the risk of children being exposed to or experiencing harm.

The following reports and initiatives are a good introduction from which to better understand child safety and help with planning how organisations can best promote and provide a safe environment for children.

Child abuse in organisations is happening now. It's not just in the past.

The *Betrayal of Trust* report

In April 2012, the Victorian Government initiated an inquiry into the handling of child abuse allegations within religious and other non-government organisations. The inquiry's final report, *Betrayal of Trust*, made a number of recommendations that have been acted on by Victorian governments. These included:

- **Criminal law reform** – offences relating to grooming, failure to protect and failure to disclose. These new laws are discussed in more detail on page 50.
- **Creation of child safe organisations – mandatory Child Safe Standards and the Reportable Conduct Scheme (the scheme).** The standards are compulsory for most organisations working with children while the scheme requires certain organisations to report and investigate allegations of child abuse and child-related misconduct.

“Thanks to recent inquiries and the advocacy of many survivors, we now know more than ever about the extent of harm done to children in organisational settings and this knowledge brings an obligation to act.”

Liana Buchanan, Principal
Commissioner for Children and
Young People

The Royal Commission into Institutional Responses to Child Sexual Abuse

From 2013 to 2017, the Royal Commission investigated how organisations have responded to allegations and instances of child sexual abuse. The Royal Commission gathered evidence of widespread sexual abuse of children in certain institutions. While the primary focus of the Royal Commission was on child sexual abuse, three volumes of the final report outline processes for creating child safe organisations, and can be broadly applied to keeping children safe from all forms of abuse.

Volume 6 of the Royal Commission's report outlines the role that Child Safe Standards can play in making organisations safer for children. It also discusses how regulatory oversight could be improved to better facilitate the implementation of Child Safe Standards in organisations. In many ways, the 10 standards described in the Royal Commission's report align with the work already undertaken in Victoria. Much like Victoria's standards, they are intended to be implemented in a flexible way by organisations and are not designed to be prescriptive. They focus on organisations creating cultures, adopting strategies and taking action to prevent harm to children.

“One of the greatest risk factors for the harm or abuse of children is the lack of awareness about it among an organisation's staff and volunteers.”

Royal Commission into Institutional Responses to Child Sexual Abuse

United Nations Convention on the Rights of the Child

The rights outlined in the United Nations Convention on the Rights of the Child (CROC) are a key influence on the development of universal child safe procedures. CROC specifically recognises that children have a right to be protected from physical and mental harm and neglect and enjoy the full range of human rights – civil, cultural, economic, political and social. Article 12 of CROC highlights the importance of respecting the views of the child. Children have the right to voice their views and have their opinions taken into account when adults make decisions that affect them. An extract of the convention can be found in Appendix 2.

The Charter of Human Rights

Victoria's *Charter of Human Rights and Responsibilities Act 2006* (the Charter) outlines the basic human rights of all people in Victoria. The Charter provides that every child has the right to such protection as is in his or her best interest.

The Charter requires that governments, local councils and other public authorities act consistently with the Charter and consider relevant rights when they make decisions.

Victoria's compulsory Child Safe Standards

What are the standards?

The standards are a compulsory framework that supports organisations to promote the safety of children by requiring them to implement policies to prevent, respond to and report allegations of child abuse.

The legislation that creates the standards is the *Child Wellbeing and Safety Act 2005*. The standards are designed to drive cultural change and embed a focus on child safety by placing children's rights and wellbeing at the forefront of the organisation's mind.

Organisations must be guided by the following principles when implementing the standards:

- the cultural safety of Aboriginal children
- the cultural safety of children from culturally and/or linguistically diverse backgrounds
- the safety of children with disability.

The standards require organisations to have:

1. strategies to embed an organisational culture of child safety, through effective leadership arrangements
2. a Child Safe Policy or Statement of Commitment to Child Safety
3. a Code of Conduct that establishes clear expectations for appropriate behaviour with children
4. screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel
5. processes for responding to and reporting suspected child abuse
6. strategies to identify and reduce or remove risks of child abuse
7. strategies to promote the participation and empowerment of children.

Who do the standards apply to?

Organisations in Victoria are usually required to comply with the standards if they do one of the following:

- provide any services specifically for children
- provide any facilities specifically for use by children who are under the organisation's supervision, or
- engage a child as a contractor, employee or volunteer to assist the organisation in providing services, facilities or goods.

Organisations can check the *Child Wellbeing and Safety Act 2005* to confirm if they need to comply. The standards apply to a very broad and diverse range of organisations, and are intended to be applied in a flexible, tangible way to best address the issues and needs in each individual organisation that works with children. There is no 'one size fits all' approach to implementing the standards. Each organisation should consider how to best apply the standards, taking into account the size and nature of the organisation, the services and activities provided, and the nature of the organisation's interactions with children.

All organisations, even those not legally required to implement the standards, are strongly encouraged to review how they interact with children. Any organisation can use this guide to improve responses to child safety concerns and reduce the risk of child abuse.

This guide discusses these requirements in detail and provides advice and tools to help organisations understand and implement them.



The Commission for Children and Young People

The Commission for Children and Young People is an independent statutory body that promotes improvement in policies and practices affecting children and young people in Victoria. The Commission is responsible for helping organisations to understand the standards and what they need to do to ensure they are implemented.

The Commission is also responsible for ensuring that all organisations covered by the standards are compliant with them, and has a range of audit and enforcement powers.

The Commission works together with a number of other government and statutory organisations, including the Department of Health and Human Services and the Victorian Registration and Qualifications Authority, which also have a role in supporting organisations to implement the standards and ensure that they comply.

How to make an organisation child safe

All children have the right to feel safe and to be safe all the time, but safety does not just happen.

A child safe organisation takes deliberate steps to protect children from physical, sexual, emotional and psychological abuse, and neglect. This commitment to protecting children must be embedded in an organisation's culture and policies. Responsibility for taking action must be understood and accepted by everyone.

A child safe organisation fosters and demonstrates openness in a variety of ways. This directly and indirectly creates a culture in which everyone – staff, volunteers, parents, carers and children – feels confident, enabled and supported to safely disclose child safety concerns.

All children, their families and carers should feel welcome in an organisation.

“While an important tool, Working with Children Checks – in the absence of broader child safe strategies – do not make organisations safer for children. In fact, an over-reliance on Working with Children Checks can be detrimental to children’s safety. They can provide a false sense of comfort to parents and communities, and may cause organisations to become complacent due to the belief that people who have undergone Working with Children Checks do not pose any risk to children – this is not the case.”

Royal Commission into Institutional Responses to Child Sexual Abuse

It takes many components to build a child safe organisation

Organisations involved with children vary enormously in size, structure, resources and the types of interactions between staff, volunteers and children. One of the key objectives of this guide is to help organisations to embed child safety practices within their culture.

The work involved in building a child safe organisation is never completed. It is a dynamic, multi-layered and ongoing process of learning, monitoring and reviewing. Following the steps in this guide, embedding them into organisational culture and reviewing regularly, will reduce opportunities for harm to occur.

It is important to realise that over-reliance on any one component of child safety, such as Working with Children Checks, prevents an organisation from building robust and sustainable barriers needed to stop inappropriate people from working with children. Gaps in organisational child safety practices could result in weaknesses that may be exploited.

Adopt a harm-based perspective

The abuse of children takes many forms, some of which are outlined below. Adopting a harm-based perspective helps organisations to be proactive in identifying and preventing all forms of harm and abuse.

Physical abuse

Physical abuse can occur when a person intentionally or recklessly uses physical force against, with or in the presence of a child without their consent, which causes, or could cause, the child harm.

Physical abuse can also occur when someone intentionally or recklessly causes a child to believe that physical force is about to be used against them without their consent.

Physical abuse can include hitting, punching, kicking, pushing or throwing something that strikes a child. It also includes behaviour, such as words or gestures, that causes a child to believe that they are about to suffer physical abuse.

Sexual abuse

Sexual abuse encompasses a broad range of behaviours involving a sexual element that are committed against, with or in the presence of a child. Behaviour that could amount to sexual abuse spans a broad range of behaviours from sexual misconduct to a sexual offence.

A sexual offence will generally encompass any sexual encounter that involves a child. This abuse may involve contact, like touching or penetration. It also includes behaviours that do not involve contact like ‘flashing’, possessing child abuse material or grooming. A full list of the relevant sexual offences is set out in clause 1 of Schedule 1 to the *Sentencing Act 1991*.

Sexual misconduct is another type of abuse and includes a variety of sexualised behaviours with or towards children. This could include inappropriate conversations of a sexual nature, comments that express a desire to act in a sexual manner, or in some cases, behaviour that crosses a professional boundary such as having or seeking to establish an inappropriate or overly familiar relationship with a child.

Emotional and psychological abuse

The infliction of emotional or psychological harm is one of the most common forms of child abuse. This may involve conveying to a child that they are worthless, unloved, inadequate or rejected, or causing a child to frequently feel frightened or in danger. Emotional or psychological abuse often diminishes a child's sense of identity, dignity and self-worth, and the impact can be chronic and debilitating.

Neglect

Neglect is another form of child abuse. Neglect is a failure on the part of a caregiver to provide sufficient attention, responsiveness and protection that is appropriate to the basic needs of a child to ensure that these needs are met. Neglect includes failure to provide adequate health care, supervision, clothing, nutrition or housing, as well as failing to meet a child's physical, emotional, social, educational and safety needs.

All abuse harms children. Even injuries that are not visible can be profound. They can strike at a child's sense of identity, make them fearful or ashamed, and reduce their ability to participate in their community.



How the standards and principles work together

The seven standards work together to enable an organisation to place child safety at the core of what they do. As organisations implement each standard, they must consider implications for each of the other standards. Organisations must incorporate the three overarching principles into everyday practice.

The standards and the principles are designed to work together to help create a child safe organisation. Independently, each standard addresses a specific element of child safety within an organisation. Creating a child safe organisation requires an organisation to make sure all of the standards and principles are applied and operate together.



Child safety through respect for diversity and cultural difference

A child safe organisation respects cultural differences and variations in child rearing practices due to a family's personal, cultural or religious beliefs.

However, a child safe organisation recognises that these differences do not reduce a child's right to be safe, or the organisation's responsibility to protect the child from harm. The Royal Commission advises that:

Some children are more vulnerable to abuse, based on various factors including age, gender, ethnicity, disability, and prior abuse or neglect.¹

Victoria is a culturally diverse community made up of many different nationalities, and people of diverse cultural backgrounds, language and religious groups.

Respecting diversity means:

- valuing and respecting people's beliefs
- building responsive relationships
- communicating openly and honestly to find out how best to be inclusive and respectful towards cultural needs
- examining our personal ideals, customs and beliefs and acknowledging that the beliefs of one person may not be the same as those of another
- appreciating that others can hold different beliefs of equal significance.

¹ Royal Commission into Institutional Responses to Child Sexual Abuse, *Interim Report*, Volume 1 (2015), chapter 3.



A culturally safe environment is:

an environment that is safe for people: where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience, of learning, living and working together with dignity and truly listening.²

² Robyn Williams, 'Cultural safety – what does it mean for our work practice?', *Australian and New Zealand Journal of Public Health*, 213 (2) (1999), pp. 2012–13.

Cultural safety of Aboriginal children

Every Aboriginal adult and every Aboriginal child needs to feel that their sense of self and their identity is 'valued in some way by the people and environments that surround them'.³ Cultural identity and safety are fundamental to a child's overall wellbeing. They affect how the child sees themselves in relation to others and how the environment impacts upon their sense of safety.

For Aboriginal people:

*culture is about family networks, Elders and ancestors. It's about relationships, languages, dance, ceremony and heritage. Culture is about spiritual connection to our lands and waters. It is the way we pass on stories and knowledge to our babies and children; it is how we greet each other and look for connection. It is about all the parts that bind us together.*⁴

The Royal Commission highlighted that Aboriginal children are at a higher risk of harm and abuse in organisations.

The research found that reasons for this included:

- ongoing impacts of racially discriminatory policies from the past
- ongoing systemic racism creating barriers to disclosure, to being believed, and to receiving an appropriate response
- over-representation of Aboriginal children in organisations with high situational risk factors such as out-of-home care, youth detention, and boarding schools.

Creating a culturally safe organisation for Aboriginal children requires a willingness to learn, understand and respond to the diversity of Aboriginal cultures. In a culturally safe environment, Aboriginal children should define what is comfortable and safe.

Creating a culturally safe environment

Talk with Aboriginal people

Creating a culturally safe environment is about relationships and actively creating opportunity for an Aboriginal voice and presence in an organisation's planning, policies and activities. Talk with local Aboriginal people and local organisations with Reconciliation Action Plans or Aboriginal-inclusive policies for guidance on how an organisation can become culturally safe. Cultural safety is about how an organisation is experienced by Aboriginal people and in particular by Aboriginal children. Being connected to culture is a strength and protective factor for Aboriginal children. The risk of abuse is heightened for Aboriginal children when they do not feel culturally safe. It may reduce their willingness to report abuse.

Find out who the Traditional Owner groups or Registered Aboriginal Party are in the area

No matter where an organisation is in Victoria, Aboriginal people will be living in the community, with a Traditional Owner Group known within the region. There are a number of websites that contain information about local and regional Aboriginal populations and Traditional Owners.

Recognise the impact of the past

The standards in an organisation must address the continuing negative impacts of past government policies and practices on Aboriginal peoples. Aboriginal children may be less likely to disclose abuse due to a lack of cultural safety and a fear of authorities intruding into their family and community, based on historic experiences of systemic racism and abuse.

³ Victorian Aboriginal Child Care Agency, *This is Forever Business: A framework for maintaining and restoring cultural safety in Aboriginal Victoria* (2010).

⁴ Andrew Jackomos, 'International Human Rights Day Oration: Linking our past to our future: How cultural rights can help shape identity and build resilience in Koori kids', *Indigenous Law Bulletin*, 8 (17) (2015), p. 20.



Knowledge of key events, like observance of the National Government Apology to Australia's Indigenous People for the forced removal of Aboriginal children (Sorry Day), and National Aborigines and Islanders Day Observance Committee (NAIDOC) Week which celebrates Aboriginal and Torres Strait Islander cultures each July, makes a statement about inclusiveness.

Respect and embrace Aboriginal culture in every aspect of the organisation

Respect for Aboriginal cultures, values and practices is at the heart of creating a culturally safe organisation. Every organisation should create a physical environment that is respectful of Aboriginal culture as a first step.

An organisation can purchase or create a plaque or poster acknowledging the Traditional Owners of the land where the organisation is physically located. Another important symbol that can be displayed in the organisation is the Aboriginal flag.

Find out more

The process of finding out more by reading, talking with people and visiting places builds an organisation's capacity to be culturally safe. Knowing what questions to ask is a good way to start conversations with the board, volunteers, membership and staff. The Victorian Government developed the Aboriginal Inclusion Framework to assist with this; posing questions that relate to leadership, policy, programs, and communications. The Framework is available on the Aboriginal Victoria website.

Cultural safety of children from culturally and/or linguistically diverse backgrounds

Belonging to a family from a culturally and/or linguistically diverse background is not a single shared experience. The Victorian community includes people of many backgrounds, countries, religions, ethnicities and languages, including migrants, refugees, asylum seekers and others. These families have experienced varied journeys. Some have experienced trauma, violence and harm. Others have lost the support of their extended family.

While culture should not be seen as an excuse for child abuse or neglect, it is important to understand that approaches to parenting vary considerably across culturally diverse groups. However, the safety of the child should always be the main consideration.

An organisation can support the cultural safety of children from culturally and/or linguistically diverse backgrounds by:

- ensuring the organisation clearly demonstrates a zero-tolerance approach to discrimination, for example by:
 - incorporating anti-discrimination statements within human resources policies (Standards 2, 3 and 4)
 - formulating a Statement of Commitment to Diversity (Standard 2)
 - demonstrating commitment to cultural diversity through the organisation’s social media messaging
- being respectful, inclusive and welcoming of families from a range of backgrounds, for example by:
 - giving newly arrived families an opportunity to present their story
 - hosting a welcome dinner
 - incorporating cultural safety into the organisation’s Code of Conduct (Standard 3)

- increasing the organisation’s awareness and understanding of diverse perspectives through community dialogue, and participation in cultural learning, for example by:
 - facilitating networking opportunities
 - exploring opportunities to participate in community integration programs
 - organising cultural displays, exhibits and activities to coincide with Harmony Day and/or Cultural Diversity Week
- supporting culturally and/or linguistically diverse families through education and capacity building within the organisation, for example by:
 - providing training and professional development for staff and volunteers (Standard 4)
- recognising times of importance for different cultures, for example by:
 - including important cultural and religious events in newsletters
 - promoting diversity by celebrating significant events
 - strengthening ties with culturally and/or linguistically diverse groups within the local community (Standard 1)
 - allowing staff, volunteers and children to take leave for cultural/religious festivals (Standard 4)
- ensuring the physical environment contains positive images of a range of cultures, in terms of decoration, symbols and artwork to nurture a sense of identity, for example by:
 - displaying artefacts and images of people and children from different parts of the world
- seeking to engage a mix of staff and volunteers that is reflective of the diversity in the community, for example by:
 - engaging staff and volunteers that are representative of the local community at every level (Standard 4)
 - embedding targets for diversity into the organisation’s governance structures and strategies (Standard 1, Standard 4)

- actively engaging with children and families about how they would like to be involved, for example by:
 - providing an environment where they feel safe and valued
 - creating opportunities for families to voice concerns and to help define solutions
 - holding informal meetings or surveys to proactively seek and incorporate feedback on existing systems and policies (Standard 5, Standard 6)
- asking about the best way to provide information to children and families to foster conversations around child safety (Standard 7), for example by:
 - developing information that is culturally appropriate and includes images portraying cultural diversity
 - creating multilingual resources based on the organisation’s needs.⁵

“We may not set out to hurt or exclude or differentiate but the effect can be the same. Harm can be done regardless of our intention. This is why it is so vital to build a culture where children learn and experience so many of the social interactions that will inform their lives in adulthood, where tolerance and acceptance is core and where we think about the effect of what we say and do, as much as we consider our intentions.”

Megan Mitchell, National Children’s Commissioner, Australian Human Rights Commission⁵

Safety of children with disability

Strategies that promote understanding and acceptance of diversity, including disability, together with policies for identifying risks and responding to concerns are vital components of a child safe organisation.

Inclusive environments are beneficial to all, including people with and without additional needs.

Children with disability are at a higher risk of harm and abuse such as harassment, bullying, humiliation, and physical and sexual abuse, and are less likely to report abuse and other concerns. Reasons for this include:

- low levels of expectation held about their capacity to identify and report concerns
- reliance on caregivers for personal care requirements
- limited provision of developmentally appropriate sexual and relationship information
- difficulties with speech, communication or literacy
- social isolation.

A child safe organisation does not stereotype or make assumptions about a child’s abilities, but rather recognises that each child is different and experiences their disability and the world differently.

It is unlawful to discriminate against children with disability and, like all children, children with disability have the right to participate in decision-making that affects them (Standard 7). It is an organisation’s responsibility to uphold the legal and human rights of children with disability to ensure that they are safe when in an organisation’s care. Establishing child safe policies and procedures within the organisation that recognise issues relating to disability helps to make these vulnerable children safer.

⁵ Excerpt from a speech delivered at Generation Next 2014: *The Impact of Racism on Young People’s Well-Being*, 25 July 2014.

“Children with certain types of disability may not be able to benefit unless attention is given to inclusive and individually appropriate delivery of a program.”
Royal Commission into Institutional Responses to Child Sexual Abuse

An organisation can promote the safety of children with disability by:

- ensuring its Code of Conduct for staff and volunteers clearly outlines boundaries for staff and volunteer interaction with children with disability, including personal care assistance (Standard 3)
- empowering children with disability by assisting them to build their self-esteem and confidence (Standard 7)
- making sure the environment does not pose access difficulties
- teaching children about their bodies and their safety (Standard 6)
- enabling and facilitating independence with dressing, toileting and personal care where possible

- communicating directly with children with disability about how safe they feel (Standard 7)
- being inclusive and collaborative with families of children with disability
- taking into account the additional risks created for children with communication difficulties (Standard 6), by:
 - developing organisational procedures that ensure vigilance in identifying indicators or warning signs
 - ensuring the organisation has capacity to listen to and understand children, no matter how they communicate their thoughts, views and concerns
 - making efforts to facilitate communication in ways that minimise barriers arising from a child’s disability.

“Significantly, children with disability are more likely to have experienced repeated incidents of sexual abuse by the time they are 18 years of age.”
Royal Commission into Institutional Responses to Child Sexual Abuse



Safety of same-sex attracted, intersex, non-binary and gender diverse children and young people

Discrimination on the basis of a person's sexual orientation, intersex status and gender identity is against the law. Despite this, children and young people who are same-sex attracted, intersex, non-binary and gender diverse continue to experience discrimination, abuse and violence.

For same-sex attracted, intersex, non-binary and gender diverse children and young people to feel safe and to be safe in an organisation, the organisation must actively demonstrate that it welcomes and values them, and that it has a zero-tolerance approach to discrimination.

Some children and young people live in rainbow families and have same-sex attracted, intersex, non-binary or gender diverse parents or carers. Building and maintaining an organisational culture that is inclusive and respectful of the different ways that families are formed and structured supports children to feel, and to be, safe.

An organisation can support same-sex attracted, intersex, non-binary and gender diverse children to feel safe by:

- including in the Child Safe Policy (Standard 2) a specific comment welcoming all children, young people and families irrespective of sexual orientation, gender identity, or sex/intersex status
- ensuring the Code of Conduct (Standard 3) states that discriminatory behaviour is unacceptable; this should cover both obvious acts of prejudice, such as verbal or physical abuse, and more subtle discrimination that reinforces negative stereotypes and feelings of difference
- consulting with same-sex attracted, intersex, non-binary and gender diverse people about what makes them feel safe and unsafe (Standard 7) and drawing on their perspectives to build a child safe culture within an organisation
- equipping staff and volunteers with the knowledge and skills to be able to respond appropriately and sensitively if a child or young person chooses to share personal information with them, including information related to sexual orientation, intersex status or gender identity (Standard 4)
- supporting and respecting decisions that people make about their gender identity, including using their preferred name and pronouns (Standard 7).

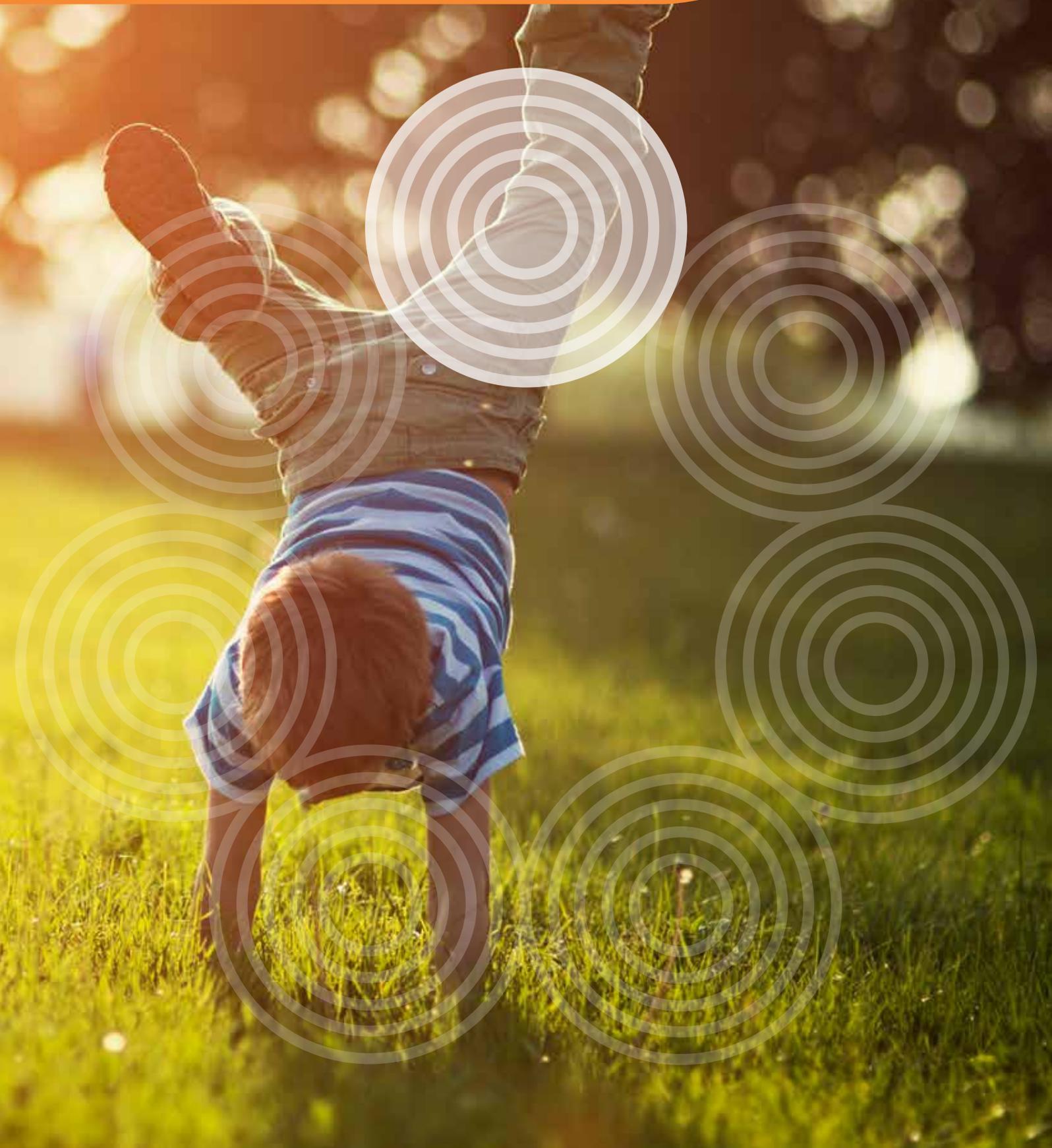
Language matters. Sexual orientation, sex and gender identity are all separate concepts.

- **Sexual orientation is used to describe a person's romantic and/or sexual attraction.**
- **Sex refers to a person's biological characteristics. A person's sex is usually described as either male or female. The designation of a person as either male or female on the basis of their biological characteristics takes into account their chromosomes, genitals, hormones and neurobiology. Some people have both male and female characteristics, or neither male nor female characteristics.**
- **Gender identity refers to the way in which a person understands, identifies or expresses their masculine or feminine characteristics within a particular sociocultural context.**

Victorian Government's Inclusive Language Guide

Child Safe Standard 1

Strategies to embed an organisational culture of child safety, including through effective leadership arrangements



Create a culture of child safety

Having a culture of child safety ensures that organisations prioritise the safety of the children in their care and build child safety into everyday thinking and practice. This requires an organisation to take a zero-tolerance approach to child abuse and to support the diversity of children's needs. Child abuse must be acknowledged, expectations of behaviour must be clearly explained and accepted, and preventative strategies, for example robust recruitment and risk management practices, must be in place. By building a strong culture of child safety, an organisation can reduce the ability for potential abusers to be opportunistic.

Part of having a child safe culture means acknowledging that the process of improving the safety of children in organisations is continuous and ongoing. Organisations need to regularly monitor and improve performance against all of the standards. An organisation can actively foster a culture of openness that encourages everyone to talk about difficult subjects and decisions, to identify mistakes and to learn from them.

Leaders have a critical role to play in creating and maintaining an organisational culture where children's best interests are at the heart of the organisation and the way it operates. By routinely discussing child safety matters in staff meetings and forums, an organisation's leaders can influence and guide the thinking and behaviour of others including staff, volunteers, children, families and carers. Effective leadership can also ensure that changes made are sustained over time. If an organisation lacks strong leadership, the development and implementation of child safety measures may lose direction, proceed too slowly or not proceed at all. Preventing child abuse should be seen as the ordinary responsibility of all adults at all levels of an organisation. Strong and clear governance arrangements should be used to evolve child safety as a focus within an organisation.

In organisations with a child safe culture, the cultural safety of Aboriginal children, the safety of children with disability, and the cultural safety of culturally and/or linguistically diverse children is championed by leaders and staff at every level. It is important that an organisation maintains vigilance by introducing systems to monitor and improve performance against the standards. Any changes to an organisation's Child Safe Framework should be documented and made available to all staff, volunteers and families, as well as in age-appropriate formats for children. This helps organisations to maintain a culture of awareness and ensures that all policies and practices are implemented and routinely reviewed.

Developing a child safe culture within an organisation is now identified as a necessary part of managing organisational risk. It should support early disclosures, require accountability by all adults, and challenge unacceptable behaviour.

“Child abuse thrives on secrecy and a key strategy for organisations in preventing risk to children is to cultivate a culture of awareness, transparency and communication.”
Inquiry into the handling of child abuse by religious and other non-government organisations

Carry out a Child Safety Review

It is vital that leaders in an organisation have a clear understanding of how developed their child safety approaches are. Undertaking a Child Safety Review is a good place to start. It can help an organisation identify what is currently in place and what needs to be developed. To begin the Child Safety Review, read through each of the standards to develop an understanding and to see how they are interconnected.

Child Safe Standard 1

Strategies to embed an organisational culture of child safety, including through effective leadership arrangements

Some organisations find it difficult to know where to start in the process of creating a child safe organisation. To help with this, a Child Safety Review template can be found in Appendix 1.

There is no 'one size fits all' approach to protecting children from abuse, but there are some key activities. The Child Safety Review looks at each of the standards and how they work together to create a culture of child safety. The template describes important areas of child safety and gives organisations the opportunity to assess whether they are missing any of the essential components. After completing the template, an organisation can focus on developing or enhancing each of these components.

Review existing policies and practices

To determine how child safe an organisation is, it is important to review the existing policies and practices (Standards 2 and 3). Children's safety and wellbeing need to be the first considerations. Completing the Child Safety Review template honestly will identify an organisation's strengths and weaknesses in the protection of children. This allows an organisation to learn how developed current systems are and to identify risks associated with the services provided.

While the review's focus is on protecting children from harm, it also encourages organisations to think about broader aspects of child safety. It prompts an organisation to consider the diverse ages and abilities of the children, the type of activities it runs and the places in which they occur.

Think about the organisation's risk management plan

Some activities pose greater risks than others. For example, taking a group of primary school-aged children to the local swimming pool would be a high-risk activity because multiple safety aspects need to be considered. These include the potential for interaction with members of the public and swimming pool staff, transport to and from the pool, water safety issues, supervision in the change rooms and medical conditions. In contrast, an in-house chess competition could be considered less risky because the children

“You can have all the right policies and procedures in place, but if kids don't feel they can speak up and know they'll be listened to when they do, then those policies and procedures mean nothing.”

Liana Buchanan, Principal
Commissioner for Children and
Young People

are in a known and controlled environment that is formally supervised and therefore more predictable. When organisations plan activities, risk management strategies must be undertaken as part of the process (Standard 6).

Think about the diverse needs of the children

Children's needs and abilities vary with age and development. Younger children in organisations can require greater levels of supervision and support. Sometimes older children might need additional support due to adverse experiences or due to vulnerability to sexual abuse and exploitation. The cultural safety of Aboriginal children and of children from culturally and/or linguistically diverse backgrounds, together with the safety of children with disability must be taken into account when undertaking a Child Safety Review.

Encourage children to contribute to the process

Children have a unique voice and should be encouraged to contribute to discussions about how they interact with an organisation. Ask children what makes them feel safe and unsafe and tell them about what is being done to help keep them safe. Make sure they are consulted in an age-appropriate manner, ensuring the experience is a positive one. Let them know their views are valued and respected and will be used to inform the policies in the organisation (Standard 7).

Include staff, volunteers and families in the process

Inviting staff, volunteers and families to participate in the review helps to identify areas of risk of harm or injury and encourages everyone in the organisation to take a proactive approach to reducing risk (Standard 6).

Take action

Completion of the Child Safety Review enables an organisation to identify areas where improvement is needed. Refer to other sections of this guide for assistance in formulating and implementing action plans. In some cases, it may become evident that implementing specific parts of the action plan requires the provision of additional information or training for staff (Standard 4).

Implementing child safe policies and procedures requires an ongoing commitment to child safety. In other words, it cannot be achieved in one activity or exercise. However, it does not have to be a complex process. As with the Child Safety Review, the more people within an organisation who are involved, the better the outcomes will be.

Set a date for the next review

Maintaining a child safe organisation is not a one-off task. It is important to regularly review organisational policies and procedures. Set a date to revisit the Child Safety Review, perhaps incorporating this into the annual planning processes (Standard 2, Standard 3). Consider the following questions:

- Was anything missed the first time around?
- Is the approach adopted still the best one?
- Have the activities provided changed?
- Are younger children now included?
- What can the organisation learn from successes and mistakes?

Maintain a child safe organisation

Creating a child safe environment is an ongoing process of improvement. It must become part of an organisation's processes, and be embedded within an organisational culture.

Competing demands are a challenge for everyone; however, when an organisation works with children, child safety must be an organisational priority. Child safety requires a dedicated and ongoing approach.

“Given the rarity of child sexual abuse in any particular institutional setting, maintaining a safe organisation is a huge challenge. Staying vigilant against this abuse is difficult, and the chances of any organisation cutting corners on key safety operations and making them less of a priority than other functions are high. The danger can be reduced if outside forces keep up the momentum by monitoring performance and checking that safety policies are kept high on the agenda – in practice as well as in theory.”

Eileen Munro and Sheila Fish, *Hear no evil, see no evil: Understanding failure to identify and report child sexual abuse in institutional contexts* – Royal Commission into Institutional Responses to Child Sexual Abuse

Child Safe Standard 2

A Child Safe Policy or Statement of Commitment to Child Safety



What is a Child Safe Policy or Statement of Commitment to Child Safety?

One of the most effective ways for an organisation to demonstrate its commitment to child safety is to document how it meets its duty of care and other responsibilities to children. A Child Safe Policy or Statement of Commitment to Child Safety articulates an organisation's culture and its approach to providing the highest level of protection for children in its care. It gives information and guidance on child safety within the organisation. It requires all levels of the organisation to commit to the active demonstration of a child safe culture. Once the Child Safety Review template has been completed (Appendix 1) to assess an organisation's interaction with children, that information can be used to inform the development of policies and procedures to address and reduce the risks identified.

Deciding whether to use a Child Safe Policy or a Statement of Commitment to Child Safety

A Child Safe Policy is a clearly communicated statement to children, families, staff and volunteers that the organisation is child safe. The policy clarifies the organisation's expectations in regard to child safe practices and holds staff and the organisation to account. It should reflect the activities of an organisation and relate to each of the other standards. It is the foundation of the child safe culture and guides decision-making on child safety issues that may arise.

A Statement of Commitment to Child Safety affirms an organisation's commitment to child safety by stating that the organisation has a zero-tolerance approach to child abuse, is committed to upholding children's best interests and keeping them safe, and that it actively works to listen to and empower children within an organisation. It could be in the form of a mission statement. This may be appropriate for a small organisation with a lower level of responsibility for children.

The Child Safe Policy or Statement of Commitment should be clear, inclusive, easily accessible and relevant to the specific organisation. It should be culturally appropriate and able to be readily understood by people throughout the organisation, including children. All organisations have unique requirements when it comes to the content of its policies. For example, when an organisation works with particularly vulnerable children, it must pay special attention to developing awareness and communication strategies for those who may be unable to speak up or communicate.

Preparing a Child Safe Policy or Statement of Commitment

Step 1: Consult widely

When developing a policy or statement, staff, volunteers, families and children should be consulted. Focusing on the policy or statement provides an opportunity to discuss the organisation's aims and values. The criteria included in the Child Safety Review (Appendix 1) helps to identify topics to include in a policy or statement.

Step 2: Write the policy or statement

The sample Child Safe Policy on pages 27–30 has been included to assist with thinking about what needs to be included in an organisation's own document. The sample template can be used to write a policy or statement, which should consider the following questions:

Child Safe Standard 2

A Child Safe Policy or Statement of Commitment to Child Safety

Who?	Who does the policy apply to? Who is responsible for the different parts of the policy?
What?	What other policies, legislation or industry standards relate to this policy? What are the consequences for workers who fail to comply with the policy?
Why?	What changes can be achieved by having a policy?
When?	When will the policy be reviewed? When can and should it be updated?
How?	How will it be communicated to staff, volunteers, children and families? How will stakeholders, including children, individuals from culturally and/or linguistically diverse backgrounds and people with disability, be supported to understand the document?

Step 3: Finalise the policy or statement

Once a draft policy or statement has been developed, it should be circulated to staff, volunteers, parents and children. Someone external to the organisation should also review it. It might be helpful to have feedback from an organisation that has already developed its own policy.

Allocate key tasks identified in the policy and set a date for the final draft.

Step 4: Approve the policy or statement

The board, committee of management and/or other leaders of the organisation should approve the policy or statement.

Step 5: Communicate the policy or statement

Display the policy or statement in a place where it can be seen. Perform a 'roll-out' of the policy to ensure that all employees, volunteers, members and participants are aware of the policy and its requirements. When new staff, volunteers or children join the organisation, ensure their induction includes information about the policy or statement, particularly the requirements of the Code of Conduct and the value the organisation places on child safety. When memberships are renewed, remind people about the policy or statement and its requirements.

Step 6: Review and update the policy or statement

A Child Safe Policy or Statement of Commitment to Child Safety should be reviewed and updated regularly. This ensures that it remains up to date with current research and contemporary views on best practice. Other events that might trigger a review include changes in legislation or a serious incident involving staff, volunteers, children or families within an organisation.

This should include regular re-communication of the policy to employees, volunteers, members and participants to ensure that the details and requirements of the policy remain front of mind for all. This will support an organisation's compliance with **Standard 1 – Strategies to embed an organisational culture of child safety**, including through effective leadership arrangements, and may act as an opportunity to open up discussions regarding child safety in the organisation.

Sample: Child Safe Policy

The sample provided serves as an illustration only. The topics included in this sample policy are expected by the Commission; however, each organisation should consider additional topics that could be included in a policy. An organisation may also want to add more detail to each topic.

Sunny Pines Association Child Safe Policy

This Child Safe Policy was approved by the Committee of Management on 30 June 2018 and endorsed by members at the annual general meeting. It is due to be reviewed on 30 June 2020.

This policy was written to demonstrate the strong commitment of the management, staff and volunteers to child safety, and to provide an outline of the policies and practices we have developed to keep everyone safe from any harm, including abuse.

Commitment to child safety

All children who come to Sunny Pines have a right to feel and be safe. The welfare of the children in our care will always be our first priority and we have a zero-tolerance approach to child abuse. We aim to create a child safe and child-friendly environment where children feel safe and have fun.

This policy was developed in collaboration with all our staff, volunteers, the children who use our services, and their parents. It applies to all staff, volunteers, children and individuals involved in our organisation.

Sunny Pines is committed to the principles of cultural safety and inclusion of children from diverse backgrounds and to the safety and inclusion of children with disability, and we recognise that these principles support the safety of all children.

Children's rights to safety and participation

Sunny Pines is a child-centred organisation. We actively seek to include the voices of children in our organisational planning, delivery of services, management of facilities and assessment procedures.

Sunny Pines actively seeks to understand what makes children feel safe in our organisation. We regularly communicate with children about what they can do if they feel unsafe.

Sunny Pines values the voices of children and will act on concerns raised by children or their families in regard to their safety. Sunny Pines includes the voices of children in the following ways:

- regular discussions with children that facilitate child-led conversation on what makes them feel safe
- a suggestion box accessible to children that is regularly emptied and suggestions assessed and acted on where appropriate. Children will be provided with feedback on their suggestions
- any proposed significant changes to the physical environment, policies, procedures, programs or staffing are discussed with children, who are encouraged to provide their views. The views are collated by staff and provided to management for assessment and inclusion in the decision-making process
- communication materials on policies, procedures, staffing and programs are child-friendly and suitable to the relevant age groups and diversity of the children at Sunny Pines, including materials translated into languages the children speak, where needed.

Valuing diversity

We value diversity and do not tolerate any discriminatory practices. To achieve this, we:

- support the cultural safety, participation and empowerment of Aboriginal children and their families

Child Safe Standard 2

A Child Safe Policy or Statement of Commitment to Child Safety

- support the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds and their families
- welcome children with disability and their families and act to promote their participation
- seek to recruit appropriate staff from culturally and/or linguistically diverse backgrounds
- welcome same-sex attracted, intersex and gender diverse children and families
- have a physical environment that actively celebrates diverse cultures and recognises cultural difference
- commit to ensuring our facilities promote inclusion of children of all abilities.

Recruiting staff and volunteers

Sunny Pines applies the best practice standards in the recruitment and screening of staff and volunteers. Recruitment procedures shall comply with the Sunny Pines Recruitment and Selection Policy. The Sunny Pines Recruitment and Selection Policy must ensure that child safety requirements are addressed in the recruitment process through strategies including:

Deciding to recruit

- Assess the level of contact and responsibility the role will have in regard to children.
- National Police Checks and Working with Children Checks are required where roles have contact or responsibility for children and for roles that have influence or authority over children, such as leadership positions.
- Assess the qualifications and prerequisites required to ensure the staff are appropriately skilled for the role.
- Assess the training, guidance and supervision required for the position and the current resources available to meet these requirements.

Advertising

- All positions are advertised with the Sunny Pines Statement of Commitment to Child Safety.
- Positions will clearly state the responsibilities with regard to children.
- Prerequisite criteria will be listed for positions, for example: National Police Check, Working with Children Check, training and qualifications.
- Advertised positions will state that referee checks will be performed for shortlisted candidates.

Selection

- Where a position includes responsibility for children or is a position of leadership, interview questions will address experience and previous engagement with children and will gauge the applicant's attitudes and values toward children.
- Before commencing in their role, successful applicants must sign the Sunny Pines Child Safe Code of Conduct and attend an induction session on the Sunny Pines child safe and child abuse reporting policies and procedures.

Supporting staff and volunteers

Sunny Pines is committed to ensuring that all leaders, staff and volunteers receive training to ensure they understand their responsibilities in relation to child safety. Sunny Pines assists its leaders, staff and volunteers 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.

Mandatory training requirements for Sunny Pines leaders, staff and volunteers are as follows:

- induction: Child Safe Code of Conduct and Child Safe Policy
- identifying indicators of child abuse
- how to respond to disclosures of child abuse
- complaint, Code of Conduct breach and child safety incident reporting procedures.

As these training courses are essential to support Sunny Pines' zero tolerance of child abuse approach, leaders, staff and volunteers are required to undertake all of these components before being allowed to work in a child-related role.

Other training provided to Sunny Pines leaders, staff and volunteers includes (but is not limited to):

- risk management practices in relation to child safety
- creating cultural safety for Aboriginal and culturally and/or linguistically diverse children
- investigating child abuse concerns and allegations.

Child Safety Person

Sunny Pines has two Child Safety Persons who will have specific responsibility for responding to any complaints made by staff, volunteers, parents or children. If a person does not feel comfortable making a report to a Child Safety Person, they may report their concern to the Chair of the Committee of Management.

Child Safety Persons are introduced to the children to ensure they understand who the appointed officers are, and how and when they may contact them.

Photos of the Child Safety Persons are displayed on the Sunny Pines noticeboard and in family and staff newsletters.

Reporting procedures

The Sunny Pines Incident Reporting Policy and Framework includes how to respond to an allegation or incident of child abuse.

The Incident Reporting Policy and Framework includes the following elements:

- If a staff member, volunteer or contractor becomes aware of an incident or allegation of abuse, the first responsibility is to ensure that the child or children are safe and the risks of further abuse or harm are mitigated. If the incident or allegation of abuse could involve criminal conduct, the matter must be immediately reported to Victoria Police. If there is any ongoing risk to a child or children, then the staff member or volunteer should immediately call 000. It may also be appropriate to notify the Department of Health and Human Services if there is a belief that a child is in need of protection. This may involve notifications to the police or Child Protection.
- All reports of child abuse will be treated as serious, whether they are made by an adult or a child.
- When an allegation of child abuse is received, all mandatory reporting requirements must be met, including reporting to:
 - police
 - Department of Health and Human Services
 - the Commission for Children and Young People under the reportable conduct scheme
 - other government departments or regulators as appropriate.

Child Safe Standard 2

A Child Safe Policy or Statement of Commitment to Child Safety

Record keeping and incident monitoring

Sunny Pines has a Records Management Policy and is committed to best practice record keeping.

In accordance with the Records Management Policy and as required in the Incident Reporting Procedure, all reports of child abuse shall be recorded within the incident reporting system.

Sunny Pines, in maintaining records on reports of child abuse, will maintain confidentiality and privacy for children and families in accordance with legislation.

Records will be retained in line with the recommendations from the Office of Public Records.

Reports of child abuse and complaints about child safety will be monitored by the Committee of Management to ensure that they are appropriately managed.

Risks to child safety that are identified in complaints and reports of abuse will be reviewed and incorporated into the relevant risk management plan.

Risk management

We recognise 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 activity planning.

Sunny Pines has a Risk Management Policy and Framework. The Risk Management Policy and Framework must include the assessment and mitigation of risks of child abuse at Sunny Pines.

The following elements must be included in the risk management policy and framework:

- All existing and new activities and facilities must be assessed for risks of child abuse including:
 - environmental risks (e.g. areas that might obscure a line of sight)
 - vulnerability risks (such as activities that may foster personal relationships between staff/volunteers and children who have an increased risk of being exploited, such as children who are highly vulnerable and dependent on the staff/volunteer for their needs).
- All identified risks of child abuse are actively reduced by designing and implementing appropriate preventative measures.
- Risk management plans are documented for all existing and new activities and facilities.
- Staff, volunteers and contractors are made aware of their responsibility for identifying risks of child abuse and their obligation to work with management on reducing those risks.
- Families and children are made aware of how to report on identified risks of child abuse.
- Risk management plans are living documents that are updated as required, referred to regularly and reviewed periodically.

Reviewing this policy

This policy will be reviewed every two years and we undertake to seek the views, comments and suggestions from children, parents, carers, staff and volunteers as a part of this process.

Non-compliance with this policy and the Code of Conduct

Sunny Pines will enforce this policy and the Code of Conduct. Following any non-compliance we will instigate a review that may result in restriction of duties, suspension or termination of employment or other corrective action.

Child Safe Standard 3

A Code of Conduct that establishes clear expectations for appropriate behaviour with children



Child Safe Standard 3

A Code of Conduct that establishes clear expectations for appropriate behaviour with children

“Policies should clarify rules and expectations about staff behaviour with children. Give examples of behaviours that ought to trigger concerns, provide rules or guidelines about how to report concerns and explain how an organisation will respond to these concerns.”

Royal Commission into Institutional Responses to Child Sexual Abuse

What is a Code of Conduct?

A Code of Conduct is one of the most effective ways to keep children safe from abuse. It should list behaviours that are acceptable and those that are not. It spells out professional boundaries, ethical behaviour and acceptable and unacceptable relationships.

When behavioural expectations are clear, an organisation's staff, volunteers, children and their family members are more likely to behave appropriately and to identify and report inappropriate behaviour.

It is important that the Code of Conduct reflects an organisation's activities and identified risks. A Code of Conduct is specific to an organisation. A Code of Conduct for a sporting organisation, for example, will differ from that for an organisation that provides foster care. The organisations' roles, responsibilities, relationships and inherent risks are different.

Importance of clear written guidance on appropriate conduct and behaviour

A Code of Conduct needs to take into account the context of the organisation and the needs of children of different ages, backgrounds and abilities. A Code of Conduct should be written in plain language and include examples of behaviour that is relevant to the organisation. It needs to be communicated to the whole organisation, including children and families. When everyone is educated about an organisation's Code of Conduct and understands its importance, the organisation becomes more transparent and leaders,

staff, volunteers, children and families are held accountable for their behaviour.

If people within an organisation behave in ways that are unacceptable, a Code of Conduct enables the organisation to take action. If a person within an organisation fails to comply with the expected standard of behaviour, their behaviour should be investigated and discussed with them. Confirmed non-compliance should lead to disciplinary action that is defined in the Code of Conduct and in the Child Safe Policy and may result in the person being asked to leave the organisation. For some organisations, non-compliance with aspects of a Code of Conduct could also be a reportable allegation under the Reportable Conduct Scheme.

Without a Code of Conduct, it can be difficult to raise behavioural issues with staff and volunteers. If unacceptable behaviour continues, it can seriously compromise the safety of the environment. Swift and appropriate action must be taken when the Code of Conduct is breached, otherwise people will continue to feel compromised or unsafe.

“Rules about adult–child and child–child relationships should be unambiguous, widely disseminated, and supported by staff supervision and training.”

Royal Commission into Institutional Responses to Child Sexual Abuse



Develop and implement a Code of Conduct

Step 1: Consult widely

Staff, volunteers, children and families should be consulted on what to include in the Code of Conduct. Consulting children (Standard 7) enables staff to become more aware of the impact their behaviour has on children.

Step 2: Decide how many codes are needed

Children may wish to write their own Code of Conduct; this might be more meaningful to them. A child safe organisation encourages and creates opportunities for children to do this. A Code of Conduct can be developed by children within an organisation and they should be supported to understand what should be included. Supporting

children to have a voice in what makes them feel safe and how they want to be treated also links to **Standard 7 – Strategies** to promote the participation and empowerment of children.

For particularly high-risk activities, for example overnight camps, a specific Code of Conduct may be required. This could outline additional topics including sleeping arrangements, personal care, leaving the site, non-use of drugs or alcohol on site, and staff-to-child ratio requirements.

If parental or member involvement is key to an organisation, for example parents helping out at sporting competitions, a specific Code of Conduct for parents or members may be useful.

It is also important that the Code of Conduct emphasises the importance of maintaining child safe online environments and addresses the use of mobile phones and social media in an organisation.

Child Safe Standard 3

A Code of Conduct that establishes clear expectations for appropriate behaviour with children

Step 3: Write the code

A Code of Conduct needs to be specific to the needs of an organisation. It should be informed by a risk management plan (Standard 6). The diverse needs and cultural safety of children within an organisation need to be considered.

A sample Code of Conduct is provided on page 36. The topics covered in this sample, and in a Child Safe Policy, help to identify the types of behaviours that should be included in a Code of Conduct.

Some areas not included in the sample, but which may be relevant to an organisation, are listed below for consideration.

Physical contact

Physical contact with children may be appropriate and necessary; for example, while administering first aid, or for correcting positioning in physical training such as gymnastics or dance. If this is the case, guidelines that describe appropriate and inappropriate physical contact with children must be developed.

Social media and communication with children

Communication through social media, text messaging, phone calls and emails is critical to the work of some organisations; for example, in the delivery of online learning. These forms of communication can also be used by people who pose a risk to children in order to test or overstep professional boundaries. For this reason, a Code of Conduct must make clear when, how, and for what purposes, staff and volunteers can make contact with children. This makes inappropriate or harmful adult behaviour easier to identify and respond to.

Professional–personal relationships

Establishing and maintaining firm and clear professional boundaries with children is an important part of building and maintaining a child safe organisation. Staff or volunteers within an organisation can have pre-existing personal relationships with children or their families. In these cases the risk of harm can be heightened, trusting relationships can be exploited and the ability for a child to safely report abuse may be compromised.

A Code of Conduct should be explicit about appropriate boundaries when interacting with children, inside and outside the organisation. It is also recommended that procedures be implemented to ensure that these relationships are declared and documented. In that way, sufficient safeguards can be implemented on a case by case basis.

Photographing or filming children

A high degree of caution is required when photographing or filming children, including when publishing image-based material or using it for marketing purposes. Consider a written consent form for parents or guardians as a prerequisite and define under what circumstances images may be taken, used and/or accessed.

When considering if these examples apply within an organisation, also give thought to whether other areas apply that should be included within the Code of Conduct.

Step 4: Approve the code

The board, committee of management and/or other leaders of the organisation should approve the Code (or Codes) of Conduct.

Step 5: Establish complaint and disciplinary procedures

Ensure that procedures for raising and managing complaints, and consequences for breaching of the Code of Conduct, are outlined in the Child Safe Policy and are known and understood by everyone. Distinct procedures will be needed for organisations that have to comply with the Reportable Conduct Scheme.

Step 6: Communicate the code

Deliver workshops and staff and volunteer training to ensure that everyone within the organisation understands the requirements of the Code of Conduct and what the processes are in the event of non-compliance. Induction procedures or manuals for new staff and volunteers should include information about the Code of Conduct (Standard 4).

All members of the organisation, including children and families, should be familiar with the Code of Conduct. It should be displayed in a prominent position and posted on the organisation's website.

Step 7: Review and update

The Code of Conduct should be reviewed and updated regularly, with any changes documented and communicated to all staff, volunteers, children and families.

Make sure the Code of Conduct defines appropriate boundaries around how staff or volunteers communicate with children, including on social media, by phone or SMS.

Sample: Code of Conduct

A child safe Code of Conduct should cover the risks within your organisation and should be informed by the specific risks present in the organisational setting (Standard 6).

A child safe Code of Conduct should clearly outline the organisation's expectations for what constitutes appropriate and inappropriate behaviours by adults towards children. This means detailing behaviours in the context of how they relate to your organisation. A child safe Code of Conduct could also be written for particular positions within the organisation, or to apply to parents (for example, to clearly identify expectations of parents who are spectators at sporting or cultural events) or to the children who participate in the activities.

A child safe Code of Conduct aims to protect children and reduce any opportunities for abuse or harm to occur. It also helps staff and volunteers by providing them with guidance on how to best support children and how to avoid or better manage difficult situations.

The sample of a child safe Code of Conduct on the following page is provided as an illustration only and does not take into consideration the specific risks that may be present in your organisation.

Child Safe Standard 3

A Code of Conduct that establishes clear expectations for appropriate behaviour with children

Sunny Pines Association Code of Conduct

Commitment to Child Safety

Sunny Pines condemns all forms of child abuse, exploitation of children and discrimination against children. We are committed to creating and maintaining an environment that promotes safety for people involved in our programs, including all children. All Sunny Pines staff and volunteers are responsible for promoting the safety, wellbeing and empowerment of children and young people.

Consequences of Breaching the Code of Conduct

Staff, volunteers or contractors who breach this Code of Conduct may be subject to disciplinary actions that could include enhanced supervision, appointment to an alternate role, suspension or termination from the organisation.

Code of Conduct Agreement

All Sunny Pines staff, volunteers and contractors are responsible for promoting the safety and wellbeing of children and young people by agreeing to and adhering to the below standards of behaviour:

I WILL:

- adhere to all relevant Australian and Victorian legislation, Sunny Pines' Child Safe Policy and other organisational policies
- comply with Sunny Pines' guidelines on physical contact with children
- raise concerns with management if risks to child safety are identified in any of the activities, facilities, structures, procedures or staffing practices at Sunny Pines
- take all reasonable steps to protect children from abuse
- report and act on any behavioural complaints, concerns or observed breaches regarding this Code of Conduct
- report any concern, allegation, disclosure or observation of child abuse to the relevant person or authority as outlined in Sunny Pines' reporting procedure and in line with mandatory reporting requirements, including the Reportable Conduct Scheme
- respect the privacy of children and their families by keeping all information regarding Child Protection concerns confidential, only discussing information with the relevant people to follow reporting procedure
- treat all children and young people with respect, regardless of race, colour, sex, gender identity, sexual orientation, language, religion, political or other opinion, national, ethnic or social origin, culture, property, disability or other status
- listen to and value children and young people's ideas and opinions
- welcome all children and their families and carers by being inclusive

- actively promote cultural safety and inclusion
- listen to children and respond to them appropriately
- conduct myself in a manner consistent with the values of the Sunny Pines organisation

- work with children in an open and transparent way – other adults should always know about the work being done with children
- observe professional boundaries with children at all times, including when seeing a child from Sunny Pines outside the workplace.

I WILL NOT:

- condone or participate in behaviour with children that is illegal, unsafe or abusive
- seek to use children in any way to meet the needs of adults
- ignore or disregard any concerns, suspicions or disclosures of child abuse
- exaggerate or trivialise child abuse issues
- use hurtful, discriminatory or offensive behaviour or language with children
- engage in rough physical games
- discriminate on the basis of age, sex, gender identity, race, culture or sexual orientation
- initiate unnecessary physical contact with children or do things of a personal

- nature that children can do for themselves, such as toileting or changing clothes
- develop 'special' relationships with specific children or show favouritism through the provision of gifts or inappropriate attention
- exchange personal contact details such as phone numbers, social networking details or email addresses with children
- have unauthorised contact with children and young people online, on social media or by phone
- use any computer, mobile phone, or video or digital camera to exploit or harass children.

I have read this Code of Conduct and agree to abide by it at all times.

Name _____

Signature _____ Date / /

Name of Manager _____

Signature _____ Date / /

Name of Witness _____

Signature _____ Date / /

Child Safe Standard 4

Screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel



A child safe organisation has policies and procedures for recruitment and selection processes, supervision, training and managing the performance of staff and volunteers.

Having a well-developed and carefully thought out human resource function within an organisation can play an important role in protecting children from harm. These policies and procedures not only help to identify the most suitable staff and volunteers to work with children, they can also deter unsuitable individuals from applying or being appointed, either in a paid or voluntary capacity. Depending on the size and structure of an organisation, the policies and procedures implemented will vary. The human resource function of a small, volunteer-run organisation will look very different to that of a large, funded organisation. However, a focus on the screening, supervision and training of staff will serve to protect children across the breadth of organisations covered by the standards. Each organisation must implement systems suitable and appropriate to them.

Recruit only the most suitable people

Selecting suitable and appropriate people to work with children is vital. An organisation's approach to screening staff and volunteers should be outlined in its Child Safe Policy (Standard 2) and/or in the human resources documentation. Everyone benefits when the best people, who share the organisation's values about keeping children safe from harm, are chosen. Good recruitment practices can reduce the opportunity for harm to occur by deterring the 'wrong' people from applying and allowing an organisation to screen out people who are unsuitable to work with children.

Create clear job descriptions and duty statements

Organisations need to be clear about the role and responsibilities of each staff and volunteer position, particularly when these involve working closely with children.

Each position description should clearly spell out:

- the organisation's commitment to child safety
- the duties and tasks of the role
- the qualifications, experience and attributes applicants must have
- the level of responsibility and supervision associated with the position
- that there is a clear expectation that staff and volunteers must have and maintain a commitment to child safety.

Once the duties and responsibilities of a position have been decided, it can be identified whether a valid Working with Children Check is required.

Well-developed job descriptions assist organisations of all sizes in attracting suitably qualified and experienced staff and volunteers. If roles and responsibilities are unclear, an organisation may not look as professional and capable of identifying unsuitable applicants. This may increase the chance of such applicants applying for roles in an organisation. In addition, employing staff and engaging volunteers who are not suitably qualified may add to a child feeling unsafe in an organisation as well as placing staff and volunteers under unnecessary stress which could be expressed through inappropriate behaviour.

Child Safe Standard 4

Screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel

Promote child safety in job advertisements

A job advertisement should clearly state the organisation's commitment to child safety. This should be included in all advertisements, duty statements and other documents. This may discourage unsuitable people from applying. The sample job advertisement below demonstrates how to do this.

Childcare worker

Our 50-place community childcare centre is seeking a dynamic, experienced childcare worker. At Our Village Childcare we are committed to excellence in child care and to ensuring the safety and wellbeing of children.

The application form can be accessed at our website and will need to include three referees. All applicants must hold a Diploma of Early Childhood Education and Care, have previous experience working with children and provide referees who can comment on this experience.

A valid Working with Children Check and a police check are mandatory.

We are a child safe and equal employment opportunity employer. Applications from Aboriginal and Torres Strait Islander peoples and people from culturally and/or linguistically diverse backgrounds are encouraged.

Assess the suitability of potential staff or volunteers

Assessing suitability to work with children requires more than just criminal background checking. While the Working with Children Check is a useful tool for keeping children safe, it is only one part of creating a child safe environment. Examples provided during the Royal Commission demonstrate that over-reliance on Working With Children Checks as a sole employment screening tool is widespread. These instances highlight significant dangers associated with this over-reliance. Research shows that the majority of people who abuse children do not have prior convictions and therefore would not be detected by screening processes that rely on a criminal history check alone.

It is important that an organisation use a range of screening procedures including:

- identity checks
- qualification verifications
- work history checks
- thorough verbal referee checks.

Use of values-based interviewing

Values-based interviewing should be used to carefully assess the suitability of applicants when new staff or volunteers are being recruited. Important areas to assess include:

- motivation to work with children (personal and/or professional)
- understanding of children's physical and emotional needs
- understanding of professional boundaries
- attitudes to children's rights and how they can be upheld
- values (honesty, integrity, reliability, fairness and non-discrimination) and attitudes towards working with children.

An organisation needs to invest time and resources when recruiting staff or volunteers who work closely with children, particularly where children are vulnerable or have special needs.

Direct questions to applicants that test their suitability to work with children

Asking the right questions is important, as is knowing what answers to look for and recognising responses that cause concern. Human resources staff should be provided with quality training to identify factors that could indicate an applicant is not suitable for roles in child safe settings.

Check references

Screening potential staff and volunteers is essential. Reference checks are crucial. A failure to properly check references can compromise safety for children and organisations.

Staff and volunteers responsible for interviewing applicants and conducting reference checks must be confident, assertive and probing in their questions. At least one person on the interview panel should be experienced in undertaking reference checks. Use of an independent person may increase objectivity, particularly when internal applicants are applying to work directly with children.

When contacting referees, it is important to verify who the person being communicated with is in order to ensure the legitimacy of their responses.

Organisations should insist that one referee is the applicant's current or most recent direct supervisor, regardless of the applicant's feeling about this. A current assessment of their performance is invaluable. It is also important that organisations ask whether the referee has directly supervised the applicant and observed their work with children.

Make sure a reference check is undertaken with the applicant's most recent supervisor

Useful questions to ask a referee include:

- Have you observed the person interacting with children? Can you describe the types of relationships and interactions the person has had with children?
- Would you employ the person again?
- Do you have any concerns about the applicant working directly with children?
- Are you comfortable knowing that the applicant might sometimes be working alone with children?
- Did you have any disciplinary matters relating to the person or concerns about their adherence with the organisation's Code of Conduct?

The applicant's work history and details provided in respect of previous employment should be checked for accuracy. It is also important to ask whether the referee can provide examples of instances when they observed the applicant managing the behaviour of a child.

If the reference is in writing, contact the referee to confirm authenticity.

Follow fair employment processes

The processes followed when selecting staff or volunteers should be fair and just. That said, the safety and wellbeing of children should be the primary consideration. In addition, ensure any decision-making is rigorous, defensible and transparent.

Having clear job descriptions and ensuring that appropriately qualified staff conduct interviews and reference checks are important aspects of maintaining fair processes that also provide for the safety of children.

Requirements of privacy legislation and laws relating to unlawful discrimination should be understood/ followed. A detailed discussion of these topics is outside the scope of this guide, but a few important points are noted on the following page.

Child Safe Standard 4

Screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel

Privacy

It is important to remember that criminal histories, outcomes of professional disciplinary proceedings and any other information considered during background checking is likely to constitute sensitive personal information. This information should be treated with respect and an individual's privacy should be maintained in accordance with privacy laws. Development of appropriate safeguards around the collection, retention, use and disclosure of personal information should be undertaken. Applicants should be told what happens to any information they provide and who has access to it.

Working with Children Check

The Working with Children Check helps protect children from harm. It does this by screening people's criminal records and professional conduct and preventing people who pose an unjustifiable risk to children from working with or caring for them.

A Working with Children Check is valid for five years. It is transferable between employers or volunteer organisations as it remains the property of the individual. One key exception is where someone moves from a volunteer role to an employee role, as a volunteer check is not sufficient and an additional Working with Children Check needs to be obtained.

A Working with Children Check differs from a police check because Working with Children Check cardholders are monitored on an ongoing basis for any new relevant offences or adverse professional conduct reports from prescribed professional bodies. New charges, convictions or findings relevant to the Working with Children Check may trigger a re-assessment of the person's eligibility to hold a card.

Staff or volunteers who usually have direct and unsupervised contact with children must have a valid Working with Children Check. Organisations can also choose to require their staff or volunteers to have one even if they are not legally required to.

A Working with Children Check is only a starting point. It does not assess someone's suitability to work with or care for children in a particular role. It is the responsibility of an organisation to assess if a worker is suitable to work with children and to monitor their behaviour around children.

Undertaking Working with Children Checks is one aspect of building a child safe organisation, however it does not remove the requirement to undertake the other strategies outlined in this guide.

A Working with Children Check is important – but it is not a substitute for child safe practices.

Police checks

A police check differs from a Working with Children Check. A police check is not an assessment by a government agency. It is only a list, at a given point in time, of the offences a person has committed.

This list can be requested to assess an applicant's suitability for other kinds of work. Working with Children Checks only consider 'relevant offences' as listed in the *Working with Children Act 2005*, such as serious sexual, violent and drug offences. For example, an organisation might want to know about fraud offences when recruiting someone who will have access to cash or expensive goods.

“Criminal background checks are of limited effectiveness unless accompanied by other child safe recruitment practices.”

Royal Commission into Institutional Responses to Child Sexual Abuse

Staff and volunteer development, supervision and performance monitoring

Once staff or volunteers have commenced working with children, the organisation needs to provide ongoing opportunities for development through education and training, supervision and professional development.

Quality professional development and support for staff and volunteers within an organisation includes:

- induction and ongoing training
- supervision of work
- professional development and performance monitoring.

Induction

All staff and volunteers should receive an appropriate induction to make them aware of their child safety responsibilities. This should provide an overview of the organisation's Child Safe Framework, including the Code of Conduct (Standard 3), reporting obligations (Standard 5) and Child Safe Policies and procedures (Standard 2). This should be a documented process that is tracked through a register. It should occur immediately after appointment and, ideally, before work with children begins.

Benefits

When an organisation's staff and volunteers are supported, they are more likely to uphold the organisation's child safe values. If they have problems or concerns, they are more likely to report it to their supervisor or manager.

Good supervision

Ongoing commitment to good supervision is a key component of a child safe organisation. Supervision means providing clear expectations about roles and responsibilities and giving people access to support and training that can equip them to perform their roles as professionally as possible. People who are responsible for the supervision of staff and volunteers

within an organisation need to provide them with adequate support, as well as on-the-job monitoring of their performance. Supervision will be different in volunteer organisations, especially in those organisations that have a pool of volunteers who participate occasionally and not in the everyday functions and activities of the organisation. Supporting new and existing staff and volunteers with supervision and training enables them to provide high quality care to children and equips them to provide a safe environment for children. It is also critical in enabling any behaviours of concern to be detected early and breaches of relevant policies, Codes of Conduct or standards to be acted upon. Supervisors in organisations need to be honest with staff and volunteers. They must set realistic performance targets in order to detect when staff or volunteers are not performing to the best of their ability or are acting in ways that are detrimental to children or to the organisation.

Ongoing training and professional development

When engaging new staff or volunteers, organisations need to consider the level of training and experience staff or volunteers are required to possess. These can be specified in job descriptions and duty statements. When staff or volunteers are appointed, a developmental approach that values ongoing training and development needs to be undertaken. Child safe organisations emphasise and implement training opportunities and strategies that equip people to do their job well.

Understanding the nature and signs of abuse

In child safe organisations, those who work with children need to understand the definition of harm to children, including different forms of child abuse. This is essential where staff or volunteers are expected to identify abuse, prevent it and protect children from harm. Children often do not speak up when they feel unsafe; however, their behaviour may change. It is particularly important that staff and volunteers within an organisation are aware of this and able to act in a preventative way. This is why training sessions for staff and volunteers on these topics are so important.

Child Safe Standard 4

Screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel

Staff and volunteers working with children need to have a basic understanding of children's development and how it changes through different ages and stages. If staff and volunteers within an organisation understand this, it becomes much easier to detect physical or behavioural changes in children that may indicate the child could be at risk or is already being harmed. Staff and volunteers who work closely with children are in a position to observe changes and respond to or report any concerns about the child's welfare and development.

Aboriginal cultural competency

The dynamics of culture are different for Aboriginal children.

For Aboriginal children, families and communities in Victoria, culture frames a sense of identity that relates to being the First Peoples of the land. Cultural competence is a means through which First Peoples can be given due respect and honour in their land in the context of a history of racism and cultural abuse. It allows the broader community to understand the resilience of Aboriginal people and appreciate the pride they have in their culture. It also enables the broader community to celebrate and take pride in the oldest continuing culture.

Understanding and implementing the principle of cultural safety for Aboriginal children should create a foundation for an organisation to develop cultural competency. Without a culturally safe environment, there cannot be a culturally competent organisation. Developing cultural competence within an organisation requires leadership at all levels. It takes time, and must be planned carefully. It requires the capacity to thoughtfully and respectfully question, and to develop trusting and reciprocal relationships with Aboriginal people. Cultural competence is a whole-of-organisation approach that should be embedded in the governance, policies, programs, service delivery and practice approaches.⁶

Inclusive practice

A dedicated focus on the continual development of inclusive practices should be a goal of an organisation across all domains of its operation, from a leadership-driven culture of inclusiveness, to recruitment, staff and volunteer training and child safe policies.

⁶ Adapted from Victorian Aboriginal Child Care Agency, Aboriginal Cultural Competence Framework (Melbourne: Department of Human Services, 2008).

Template: Choosing, supervising and developing suitable staff and volunteers

Choosing safe staff and volunteers	Practical suggestions	Good outcomes
Develop a duty statement or job description	A duty statement or job description clarifies the role, responsibilities and expectations of the position and outlines reporting lines. Determine if the position requires a Working with Children Check.	Recruitment of the most suitable staff or volunteers.
Develop key selection criteria	Selection criteria help to identify key skills, attributes, experience and qualifications that are required to undertake the duties and tasks outlined in the duty statement.	
Advertise the position	Promote the fact that you are a child safe organisation with a Child Safe Policy.	Encouragement for the best qualified people to apply.

Choosing safe staff and volunteers	Practical suggestions	Good outcomes
Interview applicants	<p>Ask about the applicant's motivation to work with children.</p> <p>Discuss the applicant's approach to Aboriginal cultural safety and inclusive practices for all children and their families.</p> <p>Ask questions about the applicant's real-life experience.</p> <p>Have three people on the interview panel if possible.</p> <p>Have a gender mix if possible.</p> <p>Appoint an interview chairperson.</p> <p>Conduct a second interview if you are not sure who you want to appoint.</p>	<p>Achievement of a fair and transparent interview process that allows reasonable opportunity to assess an applicant's skills and suitability.</p>
Conduct a minimum of two reference checks	<p>At least two reference checks must be undertaken by telephone or in person. Do not just accept written references.</p> <p>Insist on references from the applicant's current or most recent employer.</p> <p>Referees need to have personally observed the applicant's work with children.</p> <p>Useful questions:</p> <ul style="list-style-type: none"> • Have you observed the person interacting with children? Can you describe the types of relationships and interactions the person has had with children? • Would you employ the applicant again? • Do you have any concerns about the applicant working directly with children? • Are you comfortable knowing the applicant could sometimes be alone with children? • Can you give us an example of a time when you observed the applicant managing children's behaviour? 	<p>Collection of accurate information enables you to make informed decisions about the applicant's suitability.</p>
Provide induction, supervision, support and monitoring of staff and volunteers	<p>Familiarise new staff and volunteers with the organisation's Child Safe Framework.</p> <p>Provide ongoing training in regard to:</p> <ul style="list-style-type: none"> • best practice in relation to their roles and responsibilities • Child Safe Standards • identifying and responding to signs of child abuse • risk assessment and risk management • empowerment of children • cultural safety and inclusive practices. <p>Supervise new staff and volunteers to make sure they follow the requirements of the organisation's Child Safe Framework.</p>	

Child Safe Standard 5

Processes for responding to and reporting suspected child abuse



It is vital to ensure that children know who to talk to if they are worried or are feeling unsafe, and that they are comfortable to do so. Children, parents, staff and volunteers must be encouraged and supported in their efforts to protect themselves and others. An organisation should proactively engage with children in an age-appropriate manner about abuse, rather than relying on them to disclose abuse.

A child safe organisation encourages and welcomes the reporting of concerns, responds to complaints promptly, thoroughly and fairly, and immediately protects children at risk.

Why a clear procedure is important

Findings from the *Betrayal of Trust* inquiry and the Royal Commission reveal that many organisations with a high level of responsibility for children did not have a child abuse reporting policy in place. They also show that where policies were in place, there was a lack of clarity around how staff and volunteers were required to respond if they had concerns about the safety of a child.

Having clear and well communicated procedures for raising a concern or allegation significantly increases the likelihood of concerns being reported. Reporting can be difficult, so these procedures need to be child-friendly and accessible to everyone in the organisation. The safety of the child and the risk of harm must always be an organisation's primary consideration, with due regard for confidentiality and procedural fairness to the person against whom any allegation is made.

Organisations have a responsibility to encourage staff, volunteers and children to speak up when they are uncomfortable or concerned. When an organisation has a well-publicised reporting process that staff and volunteers are trained to use, it increases the likelihood that people will raise relevant and important issues about child safety. This process also encourages people to give helpful and important information that reduces the risk of all forms of harm to children, staff and volunteers.

Some organisations also have to comply with reporting and investigation requirements in the Reportable Conduct Scheme (see page 49). These must be included in an organisation's reporting policy.

An organisation's reporting policy should be capable of dealing with different types of complaints. A policy should set out the disciplinary actions that could be taken in response to allegations made against the head of the organisation, a staff member or a volunteer. The policy should also set out the actions or steps available to the organisation when an allegation is made about a parent, another child or another person associated with the organisation. For example, in the event of an allegation about a staff member, actions may include supervision, removal of contact with children or being stood down. An organisation should also make a clear commitment that no one will be penalised or suffer adverse consequences for making a complaint.

The policy should incorporate reference to all reporting requirements. This is outlined in detail on page 49.

Support the child and their family

Concerns about safety are not easy to report, particularly for children. Being able to identify indicators of abuse enables staff and volunteers within an organisation to be proactive and reduce reliance on children disclosing abuse. It is important to note that children may seek to disclose abuse through emotional or behavioural cues, such as anxiety, withdrawal or aggression.

Recurring themes present in submissions to the Royal Commission include that:

- victims feel shame, fear and self-blame and therefore often do not report that they are being harmed by an adult – this is particularly true in the case of sexual abuse
- victims of abuse often do not tell anyone that an adult is harming them because they do not believe that there is anyone to tell
- when victims of child abuse do disclose abuse, they report being viewed with suspicion and not being believed.

Child Safe Standard 5

Processes for responding to and reporting suspected child abuse

Children and young people reporting abuse or safety concerns must be treated with sensitivity and provided with support. They and their families should be connected with services that can provide them with support to manage difficult or traumatic experiences. It is very important that an organisation validates a child's disclosure, no matter how an individual might feel about it. This means listening to the child, taking them seriously and responding to and acting on the disclosure by implementing the organisation's reporting and investigation procedures.

Key components include:

- letting the child talk about their concerns in their own time and in their own words. Give them full attention, the time and a quiet space in which to do this
- being a supportive and reassuring listener. Comfort the child if they are distressed
- asking open-ended questions and not asking leading questions
- telling the child it is not their fault and that telling you was the right thing to do
- letting them know that you will act on this information, that you will need to let other people know, including why other people need to know
- alerting relevant people in the organisation, the police, the Commission or Child Protection, as documented in the organisation's policy.

When receiving a report from a child it is important to guard against contamination of evidence. Report suspected abuse promptly to the appropriate authorities. This necessarily includes:

- recording the child's disclosure using the child's words
- noting their demeanour and appearance at the time
- documenting any physical evidence
- contacting the child's parents to let them know (other than if the disclosure is related to abuse within the family)
- assisting the child and their family to access appropriate support for the child, such as counselling

- letting the child and their family know about steps the organisation is taking, such as an investigation, and any resulting action, such as changes to policy or procedures
- praising the child for helping the organisation become safer for children.

“Adults paying attention when a child or young person raised a concern or worry was the most influential characteristic in determining how safe children felt within an organisation.”

Our Safety Counts, A report for the Royal Commission into Institutional Responses to Child Sexual Abuse

Duty of care and legal responsibilities

All staff and volunteers need to understand their role in keeping children safe. Those who exercise care, supervision or authority over children have a duty of care to keep children safe. The principle of a duty of care is that workers and volunteers have an obligation to avoid acts or omissions (failures) that could be reasonably foreseen to injure or harm children engaging with the organisation. This harm includes child abuse. There are also a number of obligations that arise from specific pieces of legislation such as mandatory reporting to police, the Department of Health and Human Services (DHHS) or the Commission. It is vital that all organisations are meeting their obligations with respect to keeping children safe and reporting incidents and allegations of child abuse and child-related misconduct.

Suspected child abuse must be reported to relevant authorities. It is particularly important that police are immediately contacted if there are concerns for the safety of a child or the belief that a child may have

experienced criminal abuse. The police can be called on 000 if there are immediate concerns for a child's safety. If suspected abuse has been reported to police, police should be consulted to ensure that an organisation's internal investigation does not interfere with a police investigation. An organisation's investigation should only proceed with police clearance.

What concerns should be reported?

Concerns about the safety and wellbeing of children can range from an uncomfortable feeling through to a direct observation of abuse. Staff, volunteers, children and families are encouraged to speak to someone if they have concerns and to be proactive. Staff and volunteers in an organisation need to be aware of their duty of care to children and of their other legal responsibilities.

Examples of child safety concerns include:

- inappropriate or special relationships developing between staff or volunteers and children
- inadequate staff-child supervision ratios
- breaches of the Code of Conduct, particularly if they are persistent
- feelings of discomfort about interactions between a staff member or volunteer and a child
- suspicions or beliefs that children are at risk of harm
- observations of concerning changes in behaviour
- concerns about a physical environment that may pose a risk to children (this includes health and hygiene issues)
- children's disclosures of abuse or harm, which must be reported to the police, DHHS, the Commission and, where appropriate, any other regulator.

The Reportable Conduct Scheme

Organisations may also be covered under Victoria's Reportable Conduct Scheme. The Reportable Conduct Scheme seeks to improve how organisations respond to allegations of child abuse and child-related misconduct. It achieves this by requiring heads of organisations to report to the Commission for Children

and Young People any allegation that one of their workers or volunteers has committed child abuse or child-related misconduct. The organisation must carry out an investigation into these allegations and report its findings together with actions taken (if any) in response to the Commission.

When should concerns be reported to the police?

Physical or sexual abuse of children is a crime and must be reported to the police. Family violence, whether or not a child has been physically or sexually abused, is serious, affects children in the family and often involves criminal behaviour. If a concern relates to family violence it should be reported to the police.

If a child is in imminent or immediate danger, call 000 immediately.

When should concerns be reported to Child Protection?

Anyone may make a report to Child Protection if they believe, on reasonable grounds, that a child is in need of protection.

Child Protection is part of the Victorian Department of Health and Human Services. It provides child-centred, family-focused services to protect children and young people from significant harm caused by abuse or neglect within the family. It also aims to ensure that children and young people receive services to deal with the impact of abuse and neglect on their wellbeing and development. It is the Child Protection practitioner's job to investigate significant harm.

How to make a report

To make a report regarding a child who might be in need of protection, contact the regional Child Protection office as soon as possible. Notifications can be made by calling 13 12 78.

Child Safe Standard 5

Processes for responding to and reporting suspected child abuse

Mandatory reporting

Although everyone has a moral and social responsibility to report concerns about child abuse, some professionals are legally required to make a report to Child Protection if 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 and the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

For example, doctors, nurses, midwives, teachers and school principals, police, youth workers and social workers are all required to make mandatory reports under the *Children, Youth and Families Act 2005*.

As long as a report is made in good faith, the making of a report is not unprofessional conduct or a breach of professional ethics and the reporter cannot be held legally liable. Confidentiality is provided for reporters in the *Children, Youth and Families Act 2005*. This prevents the disclosure of the name or any information likely to lead to the identification of a person who has made a report in accordance with the legislation except in very specific circumstances.

It is vitally important that an organisation shares information appropriately and lawfully with other organisations where the safety and wellbeing of children are at risk.

Criminal offences

Organisations need to be aware of, and be responsive to, the following criminal offences to help protect children from harm.

Grooming for sexual conduct with a child under the age of 16 years

Many perpetrators of sexual offences against children purposely create relationships with victims, their families or carers in order to create a situation where abuse can occur. The grooming offence applies where a person over 18 years of age communicates, by words or conduct, online or face-to-face, with a child under the age of 16 years or with a person who has

care, supervision or authority for a child, with the intention of subsequent sexual activity with a child.

Failure to disclose

Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 years of age has an obligation to report that information to police, unless they have a reasonable excuse not to or an exemption applies. Failure to disclose the information to police is a criminal offence.

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

Failure to disclose obligations apply to all adults in Victoria.

Failure to protect

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.

Failure to protect obligations apply to people in authority within a relevant organisation.

A **relevant organisation** is one that exercises care, supervision or authority over children, whether as part of its primary function or otherwise.



Keep accurate and secure records

Organisations should record any child safety complaints, disclosures of abuse or breaches of the Code of Conduct and store the records in accordance with security and privacy requirements. A record of action taken should be kept, including any internal investigations and any reports made to statutory authorities or professional bodies.

To avoid confusion, everyone in an organisation, including children, should be made aware of the need to report all child safety concerns to relevant bodies and that confidentiality cannot be maintained in these instances. In all other respects, confidentiality and privacy must be maintained and information regarding an allegation should only be shared on a 'need to know' basis.

A flowchart outlining the process for reporting child safety concerns can convey a clear message to everyone that their concerns will be handled fairly, confidentially and efficiently. It should be attached to an organisation's Child Safe Policy.

A sample flowchart is provided on the following page.

Appoint a dedicated Child Safety Person

The reporting process can be simplified by appointing a dedicated Child Safety Person who manages the process from beginning to end. If there is no specific Child Safety Person, an organisation must advise all staff, volunteers, parents and children who they should report concerns to. Concerns from staff and volunteers are generally reported to their supervisor or manager. However, organisations should also have a specific policy for how to report concerns about a supervisor, manager, or the head of an organisation.

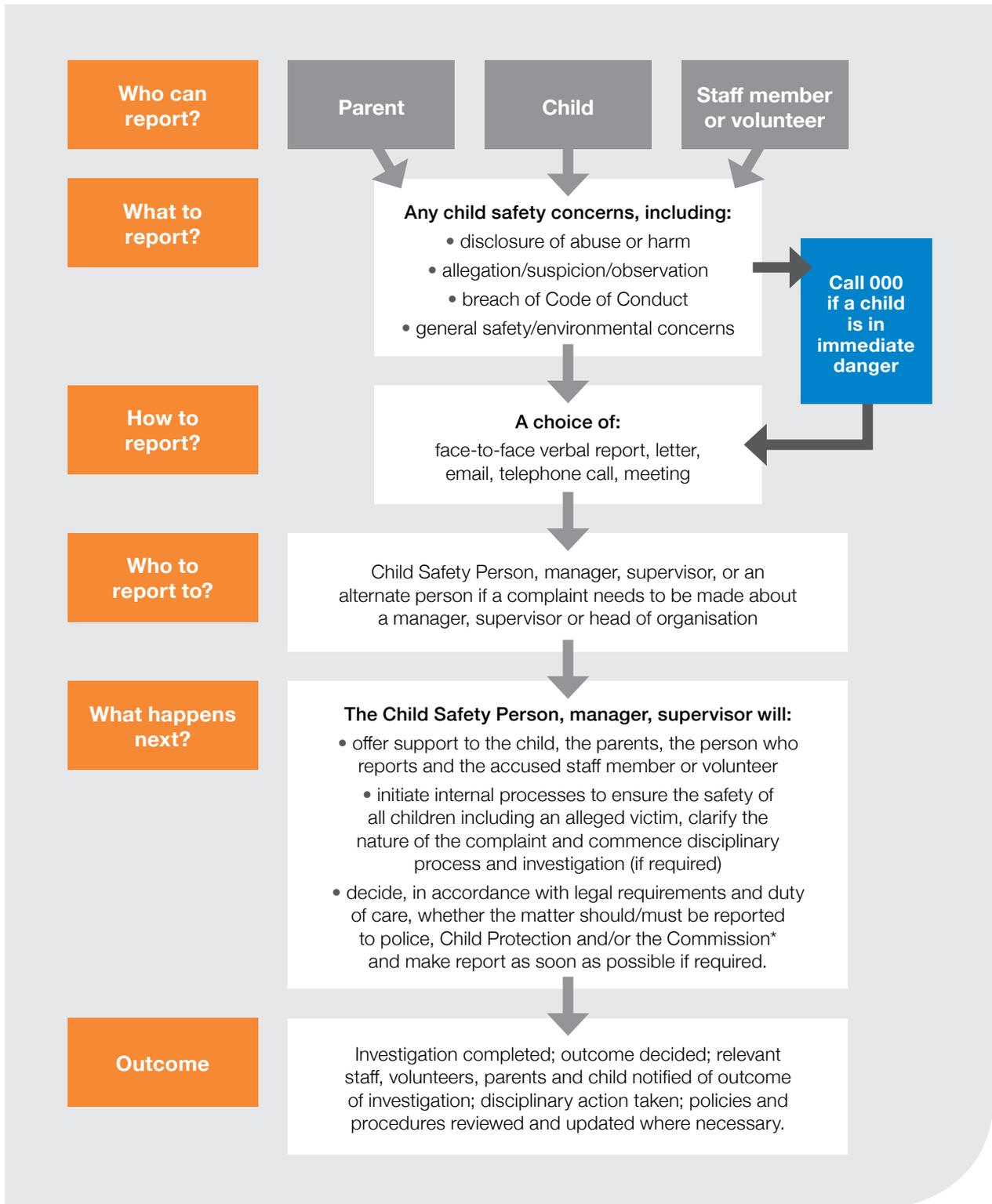
For organisations covered by the Reportable Conduct Scheme, heads of organisations are responsible for reporting allegations of child abuse or child-related misconduct to the Commission within three business days of becoming aware of them. While the head of an organisation has a legal responsibility to report to the Commission, anyone from within or outside an organisation is able to notify the Commission of a reportable allegation.

Child Safe Standard 5

Processes for responding to and reporting suspected child abuse

Flowchart: Child safety reporting process

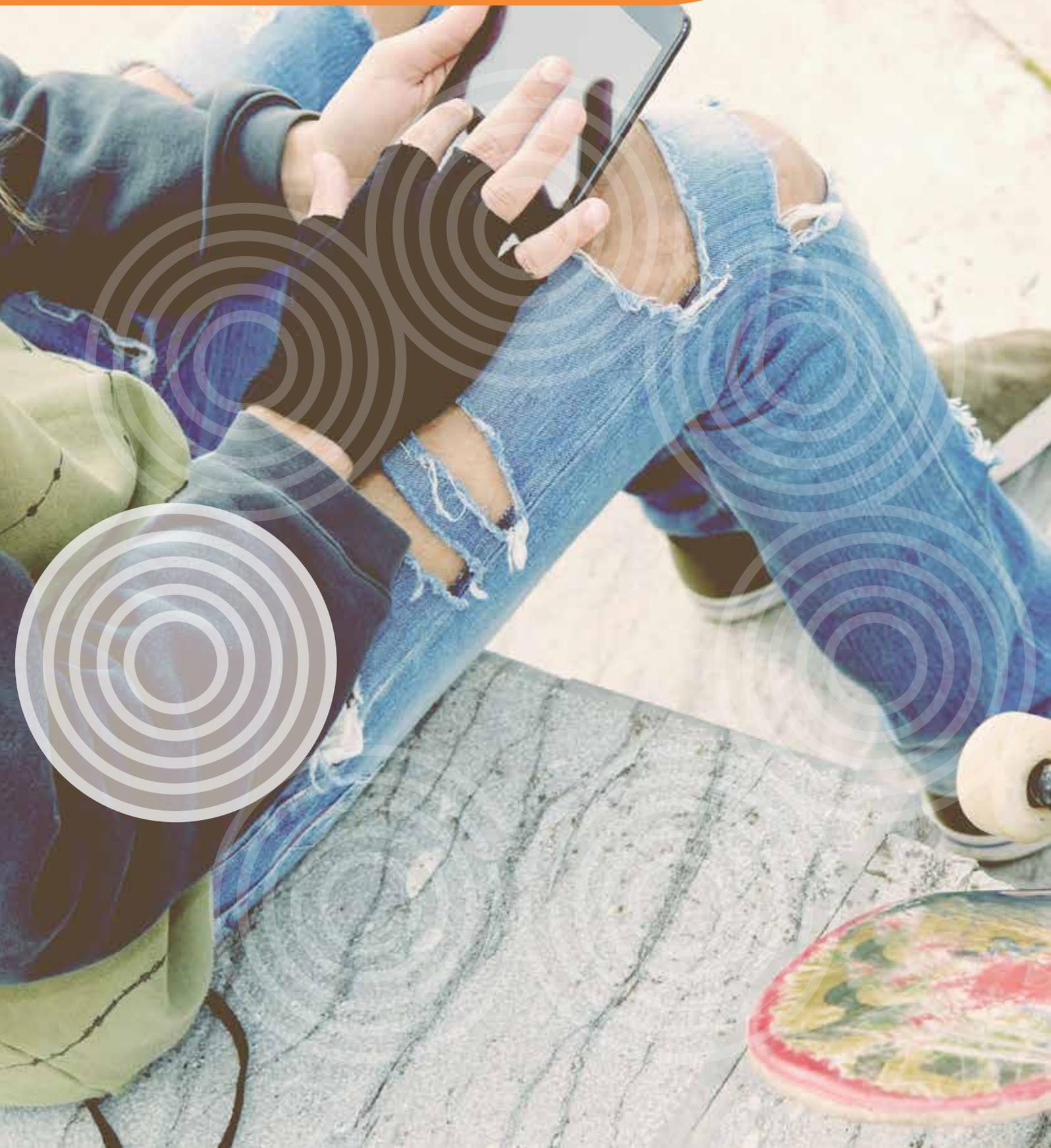
This chart outlines the process for reports to be made by parents, children, staff members and volunteers alike.



* Applies only to organisations covered by the Reportable Conduct Scheme. Refer to the Commission's website for details.

Child Safe Standard 6

Strategies to identify and reduce or remove risks of child abuse



Child Safe Standard 6

Strategies to identify and reduce or remove risks of child abuse

A child safe organisation designs and adapts its physical and online environments and activities to minimise opportunities for abuse to occur. Findings of the Royal Commission demonstrate that opportunities to abuse are linked with the ability to be alone with a child and the ability to groom a child undetected over a period of time. Situational risks such as these can be modified, and child safe organisations are those that identify and minimise these risks as much as is reasonably practicable.

Adopt a risk management approach

All organisations have a duty of care to protect the children they are involved with.

Creating a child safe organisation begins with a clear, evidence-informed understanding of the potential risks to children in an organisation's setting.

Taking a preventative approach means identifying the potential risks in the organisation. These range from the impact of the physical and online environments, how they affect continual supervision of staff and children, the nature of the activities the organisation is engaged in, through to staff recruitment practices in an organisation.

Despite the implementation of best-practice approaches, risks always exist for children who access organisations. An organisation is in the best position to know where the vulnerabilities and risks are located within it and its activities and how it can plan to prevent them. By adopting a risk management approach, an organisation is acting in a preventative manner and can reduce the likelihood of risks becoming realised.

Assess risks

Each organisation should decide on a risk assessment approach that is appropriate and adapted to that organisation. Research conducted for the Royal Commission suggested looking at four types of risk:

1. Situational risk – assessing the opportunities for abuse to occur in the organisational environment. This can include the ability of potential abusers to exploit opportunities to be alone with a child to facilitate grooming, or opportunities for innocent existing relationships to be escalated by potential abusers to an unlawful sexual act. This can also include opportunities for potential abusers to form close relationships with children, perhaps with physical contact or emotional involvement, where there is the chance of this crossing boundaries in Codes of Conduct.
2. Vulnerability risk – understanding the characteristics of children, and subsequent vulnerabilities within the organisation that provides services or facilities to these children. For example, children in out-of-home care environments are more at risk of sexual abuse than children participating in weekly community sport in an outdoor group setting.
3. Propensity risk – acknowledging that potential abusers could already be within an organisation, and focusing on an organisation's staffing profile to help mitigate risk. That said, organisations should be mindful that there is no one psychological profile for a person who sexually abuses children.
4. Other institutional risk – there are a range of factors that could mean abuse is more likely to occur. Examples include factors that impair prevention efforts, situations where the organisational ethos is such that child protection is not given a priority, and organisational cultures (for example, disengaged leadership) that facilitate misconduct.

Situational and vulnerability risk look at the nature of the activities, while propensity and institutional risk look at the characteristics of the institution. There will be overlap between risk categories. When more than one type of risk is identified, this can act to greatly increase the risk of children being abused.

Develop a risk management plan

To reduce the likelihood of harm, consider and define the risks within the organisation. What could go wrong within the organisation as a whole or for any specific activity? Be sure to involve children in this process, as they may have a very different idea about what makes them feel unsafe.⁷

The risk management plan should be well documented and communicated to all staff, families and children. This helps ensure that risk management strategies are understood by everyone within the organisation.

Review the physical and online environments

Rigorously scan the organisation's service delivery, the children and young people who access it, and the organisation's physical and online environments for risks to child safety. In identifying possible risk, consider the following:

- particular vulnerabilities of the children and young people who access the organisation
- circumstances in which adults can be alone with children
- circumstances in which adults are able to develop relationships of trust with children
- the adult-to-child ratio within the organisation

⁷ Formal processes for risk management are outlined in the national standard for risk management, AS/NZS ISO 3100:2009: Risk management – Principles and guidelines (Standards Australia/Standards New Zealand, 2009).

- how often parents/carers are not present with their children at the organisation
- whether certain physical spaces shared by adults and children might present any risks.

Review the existing policies and processes

What strategies, practices or procedures have already been implemented by the organisation to control risk? Have the strategies, practices or procedures that are already in place been fully implemented? How do you know? How can you tell? Are staff, volunteers, children and parents aware of the policies and procedures? How effective are they? How can you tell?

Review any previous child safety incidents and associated responses

This helps to identify whether there are any particular areas that are problematic. These areas may also highlight patterns of risk within an organisation.

Estimate the severity of risks identified

Determining the severity of risks identified assists organisations to plan responses and resource allocation. A Risk Matrix is a tool that is commonly used to assist in determining risk levels within a range of settings. The left hand column rates the likelihood of risk, the columns on the right suggest the consequence if it occurred. Where they meet determines the risk rating.

Child Safety Risk Matrix

Likelihood of Event Occurring	Level of Concern		
	Minor Concern	Moderate Concern	Great Concern
Likely	Low Risk	High Risk	High Risk
Possible	Low Risk	Medium Risk	High Risk
Unlikely	Low Risk	Low Risk	Medium Risk

Child Safe Standard 6

Strategies to identify and reduce or remove risks of child abuse

Risk management template

Principles	Considerations
Establish the context	<p>How does the organisation interact with children? Remember that different levels of risk are inherent in different types of activities.</p> <p>What governance and supervision structures are in place to prevent harm or abuse?</p> <p>Describe the children accessing the organisation. All children are vulnerable due to their developmental level; however, some children are particularly vulnerable. This may include children who have experienced trauma, abuse or neglect; Aboriginal children; and children with disability.</p>
How will you undertake the risk management plan?	<p>What approach will you adopt?</p> <p>Who will be involved?</p> <p>How long will it take?</p>
Consult and communicate	<p>How will you let children, parents, carers, staff, volunteers and any other stakeholders know you are undertaking a risk management plan?</p> <p>How will you seek their views and input?</p> <p>How will you inform them about the plan?</p>
Identify the risks	<p>These may range from occupational health and safety risks to child abuse and accidents.</p> <p>Do not forget to include risks related to the online environment.</p>
Analyse the risks	<p>Consider the likelihood and consequence for children, the organisation, staff, volunteers and others if harm did occur.</p>
Develop intervention	<p>What can you do to reduce the likelihood of risk?</p> <p>What would you need to do if the risk did occur?</p> <p>Changing the environment, putting preventative measures in place to make it harder for someone to perpetrate abuse and making it more likely that abuse will be discovered can also reduce the potential for abuse to occur.</p>
Monitor and review	<p>Have a clear monitoring structure to record any risks that did eventuate, how effective the risk management plan was and how it can be improved.</p> <p>Have a set timeframe for reviewing this plan to incorporate these learnings.</p>
Designate and manage	<p>Risk management should be a responsibility of a designated role within the organisation. This person must lead the child safe culture.</p>

Adapted from the NSW Office of the Children's Guardian, www.kidsguardian.nsw.gov.au

Key risks

Some key risks to children in organisational settings are outlined below:

Risks to children	
Unintentional/accidental harm <ul style="list-style-type: none">• Poor physical environment leading to injury• Poor supervision• High-risk activity• Lack of risk mitigation strategies in place	Physical abuse <ul style="list-style-type: none">• Physical punishment• Pushing, shoving• Punching, slapping, biting, kicking
Psychological abuse <ul style="list-style-type: none">• Bullying• Threatening language• Shaming• Intentional ignoring and isolating (either face-to-face, online or via other technology)	Cultural abuse <ul style="list-style-type: none">• Lack of cultural respect• Racial or cultural vilification or discrimination• Lack of support to enable a child to be aware of and express their cultural identity
Neglect <ul style="list-style-type: none">• Lack of supervision• Not providing adequate nourishment• Not providing adequate clothing or shelter• Not meeting the specific physical or cognitive needs of children	Sexual abuse <ul style="list-style-type: none">• Sexual abuse, assault and exploitation• Grooming• Inappropriate touching• Inappropriate conversations of a sexual nature (either face-to-face, online or via other technology)• Crossing professional boundaries

Adapted from the NSW Office of the Children's Guardian, www.kidsguardian.nsw.gov.au

Once risks faced by children within the organisation have been identified, a better understanding of what policies and procedures an organisation requires and how these should be communicated can be developed.

Cyber, online and mobile phone safety

Although the use of technology provides enormous positive opportunities, children are particularly vulnerable in the online environment, including through cyberbullying, grooming and trolling.

Cyberbullying refers to the use of internet or mobile technologies including social media with the intention of harming another person. Cyberbullying takes a variety of forms and includes:

- abusive texts and emails
- hurtful messages, images or videos
- imitating others online
- excluding others online
- nasty online gossip and chat.

In contrast, trolling describes the anonymous abuse or intimidation of others online for fun. Trolls usually post inflammatory or nasty statements to watch the reactions of others.

Communication technologies take a variety of forms and are constantly evolving. Children move to new and emerging technologies quickly and can be a step ahead of their parents, carers and organisational staff.

Examples of technologies include:

- phone-based text messaging, for example SMS, Facebook Messenger and WhatsApp
- social media platforms, for example Facebook, Instagram, Snapchat, Twitter, Pinterest, Tumblr
- smartphone games and applications
- video call apps, for example Skype, FaceTime, Zoom, Google Hangouts.

Organisations should have a strong prevention and awareness focus, by educating children, parents, staff and volunteers about online safety and security. It is vital an organisation acknowledges the risk to children in the online world and keeps up to date to ensure that its Child Safe Policy, Code of Conduct and induction processes make reference to online, social media, and cyber harm, including harm due to cyberbullying and trolling.

Online grooming

Online grooming of children is the illegal act of an adult or adults making online contact with a child under the age of 16 with the intention of facilitating a sexual relationship. Online grooming includes:

- asking a child inappropriate or personal questions
- sending a child offensive, confronting or obscene content
- asking a child to send intimate pictures or do things online that make them feel uncomfortable and are of a sexual nature
- singling a child out for a 'special' relationship.

Profile privacy settings

It is fundamentally important to make sure children know not to have online profiles set as 'public'. Public profiles can be accessed by anyone.

Each individual application or device's privacy setting should be set to 'private'.

Online harm includes harm caused by other children or by adults seeking to groom children.

Child Safe Standard 7

Strategies to promote the participation and empowerment of children



Child Safe Standard 7

Strategies to promote the participation and empowerment of children

Child safe organisations place a high priority on the promotion of participation and empowerment of young people because participation serves to protect children. Establishing an environment of trust and inclusion enables children in an organisation to speak up if they are worried.

When children are routinely provided with opportunities to participate and feel that their views are valued, they are more likely to speak up. If children in an organisation feel unsafe, have concerns about their wellbeing, or feel they cannot express themselves, there is a risk that any harm that is occurring will remain undiscovered and ongoing.

What do we mean by participation and empowerment?

Three principles underpin the participation of children and young people. These are:

- **Empowerment**, which encompasses children and young people having greater control or say over their lives through participation
- **Purposeful engagement**, which encompasses children and young people taking on valued roles, addressing issues that are relevant to them, and influencing real outcomes
- **Inclusiveness**, which encompasses ensuring that all children and young people are able to participate.

Promote the participation of children

It must be acknowledged that a significant power imbalance exists between children and adults. Specific effort must be made to ensure the voices of children are heard. Enabling and promoting the participation of children within an organisation has many benefits. These include:

- demonstrating a commitment to upholding the rights of children
- providing an opportunity to check that what is being done is actually what children want

- strengthening the commitment of children to the organisation
- building the communication and leadership skills of children
- building cultural understanding and respect
- enhancing the safety of children.

Children may not feel safe if they are unaware of what an organisation is doing to keep them safe – participation and communication are vital.

What does participation and empowerment look like in a child safe organisation?

In a child safe organisation that encourages participation and empowerment, children and young people:

- are engaged and involved in decisions
- can express their views and raise concerns
- have their views and opinions taken seriously
- are educated about their rights, and are included in policy development.

Children's views can be sought by:

- consulting directly with children about what they think makes an organisation safe for them
- giving children information about the standards of care they are entitled to
- teaching children how to raise concerns, make complaints or let someone know they feel unsafe
- regularly checking with parents and children to ensure they are aware of relevant child safe policies and procedures and that the child safety culture is visible.

“Children are safer when organisations acknowledge and teach them about their right to be heard, listened to, and taken seriously.”

Royal Commission into Institutional Responses to Child Sexual Abuse

Talk to children about safety

In 2013, the Institute of Child Protection Studies conducted research for the Royal Commission where it surveyed Australian children and young people about their perceptions of safety and risk. In their report, they describe six attributes of safety, which are outlined below:⁸

1. Being safe and feeling safe are different things

Children and young people experience safety differently to adults. Children define safety in relation to how they feel and behave in response to a person, place or experience. They define ‘unsafe’ in relation to feelings of fear, worry, anxiety or anger. They describe safety as the absence of unsafe people, behaviours, activities, dangerous items and other threats. Children feel that adults are more concerned with being safe; however, for children, feeling safe is as important as being safe. Because children understand and experience safety differently from adults, organisations and the adults within them need to understand what safety means to children and act to respond to children’s fears. Adults need to spend time with children to learn more about their worries and to put into place strategies that respond to their needs.

2. Children and young people need to know what is happening

Children and young people feel most safe when they know what is happening, and why it is happening. Familiarity and predictability are important. Choice and control are also seen as enabling children to feel safe. Children think that adults often attempt to shield them from information about risks (such as sexual abuse) for fear that the knowledge or information might be overwhelming or not something that the child is prepared for. However, in attempting to protect children from distressing information, adults render children more vulnerable and unwittingly cause them more distress, with the end result that encountering interactions that make them feel unsafe leaves them ill-equipped to take action. Children also report that, in their eyes, adults are responsible for informing and preparing them.

3. Children base their perceptions on what they see, hear and experience

Children recognise that they often misperceive risks: believing that an adult, situation or place is safe when it is not. Having opportunities for adults to help correct their misunderstandings is therefore appreciated. Secondly, children share that they are often unnecessarily afraid of people, places and experiences when exposed to misinformation; as such they need adults to allay their fears. In understanding the risks, children also believe that they would better appreciate how adults were dealing with those issues. Children value being helped to better understand risks and to make better judgements on when to trust and when to be wary.

4. Places are safe when they are for children

Children want organisations to provide safe physical environments: places that are bright and cheerful, where kids are able to move around, to play and to ‘hang out’ with friends and people they trust.

⁸ Protection through participation: Involving children in child safe organisations (Tim Moore, CICA Practitioner Resource, 2017)

5. Children and young people want to be involved in the solution process

It is not only important for adults to understand children's fears and concerns but also for children to have input into the strategies implemented by adults and organisations to deal with them. Including children in the development of strategies and responses for their own safety results in a greater likelihood that children will utilise them and feel positive about them. For children's participation to be successful it needs to be supported by the whole organisation, and dialogue about safety needs to be ongoing and built into as many interactions between adults and children as possible.

6. Adults need to be available, accessible, and respond to children respectfully

Children need adults and peers they can trust, and these adults must be accessible, physically present and available when needed. Raising concerns with an adult can be difficult, potentially embarrassing, shameful or uncomfortable. Adults need to respond respectfully and in ways that allay children's fears and discomfort. Children need adults to be adult-like, to demonstrate respect for individuals, to use their power for children, and, most importantly, to do what they say they are supposed to do. Adults who are unpredictable or who do not demonstrate adult-like behaviour are seen as unsafe; this includes those with poor boundaries and those under the influence of alcohol. Adults who don't take responsibility for children's safety, particularly in a supervisory or support role, are seen as unsafe.

Creating a child safe organisation requires asking children when they feel safe and when they feel unsafe. Their comments and insights are always different from adult perspectives. Well-intentioned people implement policies and procedures aimed at protecting children, but often children are not aware that they exist. Often children do not know what to do if they feel unsafe or are concerned about something.

The concept of 'safety' is very broad and means different things to different people, especially children. It can be much easier to understand the concept of 'physical' safety and the need for safe practices around hygiene, road and water safety, slippery surfaces, pool fencing, sign-in and sign-out procedures, and staff supervision ratios. All of these also contribute to the physical protection of children.

In a child safe organisation, it is also important to promote 'psychological' safety. Even if the physical environment is as safe as possible, when children feel unsafe it is important to understand why and respond to their concerns. Psychological safety means children feel valued, respected and cared for. They know they can speak to people if they feel unsafe or unhappy, and that something will be done to address their concerns. Knowing this increases their self-esteem, which boosts their confidence and empowers them to speak up when necessary.

Children also contribute valuable insight and ideas towards the creation of a meaningful child safe organisation. The process of consulting with children may enable organisations to identify its strengths, weaknesses, risks and dangers in activities that might not be identified by other methods.

Children must be empowered to understand their rights, recognise what abuse is, understand it is not acceptable and that they can do something about it.

Helping children to recognise abuse in an age-appropriate way can help them avoid situations that might put them at risk.

Engagement Framework

Consulting and talking to children	Practical suggestions	Good outcomes
Establish what safety means to children	<p>Ask children when they feel safe and when they feel unsafe.</p> <p>Ensure the physical environment is safe, warm and friendly towards children.</p>	<p>Development of the Child Safe Policy, Code of Conduct and complaints management process, which are informed by children's insight and responses. Being alerted to any physical danger in the environment.</p>
Educate children about their rights	<p>Run informal education sessions on the Convention on the Rights of the Child.</p> <p>Teach children that with every right they enjoy, they need to meet its corresponding responsibility.</p> <p>Undertake activities on 'rights' versus 'wants'.</p>	<p>Children understand their basic human rights.</p> <p>Children understand that they need to meet their responsibilities.</p> <p>Children know the difference between a 'right' and a 'want'.</p>
Include children in policy development	<p>Explain what the organisation is attempting to do and ask children for their ideas, opinions and suggestions.</p> <p>Run small discussion groups, and provide refreshments and activities.</p> <p>Give regular breaks.</p>	<p>A Child Safe Policy that children understand and that represents their suggestions.</p> <p>Practical suggestions that contribute to a physically safe environment.</p>
Encourage children to develop their own Code of Conduct	<p>Ask children what is acceptable behaviour and unacceptable behaviour. This includes behaviour of adults towards children, of children towards adults and of children towards children.</p> <p>Formulate a Code of Conduct using 'DO' and 'DO NOT' or 'WE WILL' and 'WE WILL NOT'.</p>	<p>A child-friendly Code of Conduct for an organisation, written by children for children.</p> <p>Guidelines for an organisation's staff and volunteers that cover their interactions, expected behaviour and relationships with children.</p>

Appendix 1: Child Safe Standards – Implementation and Action Plan Tool

Child Safe Standard 1: Strategies to embed an organisational culture of child safety, including through effective leadership arrangements

	What is already in place? (Examples of activity in action)
In what ways does your organisation publicly commit to child safety?	<p>EXAMPLES ONLY:</p> <p><i>Posters of our Statement of Commitment to Child Safety are displayed on noticeboards.</i></p> <p><i>Our Statement of Commitment to Child Safety is published in all job advertisements.</i></p> <p><i>Our Statement of Commitment to Child Safety is stated in the introduction to the Volunteer Manual.</i></p>
How does your organisation’s leadership champion a child safe culture?	
How does your organisation support leaders to make child safe decisions? <i>Note: How do possible impacts on child safety inform decision-making at higher levels within the organisation? What systems and processes are in place to assist leaders to make organisational decisions in the best interest of children?</i>	
How are your organisation’s leaders informed of the risks to child safety within your organisation?	
How does your organisation ensure child safety is a shared responsibility at all levels of the organisation?	
How does your organisation encourage parents, children, staff and volunteers to contribute to its child safe approach?	
What strategies does your organisation have in place to establish and promote a child safe culture?	
What strategies does your organisation have in place to advocate for cultural safety?	
In what ways do you communicate the child safe policies and strategies to your organisation’s community?	
What measures does your organisation have in place to continuously improve its child safe practices?	
How does your organisation raise community awareness about child abuse?	

Appendix 1

Child Safe Standards – Implementation and Action Plan Tool

Child Safe Standard 2: A Child Safe Policy or Statement of Commitment to Child Safety

	What is already in place? (Examples of activity in action)
How does your organisation’s Statement of Commitment to Child Safety or Child Safe Policy communicate a zero-tolerance approach to child abuse?	
How does your organisation’s Statement of Commitment to Child Safety or Child Safe Policy communicate the values and principles that guide your organisation?	
How does your organisation’s Child Safe Policy incorporate and support the Child Safe Standards and principles?	
In what ways does the Child Safe Policy reflect the risks present in your organisation’s environment, services and activities?	
How does your organisation’s Child Safe Policy incorporate child abuse allegation reporting processes?	
How does the Child Safe Policy communicate the steps staff, volunteers, children or families should take if they have concerns regarding the organisation’s leadership in relation to child safety? <i>Note: The policy should include how staff, volunteers, children or families can make an allegation of child abuse against a person in authority at your organisation.</i>	
How does your organisation monitor adherence to its Child Safe Policy or Statement of Commitment to Child Safety? <i>Note: What steps are taken to action breaches of the policy or Statement of Commitment? Are the measures enough to ensure child safety?</i>	
How does your organisation incorporate findings from Child Safety Reviews into the Child Safe Policy?	
How does your organisation incorporate feedback from children, families, staff and volunteers into the Child Safe Policy?	
How does your organisation ensure that the Child Safe Policy is communicated to leaders, staff, volunteers, families and children?	
What is undertaken by your organisation to ensure leaders, staff, volunteers, families and children understand the Child Safe Policy?	

Child Safe Standard 3: A Code of Conduct that establishes clear expectations for appropriate behaviour with children

	What is already in place? (Examples of activity in action)
<p>How does your child safe Code of Conduct explain acceptable and unacceptable behaviour of staff, volunteers, community members and children in the context of your organisation?</p>	
<p>What steps has the organisation taken to make sure the child safe Code of Conduct takes into account the risks within the organisational setting and the specific role requirements of workers or volunteers?</p>	
<p>How has your organisation ensured that the Code of Conduct takes into account the needs of all children? <i>Note: These measures should specifically consider the needs of Aboriginal children, children from culturally and/or linguistically diverse backgrounds, LGBTIQ+ children and children with disability (and their families).</i></p>	
<p>How does your organisation determine who needs to commit to a child safe Code of Conduct? <i>Note: The organisation should consider the risks inherent in the environmental or situational setting and the level of child interaction and/or degree of influence over children that leaders, staff, volunteers or members may have.</i></p>	
<p>How does your organisation ensure that inappropriate behaviours of staff, contractors and volunteers are identified and addressed?</p>	
<p>How does your organisation incorporate findings from Child Safety Reviews into the child safe Code of Conduct?</p>	
<p>How does your organisation incorporate feedback from children, families, staff and volunteers into the child safe Code of Conduct?</p>	
<p>How does your organisation communicate its child safe Code of Conduct to staff, volunteers, families, children and the community?</p>	

	How does the activity/action support your organisation in complying with the standards?	Are there any weaknesses, gaps or improvements needed? What are they?	Who is responsible, what is the timeframe and review date?

Child Safe Standard 4: Screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel

	What is already in place? (Examples of activity in action)
In what ways does your organisation promote its child safe position and policies to potential applicants?	
How does the level of child interaction of the employee, contractor or volunteer role inform the types of screening required for the position?	
How does the degree of potential influence or power over children inform the types of screening required for the employed, contractor or volunteer position? <i>Note: Think about the positions of leadership within the organisation and the risks that real or perceived authority may pose to children.</i>	
What measures does your organisation have in place to ensure that new employees, contractors and volunteers are appropriate to work with children?	
What processes does your organisation use to document recruitment procedures?	
How do staff, contractor or volunteer probationary periods capture conduct related to child safety and cultural safety? <i>Note: A decision on whether or not people are retained by the organisation should include an assessment of their interactions with children over the probationary period.</i>	
What measures does your organisation have in place to ensure existing employees, contractors and volunteers are appropriate to work with children?	
What processes does your organisation have in place to monitor and assess employees', contractors' and volunteers' continued suitability for child-related work?	
What quality assurance practices does your organisation have in place to ensure work is performed appropriately in relation to child safety?	
How is child safety captured in your organisation's performance development framework?	
What opportunities are created by your organisation for children to provide feedback on staff, volunteer and contractor performance?	
How does your organisation induct its staff, volunteers and contractors into the child safe organisational culture?	
How does the organisation ensure that the staff, volunteers and contractors have an up-to-date understanding of the child safe strategies, policies and procedures of the organisation?	
How does the organisation support its staff, volunteers and contractors to develop practical skills in protecting children and responding to disclosures?	
How does the organisation ensure that its staff, volunteers and contractors gain skills in addressing the diverse needs of vulnerable children?	
How does the organisation ensure that its staff, volunteers and contractors contribute positively towards a culturally safe space for children?	
What measures does your organisation have in place to ensure its workforce reflects the diversity of the children engaged in its activities?	

Child Safe Standard 5: Processes for responding to and reporting suspected child abuse

	What is already in place? (Examples of activity in action)
What policies and processes does your organisation have in place to report and act on disclosures or concerns about child safety?	
How do your organisation’s reporting procedures and policies ensure that mandatory reporting requirements are met? <i>Note: Mandatory reporting may include:</i> <ul style="list-style-type: none"> • reporting to the police • reporting to the Department of Health and Human Services where a concern is held that a child might be in need of protection • reporting to the Commission for Children and Young People under the Reportable Conduct Scheme • reporting to other regulatory authorities or other government departments. 	
What complaints processes does your organisation have that are accessible for children, families and members of the broader community, and how do you ensure they are dealt with in a timely, fair and transparent manner?	
What child-friendly processes does your organisation have in place to ensure children know who to talk to if they feel unsafe or have a concern? <i>Note: Your organisation should consult with children to determine how they would like to report abuse or make complaints in regard to child safety.</i>	
What considerations have been made in your organisation’s responding and reporting procedures to ensure that children with diverse backgrounds, needs and abilities feel empowered to report their concerns? <i>Note: What measures are in place to facilitate children’s ability to report?</i>	
How does your organisation ensure that children’s reports of abuse and concerns about safety are recorded and taken seriously?	
What measures does your organisation have in place to investigate allegations of child abuse and breaches of the Code of Conduct or Child Safe Policy? <i>Note: Your organisation should determine and document how immediate or ongoing risks to a child or children will be managed and mitigated.</i>	
How does your organisation ensure that conflicts of interest are declared and managed when investigating allegations of child abuse or concerns about child safety?	
What measures does your organisation have in place to ensure record-keeping requirements, confidentiality and privacy are maintained when investigating child safety concerns? <i>Note: Records on reports of abuse should be meticulously and securely maintained and records should be stored in compliance with legal requirements.</i>	
How does your organisation ensure staff, volunteers and other members of the organisation are aware of their responsibility to report concerns of harm to children?	
What training has been provided to staff, volunteers or contractors regarding the process for making complaints and reports of abuse, and identifying indicators of abuse?	
How does your organisation monitor and assess its response to reports of abuse? <i>Note: These measures should ensure that appropriate leadership groups or persons are updated on all reports of abuse and the actions taken (where possible and with consideration of the need for confidentiality or legal obligations such as protected disclosure).</i>	

Appendix 1

Child Safe Standards – Implementation and Action Plan Tool

Child Safe Standard 6: Strategies to identify and reduce or remove risks of child abuse

	What is already in place? (Examples of activity in action)
How does your organisation identify the risk of child abuse within its environments, activities and services?	
How does your organisation specifically identify risks to more vulnerable children?	
How does the organisational community contribute to the identification of the risks of child abuse within the organisation?	
How does your organisation identify gaps within its systems, policies and procedures that may be exploited by a person motivated to commit child abuse?	
How does your organisation develop strategies to reduce or remove the risk of child abuse in its environments, activities, services and systems?	
How does your organisation implement its strategies to reduce or remove the risk of child abuse in its environments, activities, services and systems?	
How does your organisation review its strategies to reduce or remove the risk of child abuse in its environments, activities, services and systems?	
How does your organisation improve or update its strategies to reduce or remove the risk of child abuse in its environments, activities, services and systems?	

Child Safe Standard 7: Strategies to promote the participation and empowerment of children

	What is already in place? (Examples of activity in action)
How does your organisation recognise, respect and support the belief that cultural identity is fundamental to a child's safety and wellbeing?	
What strategies does your organisation employ to welcome all children and ensure they can participate? <i>Note: These measures should specifically consider the needs of Aboriginal children, children from culturally and/or linguistically diverse backgrounds and children with disability.</i>	
How does your organisation consult with children about decisions that affect them?	
How does your organisation create opportunities for children to participate in organisational planning, preparation, action and feedback?	
How does your organisation inform children of their rights and ensure they know how to raise their concerns?	
How does your organisation provide information on its policies and procedures in child-friendly and accessible ways?	
How are children consulted on what makes them feel safe and how is this incorporated in the environment, systems, processes and programs (including training) in your organisation?	
What training has been provided to staff, volunteers or contractors on empowering children?	
What measures does your organisation have in place to continuously review and improve its strategies, policies, procedures and processes for child empowerment?	
What measures does your organisation have in place to ensure that children are consulted when significant changes occur within the organisation? <i>Note: Significant changes may include new activities, changes to the physical environment, new membership rules, changes to the Code of Conduct or reporting procedures, or changes in leadership.</i>	

	How does the activity/action support your organisation in complying with the standards?	Are there any weaknesses, gaps or improvements needed? What are they?	Who is responsible, what is the timeframe and review date?

	How does the activity/action support your organisation in complying with the standards?	Are there any weaknesses, gaps or improvements needed? What are they?	Who is responsible, what is the timeframe and review date?

Appendix 2: United Nations Convention on the Rights of the Child

Highlights of the Convention

- Every child has the inherent right to life, and states shall ensure to the maximum extent possible child survival and development.
- Every child has the right to a name and nationality from birth.
- Children shall not be separated from their parents, except by competent authorities for their wellbeing.
- States shall facilitate reunification of families by permitting travel into, or out of, their territories.
- Parents have the primary responsibility for a child's upbringing, but states shall provide them with appropriate assistance and develop childcare institutions.
- States shall protect children from physical and mental harm and neglect, including sexual abuse or exploitation.
- States shall provide parentless children with suitable alternative care. The adoption process shall be carefully regulated and international agreements should be sought to provide safeguards and assure legal validity if and when adoptive parents intend to move a child from his or her country of birth.
- Children with disability shall have the right to special treatment, education and care.
- Children are entitled to the highest attainable standard of health. States shall ensure that health care is provided to all children, placing emphasis on preventative measures, health education and reduction of infant mortality.
- Primary education shall be free and compulsory. Discipline in schools shall respect the child's dignity. Education should prepare the child for life in a spirit of understanding, peace and tolerance.
- Children shall have time to rest and play, and shall have equal opportunities for cultural and artistic activities.
- States shall protect children from economic exploitation and from work that may interfere with their education or be harmful to their health or wellbeing.
- States shall protect children from the illegal use of drugs and involvement in drug production or trafficking.
- All efforts shall be made to eliminate the abduction and trafficking of children.
- Capital punishment or life imprisonment shall not be imposed for crimes committed before the age of 18.
- Children in detention shall be separated from adults; they must not be tortured or suffer cruel or degrading treatment.
- No child under the age of 15 shall take any part in hostilities; children exposed to armed conflict shall receive special protection.
- Children of minority and indigenous populations shall freely enjoy their own culture, religion and language.
- Children who have suffered mistreatment, neglect or exploitation shall receive appropriate treatment or training for recovery and rehabilitation.
- Children involved in infringements of the penal law shall be treated in a way that promotes their sense of dignity and worth and aims at reintegrating them into society.
- States shall make the rights set out in the Convention widely known to both adults and children.



COMMISSION FOR CHILDREN
AND YOUNG PEOPLE

Commission for Children and Young People logo

The logo represents our vision for all children to be strong in health, education, culture and identity, and face the world with confidence.

The people are connected, equal in size and importance, and there is a fluidity that binds them together.

The mission of the Commission is for all young Victorians to achieve these goals.

The symbol is a Koorie design created by Marcus Lee for the Commission.

The Commission respectfully acknowledges the Traditional Owners of the country throughout Victoria and pays respect to the ongoing living cultures of First Peoples.



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