

Child Safety and Wellbeing Policy

Policy Objective

Mullum Mullum Indigenous Gathering Place (MMIGP) provides a culturally safe and inclusive space for Aboriginal and Torres Strait Islanders to come together to feel connected and empowered. MMIGP supports and facilitates a variety of cultural activities and programs which incorporate art, music, language, and storytelling.

MMIGP's *Child Safety and Wellbeing Policy* aims to set out the organisation's commitment and approach to creating and maintaining a child safe organisation where children and young people are safe, heard, believed and listened to. This policy is an overarching document that provides key elements of our approach to protecting children and young people from harm.

This policy will be published on our public website as well as communicated through other mediums such as in our reception, in sign up documents and in induction and welcome packs for staff, volunteers and other key stakeholders or visitors to our organisation.

This policy provides the framework for:

- The development of work systems, practices, policies and procedures that promote child protection within the organisation;
- The creation of a positive and robust child protection culture;
- The promotion and open discussion of child protection issues within the MMIGP;
- Compliance with all laws, regulations and standards relevant to child protection in Victoria, including the Child Safe Standards.

Scope

This policy applies to the following:

- MMIGP staff
- Children and young people accessing our services
- Partners, carers and guardians of children and young people
- Visitors, volunteers and contractors
- Board members and other key stake holders; and
- anyone on our premises regardless of whether or not they work in direct contact with children or young people.

This policy applies to all MMIGP activities during and outside of working hours, all, excursions, camps, interstate travel, events and any off site work.

Statement of Commitment to Child Safety

MMIGP is committed to providing a child safe and child friendly environment, where children and young

people are safe and able to actively participate in decisions that affect their lives. At MMIGP we have a zero tolerance for child abuse, racism and discrimination and are committed to taking all allegations and safety concerns very seriously and consistently acting in the interest of children and young people's to keep them safe from harm.

MMIGP is committed to the cultural safety and needs of Aboriginal and Torres Strait Islander children and young people, children and young people from culturally and/or linguistically diverse backgrounds, those with a disability, those who are unable to live at home, and lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+) children and young people. We endeavour to foster a safe, warm and open environment for children and young people of all different sexual orientations, genders, religious backgrounds, social groups and walks of life.

MMIGP regards its child protection responsibilities with the utmost importance and as such, is committed to providing the necessary resources to ensure compliance with all relevant child protection laws and regulations and maintain a child safe culture. We ensure we follow our legal and moral obligations to contact the relevant authorities if we are concerned for a child or young person's safety and or wellbeing.

Staff, volunteers, third party contractors and external education providers are supported and supervised by line management to ensure compliance with the code of conduct and child safe policies.

Guiding principles

This Policy is based on the following principles:

- (a) MMIGP has zero tolerance for child abuse;
- (b) Take a preventative, proactive and participatory approach to child safety;
- (c) All children and young people have a right to feel safe and be safe at MMIGP, and have equal rights to protection from abuse;
- (d) Provide written guidance on appropriate conduct and behaviour towards children by maintaining a *Child Safe Code of Conduct*;
- (e) Engage only the most suitable people to work with children and have high quality staff and volunteer supervision, professional development and training;
- (f) Value and empower children to participate in decisions which affect their lives;
- (g) MMIGP is committed to establishing culturally safe environments in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued;
- (h) Foster a culture of openness that supports all persons to safely disclose risks of harm to children and young people;
- (i) Ensure children and young people know who to talk with if they are worried or are feeling unsafe, and that they are comfortable and encouraged to raise such concerns;
- (j) Report suspected abuse, neglect or mistreatment promptly to the appropriate authorities;
- (k) Share information appropriately and lawfully with other organisations where the safety and wellbeing of children or young people is at risk; and
- (l) Value the input of and communicate regularly with families and carers of children and young people.

Protecting Children and Young people

Our *Child Safety and Wellbeing Policy, Child Protection and Mandatory Reporting Policy and Procedures* and *Child Safe Code of Conduct* relates to all aspects of protecting children and young people from abuse and establishes work systems, practices, policies and procedures to protect children and young people from abuse. They include:

- Clear information as to what constitutes child abuse and associated key risk indicators;
- Clear procedures for responding to and reporting allegations of child abuse;
- Strategies to support, encourage and enable staff, volunteers, third party contractors, external education providers, parents/carers and young people to understand, identify, discuss and report child protection matters;
- Procedures for reporting reportable conduct and/or misconduct;
- Policies with respect to cultural diversity and children and young people with disabilities;
- Information regarding the steps to take after a disclosure of abuse to protect, support and assist children and young people;
- Guidelines with respect to record keeping, privacy and confidentiality;
- Policies to ensure compliance with all relevant laws, regulations and standards (including the Victorian Child Safe Standards);
- A system for continuous review and improvement.

Responsibilities

The Board and CEO are responsible for developing strategies that embed an organisational culture of child safety at MMIGP. These strategies will give the highest priority to the promotion and protection of a child's safety, health, development, education and wellbeing.

Everyone involved in MMIGP has a role to play and is responsible for protecting children and young people and upholding the duty of care that MMIGP owes to them.

MMIGP's policies and procedures will provide the names and contact details of staff who have specific responsibilities in relation to child safety and for receiving reports of suspicion of child abuse.

All of our staff and volunteers must agree to abide by our *Child Safe Code of Conduct* which specifies the standards of conduct required when working with children. All staff and volunteers, as well as children and their families, are given the opportunity to contribute to the development of the code of conduct.

Child safety is everyone's responsibility. **All staff** are required to:

- (a) Act in accordance with the *Child Safe Code of Conduct*, which clearly sets out the difference between appropriate and inappropriate behaviour.
- (b) Act in accordance with their legal obligations, including:
 - Failure to disclose: 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 Victoria Police

- Mandatory reporting: Any board members, staff or volunteers who are mandatory reporters (doctors, nurses, midwives, teacher, principals and police officers) must comply with their duties
 - Failure to protect: People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so
 - Reportable conduct: The head of our organisation must be made aware of any allegations of physical and sexual abuse, sexual misconduct, significant emotional or psychological harm or significant neglect by an employee or volunteer towards a child. We are also legally required to notify the Commission for Children and Young People of the allegation
 - Duty of care: If a child is abused by an individual associated with our organisation, our organisation is presumed to have breached its duty of care unless it can prove that it took 'reasonable precautions' to prevent the abuse in question.
- (c) Undertake guidance and training on child safety.
- (d) For more information on these responsibilities, refer to the *Child Protection and Mandatory Reporting Policy and Procedures*.

Reporting child safety concerns, reports or complaints

MMIGP takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff, board members, volunteers and key stake holder are knowledgeable in the process of receiving concerns, reports or allegations and how to appropriately respond and report to these situations.

We work to ensure all children, families, board members, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, if they notice inappropriate behaviour or if they form the reasonable belief that a child or young person is at risk.

We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident of child abuse took place. If an adult has a reasonable belief that an incident has occurred then they must report the incident.

MMIGP will implement and continually improve its procedures for responding to and reporting suspected abuse of a child or young person in its care. MMIGP will also implement practices and programs that will support, encourage and enable its staff, parents, children and young people to understand, identify, discuss and report child safety matters.

Our procedures will be based on the following:

- compliance with mandatory reporting laws and obligations imposed by the criminal law to report a belief that child abuse may have occurred
- ensuring any situation is handled appropriately
- concerns of child abuse are reported to the Victoria police and relevant authorities
- MMIGP provides support to the person/s making allegations of child abuse
- all parties involved in an allegation of child abuse are treated fairly and consistently
- clarity as to who should notify any concerns and who to notify within MMIGP
- what processes should be followed during and after an investigation

- ensuring that reviewing and improving our processes is continuous
- they will be easily accessible for all persons within MMIGP and they will be simple and easy to understand for children and young people.

MMIGP will support or assist children and young people who disclose child abuse, or are otherwise linked to suspected child abuse, by:

- having an accessible, child focused complaint handling policy which clearly outlines the roles and responsibilities of MMIGP leadership, staff and volunteers, approaches to dealing with different types of complaints, breaches of relevant policies and obligations to act and report
- ensuring they have access to support personnel, such as counsellors
- their situation is treated confidentiality and with sensitivity
- they have all the necessary staff support around them
- such other support or assistance as MMIGP may reasonably provide.

Reducing or removing risks of child abuse

MMIGP will implement appropriate policies and practices for the early identification and response to risks of abuse in its physical and online environment. Such policies and practices will:

- promote understanding by all MMIGP personnel of its expectations in relation to behaviour and conduct when interacting with children and young people and the consequences of failing to abide by those expectations
- seek to achieve ongoing risk assessment to identify and mitigate risk in MMIGP's physical and online environment, taking into account the age and needs of the children and young people, the nature of the activities undertaken at MMIGP and the particular risks they might present
- provide for ongoing training, education and support for all MMIGP personnel in relation to understanding child abuse, identifying risks and areas for improvement, MMIGP's policies and practices for reporting concerns of child abuse and how to respond
- require appropriate human resource policies for appraisal and assessment of personnel in relation to compliance with their child safe obligations.

MMIGP will implement practices that increase the awareness within MMIGP of the need for our internal systems to protect children and young people.

Promoting child empowerment and participation

The Board and the CEO are responsible for developing strategies to ensure that children and young people at MMIGP are empowered about their rights, participate in decisions affecting them and are taken seriously. Such strategies will include:

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

- children and young people are offered access to sexual abuse prevention programs and to relevant related information in an age appropriate way
- ensuring staff 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
- develop a culture that facilitates participation and is responsive to the input of children and young people.

MMIGP will ensure that the prevention approaches it adopts for its children and young people will be focused on initiatives that build their awareness and encourages them to disclose behaviour that makes them feel unsafe.

Family and community

MMIGP will ensure that families participate in decisions affecting their child and that it engages and openly communicates with families and the community about its child safe approach and makes relevant information available to them.

Families and the community will also have a say in the development and review of MMIGP's policies and practices and will be informed about MMIGP's operations and governance.

Recruitment

MMIGP will implement recruitment processes that will assist in the effective selection of suitable personnel, including staff, volunteers and contractors, to reflect child safety and wellbeing values in practice.

These processes will ensure:

- recruitment, including advertising, referee checks and staff and volunteer pre-employment screening, emphasise child safety and wellbeing
- new and existing staff, volunteers and contractors understand the importance of child safety and are aware of MMIGP's policies and procedures
- each job or category of job for MMIGP staff that involves child-connected work has a clear statement that includes the job's requirements, duties and responsibilities regarding child safety and the essential or relevant qualifications, experience and attributes in relation to child safety and relevant staff and volunteers have current working with children clearances
- compliance with MMIGP policy for recruitment and selection of staff for obtaining, verifying and recording information about a person whom it proposes to engage to perform child-connected work, including processes for screening and background checks
- induction of new staff, volunteers and contractors into MMIGP's policies, codes, practices and procedures governing child safety and child-connected work
- a staff member's continuing suitability for child-connected work is monitored and assessed.

All applicants for jobs that involve child-connected work for MMIGP must be informed about MMIGP's child safety practices and its *Child Safe Code of Conduct*.

MMIGP will implement practices that enable the Board and the CEO to be satisfied that people engaged in child-connected work for MMIGP perform appropriately in relation to child safety.

Privacy and Confidentiality

As much as is reasonably possible, an individual's right to privacy is to be protected. Both those who are making reports, the child and/or young person involved and those about whom accusations are being made are entitled to privacy. Where there is suspected abuse or misconduct, employees, volunteers and contractors 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 Protection and Mandatory Reporting Policy and Procedures* and relevant statutory requirements.

Policy Compliance

All staff, third party contractors, external providers, volunteers, visitors, young people, parents/carers and other community members are responsible for the safety, wellbeing and empowerment of children and young people who engage with MMIGP. All are expected to act in accordance with all relevant legislation, this policy and the MMIGP code of conduct. For information on obligations, acceptable behaviour and unacceptable behaviour please see MMIGP *Child Safe Code of Conduct*.

Breach of Policy

All staff are obliged to report any breaches of this policy to the appropriate team leader, Program Manager, Operations Manager or CEO wherever relevant. In instances where a reportable allegation has been made, the matter will be managed in accordance with MMIGP's *Child Protection and Mandatory Reporting Policy and Procedures* and may be subject to referral to Victoria Police.

A breach of this policy or procedure may lead to disciplinary action. All breaches, near misses and risks related to this policy should be reported to the management team to be investigated and documented.

Review of child safety practices

MMIGP will have established processes for the review and ongoing improvement of its child safe policies, procedures, and practices and will:

- review and evaluate its child safety and wellbeing policies, procedures and practices after any significant child safety incident, or at least every 2 years, and improve them where applicable
- analyse any complaints, concerns, and safety incidents to identify causes and systemic failures and inform continuous improvement, including improving policy and practice
- act with transparency and report pertinent learnings and review outcomes to staff, volunteers, our community, families and children and young people.

Policy Compliance Monitoring

Compliance with this policy will be monitored by the MMIGP management team and this may include independent audits and reviews.

Related Policies, Procedures, Legislation and Documents

Mullum Mullum Indigenous Gathering Place Policies

- MMIGP Child Safe Code of Conduct
- MMIGP Child safety Privacy and Confidentiality
- MMIGP Child Protection and Mandatory Reporting Policy and Procedures

Related Legislation

- Child Wellbeing and Safety Act 2005 (Vic);

- Privacy and Data Protection Act 2014 (Vic);
- Children, Youth and Families Act 2005 (Vic);
- Crimes Act 1958 (Cth).

Further information, guidance and support can be given or obtained from the CEO and Operations Manager.

Policy Review and Approval

This Policy is rated as high priority. It will be reviewed at least every 2 years or more frequently, if required, to keep up-to-date with changes to laws and government policies or in response to any complaint, concern or child safety incident.

This policy is approved and endorsed by the Board of MMIGP.

Definitions

Child and young person	An individual who is under the age of 18 years.
Child abuse	Child abuse includes- (a) any act committed against a child involving- (i) a sexual offence; or (ii) the offence of grooming; and (b) the infliction, on a child, of- (i) physical violence; or (ii) serious emotional or psychological harm; and (c) serious neglect of a child.
Child Safe Standards	The Child Safe Standards as made under the <i>Child Wellbeing and Safety Act 2005</i> (Vic) as amended or updated from time to time.
Child safety	Child safety encompasses matters related to protecting all children and young people from child abuse, managing the risk of child abuse, providing support to a child or young person at risk of child abuse, and responding to incidents or allegations of child abuse.