



CHILD SAFE POLICY

Policy Particulars			
Policy number	BCS01	Version	1
Drafted by	General Manager, Risk & Compliance	Approved on	28 October 2019
Responsible person	General Manager, Risk & Compliance	Scheduled review date	October 2021

INTRODUCTION

All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.

Child protection legislation in each state and territory across Australia differs according to local needs. However, legislation across all states and territories has similar guiding principles in several key areas. These principles include:

- best interest of the child;
- early intervention; and
- the participation of children and young people in decision-making processes.

In Victoria, organisations that provide services or facilities for children are required by law to implement Child Safe Standards to protect children from harm. Compliance with these standards is enforced by the Commission for Children and Young People and are mandatory for organisations in accordance with the Child Wellbeing and Safety Act 2005.

The Victorian Child Safety Standards aim to:

- promote the safety of children;
- prevent child abuse;
- ensure organisations and business have effective processes in place to respond to and report all allegations of child abuse.

Children are defined in the standards as anyone under 18 years of age.

Legislation on working with children ensures that adults who work with, or care for children, are subject to screening processes to protect children from physical and sexual harms. Pre-employment screening for people seeking to engage in child-related work is one measure that contributes to ensuring the safety of children within Australian organisations.

Pre-employment screenings such as Working With Children Checks (WWCC) and Police Checks screen for an individual's criminal records and any reports on their professional conduct. They are designed to help ensure that the right people are chosen to work or volunteer with children. They aim to prevent people from working or volunteering with children if records indicate that they may pose a risk.

There is no single national framework setting out the requirements for obtaining WWCC or Police Checks. Instead, all states and territories have legislation providing for child-related employment pre-screening with requirements to be met.



PURPOSE

The aim of this policy is to ensure that CVGT is compliant with its child safety obligations in accordance with contractual and legislative requirements as appropriate, including compliance with the requirements of Working With Children legislation.

This policy and associated procedure(s) are intended to provide employees with clear information of their responsibilities and those of management in relation to child safety and provide guidance regarding the Working With Children Check (WWCC).

The purpose of this policy is:

- To facilitate the prevention of child abuse occurring within CVGT;
- To work towards an organisational culture of child safety;
- To 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;
- To provide guidance to employees, volunteers and contractors as to action that should be taken where they suspect any abuse within or outside the organisation;
- To provide a clear statement to employees, volunteers and contractors forbidding any such abuse;
- To provide assurance that any and all suspected abuse will be reported and fully investigated.

POLICY

CVGT Australia (CVGT) is committed to promoting and protecting the interests and safety of children involved in our programs. CVGT has a zero tolerance for child abuse. Everyone working at CVGT is responsible for the care and protection of children within our care and reporting information about suspected child abuse.

CVGT is committed to child safety by establishing and maintaining a child safe and child friendly environment that promotes and protects the interests and safety of all children and young people who interact with our services.

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

All CVGT employees and volunteers in child-related work, regardless of whether the work is paid, unpaid, supervised or unsupervised, are required to undertake pre-employment screening which includes conducting criminal records checks.

AUTHORISATION

A handwritten signature in black ink, appearing to read 'David Richardson'.

David Richardson
Chair, Board of Directors
CVGT Australia Limited
28 October 2019

RELATED DOCUMENTS

Child Safe Procedure
Protected Disclosure Policy
Child Safety Standards (Vic)
National Principles for Child Safe Organisations (COAG)
Child Wellbeing and Safety Act 2005 (Vic)
Children, Youth and Families Act 2005 (Vic)
Children and Young Persons (Care and Protection) Act 1998 (NSW)
Children, Young Persons and their Families Act 1997 (Tas)
Family Law Act 1975 (Cth)
Australian Human Rights Commission Act 1986 (Cth)
Working with Children Act 2005 (Vic)
Working with Children Amendment Act 2016 (Vic)
Child Protection (Working with Children) Act 2012 (NSW)
Registration to Work with Vulnerable People Act 2013 (Tas)

DEFINITIONS

- **Child** means a person below the age of 18 years unless otherwise specified under the law.
- **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 protection** means any responsibility, measure or activity undertaken to safeguard children from harm.
- **Child related work** is any work-related activity (whether the work is paid, unpaid, supervised or unsupervised) which usually involves direct contact with a child. It excludes any infrequent direct contact with children that's incidental to the work.
- **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 exposing the child to or involving the child in pornography and child grooming.
- **Criminal records checks** refers to both a Police check and a Working with Children check.
- **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.