

ACS Child Safety Policy, Code of Conduct and Procedure

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1. CHILD SAFETY POLICY

1.1. Introduction

The Association of Coeducational Schools (ACS) holds the care, safety and wellbeing of children as a central and fundamental responsibility of our school sporting association. The ACS is committed to promoting and protecting the interests and safety of children accessing the ACS' services. It also supports the rights and wellbeing of all employees and volunteers and encourages their active participation in building and maintaining a secure environment.

The *Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021* (Vic) was introduced to strengthen protection from child abuse. The ACS is an organisation that is covered by the Child Safe Standards (the Standards) and have an ongoing statutory obligation to comply with the Standards. The ACS will work in direct partnership with its member schools, State Sporting Associations, contractors and external venue operators to clearly communicate, implement and adhere to the Standards. For reference, the Standards have been attached to this document.

We have a zero tolerance for child abuse and may be responsible for reporting information about child abuse in certain circumstances.

The ACS is also committed to establishing a culturally safe environment, to preserve the safety of Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds, children who identify as lesbian, gay, bisexual, trans and gender diverse, intersex, queer and asexual (LGBTIQ+), children with disabilities and children who are vulnerable and unable to live at home. The ACS value diverse and unique identities and experiences and remain committed to ensuring children who participate in its activities have a safe and happy experience. The ACS supports and respects children, staff and participants.

Everyone working with the ACS is responsible for the care and protection of children within our care to ensure a child-safe environment is maintained at all times.

If any person believes a child is in immediate risk of abuse, telephone 000.

1.2. Purpose

The purpose of this Policy is to:

- a) prevent child abuse occurring within all the ACS Environments;
- b) ensure compliance with the Standards setting out the minimum requirements to be taken to keep children safe;
- c) ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs;

- d) provide guidance on action that should be taken where a person suspects any child abuse within all the ACS Environments; and
- e) provide assurance that any and all suspected abuse will be reported and fully investigated.

1.3. Definitions

ACS Committee of Principals	Means the Committee having management of the business of the Association.
ACS Environments	Means any physical or virtual environments made available or authorised by the ACS' governing authority for use by a child, including: <ul style="list-style-type: none"> (a) Online ACS Environments (including email, portals and intranet systems); and (b) Other locations provided by ACS for a child's use (including, without limitation, locations used for sports competitions).
Child	Means a person under the age of 18 years unless otherwise stated under the law applicable to the child. Collective term for "child" is "children".
Child Abuse	Child abuse is defined in section 3 of the <i>Child Wellbeing and Safety Act 2005</i> (Vic) as including: <ul style="list-style-type: none"> (a) Any act committed against a child involving: <ul style="list-style-type: none"> • A sexual offence; or • An offence under section 49M(1) of the <i>Crimes Act 1958</i> (Vic) (Grooming); (b) The infliction, on a child, of: <ul style="list-style-type: none"> • Physical violence; or • Serious emotional or psychological harm; (c) Serious neglect of a child.
CSO	Child Safety Officers: <ul style="list-style-type: none"> • The Executive Officer of the ACS • Current ACS President
Child Safe Standards	Means the standards made under section 17(1) of the <i>Child Wellbeing and Safety Act 2005</i> (Vic), to ensure that in the operation of relevant entities: <ul style="list-style-type: none"> (a) The safety of children is promoted; (b) Child abuse is prevented; and (c) Allegations of child abuse are properly responded to.

1.4. Scope

This Policy applies to all employees and volunteers of the ACS which includes contractors, officials, volunteers, coaches, umpires and referees, Board/Committee members; collectively referred to as "**staff**" throughout this policy.

The term 'Aboriginal and Torres Strait Islander' includes all First Nations communities. It is important to be respectful of how individual children, their families, carers and community refer to themselves, and use appropriate language when referring to individuals or communities.

1.5. Guiding principles

This Policy is based on the following principles:

- a) the ACS has a zero tolerance for child abuse;
- b) the interests of the child are paramount;
- c) child protection is a shared responsibility;
- d) all children have a right to feel safe and be safe, and have equal rights to protection from abuse;
- e) the ACS will consider the opinions of children and use their opinions to develop child safety policies and procedures;
- f) the ACS will take into account the diversity of all children, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children who identify as lesbian, gay, bisexual, trans and gender diverse, intersex, queer and asexual (LGBTIQA+), children with disabilities, and children who are vulnerable and unable to live at home, and make reasonable efforts to accommodate these matters; and
- g) the ACS is committed to the cultural safety of Aboriginal and Torres Strait children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability, children who identify as lesbian, gay, bisexual, trans and gender diverse, intersex, queer, and asexual (LGBTIQA+) and children unable to live at home.

1.6. Responsibilities

All **staff** and volunteers must:

- a) familiarise themselves with the relevant laws and Standards in relation to child safety and this Child Safety Policy, Code of Conduct and Procedure, and comply with all requirements;
- b) report any reasonable belief that a child's safety is at risk to the relevant authorities (in accordance with the Child Safety Procedure); and
- c) provide a safe environment that is supportive of all children's emotional and physical safety.

Notwithstanding the above, **the ACS Committee of Principals** has ultimate responsibility for the detection and prevention of child abuse and is responsible for ensuring that appropriate and effective internal control systems are in place. The Committee of Principals is also responsible for ensuring that appropriate policies and procedures and a Child Protection Code of Conduct are in place.

The **Executive Officer of the ACS (the Executive Officer)** is responsible for:

- a) dealing with and investigating reports of child abuse in conjunction with the Committee;
- b) ensuring that all staff are aware of relevant laws and Standards, organisational policies and procedures, and the organisation's Code of Conduct;
- c) ensuring that all adults within the ACS Environment are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures;
- d) ensuring that all staff are aware of their obligation to observe the Child Safety Code of Conduct; and
- e) providing support to staff in undertaking their child protection responsibilities.

All **Directors/Heads of Sport** must ensure that they:

- a) promote child safety at all times;
- b) assess the risk of child abuse within their area of control and eradicate / minimise any risk to the extent possible;
- c) educate staff about the prevention and detection of child abuse; and
- d) facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

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

All staff share in the responsibility for the prevention and detection of child abuse, and must:

- a) familiarise themselves with the relevant laws and Standards and this Child Safety Policy, Code of Conduct and Procedure and comply with all requirements;
- b) report any reasonable belief that a child's safety is at risk to the CSO and / or relevant authorities (such as the police and / or the state-based child protection service); and
- c) provide an environment that is supportive of all children's emotional and physical safety.

1.7. Child Safety Officers

A nominated Child Safety Officer (**CSO**) is available to listen, discuss and clarify issues confronting staff in relation to child abuse. The CSO will make reports on behalf of the ACS and ensure that adequate records are maintained. Please note that individuals may still have reporting obligations, as set out below.

1.8. Recognising child abuse

Child abuse is defined in section 1.3 of this policy.

1.9. Reporting obligations

The ACS commits to reporting sexual abuse in accordance with its obligations. The *Crimes Act 1958* (Vic) requires all adults (not just members of professional groups) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child (aged under 16) to disclose that information to police (unless they have a reasonable excuse). A person has a reasonable excuse for failing to comply with the mandatory reporting obligation if:

- a) the person fears on reasonable grounds for the safety of any person; or
- b) the person believes on reasonable grounds that the information has already been disclosed to police and the person has no further information.

The *Children, Youth and Families Act 2005* (Vic) imposes a legislative requirement on selected classes of people to report cases where they believe, based on reasonable grounds, that a child is in need of protection to government authorities and/or the police.

Section 182(1) of the *Children, Youth and Families Act 2005* (Vic) lists a broad range of mandatory reporters to include teachers registered to teach or who have permission to teach pursuant to the *Education and Training Reform Act 2006* (Vic), principals of government and non- government schools, and registered medical practitioners, nurses and all members of the police force.

Notwithstanding the above, if any person believes a child is in immediate risk of abuse, telephone 000.

Encouraged to report

The ACS supports and encourages staff to make a report to the Police and/or the relevant government agency if they form a belief on reasonable grounds that a child is in need of protection, or they are concerned about the safety, health or wellbeing of a child.

As set out in the Child Safety Procedure, if a person would like internal guidance or support with addressing their concerns, they are encouraged to speak with the CSO.

Ultimately, it is a personal decision of the staff member whether they choose to make a report to an external authority or not.

The ACS takes reports of suspected child abuse seriously and will endeavour to respond to them promptly and thoroughly, in co-operation with law enforcement officials.

Protection of reporters

Any staff member that makes a report in good faith in accordance with the Child Safety Procedure will be supported by the ACS, and will not be penalised by the ACS for making the report.

Member schools

The ACS will carry out its obligations in conjunction with its member schools (including when those schools are hosting sporting events), having regard to their ongoing duty of care to their students.

1.10. Prevention

Recruitment

The ACS will apply a thorough screening and recruitment process which aims to:

- a) promote and protect the safety of all children within all ACS Environments;
- b) encourage applications from Aboriginal and Torres Strait peoples, people from culturally and/or linguistically diverse backgrounds, lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+) individuals, and people with a disability;
- c) identify and recruit the safest and most suitable candidates who share the ACS' values and commitment to child safety and wellbeing; and
- d) prevent a person from working at the ACS if they pose an unacceptable risk to children.

When recruiting and selecting staff involved in child-connected work, the ACS will make all reasonable efforts to confirm the applicant's Working With Children Check (**WWCC**) and National Police Check status (where required) and/or professional registration; such as with the Victorian Institute of Teaching (**VIT**). The Executive Officer records all WWCCs and other checks on a spreadsheet that is checked annually to see who requires a renewal.

Any costs associated with gaining a valid WWCC will be the responsibility of the individual.

ACS will conduct thorough reference checks to ensure the suitability of all candidates prior to their engagement. This will include the ACS making reasonable efforts to gather, verify and record the following

information about a person whom it proposes to engage to perform child-connected work:

- a) WWCC status, or similar check;
- b) proof of personal identity and any professional or other qualifications;
- c) the person's history of work involving children; and
- d) references that address the person's suitability for the job and working with children.

The type of evidence that an applicant is required to provide to the ACS will vary depending on the type of position that they are applying for. However, the ACS will not offer any applicant a position at the ACS until they provide the required evidence.

All successful applicants engaged at ACS will be assessed on an ongoing basis:

- a) during any scheduled performance review; and
- b) after any concern is raised regarding their conduct with children,

to ensure that they remain suitable for child-connected work.

Once engaged, the ACS will provide staff with access to this policy and staff must review and acknowledge their understanding of this policy.

The ACS requires that member schools ensure all staff and volunteers (including coaches and any officials) likely to have contact with students have a current WWCC, which needs to be signed off annually as part of the membership process.

The ACS is committed to ensuring the physical environment is representative of different cultures and abilities.

Risk Management

The ACS will ensure that child safety is a part of its overall risk management strategy approach.

The Executive Officer will be responsible for identifying and managing child safety risks within all ACS Environments. Executive Officer will receive regular training in relation to child safety.

The Executive Officer will be open to receiving feedback from all members of the community on how to improve its risk management approach and better protect the safety of children. Where possible, the ACS will do its best to work with local Aboriginal and Torres Strait Islander communities, culturally and/or linguistically diverse communities, lesbian, gay, bisexual, trans and gender diverse, intersex, queer, and asexual (LGBTIQA+) individuals and people with a disability. Feedback should be directed to the Executive Officer in writing.

If the Executive Officer identifies risks of child abuse occurring in one or more of the ACS Environments, the Executive Officer will make a record of those risks and specify the action(s) the ACS will take to reduce or remove the risks (i.e. risk controls). The ACS will keep all documentation and evidence received by it in relation to any allegation of child abuse and any request for redress in secure and confidential files under the supervision of the Executive Officer, and subject to Public Record Office Victoria Recordkeeping Standards. Relevant staff will be informed of record keeping processes.

As part of its risk management strategy and practices, the Executive Officer will monitor and evaluate the effectiveness of the implementation of its risk controls.

The Executive Officer will report any risks to child safety to the ACS Committee of Principals.

The ACS will ensure that there are appropriate human resources policies to assess staff in relation to compliance with their child safe obligations and continued suitability for child-connected work.

The ACS will ensure that appropriate training at least annually is conducted for staff.

Communication

The ACS is pro-active in the area of prevention and will communicate this policy to all ACS staff via the ACS's website www.acssport.org.au and email upon appointment. The ACS will also ensure open communication with families, carers and the ACS community about its child safe approach and relevant information is accessible.

This policy will be communicated to all staff and Committee members via; internal memo, email, meetings and the ACS Handbook.

References to this policy will be included in documentation provided to all officials that represent the ACS.

The ACS will ensure that its child safety practices and its child safety code of conduct are communicated in an accessible manner for:

- a) younger children, by discussing the documents in-person (and/or any other method deemed appropriate and effective for the particular age of the child);
- b) children, families and carers from culturally and/or linguistically diverse backgrounds; and
- c) children, families and carers living with a disability, by discussing the documents in-person (and/or any other methods deemed appropriate and effective for the particular type of disability that the child is living with).

1.11 Responding & Reporting

In the case of an allegation being made against a staff member of the ACS, the Executive Officer of the ACS (or a delegate of the Committee of Principals if the allegations involve the Executive Officer) will follow the ACS's Child Safety Procedure. The ACS will take all necessary steps to ensure that the safety of the child is paramount.

The first step is to withdraw the accused person from active duty, which could entail standing down (with pay, where applicable), re-assignment to other duties that do not have direct contact with children, or to work under increased supervision while the matter is being investigated.

Investigations

The ACS will appropriately investigate all allegations relating to an incident of abuse in accordance with its obligations and to the extent reasonably practicable. In some circumstances, it may be necessary for the ACS to conduct an investigation in addition to any investigation conducted by authorities (e.g. the police).

The Executive Officer of the ACS (or a delegate of the Committee of Principals if the allegations involve the Executive Officer) will conduct an independent investigation into the allegation to the extent that it will not interfere with investigations by a Government Department or the police, and will co-operate with the authorities as required.

All people covered by the Child Safety Policy, Code of Conduct and Procedure must co-operate fully with

any investigation by a Government Department, the police or the ACS.

The Executive Officer of the ACS (or a delegate of the Committee of Principals if the allegations involve the Executive Officer) will make every effort to keep any such investigation confidential; however, from time to time other employees, directors, volunteers and contractors may need to be consulted in conjunction with the investigation (e.g. to provide witness statements).

An investigation conducted by the ACS will be conducted in accordance with procedural fairness to protect the integrity of the investigation and the interests of all the participants involved in the investigation. The ACS will also handle the allegations in a confidential manner to the greatest extent possible.

In some circumstances, it may be appropriate for the ACS to engage a person (or persons) from outside the ACS to conduct an independent investigation in relation to allegations.

The outcome will depend on the findings of the investigation, but may include withdrawal from active duty, re-assignment to duties with no contact with children, increased supervision, disciplinary action, dismissal or criminal prosecutions.

If a person is uncertain as to whether they should make a report to an external authority in relation to the safety of a child, they may speak to the Child Safety Officer for guidance and information. If in doubt, ask for assistance.

All reports of alleged abuse or harm, or risk thereof, must be recorded in the form of an Incident Report. Places, times, dates, names of people, observable behaviours or evidence of harm are what is recordable. Reports must be securely stored by the Executive Officer of the ACS.

All reports of alleged abuse or harm, or risk thereof, received by ACS will be passed on to the Principal of the relevant School where considered appropriate.

1.12. Privacy and confidentiality

The ACS will collect, use, disclose and hold personal information in accordance with the *Privacy Act 1988* (Cth) and the Australian Privacy Principles (APPs).

Principles

There are two guiding principles in respect to a child's privacy:

- a) First, the ACS will operate on "the best interests" principle. All staff members will do what they believe to be in the best interest of the child. This principle supersedes all others; and
- b) Second, the ACS will respect a child's confidentiality except in situations where it conflicts with the best interests principle.

As much as is reasonably possible, an individual's confidentiality is to be protected. Both those who are making reports and those about whom accusations are being made are entitled to confidentiality. Where there is suspected abuse or misconduct, staff must not disclose or make use of the information in a manner that breaches confidentiality, other than to report and act consistent with the Child Safety Policy, Code of Conduct and Procedure, and relevant statutory requirements.

1.13. Monitoring and review

In accordance with the ACS's document management framework a review and evaluation of this Child Safety Policy, Code of Conduct and Procedure shall be conducted at least every two years, and following

every child safety incident, and improve where applicable

The Executive Officer will be responsible for ensuring that this Child Safety Policy, Code of Conduct and Procedure is reviewed and updated.

2. CODE OF CONDUCT

2.1. Introduction

This Code of Conduct has a specific focus on safeguarding children at all ACS events against sexual, physical, psychological and emotional abuse or neglect. It aims to protect children and reduce any opportunities for child abuse or harm to occur. It also assists in understanding how to avoid or better manage risky behaviours and situations. It is intended to complement child protection legislation, ACS Member School policies, procedures and professional standards, codes or ethics as these apply to ACS staff.

The principal responsibility of ACS staff is to conduct themselves in an ethical and professional manner. ACS staff must ensure that the workplace is safe and free from discrimination, harassment, bullying and violence.

This Code of Conduct applies to all ACS employees, coaches, umpires, officials, volunteers, contractors, parents, all staff from member schools and committee of principals (collectively referred to as **staff** throughout this code of conduct).

The following list of behaviours includes examples of what is acceptable and not acceptable behaviour.

2.2. Acceptable behaviours

ACS staff are expected to actively contribute to a school sporting association culture that respects the dignity of its members. They are required to act lawfully at all times and to undertake their duties in a professional, responsible and ethical manner that could reasonably be expected of persons who hold similar positions.

All people involved in the care of children on behalf of, or in connection with, the ACS must:

- a) contact the police if a child is at immediate risk of abuse (telephone '000');
- b) adhere to the Child Safety Policy and Procedure and uphold the ACS's statement of commitment to child safety at all times;
- c) take all reasonable steps to protect children from abuse;
- d) conduct themselves in a manner consistent with their position as a staff member of the ACS and as a positive role model to children;
- e) work towards the achievement of the aims and purposes of the organisation;
- f) be responsible for relevant administration of programs and activities in their area;
- g) maintain a duty of care towards others involved in these programs and activities;
- h) establish and maintain a child-safe environment in the course of their work;
- i) be fair, considerate and honest with others;

- j) treat children with respect and value their ideas, opinions and backgrounds;
- k) promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children (for example, by never questioning an Aboriginal and Torres Strait Islander child's self-identification);
- l) promote the safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination);
- m) promote the safety, participation and empowerment of children with a disability;
- n) listen and respond to the views and concerns of children, particularly if they are telling you that they or another child has been abused or that they are worried about their safety/the safety of another child;
- o) ensure (as far as practicable) that adults are not alone with a child;
- p) comply with all applicable reporting obligations (as set out in the Child Safety Procedure);
- q) raise concerns about suspected abuse with the Executive Officer as soon as possible;
- r) record and act upon all allegations or suspicions of abuse, discrimination or harassment;
- s) if an allegation of child abuse is made, ensuring as quickly as possible that the child(ren) are safe;
- t) be professional in their actions;
- u) maintain strict impartiality;
- v) respect confidentiality when sharing information about children in accordance with the Child Safety Policy and Procedure and your reporting obligations; and
- w) operate within the policies and guidelines of the ACS.

2.3. Unacceptable behaviour

All people involved in the care of children on behalf of the ACS must not:

- a) ignore or disregard any suspected or disclosed child abuse;
- b) put a child at risk of abuse (for example, by locking doors for an improper reason);
- c) speak to a child in a way that is or could be construed by any observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Some examples are:
 - i. swearing or using inappropriate language in the presence of a child;
 - ii. yelling at a child, except in an emergency situation where the child's safety may be in danger;
 - iii. dealing with a child while the adult is angry with the child; and
 - iv. using hurtful sarcasm.
- d) express personal views on cultures, race or sexuality in the presence of a child;
- e) discuss sexual activities with a child;

- f) have contact with a child or their family or carers outside of the ACS's activities without the knowledge and/or consent of the School Principal or CSO. Accidental/incidental contact, such as seeing people in the street, is appropriate;
- g) have any online contact with a child (including by social media, email, instant messaging etc.) or their family or carers (unless necessary for the purposes of the child's involvement with the ACS e.g. by providing e-newsletters);
- h) use any personal communication channels/devices such as a personal email account to communicate with a child without the written consent of their child and their parents;
- i) exchange personal contact details such as phone number, social networking sites or email addresses with a child without the written consent of their child and their parents;
- j) use, possess, or be under the influence of alcohol while in the presence of or while supervising a child;
- k) use, possess, or be under the influence of illegal drugs while in the presence of or while supervising a child;
- l) provide or allow a child to consume alcohol;
- m) provide or allow a child to consume illegal drugs;
- n) initiate unnecessary physical contact with a child or young person, or do things of a personal nature for them that they can do for themselves;
- o) engage in rough physical games, hold, massage, kiss, cuddle or touch a child in an inappropriate and or/culturally insensitive way;
- p) engage in any sexual contact with a child;
- q) take a child to their home or encourage meetings outside program activities;
- r) other than in an emergency or other abnormal situation where no other option could be reasonably foreseen, it is not acceptable to transport a child;
- s) be naked in the presence of a child;
- t) possess sexually explicit printed materials (magazines, cards, videos, films, clothing, etc.) in the presence of children;
- u) sleep in the same bed, sleeping bag or room with a child;
- v) discriminate against any child, including because of age, gender identity, sex, race, culture, sexuality, or disability;
- w) engage in any activity with a child that is likely to physically or emotionally harm them;
- x) be alone with a child unnecessarily and for more than a very short time;
- y) develop a 'special' relationship with a specific child for their own needs;
- z) show favouritism through the provision of gifts or inappropriate attention;
- aa) photograph or video a child without the written consent of the child and their parents or guardians;

or

bb) do anything in contravention of the ACS's policies, procedures or this Code of Conduct.

2.4. Confidentiality

Disclosing information to employees, directors, volunteers and contractors

When children are having a written or verbal interaction with staff of the ACS, that interaction is confidential to the organisation. Where possible the privacy of the child should be respected at all times. When considering breaching their privacy, who and how many people are told should be based on what is believed to be in the best interests of the child.

Disclosing information to people external to the organisation

Staff should not discuss confidential matters about children with people outside the organisation in a way that identifies that child except when they have the express permission of the child or it complies with this Child Safety Policy, Code of Conduct and Procedure. In circumstances where staff believe that there is not enough knowledge within the organisation to provide the best possible assistance to a child, they are able to seek expertise external to the ACS. When communicating with people outside the ACS the child's identity should be protected.

2.5. Breaches of this Code

If you breach this Code of Conduct you will face disciplinary action, including and up to the termination of employment or cessation of engagement with the ACS.

This Code of Conduct will be reviewed annually by the ACS as part of its Child Safety Policy review.

Please list any ACS Event where you will have interactions with students from the ACS's 7 member colleges:

I, _____, confirm I have been provided with a copy of the above ACS Code of Conduct and have listed any known interactions I will have with students from its member schools. I will update this list when/if necessary.

Signed: _____ Date: _____

Role: _____

3. CHILD SAFETY PROCEDURE

Introduction

All school staff, coaches, umpires, referees, officials, volunteers and contractors (collectively referred to as **staff** in this document) working with the ACS must understand and abide by the professional, moral and legal obligations to implement child protection and child safety policies, protocols and procedures and is a shared responsibility.

This Child Safety Procedure ensures that the ACS responds appropriately to and reports allegations of suspected child abuse. It ensures all ACS staff working at ACS events understand their obligations and how to make a report in the event of suspected child abuse.

Reasonable grounds

When staff are concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'.

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. A 'reasonable belief' is formed if a *reasonable person in the same position* would have formed the belief on the same grounds.

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

- a child or young person states that they have been physically or sexually abused;
- a child or young person states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- someone who knows a child or young person states that the child has been physically or sexually abused;
- a child or young person exhibits sexually-abusive or age-inappropriate behaviours;
- professional observations of the child's behaviour or development leads a professional to form a belief that the child or young person has been physically or sexually abused or is likely to be abused;
- signs of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision, lead to a belief that the child has been physically or sexually abused.

Procedure

Step 1:

Any person that believes a child is in immediate risk of abuse should telephone 000.

Any person (aged 18 or over) that forms a belief, on reasonable grounds, that a sexual offence has been committed in Victoria against a child (under the age of 16 years) by another person (aged 18 or older), **must** make a report to the police as soon as practicable.

A **mandatory reporter** under the *Children, Youth and Families Act 2005* (Vic) who, in the course of practising their profession or carrying out the duties of their office, position or employment, forms the belief on reasonable grounds that a child is in need of protection **must** report to Department of Families, Fairness and Housing (DFFH) that belief and the reasonable grounds for it as soon as practicable.

Mandatory reporters in Victoria are teachers registered to teach or who have permission to teach pursuant to the *Education and Training Reform Act 2006* (Vic), principals of government and non-government schools,

and registered medical practitioners, nurses and all members of the police force.

Any person who forms a belief on reasonable grounds that a child is in need of protection from child abuse (physical, sexual, emotional, psychological or neglect), **may** disclose that information to the police or the DFFH. The ACS encourages all persons with concerns to raise this directly with the Executive Officer.

Any person may disclose a reportable allegation to the Commission for Children and Young People (**Commission**).

The relevant staff member of the ACS should discuss these observations and concerns with the Executive Officer, who can assist the person to make the report to DFFH, the police and/or the Commission as required. However, the individual is not required to consult with the ACS, or gain the support of the ACS, prior to making a report.

The Executive Officer should be notified of any reportable allegation against a staff member as soon as practicable.

Step 2:

It may be that, following the previous step, a person decides to make a report to DFFH, the police and/or the Commission with the support of the Executive Officer.

Making a report to the relevant agency:

- Ring the police on 000 if the concerns are life threatening.
- To report concerns about the immediate safety of a child within their family or carers unit to DFFH Child Protection, call the Child Protection Crisis Line on 13 12 78 (24 hrs 7 days).
- To report concerns about sexual abuse, the nearest Victoria Police Sexual Offences and Child Abuse Investigation Team can be contacted on (03) 9556 6124.
- To report concerns that are not the above, call DFFH Child Protection on 1300 655 795 or Child FIRST on 1300 367 441.
- To report forms of online abuse including cyberbullying, image based abuse and illegal and harmful content complete an online report form at <https://www.esafety.gov.au/report>.

Information for making a report:

- Name, age and address of the child or young person;
- The reason for suspecting that the behaviour or injury is a result of abuse;
- An assessment of the immediate danger to the child;
- A description of the injury or behaviour observed;
- The current whereabouts of the child;
- Any other information about the family or carer; and
- Any specific cultural and personal details.

Ask that the ACS be informed of each step of the procedure.

Where an allegation has been made, the ACS will make, secure, and retain records of the allegation of child abuse and the ACS's response to it.

Fulfilling the roles and responsibilities contained in this Procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.

Step 3:

Consult with the relevant authority, to determine if it is appropriate to contact/inform parents or carers that a report has been made.

Step 4:

If the child is agreeable to be interviewed by DFFH, the Commission and/or the police, a member of the ACS (e.g. the Executive Officer) should offer to be present at the interview to give support to the child.

Step 5:

Following a report, DFFH, the police and/or the Commission may need to contact the Executive Officer (or alternative nominated person) about the notification. It would be a matter of courtesy to inform the Executive Officer (or alternative nominated person) that a report has been made, or is about to be made.

The relevant school may also be consulted throughout the process.

Step 6:

Following a report, it is important to protect confidentiality and the interests of the child and family at all times.

Special comments:

- DFFH will only interview the child if they are agreeable;
- the family or carer will not be contacted until it is believed there is a case and the child is at risk;
- if the incident which caused the report to be made has occurred in the past - the child may be seen to be no longer at risk and no further action may be taken;
- the identity of the person making a notification will be kept confidential (except when that information is required in a court case) unless that person gives permission for the information to be divulged;
- throughout the entire process of observation, discussion and reporting, the interests of the child and their family or carer should be protected from unnecessary disclosure of information concerning abuse; and
- following the making of a report, any investigation that takes place by that external authority (i.e. DFFH, the police or the Commission) is the responsibility of that authority.

What to do when a child discloses or alleges an incident of child abuse

The following procedure is to be followed by any person to whom a child discloses or alleges an incident of child abuse:

1. Try and separate them from the other children discreetly and listen to them carefully. Stay calm.
2. Let the child use their own words to explain what has occurred and to continue at their own pace.
3. Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.
4. Explain to them that this information may need to be shared with others, such as with their parent/carers, specific people in your organisation, or the police.
5. Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe and you have an obligation to report what has occurred.
6. Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
7. Provide them with the ACS Child Safety incident report form to complete, or complete it together, if

you think the child is able to do this.

8. As soon as possible after the disclosure, record the information using the child's words and report the disclosure to the Child Safety Officer, the police or child protection. Ensure that you use dates and times of incident(s).
9. Ensure the disclosure is recorded accurately, and provided to the Child Safety Officer to be stored securely.

What to do when a parent/carer alleges or discloses that their child has been abused in ACS's environment

The following procedure is to be followed by any person to whom a parent/carer discloses or alleges an incident of child abuse:

1. Explain that the ACS has processes to ensure all abuse allegations are taken very seriously.
2. Ask about the wellbeing of the child.
3. Allow the parent/carer to talk through the incident in their own words.
4. Advise the parent/carer that you will take notes during the discussion to capture all details.
5. Explain to them the information may need to be repeated to authorities or others, such as the organisation's Child Safety Officer, the police or child protection.
6. Do not make promises at this early stage, except that you will do your best to keep the child safe.
7. Provide them with an incident report form to complete, or complete it together.
8. Ask them what action they would like to take and advise them of what the immediate next steps will be.
9. Ensure the report is recorded accurately, and that the record is stored securely.
10. As soon as possible after the disclosure, report the disclosure to the Child Safety Officer.

Protecting a child connected to alleged abuse

Where an allegation of suspected child abuse is made all reasonable and appropriate action will be taken to protect any child connected to the alleged child abuse until the allegation is resolved.

The individual circumstances of each case will determine the appropriate course of action, but in all cases we will seek to prevent as far as reasonably practicable any contact between the child connected to the alleged abuse and the alleged offender by:

- Moving the alleged offender to a non-child related position;
- Supervising the alleged offender; or
- Removing or suspending the alleged offender from their duties until the matter has been investigated.

Victoria's new Child Safe Standards

New Child Safe Standards to strengthen child safety will commence in Victoria on 1 July 2022

The Child Safe Standards (the Standards) commenced in Victoria in January 2016. After five years, we have seen how the Standards improve safety for children and young people.

Changes are being made to make our Standards even stronger.

Organisations¹ covered by the Standards will need to comply with new Standards by **1 July 2022**. Until then, the current Standards apply.

The new Standards set out minimum requirements and outline the actions organisations must take to keep children and young people safe. They provide more clarity for organisations and are more consistent with Standards in the rest of Australia.

The things organisations already do to keep children and young people safe will help them be compliant with the new Standards. In some areas, organisations will need to change or develop their current child safety policy, practices and organisational culture to meet the new Standards.

Further information and guidance will be provided by the Commission and other regulators over the coming months to help organisations move to the new Standards by **1 July 2022**.

What will be different?

Although similar to Victoria's current Child Safe Standards, key changes include new requirements:

- to involve families and communities in organisations' efforts to keep children and young people safe
- for a greater focus on safety for Aboriginal children and young people
- to manage the risk of child abuse in online environments
- in relation to governance, systems and processes to keep children and young people safe.

What do organisations need to do now?

To prepare for the new Standards organisations should:

- get to know the new Standards and what is changing by reading *What's new? Overview of the new Child Safe Standards*, *What's changing? Compare current and new Child Safe Standards* and the *Frequently Asked Questions*.
- think about what your organisation needs to do to meet the new Standards by **1 July 2022** and start planning the transition now
- subscribe [here](#) to be emailed when the Commission issues new information and guidance to help organisations move to the new Standards.

¹ All references to 'relevant entities' have been replaced in this document with 'organisation/s' for reasons of accessibility. A relevant entity is defined in section 3(1) of the *Child Wellbeing and Safety Act 2005* and captures entities that are subject to the Child Safe Standards.

What are the new Child Safe Standards?

There are eleven new Child Safe Standards:

Child Safe 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

In complying with Child Safe Standard 1, an organisation must, at a minimum, ensure:

- 1.1 A child's ability to express their culture and enjoy their cultural rights is encouraged and actively supported.
- 1.2 Strategies are embedded within the organisation which equip all members to acknowledge and appreciate the strengths of Aboriginal culture and understand its importance to the wellbeing and safety of Aboriginal children and young people.
- 1.3 Measures are adopted by the organisation to ensure racism within the organisation is identified, confronted and not tolerated. Any instances of racism are addressed with appropriate consequences.
- 1.4 The organisation actively supports and facilitates participation and inclusion within it by Aboriginal children, young people and their families.
- 1.5 All of the organisation's policies, procedures, systems and processes together create a culturally safe and inclusive environment and meet the needs of Aboriginal children, young people and their families.

Child Safe Standard 2 – Child safety and wellbeing is embedded in organisational leadership, governance and culture

In complying with Child Safe Standard 2, an organisation must, at a minimum, ensure:

- 2.1 The organisation makes a public commitment to child safety.
- 2.2 A child safe culture is championed and modelled at all levels of the organisation from the top down and bottom up.
- 2.3 Governance arrangements facilitate implementation of the child safety and wellbeing policy at all levels.
- 2.4 A Code of Conduct provides guidelines for staff and volunteers on expected behavioural standards and responsibilities.
- 2.5 Risk management strategies focus on preventing, identifying and mitigating risks to children and young people.
- 2.6 Staff and volunteers understand their obligations on information sharing and recordkeeping.

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

In complying with Child Safe Standard 3, an organisation must, at a minimum, ensure:

- 3.1 Children and young people are informed about all of their rights, including to safety, information and participation.
- 3.2 The importance of friendships is recognised and support from peers is encouraged, to help children and young people feel safe and be less isolated.

3.3 Where relevant to the setting or context, children and young people are offered access to sexual abuse prevention programs and to relevant related information in an age appropriate way.

3.4 Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children and young people to express their views, participate in decision-making and raise their concerns.

3.5 Organisations have strategies in place to develop a culture that facilitates participation and is responsive to the input of children and young people.

3.6 Organisations provide opportunities for children and young people to participate and are responsive to their contributions, thereby strengthening confidence and engagement.

Child Safe Standard 4 – Families and communities are informed, and involved in promoting child safety and wellbeing

In complying with Child Safe Standard 4, an organisation must, at a minimum, ensure:

4.1 Families participate in decisions affecting their child.

4.2 The organisation engages and openly communicates with families and the community about its child safe approach and relevant information is accessible.

4.3 Families and communities have a say in the development and review of the organisation's policies and practices.

4.4 Families, carers and the community are informed about the organisation's operations and governance.

Child Safe Standard 5 – Equity is upheld and diverse needs respected in policy and practice

In complying with Child Safe Standard 5, an organisation must, at a minimum, ensure:

5.1 The organisation, including staff and volunteers, understands children and young people's diverse circumstances, and provides support and responds to those who are vulnerable.

5.2 Children and young people have access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand.

5.3 The organisation pays particular attention to the needs of children and young people with disability, children and young people from culturally and linguistically diverse backgrounds, those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people.

5.4 The organisation pays particular attention to the needs of Aboriginal children and young people and provides/promotes a culturally safe environment for them.

Child Safe Standard 6 – People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice

In complying with Child Safe Standard 6, an organisation must, at a minimum, ensure:

6.1 Recruitment, including advertising, referee checks and staff and volunteer pre-employment screening, emphasise child safety and wellbeing.

6.2 Relevant staff and volunteers have current working with children checks or equivalent background checks.

6.3 All staff and volunteers receive an appropriate induction and are aware of their responsibilities to children and young people, including record keeping, information sharing and reporting obligations.

6.4 Ongoing supervision and people management is focused on child safety and wellbeing.

Child Safe Standard 7 – Processes for complaints and concerns are child focused

In complying with Child Safe Standard 7, an organisation must, at a minimum, ensure:

7.1 The organisation has an accessible, child focused complaint handling policy which clearly outlines the roles and responsibilities of leadership, staff and volunteers, approaches to dealing with different types of complaints, breaches of relevant policies or the Code of Conduct and obligations to act and report.

7.2 Effective complaint handling processes are understood by children and young people, families, staff and volunteers, and are culturally safe.

7.3 Complaints are taken seriously, and responded to promptly and thoroughly.

7.4 The organisation has policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and co-operates with law enforcement.

7.5 Reporting, privacy and employment law obligations are met.

Child Safe 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

In complying with Child Safe Standard 8, an organisation must, at a minimum, ensure:

8.1 Staff and volunteers are trained and supported to effectively implement the organisation's child safety and wellbeing policy.

8.2 Staff and volunteers receive training and information to recognise indicators of child harm including harm caused by other children and young people.

8.3 Staff and volunteers receive training and information to respond effectively to issues of child safety and wellbeing and support colleagues who disclose harm.

8.4 Staff and volunteers receive training and information on how to build culturally safe environments for children and young people.

Child Safe Standard 9 – Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed

In complying with Child Safe Standard 9, an organisation must, at a minimum, ensure:

9.1 Staff and volunteers identify and mitigate risks in the online and physical environments without compromising a child's right to privacy, access to information, social connections and learning opportunities.

9.2 The online environment is used in accordance with the organisation's Code of Conduct and child safety and wellbeing policy and practices.

9.3 Risk management plans consider risks posed by organisational settings, activities, and the physical environment.

9.4 Organisations that contract facilities and services from third parties have procurement policies that ensure the safety of children and young people.

Child Safe Standard 10 – Implementation of the Child Safe Standards is regularly reviewed and improved

In complying with Child Safe Standard 10, an organisation must, at a minimum, ensure:

- 10.1 The organisation regularly reviews, evaluates and improves child safe practices.
- 10.2 Complaints, concerns and safety incidents are analysed to identify causes and systemic failures to inform continuous improvement.
- 10.3 The organisation reports on the findings of relevant reviews to staff and volunteers, community and families and children and young people.

Child Safe Standard 11 – Policies and procedures document how the organisation is safe for children and young people

In complying with Child Safe Standard 11, an organisation must, at a minimum, ensure:

- 11.1 Policies and procedures address all Child Safe Standards.
- 11.2 Policies and procedures are documented and easy to understand.
- 11.3 Best practice models and stakeholder consultation informs the development of policies and procedures.
- 11.4 Leaders champion and model compliance with policies and procedures.
- 11.5 Staff and volunteers understand and implement policies and procedures.

 **Organisations must continue to comply with the current Child Safe Standards until the new Standards commence on 1 July 2022**

Where to get help?

Child Safe Standards regulators and peak or industry bodies may be able provide information and support to assist organisations to transition to the new Standards. An overview of the different Child Safe Standards regulators is provided in the Commission's *FAQs* ([link](#)).

You can contact the Commission with questions or queries:

-  Telephone: 1300 782 978 or (03) 8601 5281
-  Email: contact@ccyp.vic.gov.au
-  Visit the Commission's website: www.ccyp.vic.gov.au

If you need an interpreter, please call the Translating and Interpreting Service on 13 14 50 and ask them to contact the Commission for Children and Young People on 03 8601 5281.



Child Safe
Organisations
National Principles

National Principles for Child Safe Organisations

1

Child safety and wellbeing is embedded in organisational leadership, governance and culture.

6

Processes to respond to complaints and concerns are child focused.

2

Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.

7

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

3

Families and communities are informed, and involved in promoting child safety and wellbeing.

8

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

4

Equity is upheld and diverse needs respected in policy and practice.

9

Implementation of the national child safe principles is regularly reviewed and improved.

5

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

10

Policies and procedures document how the organisation is safe for children and young people.



For information and resources, go to
<https://chidsafe.humanrights.gov.au>



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