

# Child Safety Policy (QMS:339)



## Policy overview

The IMVC has legal and moral obligations to comply with the Child Safety Standards, under the Child Safety and Wellbeing Act 2005. These standards are regulated by the Victorian Commission for Children and Young People (CCYP).

As a non-school senior secondary provider, the IMVC is also governed by the Education and Training Reform Act 2006 - Ministerial Order No.870, which contains the minimum actions that the IMVC must take to meet the Child Safety Standards.

This policy applies to all IMVC personnel including personnel, volunteers and Board members. Contractors must also be made aware of our commitment to child safety, our code of conduct and their child safety obligations where applicable.

This policy is part of the IMVC's overarching strategy to embed an organisational culture of child safety and must be read in conjunction with the supplementary policies and procedures referred to within this document.

## Our commitment to child safety

IMVC is committed to the safety and wellbeing of children and young people.

We are committed to providing a child safe environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives.

We have zero tolerance for child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.

We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

Every person involved in IMVC has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make. Particular attention will be paid to the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds as well as the safety of children with a disability.

We have specific policies, procedures and training in place that support our Executive Team, personnel and volunteers to achieve these commitments.

**If you believe a child is at immediate risk of abuse, phone 000.**

## **Our young participants**

The term “child” refers to any person under the age of 18. The IMVC uses the term “child”, “young person” and “participants” interchangeably.

The IMVC child safety policies and practices are intended to provide a safe environment and to empower children, who are vital and active participants in the IMVC. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and tolerance in our organisation. We make reasonable efforts to recognise and accommodate diverse needs by:

- Promoting the cultural safety, participation and empowerment of Aboriginal children
- Promoting the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds
- Ensuring that children with a disability, or who are vulnerable, are safe and can participate equally

Examples of this may include providing environments that are visually inclusive and welcoming, recognising the impact of the past, acknowledging culturally diverse practices, working in partnership with culturally or linguistically diverse communities, or by being aware of support or accessibility needs.

## **Strategies to promote the participation and empowerment of children**

IMVC recognises that children/young people have unique insights into their lives, their needs and the world around them. They have a right to be heard and have their concerns and ideas taken seriously, particularly on matters that affect them – including how to keep them safe.

Enabling and promoting the participation of children includes:

- Supporting children and young people to understand their rights, contribute to child safety planning and raise concerns
- Promoting and encouraging children’s participation in decision-making
- Valuing and respecting children’s opinions
- Seeking children’s views about what makes them feel safe and unsafe
- Establishing an environment of trust and inclusion that enables children to ask questions and speak up if they are worried or feeling unsafe

Most importantly, when children/young people have opportunities to participate and feel their contributions are valued, they are more likely to speak up when harmed or feeling unsafe.

IMVC understands that:

- Empowerment is about helping children to have their say
- Acting to empower children should always guide the work of our organisation
- Participation is important for children because it gives them an opportunity to have a say about issues and decisions that affect them

- Children are more likely to speak up about their concerns about feeling unsafe, or make a complaint, if they feel their views are valued and welcomed
- Empowerment and participation is not a one-off event – it is an approach that needs to be a part of our organisational culture
- Empowering children and facilitating their participation enhances their safety
- Mandatory child safe standards have been introduced to help protect children from abuse in organisations

Participation and empowerment are vital components of a child safe organisation like IMVC, that will benefit children, families, organisations and staff.

Involving and consulting with children/young people enables IMVC to improve its policies, practices and services as children provide a unique voice regarding what makes them feel safe and unsafe.

Facilitating the empowerment and participation of children, enhances a culture of child safety and listening to children within our organisation. Children and young people learn new skills, build self-esteem and develop an understanding of collaboration and rights.

### **IMVC's approach to encourage the empowerment and participation of children/young people**

IMVC's planned approach to the involvement of children will ensure participation is designed to be:

- Ethical
- Age appropriate and child-friendly
- Culturally respectful
- Inclusive of a diverse range of children, demonstrating respect for children of all ages, abilities, social and cultural backgrounds
- Positive and fun
- Voluntary and with informed consent
- Clear, honest and realistic about the boundaries of a discussion and what can change
- Give adequate time to consult and make sure the venue is appropriate

When listening to what we are being told by children will recognise that they may have a very different view to ours or what we expect, however we will acknowledge, value and take seriously the views put forward by children. We will:

- Ensure adults involved are skilful in facilitating the participation of children
- Be clear if the discussion will be confidential or if the outcomes will be made public
- Monitor the impact consultation may have had on the children involved
- Ensure we have procedures in place to provide support to any child who may be distressed as a result of their involvement or disclosure of concerns
- Provide feedback to children about how their views had informed decision-making

Examples of child participation events at IMVC might include:

Conducting a meaningful consultation with children/young people to inform the development of our organisation's Child Safe Policy – asking them about what makes the children in our organisation feel safe and unsafe?

Planning and identifying the risks involved in an excursion remembering it is important to be aware that our views about safety may be different from those held by children/young people.

## **Our personnel and volunteers**

This policy guides our personnel and volunteers on how to behave with children in our organisation. Our personnel and volunteers must agree to abide by our code of conduct which specifies the standards of conduct required when working with children. All personnel and volunteers, as well as children and their families, are given the opportunity to contribute to the development of the code of conduct.

## **Recruitment**

The IMVC takes all reasonable steps to employ suitably skilled people to work with children. We develop selection criteria and advertisements which clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities. The IMVC understands that when recruiting personnel and volunteers we have ethical as well as legislative obligations.

We actively encourage applications from first peoples, people from culturally and/or linguistically diverse backgrounds, and people with disability.

All IMVC personnel and volunteers are required to hold a Working with Children Check and to provide evidence of this Check.

We carry out reference checks and police record checks to ensure that we are recruiting the right people.

Refer to the IMVC's Recruitment and Selection policy for further information.

## **Training and supervision**

We provide training and education to ensure that everyone in the IMVC community understands that child safety is everyone's responsibility.

The IMVC fosters a culture where all personnel and volunteers (in addition to parents/carers and children) can feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our personnel and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We also support our personnel and volunteers through ongoing supervision to:

- Develop their skills in order to respond to or protect children from abuse
- Promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability

New Board members, employees and volunteers will be inducted on commencement of employment and supervised regularly.

This is to ensure they understand the IMVC's commitment to child safety, and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate. Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services (DHHS), Victoria Police, and the CCYP depending on the severity and urgency of the matter.

## **Fair procedures and support for personnel**

The safety and wellbeing of children is our primary concern. We are also fair and just to personnel. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

The IMVC records all allegations of abuse and safety concerns using our incident reporting form, including investigation updates. All records are securely stored.

If an allegation of abuse or a safety concern is raised regarding IMVC personnel, we provide updates to children and families, on the progress and any actions we take.

The IMVC also acknowledges that instances of child abuse can have an impact on others. Support must and will be provided to any impacted personnel and volunteers.

## **Privacy**

The personal information of the individuals involved, whether they be personnel, volunteers, parents or children, will be kept private unless there is a risk to someone's safety. We have safeguards and practices in place to ensure any personal information is protected.

Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it. Refer to **QMS:101 IMVC Privacy Policy** for further information.

## **Reporting obligations**

The IMVC takes our legal responsibilities seriously. All IMVC personnel and volunteers are required to report child abuse. Some personnel have greater reporting obligations than others.

Failure to report child abuse may result in a criminal offence. Our legislative obligations include:

### **Ministerial Order 870 – Education and Training Reform Act 2006**

The IMVC is a registered non-school senior secondary provider. This means that all IMVC personnel and volunteers have a duty of care to report child abuse where a reasonable belief is formed.

This includes reporting every time you become aware of further instances of risk and abuse, or new information about a report you have already made.

### **Failure to disclose**

All adults (aged 18 years or over) who hold a reasonable belief that a sexual offense has been committed in Victoria by an adult against a child under 16 years must disclose that information to Victoria Police as soon as possible.

Failing to disclose this information is a criminal offence, unless the adult who holds the belief has a reasonable excuse not to disclose the information, such as they fear for their safety or that of another person.

More information about failure to disclose is provided in the Department of Justice and Community Safety [failure to disclose](#) factsheet.

### **Mandatory reporting**

There are several professionals who are classified as mandatory child abuse reporters. In the IMVC, all staff and volunteers who hold VIT registration, or have been granted permission to teach, are Mandatory Reporters.

The IMVC Executive Officer is also a Mandatory Reporter due to Ministerial Order 870.

Mandatory reporters 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.

For more information on mandatory reporting requirements please refer to [DHHS Child Protection Manual](#).

Please refer to the DHHS website for information about [how to make a report to child protection](#).

### **Failure to Protect**

The offence of failure to protect applies where there is a substantial risk that a child under the age of 16 years under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A relevant organisation is an organisation that exercises care, supervision or authority over children, whether as its primary function or otherwise. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

Further information about [failure to protect](#) is available on the DHHS website.

### **Reportable conduct scheme**

The reportable conduct scheme requires [in scope organisations](#), including IMVC to respond to allegations of child abuse (and other child-related misconduct) made against their organisation. IMVC must ensure that the [head of organisation](#) is made aware of the allegation and that there are procedures for appropriately responding to and investigating the allegation.

### **Duty of care**

On 1 July 2017, organisations that exercise care, supervision or authority over children became subject to a new statutory duty of care to take reasonable precautions to prevent the abuse of children committed by individuals associated with the organisation.

If a child is abused by an individual associated with the organisation, the organisation is presumed to have breached its duty unless it can provide it took 'reasonable precautions' to prevent the abuse in question.

More information about the IMVC's duty of care is provided in the Department of Justice and Community Safety [Betrayal of trust factsheet](#).

## Risk management

IMVC believes the wellbeing of children and young people is paramount and is vigilant in ensuring proper risk management processes. We have a risk management strategy in place to identify and mitigate child abuse risks, including those posed by physical environments, and online environments, while also considering the individual characteristics and needs of our young participants.

The IMVC's risk management strategy includes:

- Promoting a child safety culture that is embedded in practices of the IMVC community
- Conducting thorough screening processes during recruitment of new personnel
- Providing ongoing instruction, training and supervision to enable personnel to prevent and respond to child abuse
- Providing easily accessible, clear child safety information to all personnel
- Conducting risk assessments to identify, reduce or remove risks

## Risk assessments

IMVC recognises there are potential risks to children and young people and will take a risk management approach by undertaking preventative measures.

Risk assessment tools (refer to **QMS:300-41 Child Safety Risk Assessment Tool**) are made available to suitably experienced employees to conduct child safety risk assessments. Risk assessments will be overseen by the Executive Officer or nominated Team Leader. The Executive Officer or nominated Team Leader will be responsible for implementing child abuse mitigation measures in response to the assessment.

Risks will be assessed where additional venues, services or activities are introduced. Any identified issues will be recorded in **QMS:300-06 Accident Incident Register**.

Child abuse mitigation measures will be reviewed where changes to venues, services or activities are proposed. In addition, mitigation measures will be reviewed where a new assessment or information becomes available, or where a report or incident has occurred.

## Regular review

The IMVC's child safety policies will be reviewed every two years and following significant incidents if they occur. We will ensure that families and children have the opportunity to contribute. Where possible we do our best to work with local first people communities, culturally and/or linguistically diverse communities and people with disability.

## Associated documents

- QMS:101 IMVC Privacy Policy
- QMS:300-41 Child Safety Risk Assessment Tool
- QMS:300-06 Accident Incident Register

## Version control

### Revision history

Date	Version	Author	Change Reference
21/04/2020	2.0	B. Newman	Updated to fit with new QMS version control guidelines and updated standards
30/07/2020	3.0	B. Newman	Minor edits to Risk Management
03/09/2020	4.0	M. Van Looy	Updated to include strategies for the participation and empowerment of children

### Reviewers

Date	Version	Approved By	Next Review Date
21/04/2020	2.0	P. Vakakis	21/04/2022
30/07/2020	3.0	P. Vakakis	30/07/2022
03/09/2020	4.0	P. Vakakis	03/09/2022