

**GEN-1a 2022** **Child Safe Policy**

**Purpose**

To establish a policy that complies with the Australian Governments *Child-Safe Standards*\* for all employees (including un-paid) of The Highlands Local Learning and Employment Network (HLEN).

\*The Child Safe Standards have been introduced in Victoria to keep children safe from harm and abuse. The Standards are designed to drive cultural change in organisations, so that protecting children from abuse is embedded in the everyday thinking and practice of leaders, staff and volunteers.

**Scope of Policy**

The following policy (inclusive of the seven Child-Safe Standards) applies to all employees of the HLEN, including un-paid employees (e.g. students on placement, volunteers etc).

**Statement of Commitment**

*The Highlands Local Learning and Employment Network (HLEN) is committed to child safety. We want children to be safe, happy and empowered. We support and respect all children, as well as our staff and volunteers.*  
*We are committed to the safety, participation and empowerment of all children.*  
*We have zero tolerance of child abuse, and all allegations and safety concerns will be treated **very seriously** and in alignment with the Child-Safe Standards.*  
*We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.*  
*Our organisation is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.*  
*We are committed to the cultural safety of Aboriginal children, the cultural safety of children from a culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.*

**The Child-Safe Standards (refer <https://ccyp.vic.gov.au/child-safe-standards/>)**



### The Child-Safe Standards (Continued)

**Standard 1:** Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.

**Standard 2:** Child safety and wellbeing is embedded in organisational leadership, governance and culture.

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

**Standard 4:** Families and communities are informed and involved in promoting child safety and wellbeing.

**Standard 5:** Equity is upheld and diverse needs respected in policy and practice.

**Standard 6:** People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

**Standard 7:** Processes for complaints and concerns are child-focused.

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

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

**Standard 10:** Implementation of the Child Safe Standards is regularly reviewed and improved.

**Standard 11:** Policies and procedures document how the organisation is safe for children and young people.

### National Principles for Child-Safe Organisations

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety and wellbeing.
4. Equity is upheld and diverse needs respected in policy and practice.
5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
6. Processes to respond to complaints and concerns are child focused.
7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
9. Implementation of the national child safe principles is regularly reviewed and improved.
10. Policies and procedures document how the organisation is safe for children and young people.

### Principles to ensure Child-Safe Standards are met

1. All of the HLEN staff must agree to abide by the Child-Safe Standards.
2. The safety and wellbeing of children is a primary concern of the HLEN. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.
3. We record all allegations of abuse and safety concerns using our incident report form (**OHS-3 Work Injury/Incident Report**). All records are securely stored in the Executive Officer's filing cabinet.
4. If an allegation of abuse or a safety concern is raised, we endeavour to provide updates to the affected children and families on the progress and any actions we as an organisation take.
5. As per our **HR-9 Recruitment Policy**, all people engaged in child-related work, including volunteers, are required to hold a Working with Children Check and to provide evidence of this Check. Please see the Working with Children Check website <[www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)> for further information.

## Legislative Responsibilities

The HLEN takes our legal responsibilities seriously, including:

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.<sup>1</sup>
- **Failure to protect:** People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- Any personnel who are **mandatory reporters** must comply with their duties.<sup>2</sup>

## Reporting

We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place (see information about failure to disclose above).

If an adult has a **reasonable belief** that an incident has occurred then they must report the incident. Factors contributing to reasonable belief may be:

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

## Reportable Conduct Scheme

The EO of the HLEN is required to:

- Respond to a reportable allegation made against a worker or volunteer from the HLEN, by ensuring that allegations are appropriately investigated
- Report allegations which may involve criminal conduct to the police
- Notify The Commission for Children and Young People of allegations within three business days after becoming aware of the allegation
- Give The Commission for Children and Young People certain detailed information about the allegation within 30 days after becoming aware of the allegation
- After the investigation has concluded, give The Commission for Children and Young People certain information including a copy of the findings of the investigation
- Ensure that the HLEN has systems in place to:
  - prevent reportable conduct from being committed by a worker or volunteer within the course of their employment
  - enable any person to notify the EO of a reportable allegation
  - enable any person to notify The Commission for Children and Young People of a reportable allegation involving the head
  - investigate and respond to a reportable allegation against a staff member or volunteer from that organisation.

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<sup>1</sup> A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

Further information about the failure to disclose offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence) [www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence)

<sup>2</sup> Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

See the Department of Health and Human Services website for information about [how to make a report to child protection](http://providers.dhhs.vic.gov.au/making-report-child-protection) <<http://providers.dhhs.vic.gov.au/making-report-child-protection>>.

Timelines for reporting:

- **Within three business days** of becoming aware of an allegation, the EO must notify the Commission for Children and Young People that a reportable allegation has been made against one of their staff members or volunteers.
- **Within 30 calendar days** the EO must provide certain detailed information about the allegations and their proposed response.
- It is a criminal offence for the EO to fail to comply with the three-day and 30-day notification obligations without a reasonable excuse.

*The HELLN will review this policy regularly, particularly following significant incidents if they occur.*