

**Wyndham Community and Education Centre Inc  
Policy and Procedure**

Policy name	<b>Child Safe Policy &amp; Procedure (including Statement of Commitment)</b>
Responsible person	Board, CEO, Managers, Child Safety Officer
Staff involved	All staff, contractors and volunteers
Review dates	2021
Related documents	<p><b><u>Legislation:</u></b>  Child Wellbeing and Safety Act 2005 (Vic), Working with Children Act 2005 (Vic), Children, Youth and Families Act 2005 (Vic), Commission for Children and Young People Act 2012 (Vic), Crimes Act 1958 (Vic), Crimes Amendment (Protection of Children) (VIC) Act 2014, Crimes Amendment (Grooming) (VIC) Act 2014, Charter of Human Rights and Responsibilities Act 2006 (Vic), Disability Act 2006 (Vic), Disability Regulations 2017, Education and Training Reform Act 2006 (Vic), Education and Training Reform Regulations 2017(Vic), Education and Training Reform Amendment (Child Safe Schools) Act 2015 (Vic), Equal Opportunity Act 2010 (Vic), Multicultural Victoria Act 2011 (Vic), Health Records Act 2001 (Vic), Public Records Act 1973 (Vic), Racial and Religious Tolerance Act 2001 (Vic), Occupational Health and Safety Act 2004 (Vic), Ministerial Order 870, Child Safe Standards -Managing the risk of child abuse in schools, Reportable Conduct Scheme (legislated from 1 July 2017), Victorian Institute of Teaching Act 2001 (Vic), Wrongs Amendment (Organisational Child Abuse) Act 2016 (Vic), Working with Children Amendment Act 2016 (Vic), Children Legislation Amendment (Reportable Conduct) Act 2017 (Vic), Child Wellbeing and Safety Amendment Act 2015 (Vic).</p> <p><b><u>Policies:</u></b>  Access &amp; Equity Policy &amp; Procedure, Complaints and Appeals Policy &amp; Procedure, Privacy Policy &amp; Procedure, Mandatory Reporting Policy &amp; Procedure, Staff Recruitment Policy &amp; Procedure, Critical Incident &amp; Emergency Management Policy &amp; Procedure, Equal Employment Opportunity Policy &amp; Procedure, Records Management &amp; Record keeping Policy &amp; Procedure, Risk Identification &amp; Management Policy &amp; Procedure, Excursions Policy and Procedure, National Police Check, Working with Children Check and VIT Registration Policy and Procedure, Cyberbullying Policy and Procedure, Harassment, Discrimination, Victimisation and Anti-Bullying Policy &amp; Procedure, Student Well Being and Duty of Care in VCAL (includes procedures for under-18s) Policy and Procedure, Student Safety and Welfare in VET Programs Policy &amp; Procedure, Governance Policy and Procedure, Marketing, Advertising and Promotions Policy and Procedure, Quality</p>

This document was accepted by the Board of Governance of the Wyndham Community and Education Centre Inc on 16/10/20 and supersedes all previous versions.

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<p>Management &amp; Continuous Improvement Policy and Procedure, Procedure for Dealing with Visitors to Wyndham CEC Premises</p> <p><b>Other:</b></p> <p>Child Safety Code of Conduct, Staff Code of Conduct, Student Placement Procedure (VET), Structured Workplace learning Procedure (VETiS), Structured Workplace learning Procedure (VCAL), Privacy &amp; Your Rights flier, Critical Incident Form, Failure to Protect information and fact sheet is available at - <a href="http://www.justice.vic.gov.au/">http://www.justice.vic.gov.au/</a></p> <p>Failure to disclose information and fact sheet available at <a href="http://www.justice.vic.gov.au/">http://www.justice.vic.gov.au/</a></p> <p>Step by Step Guide to Making a Report to Child Protection or Child FIRST, How to make a report to Child protection is available at <a href="http://www.dhhs.vic.gov.au">www.dhhs.vic.gov.au</a></p> <p>Overview of the Victorian Child Safe Standards, Childsafe standards resources <a href="https://www.dhhs.vic.gov.au/publications/child-safe-standards">https://www.dhhs.vic.gov.au/publications/child-safe-standards</a></p> <p>A Guide for Creating a Child safe Organisation at <a href="https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/">https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/</a></p> <p>Betrayal of Trust Report, United Nations Convention on the Rights of the Child – <a href="http://www.unicef.org/crc">www.unicef.org/crc</a></p> <p>Royal Commission into child abuse – Final Report 15<sup>th</sup> December 2017 <a href="http://www.childabuseroyalcommission.gov.au">www.childabuseroyalcommission.gov.au</a></p> <p>Royal Commission into child abuse – Support Services <a href="http://www.childabuseroyalcommission.gov.au/support-services">www.childabuseroyalcommission.gov.au/support-services</a></p> <p>Mandatory Reporting eLearning Module (DET), “PROTECT”</p> <p>Student Reference Group</p> <p>Child Safety Toolkit: How to Create a Child Safe Organisation, Moores and Our Community (April 2018 Edition)</p> <p>e-safety Commissioner at <a href="https://www.esafety.gov.au">https://www.esafety.gov.au</a></p> <p>Child Wise at <a href="https://www.childwise.org.au">https://www.childwise.org.au</a></p> <p>The Guidelines for Non-School Senior Secondary Education Providers: Minimum Standards for Registration to Provide an Accredited Senior Secondary Course have been updated to reflect the requirement to meet child safe standards at <a href="https://www.vrqa.vic.gov.au/childsafepages/Other-Organisations.aspx">https://www.vrqa.vic.gov.au/childsafepages/Other-Organisations.aspx</a></p> <p>VRQA- Non School Senior Secondary Providers- Child Safe resources at <a href="https://www.vrqa.vic.gov.au/childsafepages/resources.aspx">https://www.vrqa.vic.gov.au/childsafepages/resources.aspx</a>; VCAL &amp; Youth Manager's annual Self-Assessment</p> <p>Skills First Quality Charter</p>
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### **Purpose**

Creating a child safe environment was part of the Victorian Government's response to the report of the Parliamentary Inquiry into the Handling of Child Abuse (Betrayal of Trust Inquiry). Since then, and following the Royal Commission into Institutional Responses to Child Sexual Abuse (final report 15/12/17), the legislative environment has changed considerably.

This policy and procedure including the Statement of Commitment demonstrate Wyndham Community and Education Centre's determination to work within commonwealth and state legislative frameworks to provide a child safe environment for children and families accessing programs and services.

Wyndham Community and Education Centre (Wyndham CEC) supports the premise that children's safety is everyone's responsibility: staff; Board; and, volunteers. This includes listening to Wyndham CEC's children through establishing a Student Reference Group.

### **Commitment to Child Safety**

Wyndham CEC is committed to child safety.

Wyndham CEC wants children to be safe, happy and empowered and supports and respects children attending the Centre, as well as staff and volunteers.

Wyndham CEC is committed to the safety, participation and empowerment of all children.

Wyndham CEC has **zero tolerance** of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our policies and procedures.

Wyndham CEC has legal and moral obligations to contact authorities when concerned about a child's safety.

Wyndham CEC is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.

Wyndham CEC has robust HR and recruitment practices for staff and volunteers.

Wyndham CEC is committed to training and educating staff and volunteers on child abuse risks.

Wyndham CEC is committed to the cultural safety of Aboriginal children, the cultural safety of children from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.

Wyndham CEC has specific policies, procedures and training in place that support the management team, staff and volunteers to achieve these commitments.

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

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**DEFINITIONS** (taken from *Child Safety Toolkit: How to create a child safe organization* (Moore's /Our Community April 2018); and, *A Guide to Creating a Child Safe Organisation* (CCYP)).

**Child** means a person below the age of 18 years unless otherwise stated under the law applicable to the child.

**Child protection** means any responsibility, measure or activity undertaken to safeguard children from harm.

**Child abuse** means all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial (e.g. for financial gain) or other exploitation of a child and includes any actions that results in actual or potential harm to a child.

**Child sexual assault** is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography.

**Grooming** occurs when communication or conduct is linked to the intention of facilitating the involvement of a child in sexual behaviour with an adult. It can include, but is not limited to, developing special relationships with a child; favouring or giving gifts to a child or young person; inappropriate interactions with children either in person or via forms of media and electronic devices; asking a child or young person to keep a secret of any aspect of their relationship; and testing of, or ignoring, professional boundaries or rules

**Physical abuse** can occur when a person intentionally or recklessly uses physical force against, with or in the presence of a child without their consent, which causes, or could cause, the child harm. Physical abuse can also occur when someone intentionally or recklessly causes a child to believe that physical force is about to be used against them without their consent. Physical abuse can include hitting, punching, kicking, pushing or throwing something that strikes a child. It also includes behaviour, such as words or gestures, that causes a child to believe that they are about to suffer physical abuse.

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

**Neglect** is another form of child abuse. Neglect is a failure on the part of a caregiver to provide sufficient attention, responsiveness and protection that is appropriate to the

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basic needs of a child to ensure that these needs are met. Neglect includes failure to provide adequate health care, supervision, clothing, nutrition or housing, as well as failing to meet a child's physical, emotional, social, educational and safety needs.

**Exposure to Family Violence** Occurs when children and young people witness or experience the chronic domination, coercion, intimidation and victimisation of one person by another by physical, sexual or emotional means within a domestic relationship. Exposure to domestic violence can include watching or hearing a family member assault or threaten another member of the family, direct involvement (for example, trying to intervene or calling the police), or experiencing the aftermath of family violence, such as seeing physical indicators of abuse or observing parental depression.

**Reasonable grounds for belief** is a belief based on reasonable grounds (see below) that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator. A reasonable belief is formed if a reasonable person believes that:

- (a) the child is in need of protection,
- (b) the child has suffered or is likely to suffer "significant harm as a result of physical injury," or
- (c) the parents are unable or unwilling to protect the child.

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) a child states that they have been physically or sexually abused;
- b) a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- c) someone who knows a child states that the child has been physically or sexually abused;
- d) professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or,
- e) signs of abuse lead to a belief that the child has been physically or sexually abused.

### **POLICY CONTEXT**

The introduction of compulsory minimum Child Safe Standards (see appendix one) is part of the Victorian Government's response to the recommendations from the Betrayal of Trust Report. Legislation passed in Victoria gives the Commission for Children & Young People (the Commission) new regulatory powers to oversee and

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enforce compliance with the standards, giving the Commission the ability to request information and documents from organisations and, inspect premises where services are provided for children.

It is critical that everyone at Wyndham CEC communicate and share with each other all that we learn about child protection to ensure best practice.

The VRQA will continue to be the main authority for Wyndham CEC on child safe through the minimum standards for non-school senior secondary providers.

### **POLICY**

Wyndham CEC is committed to facilitating the prevention of child abuse occurring and consistently works towards promoting an organizational culture of child safety.

This policy and procedure is intended to provide clear guidelines, principles and processes for staff, contractors and volunteers within Wyndham CEC and for parents and children accessing a program or service at Wyndham CEC.

It provides a clear statement to staff and volunteers forbidding any such abuse and provides assurance that all cases of suspected abuse will be reported and fully investigated.

It is intended to empower children and young people who participate in Wyndham CEC programs or services. It includes responsibilities for the welfare of children outside of normal program contact hours such as camps, excursions, after-hours activities or structured workplace learning/ work placements.

The safety and well-being of children and young people is a priority for Wyndham CEC across all programs and services.

Wyndham CEC has a **zero tolerance approach** to child abuse.

In Victoria, failure to report suspected or disclosed child abuse is a criminal offence. Failure to protect children is also a criminal offence and people in authority can face penalties including 5 years imprisonment for failing to protect a child.

### **Child Safe Standards**

Standard 1 - strategies to embed an organisational culture of child safety, including through effective leadership arrangements

Standard 2 - a child safe policy or statement of commitment to child safety

Standard 3 - a code of conduct that establishes clear expectations for appropriate behaviour with children

Standard 4 - screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel

Standard 5 - processes for responding to and reporting suspected child abuse

Standard 6 - strategies to identify and reduce or remove risks of child abuse

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Standard 7 - strategies to promote the participation and empowerment of children. In complying with the child safe standards, Wyndham CEC recognises the following principles are integral to each standard:

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

### **Wyndham CEC's children and young people**

This policy is intended to empower children who are students or clients of Wyndham CEC programs and activities. Wyndham CEC involves young people when making decisions, especially about matters that directly affect them.

Wyndham CEC's people and community are diverse. Wyndham CEC works with people from all walks of life who reflect the broad diversity of the Victorian community. Through Wyndham CEC's service units, diverse people, expansive networks and strong partnerships, we are inclusive of the needs of all children; particularly those who are vulnerable due to their age, family circumstances, disability, indigenous or CALD backgrounds.

### **PROCEDURES**

#### ***Responsibilities***

##### **Board responsibilities**

The Board of Wyndham CEC 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 Board is also responsible for ensuring that appropriate policies and procedures and a Child Safety Code of Conduct are in place.

##### **CEO responsibilities**

The CEO of Wyndham CEC is responsible for:

- Dealing with and investigating reports of child abuse
- Ensuring all staff and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Child Safety Code of Conduct
- Ensuring that all adults within Wyndham CEC are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures
- Ensuring all staff and volunteers are aware of their obligation to observe the Child safety Code of Conduct
- Providing support for staff and volunteers in undertaking their child protection responsibilities

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### Manager responsibilities

All managers must ensure that they:

- Promote child safety at all times
- Assess the risk of child abuse within their area of control and eradicate or minimise any risk to the extent possible
- Educate employees about the prevention and detection of child abuse
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

### Other staff/volunteers responsibilities

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

- Familiarise themselves with the relevant laws, the Child Safety Code of Conduct, and Wyndham CEC's policies and procedures in relation to child protection, and comply with all requirements
- Report any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police and/or state-based child protection service) and fulfil their obligations as mandatory reporters (if applicable)
- Report any suspicion that a child's safety may be a risk to their supervisor (or, if their supervisor is involved in the suspicion, to a responsible person at Wyndham CEC)
- Provide an environment that is supportive of all children's emotional and physical safety.

### Legislative Responsibilities

Wyndham CEC takes its legal responsibilities seriously, including:

On 1 July 2017, the *Reportable Conduct Scheme* commenced in Victoria. Allegations of child abuse or misconduct involving children (reportable conduct) made against employees, must be reported to the Commission for Children and Young People. This scheme does not override other legal obligations under mandatory reporting.

**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. This offence applies to all adults, not just professionals who work with children.

**Failure to protect:** People of authority in the organisation will commit an offence if they know of a substantial risk of child sexual abuse by someone in the organisation and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

**Grooming offences:** Grooming is a criminal offence under the Crimes Act 1958. This offence targets predatory conduct undertaken by an adult to prepare a child, under the age of 16, to engage in a sexual activity at a later time.

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Any staff who are **mandatory reporters** must still comply with these responsibilities.

### **Child Safety Officer**

Wyndham CEC has a Child Safety Officer – Lesley Nallowalla. Lesley undertakes regular professional development and has knowledge of child safety issues and is a point of contact and resource for staff, volunteers and children who have questions or concerns, need advice or want to report an allegation of child abuse.

Lesley can be contacted at Head Office: 20 Synnot Street, Werribee VIC 3030

PH: 97424013

E: [lesleyn@wyndhamcec.org.au](mailto:lesleyn@wyndhamcec.org.au)

Wyndham CEC ensures that its children and young people and their families know their rights and how to access the Child Safety Officer and Wyndham CEC's complaints processes. The Child Safety Officer makes herself known to students annually as a point of contact.

Posters of the Child Safety Officer are displayed at all venues delivering child-related programs and services.

Staff and student induction processes include reference and introduction to the Child Safety Officer.

The Child Safety Officer will assist the management team to implement child safe practices and promote awareness of acceptable and unacceptable behaviour of students and staff.

The Child Safety Officer will also assist the VCAL Youth Manager to implement educational strategies and programs into the curriculum that promote healthy and respectful relationships.

The Child Safety Officer and the VCAL Youth Manager conduct regular student reference group meetings with students to discuss child safety.

Wyndham CEC surveys its children and their families and welcomes feedback from young people who access our programs and services. Through our feedback action plan we act on any concerns raised. Feedback and survey responses are tabled at Board level.

### **Professional Development**

Training and education is important to ensure that everyone at Wyndham CEC understands that child safety is everyone's responsibility.

Wyndham CEC culture aims for all staff and volunteers to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

Wyndham CEC will source Professional Development to train staff to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

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The Child Safety Officer produces a quarterly Child Safe newsletter highlighting different aspects of child safety. This is sent to all staff, volunteers including the Board. A version is also made available to VCAL parents, guardians and students.

Wyndham CEC will ensure that staff and volunteers understand the 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) and Victoria Police, depending on the severity and urgency of the matter.

The Child Safety Officer will undertake relevant Professional Development (PD) in child safety as it becomes available. Resources will be shared with relevant staff.

The Senior Management Team is responsible for identifying relevant PD and ensuring staff undertake appropriate training.

### **Cultural Safety**

Wyndham CEC promotes the cultural safety of aboriginal, culturally & linguistically diverse, and, children of all abilities through its employment practices, professional development programs, networks and partnerships, and, through specialist staff working across the organisation including;

- creating an environment that is respectful of aboriginal culture
- creating an environment that is respectful and inclusive of families from CALD background
- committing to making the environment safe and accessible for children with a disability
- employing staff who are representative of our local community
- supporting children of same sex attracted, intersex and gender diverse

### **Recruitment**

Wyndham CEC takes all reasonable steps to employ skilled and qualified people to work with children. Recruitment practices are in place to manage and reduce the risk of child abuse. Wyndham CEC's recruitment practices demonstrate a commitment to child safety and an awareness of its social and legislative responsibilities when recruiting staff, contractors and volunteers.

Wyndham CEC's management team follows the *National Police Check, Working with Children Check and VIT Registration Policy and Procedures* for all people engaged in child-related work, including volunteers.

Wyndham CEC carries out thorough reference checks and security screening to ensure that the right people are recruited.

In addition, Wyndham CEC has staff and volunteer induction programs, professional development and staff supervision arrangements (as required) that ensure a child-safe environment.

Staff job descriptions include a reference to the child safe standards.

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Ongoing staff and volunteers will review and acknowledge their understanding of the *Child Safety Code of Conduct* annually.

### Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety.

Wyndham CEC has safeguards and practices in place to ensure any personal information is protected.

### Risk Management

In Victoria, organisations are required to protect children when a risk is identified (see information about failure to protect above). In addition to other organisational risks, Wyndham CEC proactively manages and reduces risks of abuse to children accessing programs and services.

Wyndham CEC has risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments (for example, no staff or volunteer is to have contact with a child in organisations on social media). Strategies include: providing effective leadership and governance; robust recruitment and induction processes, and ongoing access to professional development; program and service review processes; and, the appointment of a Child Safety Officer.

Wyndham CEC monitors and evaluates risks in relation to Structured Workplace Learning, Work Experience and Work Placements, excursions, camps and other after-hours activities.

This policy will be reviewed annually and following any significant incidents or events as they occur. Wyndham CEC networks with relevant organisations that work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

Wyndham CEC's *Risk Identification and Management Policy and Procedure* is reviewed annually by the Board and Senior Management Team. The resulting *Risk Plan* is reviewed twice a year.

### Structured Workplace Learning (SWL) and Work Experience (WE)

Standard six of the Child Safe Standards requires Wyndham CEC to monitor and evaluate risks management strategies to ensure child safety in school environments.

The VCAL & Youth Manager is responsible for developing and monitoring risk management strategies prior to any students undertaking SWL or WE.

### What do I do? (Use the checklist at Appendix Two as a guide)

- If the child is at immediate risk, call **000**
- If the victim is aged 16 or under, a report must be made to the relevant Child Protection Authority (DHHS) – call **1300 360 462** during business hours or **131278**

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- after-hours (also see ChildFirst steps and Mandatory Reporting Policy and Procedure for guidance).
- If the victim is aged 17 or above, Wyndham CEC encourages reporting to the Police and will support the person if they choose to make the report.
  - If a victim aged 17 or above discloses an offence that occurred when they were under 16 and the offence was committed by someone 18 or over, the offence must be reported to police unless the victim requests confidentiality. Any such report must be done with the relevant program manager, CEO or Child Safety Officer.
  - If a victim aged 17 or above decides not to report the offence but details of the alleged perpetrator are known to the person who has had the offence disclosed to, consideration must be given to reporting the known details. The decision whether to report must be made in consultation with the direct manager, CEO and /or Child Safety Officer and must consider the potential risk to the community, the victim, and the age of the victim when the alleged offence occurred. All discussions and decisions must be documented using the Critical Incident Form.
  - Report any allegations or concerns to the CEO, your direct Manager or the Child Safety Officer, immediately you become aware of an incident, event or allegation regarding a Wyndham CEC staff member, volunteer or contractor.
  - The CEO or Deputy CEO will immediately suspend the staff member or volunteer while an investigation is undertaken.
  - If an alleged perpetrator is a Wyndham CEC student or client, staff must consider reporting to Police. If there is reasonable belief that a child under 17 is at risk, a report must be made to Child protection who will liaise with Police. All decisions must be made with your direct manager, the CEO or Child Safety Officer.
  - Staff dealing with disclosures and suspected abuse can also seek secondary advice from West CASA - <http://westcasa.org.au> or Victoria Police Sexual Offences and Child Abuse Investigation Teams (SOCIT) on (03) 8398 9860

### **What about leaving children unattended?**

In Victoria, it is an offence to leave a child unattended for any longer than is reasonable, without making appropriate arrangements for the child's supervision and care. This includes leaving a child at home or in a car or anywhere else unattended.

In Victoria, there is no set age at which it is legal to leave a child unattended.

For more information see <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/leaving-children-unattended>

Parent Line Victoria can also provide information on 13 22 89 between 8am and midnight, 7 days a week or view

<http://www.education.vic.gov.au/about/contact/Pages/parentline.aspx>

### **Remember:**

- Ring **000** if you believe a child is at immediate risk
- Report all allegations or incidents where there is a reasonable belief

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- Follow the steps above
- Speak to the CEO, your Manager or Child Safety Officer to seek advice or guidance if you need to
- Complete and lodge an incident report for any event you report (follow the *Critical Incident and Emergency Management Policy and Procedure*)

### **Allegations, Concerns and Complaints**

Wyndham CEC takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Relevant staff and volunteers will be trained to deal appropriately with allegations.

Wyndham CEC works to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

### **Suspected abuse and reasonable belief**

If a staff member or volunteer is concerned that a Wyndham CEC student or client aged 16 or under is at risk of or, is experiencing sexual or other criminal abuse, they have a responsibility to report the matter to the Child protection Authority.

Factors contributing to reasonable belief may be (but are not limited to):

- 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
- observing grooming behaviour
- knowledge of inappropriate gifts
- inappropriate online behaviour and/ or inappropriate boundaries
- knowledge of secretive relationships

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### **APPENDIX ONE: CHILD SAFE STANDARDS**

**Standard 1** - *strategies to embed an organisational culture of child safety, including through effective leadership arrangements*

- Wyndham CEC has a dedicated Child Safety officer in place who together with the CEO and management team leads implementation of the standards.
- Wyndham CEC conducts a child safety review annually
- Wyndham CEC reviews its child safe policy and procedure annually
- Wyndham CEC reviews & updates its risk management plan annually
- Wyndham CEC considers the diversity of its children and families and their needs when developing supports and supervising children
- Wyndham CEC has developed a statement of commitment
- Wyndham CEC VCAL staff complete on-line mandatory reporting module annually
- Wyndham CEC has developed a quarterly Child Safe Newsletter which is distributed to all within the organisation, including the VCAL students and their parents/guardians

**Standard 2** - *a child safe policy or statement of commitment to child safety*

- Wyndham CEC has a detailed Child Safe Policy & Procedure which includes a commitment to child safety. This is also referenced in Wyndham CEC's Strategic Plan and Risk Plan.
- Wyndham CEC reviews its policy annually
- Wyndham CEC informs all staff, volunteers and students of its Child Safe Policy & Procedure via the website and Share Point

**Standard 3** - *a code of conduct that establishes clear expectations for appropriate behaviour with children*

- Wyndham CEC's Code of Conduct for Staff outlines clear expectations for appropriate staff behavior including with children/ students under the age of 18. The Code applies to all staff, volunteers and contractors.
- Wyndham CEC has a Child Safety Code of Conduct which new staff sign and ongoing staff re-commit to annually at staff appraisals
- Wyndham CEC reviews its Codes of Conduct regularly and sets a date in the schedule for review annually
- Wyndham CEC communicates the Code to all staff and volunteers Share Point and is included in the Induction for new staff and volunteers

**Standard 4** - *screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel*

- Wyndham CEC has rigorous screening mechanisms in place including: VIT (Victorian Institute of Teaching) registration, Working with Children Checks; National Police Checks at point of employment; Referee checks (2) for all staff and volunteers
- Wyndham CEC's formal induction process includes setting expectations regarding appropriate behavior with all students, including those under 18.
- Wyndham CEC promotes child safety in its job advertisements
- Wyndham CEC has a statement regarding child safety in all Job Descriptions

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- Wyndham CEC reviews its *National Police Check, Working with Children Check and VIT Registration Policy and Procedures* annually

### **Standard 5** - *processes for responding to and reporting suspected child abuse*

- Wyndham CEC's Child Safe and Mandatory Reporting and Failure to Disclose Policies & procedures provide staff with clear guidelines as to how to respond to and report suspected child abuse.
- Wyndham CEC has a number of mechanisms for reporting including access to a staff member trained in child safe standards (Child Safety Officer)
- Wyndham CEC maintains clear records of any child safe incidents which are kept confidentially in a locked filing cabinet in the CEO's office.

### **Standard 6** - *strategies to identify and reduce or remove risks of child abuse*

- Wyndham CEC's Risk Plan identifies risk of child abuse and outlines strategies for removing risks.
- Wyndham CEC has rigorous safety screening processes and a dedicated youth-safe venue.
- Wyndham CEC reviews its Risk Plan annually with Board and other stakeholders
- The senior management team schedules two reviews of the Risk Plan annually and monitors it monthly
- Wyndham CEC's school lawyer works with children to promote community legal education workshops on cyber, online and mobile phone safety
- Wyndham CEC has a policy on cyberbullying which is reviewed annually
- Wyndham CEC's Induction process informs all new staff and volunteers of our *Child Safe and Mandatory Reporting and Failure to Disclose or Protect Policies & procedures*

### **Standard 7** - *strategies to promote the participation and empowerment of children.*

- Wyndham CEC has a school lawyer who provides community education sessions which include information and support around abuse.
- Staff in collaboration with the Child Safety Officer, encourage children to speak up.
- Wyndham CEC's youth team provide children with information about how to keep safe
- VCAL student reference group with VCAL/Youth Manager and Child Safety Officer

In complying with the child safe standards, Wyndham CEC recognises the following principles are integral to each standard:

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

### **Promoting the cultural safety of Aboriginal children**

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Cultural safety is “an environment that is safe for people: where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience, of learning, living and working together with dignity and truly listening.” 4 (Williams, R. 2008)

For Aboriginal people “cultural safety and security requires the creation of:

- Environments of cultural resilience within Aboriginal and Torres Strait Islander communities
- Cultural competency by those who engage with Aboriginal and Torres Strait Islander communities.” 5 (AHRC Social Justice Report 2011)

Wyndham CEC creates an environment respectful of Aboriginal culture by:

- acknowledging traditional owners
- displaying aboriginal art’
- displaying aboriginal flag
- providing appropriate professional development to staff

### **Promoting the cultural safety of children from CALD backgrounds**

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

In Victoria, mandatory child safe standards have been introduced to help protect children from abuse in organisations. In complying with the standards, organisations must promote the cultural safety of children from culturally and linguistically diverse backgrounds.

Wyndham CEC promotes the cultural safety of children from CALD backgrounds by:

- welcoming people from all cultures
- employing staff who represent CALD communities
- ensuring the environment reflects the diverse communities we work with
- respecting other cultures
- adopting Racism. It stops with me! Campaign
- demonstrating zero tolerance to discrimination

### **Promoting the cultural safety of children with a disability**

All children are vulnerable but some children need special care and protection to ensure they are safe – children with a disability have an increased risk of being abused.

In Victoria, mandatory child safe standards have been introduced to help protect children from abuse in organisations. In complying with the standards, organisations must promote the safety of children with a disability. It is our responsibility to uphold the legal and human rights of children with a disability to ensure they are safe when in our care.

Wyndham CEC will promote the safety of people/children with a disability by:

- inclusive practices
- ensuring accessible activities/programs
- having a Disability Action Plan (DAP)
- working with families around participation

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### APPENDIX TWO: What do I do? Step by step checklist

Is the child/ student/ client 16 or under?	<p>YES <input type="checkbox"/></p> <p>Notify child protection authority (in consultation with CEO, Manager or Child safety officer)</p> <p>Child protection authority will notify police when appropriate</p> <p>Support and referral for child</p> <p>Incident report to CEO</p>
Is the student/ client 17 or over?	<p>YES <input type="checkbox"/></p> <p>Support and referral for client</p> <p>Information re legal options</p> <p>If details of the alleged perpetrator are known, a decision whether to report must be made in consultation with the direct manager, CEO and /or Child Safety Officer</p> <p>Incident report to CEO</p>
If the student/ client is currently 17 or over, were they under 16 at the time of the alleged offence?	<p>YES <input type="checkbox"/></p> <p>If the offence was committed by someone 18 or above, the offence must be reported to Police unless the victim requests confidentiality. Any report to police must be done in consultation with the direct manager, CEO and /or Child Safety Officer</p> <p>Incident report to CEO</p>
Is the alleged perpetrator a staff member or volunteer of Wyndham CEC?	<p>YES <input type="checkbox"/></p> <p>Immediate report to CEO/ Deputy CEO</p> <p>CEO or Deputy reports to Police and cooperates with any investigation</p> <p>Immediate suspension of staff / volunteer from duties while investigation is undertaken</p>
Is the alleged perpetrator a student or client of Wyndham CEC?	<p>YES <input type="checkbox"/></p> <p>Immediate report to CEO/ Deputy CEO</p> <p>If child is under 17 and at risk of sexual abuse, report to Child Protection who will report to police if appropriate</p> <p>Consider a report to Police</p> <p>Support victim and refer to specialist services</p> <p>Incident report to CEO</p>

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