

# Child Safety and Wellbeing Policy & Procedure

## Introduction

This is an interim document to comply where possible with the Child Safe Standards (the Standards) commenced in Victoria in July 2022. This document will be reviewed and updated over time to comply fully with the new standards.

Latrobe Valley Eisteddfod Traralgon Inc. (LVE) is committed to:

- promoting and protecting the interests and safety of children,
- involving families and communities in the organisation's efforts to keep children and young people safe,
- a greater focus on safety for Aboriginal children and young people
- to manage the risk of child abuse in online environments
- in relation to governance, systems and processes to keep children and young people safe.

We have zero tolerance for child abuse. Everyone working at LVE is responsible for the care and protection of children and reporting information about child abuse.

## Purpose

This Policy outlines how the Latrobe Valley Eisteddfod Traralgon inc. prioritises the safety and wellbeing of children and what steps we will take to do this.

## Scope

This policy applies to all staff, volunteers, Management Committee members, children and other individuals involved in our organization. This policy applies to all activities conducted by Latrobe Valley Traralgon Eisteddfod inc.

## Definitions

**Management Committee** means the President, committee, and any administrative support staff.

**Child abuse** means:

- a sexual offence committed against a child
- an offence committed against a child under section 49M(1) of the Crimes Act 1958 (Vic), such as grooming
- physical violence against a child
- causing serious emotional or psychological harm to a child
- serious neglect of a child.

**Harm** is damage to the health, safety or wellbeing of a child or young person, including as a result of child abuse by adults or the conduct of other children. It includes physical, emotional, sexual and psychological harm. Harm can arise from a single act or event and can also be cumulative, that is, arising as a result of a series of acts or events over a period of time.

**Child/Children** means a person who is under the age of 18 years.

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

**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. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child.

### **Concerns and complaints**

A concern refers to any potential issue that could impact negatively on the safety and wellbeing of children.

A complaint is an expression of dissatisfaction to Latrobe Valley Eisteddfod Traralgon Inc. (LVE) related to one or more of the following:

- our services or dealings with individuals
- allegations of abuse or misconduct by a staff member, a volunteer or another individual associated with LVE
- disclosures of abuse or harm made by a child or young person
- the conduct of a child or young person at LVE
- the inadequate handling of a prior concern
- general concerns about the safety of a group of children or activity.

**Reasonable grounds for belief** is a belief based on reasonable grounds that reportable 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",
- (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

Signs of abuse lead to a belief that the child has been physically or sexually abused.

## **Our commitment to the eleven new Child Safe Standards**

**Child Safe Standard 1 – Establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.**

We acknowledge and actively support a child's ability to express their culture and enjoy their cultural rights. We appreciate the strengths of Aboriginal culture and understand its importance to the wellbeing and safety of Aboriginal children and young people. We will try to ensure racism within the organisation is identified, confronted and not tolerated. Any instances of racism will be addressed with appropriate consequences. We will actively support and facilitate participation and inclusion within the organisation's activities by Aboriginal children, young people and their families.

**Child Safe Standard 2 – Child safety and wellbeing is embedded in organisational leadership, governance and culture**

We will make a public commitment to child safety. We will seek to ensure a child safety and wellbeing culture is embraced by the LVE. We will implement risk management strategies focused on preventing, identifying and mitigating risks to children and young people. We will ensure staff and volunteers understand their obligations on information sharing and recordkeeping. We will require staff and volunteers to abide by a Code of Conduct that provides guidelines on expected behavioural standards and responsibilities when engaging with children.

**Child Safe Standard 3 – Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously**

We will seek to ensure that 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. Where relevant children and young people will be offered access to sexual abuse prevention programs and to relevant related information in an age-appropriate way. Staff and volunteers will be 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. We will provide opportunities for children and young people to participate in providing suggestions for how we operate or could improve, and we will be responsive to their contributions, thereby strengthening their confidence and engagement.

**Child Safe Standard 4 – Families and communities are informed, and involved in promoting child safety and wellbeing**

We will seek to ensure that families participate in decisions affecting their child. We will communicate with families and the community about our child safe approach and policies. We will consult with families and the community in the development and review of policies, procedures and practices, and welcome feedback on these at any time. Feedback and involvement of families and communities will be taken seriously.

### **Child Safe Standard 5 – Equity is upheld and diverse needs respected in policy and practice**

We will seek to ensure that staff and volunteers understand children and young people's diverse circumstances, and we will provide support and respond to those who are vulnerable. Children and young people will have access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand. We will pay particular attention to the needs of children and young people with disability, children and young people from culturally and linguistically diverse backgrounds, those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people. We will pay particular attention to the needs of Aboriginal children and young people and provides/promotes a culturally safe environment for them.

### **Child Safe Standard 6 – People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice**

We will seek to ensure that our staff and volunteers are appropriately screened before engagement including checks conducted by our committee with an emphasis on child safety and wellbeing. All staff and volunteers will be required to have current working with children checks. All staff and volunteers will receive appropriate information about LVE's child safety practices and will be made aware of their responsibilities to children and young people, including record keeping, information sharing and reporting obligations.

### **Child Safe Standard 7 – Processes for complaints and concerns are child focused**

Our child-focused complaint handling policy will be accessible, clearly outline the roles and responsibilities of leadership, staff and volunteers, and describe our approaches to dealing with different types of complaints, breaches of relevant policies or the Code of Conduct and obligations to act and report. The complaint handling processes will be understood by children and young people, families, staff and volunteers, and be culturally safe. Complaints will be taken seriously, and responded to promptly and thoroughly. Reporting, privacy and employment law obligations will be met.

### **Child Safe Standard 8 – Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training**

Our Staff and volunteers will be trained and supported to effectively implement the organisation's Child Safety and Wellbeing Policy. This includes training to recognise indicators of child harm including harm caused by other children and young people, how to respond effectively to issues of child safety and wellbeing, how to support a person who discloses harm to a child, and how to build culturally safe environments for children and young people. Training will be repeated at frequent intervals, and a training register will record completion of training by staff and volunteers.

## **Child Safe Standard 9 – Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed**

We will seek to identify and mitigate risks in the online and physical environments related to our operations/activities, without compromising a child's right to privacy, access to information, social connections and learning opportunities. This will include having processes to prevent or reduce risks arising from use of facilities and contracted services from third parties.

## **Child Safe Standard 10 – Implementation of the Child Safe Standards is regularly reviewed and improved**

We will review, evaluate and improve our child safe practices at least every two years. We will report the findings of relevant reviews to staff and volunteers, community and families, and children and young people. These reports will communicate findings in age-appropriate ways and be easy to access and understand.

## **Child Safe Standard 11 – Policies and procedures document how the organisation is safe for children and young people**

We will seek to ensure that our policies and procedures address all of the Child Safe Standards and that staff and volunteers understand and implement policies and procedures.

## **Procedures**

### **Responsibilities**

The Committee of LVE has ultimate responsibility to ensure that LVE prioritises children's safety and that action is taken when anyone raises concerns about children's safety. It is responsible for the detection and prevention of child abuse and harm and is responsible for ensuring that appropriate and effective internal control systems are in place to mitigate opportunities for child abuse and harm to occur. The Committee is also responsible for ensuring appropriate updates are included in the Child Protection Policy and Procedure and the Code of Conduct.

The **Child Safety Officer** of LVE is responsible for:

- Dealing with and investigating reports of child abuse;
- Ensuring that all staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct, and ensuring that they are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety);
- Ensuring that all adults working or volunteering within LVE are aware of their obligations to report suspected abuse of a child in accordance with this policy and procedure;
- Educate employees and volunteers about the prevention and detection of child abuse and harm;
- Providing support for employees, volunteers and contractors in undertaking their child safety responsibilities;

- The Child Safety Officer will keep a register of all WWC checks, and advise all volunteers and Committee members of any pending expiry of their WWC check.
- Annually assess and document the risk of child abuse and harm within the various environments of the venues and processes of the Eisteddfod and eradicate / minimise any risk to the extent possible;

All **employees, volunteers** and **Committee Members** must ensure that they:

- Familiarise themselves with the relevant laws, the Code of Conduct, and LVE's policy and procedures in relation to child safety and wellbeing, and comply with all requirements;
- Promote child safety and wellbeing at all times;
- Report any *suspicion* that a child's safety is at risk to the Child Safety Officer, or if they have formed a *reasonable belief* that physical or sexual abuse of a child (including outside of LVE) may have occurred, they must report this belief directly to the police;
- Facilitate the reporting of any inappropriate behaviour of suspected abusive activities;
- Familiarise themselves with the child Safety and Wellbeing Policy and Procedure and comply with all requirements;
- Provide an environment that is supportive of all children's emotional and physical safety.

All employees and volunteers should be familiar with the types of abuse that might occur within LVE and be alert for any indications of such conduct.

All volunteers and Committee members must have a current Working With Children (WWC) checks and must have added LVE to their list of organisations, and submitted proof of this to the Committee prior to attending any LV Eisteddfod session. Failure to do so will mean that the volunteer cannot attend any session. These can be obtained by making an application online to the Department of Justice <https://www.workingwithchildren.vic.gov.au>. Volunteers are to be advised of this requirement at least one month prior to commencement of the Eisteddfod if previously involved, or else at time of first offering to volunteer.

All new Committee members will undertake an induction, including training on child protection.

### **On Days of Performances:**

With event registration, registrants must confirm that any adult supervising a child as defined in the Worker Screening Act 2020 will comply with the following:

1. Have read and will comply with LV Eisteddfod Child Protection Policy & Procedure available on our website <http://www.lve.org.au/volunteering.php>
2. With the exception of a direct relative (parent or step-parent, spouse or domestic partner, grandparent, mother-in-law or father-in-law, uncle or aunt, brother or sister (including half-sister/brother, step-sister/brother, brothers-in-law or sisters-in-law); a teacher currently registered with the Victorian Institute of Teaching (VIT); or a police officer you must have a current Working With Children (WWC) check prior to attending any LV Eisteddfod session. Proof of this will be required before entry to a session is allowed. These can be obtained by making an application on line to the Department of Justice <https://www.workingwithchildren.vic.gov.au>.

All volunteers and Committee members must sign into and out of any sessions to which they attend, giving their full name, contact telephone number, and times of arrival and departure.

All supervising adults accompanying competitors backstage or to rehearsal spaces must sign into and out of any sessions to which they attend at the registration desk, giving their full name, contact telephone number and proof of Working With Children Check as required in the section above, and nominate sessions to which they will be attending. All supervising adults accompanying competitors will be provided with a coloured wrist band, and only these people will be allowed back stage or in dressing rooms.

During events, an approved responsible volunteer will be present at all times back stage to observe the behaviour of supervising adults in rehearsal and change rooms. Any suspicious behaviour shall be reported to the Convenor immediately, who will deal with the matter immediately, and advise the LV Eisteddfod Child Protection Officer.

For dance events specifically, a responsible volunteer will be present at all times back stage, and a responsible female volunteer will be present in change rooms. Any suspicious behaviour shall be reported to the Convenor immediately, who will deal with the matter immediately, and advise the LV Eisteddfod Child Protection Officer.

### **Reporting**

Any staff member, volunteer or contractor who becomes aware of abusive activity must immediately notify the Child Safety Officer or the Convenor on duty, or any other member of the Executive Committee of LVE, who must immediately notify the appropriate child protection service or the police.

Convenors or other committee members who receive a notification must also report this to the Child Safety Officer.

The Child Safety Officer must immediately report all cases of abuse or harassment to the police for investigation and then to President of the LVE Committee for follow-through. Interrogations related to allegations of abuse or harassment must be left entirely to law enforcement agencies.

If the person having suspicion does not believe the matter is being appropriately addressed, the incident should be reported to the President of the LVE Committee, or if it regards the President, then to the Secretary of the Committee.

### **Protect the young person.**

Ensure the safety and well-being of the young person by removing him or her from the situation immediately and preventing all contact with the alleged abuser or harasser. Reassure the young person that this is for his or her safety and is not a punishment.

Take immediate action to ensure the young person's health and well-being, and get him or her medical or psychological care, if necessary.

### **Remove the accused person from contact with youth.**

The LVE Committee will remove the alleged offender from all contact with LVE youth program participants until the matter is resolved.

### **Investigating**

If the appropriate child protection service or the police decide to conduct an investigation of this report, all employees, volunteers, or contractors must co-operate fully with the investigation.

Whether or not the authorities decided to conduct an investigation, the Child Safety Officer will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the Child Safety Officer may decide to conduct such an investigation. All employees, volunteers and contractors must fully co-operate with the investigation.

The Child Safety Officer will make every effort to keep any such investigation confidential; however from time to time other members of staff or volunteers may need to be consulted in conjunction with the investigation. Avoid gossip and blame. Don't tell anyone about the allegation other than those who need to know. Be careful to protect the rights of both the victim and the accused during the investigation.

After an initial review and a determination that the suspected abuse warrants an additional investigation, the Child Safety Officer shall co-ordinate the investigation with the appropriate investigators and / or law enforcement officials. Internal or external legal representatives will be involved in the process, as deemed appropriate.

All internal investigations will be conducted according to the rules of natural justice.

## **Responding to Breaches of the Code of Conduct and/or the Child Protection Policy**

Any breach of LVE policy may result in disciplinary action up to and including termination of employment. If it is alleged that an employee may have committed an offence or have breached the organisation's child protection policies or its Code of Conduct, the person concerned may be stood down (with/without pay, where applicable) and not be permitted to continue in the organisation's activities, while an investigation is conducted.

If the investigation concludes that on the balance of probabilities an offence (or a breach of the organisation's policies or Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the organisation. The findings of the investigation will also be reported to any external body as required.

## **Reviewing**

Every two years, and following every reportable incident, a review shall be conducted to assess whether the organisation's child protection policies or procedures require modification to better protect the children under the organisation's care.

## **Related Documents**

This policy refers to the following documents:

- The United Nations Convention on the Rights of the Child.
- Relevant Commonwealth or Victorian legislation — for example the Child Wellbeing and Safety Act 2005 (Vic) — or regulations, including legislative requirements for Working with Children Checks, mandatory reporting, the Reportable Conduct Scheme for in scope organisations and criminal offences.
- Latrobe Valley Eisteddfod Code of Conduct

Next due for review: 2023