

Child Safe Procedure

1. Statement of Context and Purpose

This procedure has been developed to ensure that AGSV appropriately responds to and reports allegations of suspected child abuse.

2. Application

This Procedure applies to all employees, volunteers and contractors (collectively referred to as **staff** throughout this Procedure).

To properly implement this Procedure, all AGSV Member Schools must ensure that they implement a Child Safe Procedure that complies with the Child Safe Standards and Ministerial Order 870, which sets out specific requirements for registered schools in relation to child safety.

3. Reference Points / Background Papers

- *Crimes Act 1958 (Vic)*;
 - *Crimes Amendment (Protection of Children) Act 2014 (Vic)*;
 - *Crimes Amendment (Grooming) Act 2014 (Vic)*;
 - DHS Child Safe Standards Toolkit: Resource 6: What to do when an allegation of child abuse is made;
 - Ministerial Order 870 (for registered schools)
 - AGSV Child Safe Policy; and
 - AGSV Code of Conduct
 - AGSV Incident Report Template.
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4. Definitions

Child means a person who is under the age of 18 years who attends an AGSV event.

Child abuse is child abuse as defined in the Child Safe Policy.

Child-connected work means work organised by AGSV and performed by an adult in AGSV's environment while children are present.

Child safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.

Child Safe Officer is the first point of contact to provide advice and support to children, parents and staff regarding the safety and well-being of children at AGSV, as set out in Part 5.6 of this procedure.

AGSV's environment means any physical place made available to or used by AGSV for child-connected work.

Staff means an individual working in the AGSV environment who is directly engaged or employed by AGSV and/or a volunteer or a contracted service provider for the AGSV (whether or not a body corporate or any other person is an intermediary).

5. Procedure for responding to and reporting allegations of suspected child abuse

AGSV takes all allegations or disclosures of suspected child abuse seriously and will respond to and report (including to authorities and the police) allegations or disclosures of child abuse in accordance with this procedure and any other legal obligations.

5.1 Application of the procedure

This procedure:

- covers all forms of child abuse; and
- applies to allegations or disclosures of child abuse made by or in relation to a child, staff, visitors, or other persons while connected to AGSV's environment;
- is to be read in conjunction with:
 - the Child Safe Policy and Code of Conduct (which sets out types of conduct that should be reported);
- does not:
 - prohibit or discourage staff from reporting an allegation of child abuse to a person external to AGSV;
 - state or imply that it is the victim's responsibility to inform the police or authorities of the allegation;
 - require staff to make a judgment about the truth of the allegation of child abuse;
 - prohibit staff from making records in relation to an allegation or disclosure of child abuse.

5.2 Your obligations to report incidents involving alleged or suspected child abuse

Persons involved in child-connected work must always act in the best interests of those children to protect and preserve their safety, health and wellbeing. The following reporting obligations are mandatory for all staff:

- All staff must report any instances of child abuse (including instances of suspected or alleged child abuse) to the Child Safety Officer as soon as practicable in accordance with this procedure.
- If a staff member has a **reasonable belief** that an incident involving child abuse has occurred then they must report the incident. A failure to do so may

constituted a criminal offence under the *Crimes Act 1958*. 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 (such as those set out above) is observed;
 - someone else has raised a suspicion of abuse but is unwilling to report it; or
 - observing suspicious behaviour.
- If a staff member is in doubt about whether a child has been abused, he/she should err on the side of caution and report their suspicions to the Child Safe Officer.

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.

5.3 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:

- Separate the child from the other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.
- Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.
- Explain to them that this information may need to be shared with others, such as with their parent/carer, specific people in your organisation, or the police.
- Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
- Provide them with an Incident Report Form to complete, or complete it together, if you think the child is able to do this.
- As soon as possible after the disclosure, record the information using the child's words and report the disclosure to the Child Safe Officer, the police or child protection.
- Ensure the disclosure is recorded accurately, and provided to the Child Safe Officer to be stored securely.

5.4 What to do when a parent/carer alleges or discloses that their child has been abused in AGSV'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:

- Explain that AGSV has processes to ensure all abuse allegations are taken very seriously.
- Ask about the wellbeing of the child.
- Allow the parent/carer to talk through the incident in their own words.

- Advise the parent/carer that you will take notes during the discussion to capture all details.
- Explain to them the information may need to be repeated to authorities or others, such as AGSV's Child Safe Officer, the police or child protection.
- Do not make promises at this early stage, except that you will do your best to keep the child safe.
- Provide them with an Incident Report Form to complete, or complete it together.
- Ask them what action they would like to take and advise them of what the immediate next steps will be.
- Ensure the report is recorded accurately, and that the record is stored securely.
- As soon as possible after the disclosure, report the disclosure to the Child Safe Officer.

5.5 How you can protect 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.

What is reasonable and appropriate will depend on the circumstances of each case, but will in all cases involve preventing (as far as reasonably practicable) any contact between the child connected to the alleged abuse and the alleged offender. This may be achieved by:

- moving the alleged offender to a non-child related position;
- supervising the alleged offender;
- removing or suspending the alleged offender from their duties while the matter is being investigated.

The Child Safe Officer will consult with the family of the child connected to the alleged abuse regarding further actions to be implemented to ensure the safety of the child pending resolution of the matter.

5.6 Child Safe Officer

AGSV has appointed a Child Safe Officer, who is responsible for:

- promptly managing AGSV's response to an allegation or disclosure of child abuse, and ensuring that the allegation or disclosure is taken seriously;
- responding appropriately to a child who makes or is affected by an allegation of child abuse; and
- monitoring overall compliance by AGSV with this procedure.

The AGSV Child Safe Officer is the Executive Officer who can be contacted on (03) 9001 6309. Where the Child Safe Officer cannot perform their role for any reason, then the Executive Assistant is responsible for managing an alternative procedure for responding to an allegation or disclosure of abuse.

In response to any allegation or disclosure of child abuse, AGSV and/or the Child Safe Officer will:

- inform appropriate authorities about the allegation (including but not limited to mandatory reporting);
- protect any child connected to the alleged child abuse until the allegation is resolved; and

- complete the incident report templated and retain records of the allegation of child abuse and AGSV's response to it.

5.7 Awareness of potential barriers in reporting allegations of abuse

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

If an allegation of abuse involves an Aboriginal or Torres Strait Islander child, all staff will need to ensure a culturally appropriate response (including for example, engaging with parents of Aboriginal or Torres Strait Islander children, local Aboriginal or Torres Strait Islander communities). Please contact the Child Safe Officer for further guidance regarding how to accommodate potential cultural and linguistic barriers.

Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters. Please contact the Child Safe Officer for advice on communicating with people with a disability. Further advice can also be found on the Department of Health and Human Services website.¹

6. Consequences for Breach of this Procedure

AGSV emphasises the need to fully comply with the requirements of this procedure. Any staff found to be in breach of the requirements of this procedure may be subject to disciplinary action, up to and including termination of employment (or engagement, where appropriate). Breaches may also result in disclosure to appropriate authorities and/or the Police.

7. Implications for Practice

7.1 At Board Level

To properly implement this Procedure, AGSV must:

- ensure that this Procedure is endorsed on an annual basis and following significant incidents if they occur;
- ensure that copies of this Procedure are made available to all staff;
- ensure that this Procedure is incorporated into the Board's record of current policies;
- ensure that this Procedure is incorporated into AGSV's induction program, to ensure that all staff (particularly those who are engaged in child-connected

¹ www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities

work) are aware of the Procedure, have read and understood the Procedure, and acknowledge their commitment to comply with the Procedure;

- ensure that all staff are directed towards the Code of Conduct and the Child Safe Policy; and
- ensure that this Procedure is accessible to the public (including children and parents).

7.2 At Other Levels

To properly implement this Procedure, all AGSV staff must ensure:

- that they will abide by this Procedure, the Code of Conduct and the Child Safe Policy and assist AGSV in the implementation of this policy; and
- that they have read and understood the definitions of child abuse outlined in this **Policy**.

7.3 At AGSV Member School level

To properly implement this Procedure, all AGSV Member Schools must ensure that they implement a Child Safe Procedure that complies with the Child Safe Standards and Ministerial Order 870, which sets out specific requirements for registered schools in relation to child safety.

The AGSV will require Member Schools to sign an annual attestation of compliance with this policy (see Appendix 2).