

<b>Policy Title</b>	<b>Child Safe Policy</b>
<b>Purpose</b>	PCA Families is committed to child safety. This policy sets out how PCA Families will, at all times, uphold the right of children to be safe from any harm, abuse or exploitation and guides our Directors, employees, contractors and volunteers on how to behave with children.
<b>Scope &amp; Eligibility</b>	<p>The policy outlines the general principles, guidelines and specific obligations of all PCA Families Directors, employees, contractors and volunteers in promoting and providing a Child Safe environment, in accordance with the Victorian <u><i>Child Wellbeing and Safety Act (Child Safe Standards) 2005</i></u>.</p> <p>This policy covers all activities of PCA Families (including peer support groups/retreats, playgroups, training, events etc) delivered by Directors, employees, contractors, and volunteers.</p> <p>Children are defined as anyone under 18 years old.</p>
<b>Responsibility</b>	It is the responsibility of the CEO to review and maintain this policy on an annual basis and following significant incidents if they occur. All reviews must be approved by the Board.

## 1. Statement of Commitment to Child Safety

Permanent Care & Adoptive Families is strongly committed to child safety.

Our commitment:

- We want children to be safe, happy and empowered.
- We support and respect all children, as well as all PCA Families Directors, employees, contractors and volunteers.
- We are committed to the safety, participation and empowerment of all children.
- We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.
- We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.
- Our organisation is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.
- Our organisation has robust human resources and recruitment practices to reduce the risk of child abuse by new and existing PCA Families Directors, employees, contractors and volunteers.
- Our organisation is committed to regularly training and educating PCA Families Directors, employees, contractors and volunteers on child abuse risks.

- We are 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.
- We have specific policies and procedures in place that support our PCA Families Directors, employees, contractors and volunteers to achieve these commitments.

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

## 2. Our Children

PCA Families activities related to children are either:

- directly with children (eg playgroups, obtaining consent to DFFH’s Better Futures program, facilitating sessions for children with adults who have lived experience of adoption or permanent care orders)
- indirectly through carers/parents of children (eg applications for flexible funding, helpline, peer support sessions).

This policy is intended to empower children who are vital and active participants in our organisation, regardless of whether we are interacting with them directly or indirectly. Where possible, we involve them in making decisions, especially about matters that directly affect them, or we obtain evidence that parents/carers have consulted with them and can reflect their views. We listen to their views and respect what they have to say. We actively encourage all children who use our services to “have a say” about things that are important to them.

Where possible, we teach children about what they can do if they feel unsafe. We listen to and act on any concerns children, or their parents/carers, raise with us. We provide relevant information (including tip sheets, posters, handouts) at parent/carer training and information sessions, children’s activities and on our website. We promote open communication, encouraging feedback and participation.

We promote diversity and inclusiveness in our organisation and encourage children and families/carers from all walks of life and cultural backgrounds to feel welcome. In particular, we:

- promote the cultural safety, participation and empowerment of Aboriginal children
- promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds
- ensure that children with a disability are safe and can participate equally
- where possible, seek appropriate Directors, employees, volunteers and external contractors from diverse backgrounds.

## 3. Roles and responsibilities

All of PCA Families Directors, employees, contractors and volunteers must agree to abide by our **Code of Conduct**, which includes specific Child Safety elements.

### 3.1 Child Safety Officer

PCA Families Program Director is our Child Safety Officer, responsible for:

- Overseeing the Implementation & Action Plan for PCA Families being a Child Safe organisation.

- Communicating both internally and externally PCA Families' commitment to Child Safety.
- Ensuring Child Safe Policies & Procedures are embedded in HR checklists for recruitment, induction, Code of Conduct, training and supervision regarding PCA Families Child Safe Policies & Procedures.
- Managing reporting concerns in all areas of Child Safety within PCA Families.
- Acting on breaches of PCA Families' Code of Conduct relating to Child Safety and reporting to the CEO.
- Monitoring and reviewing risk management concerns in relation to Child Safety.
- Ensuring information regarding child safety reporting is available in age and culturally appropriate ways to foster opportunities for children and parents/carers to raise concerns regarding Child Safety.
- Encouraging feedback and participation of children; paying particular attention to children from ASTI, CALD backgrounds and children with a disability.

### 3.2 Training & Supervision

Training and education is important to ensure that PCA Families Directors, employees, contractors and volunteers understand that child safety is everyone's responsibility.

PCA Families' organisational culture aims for all PCA Families Directors, employees, contractors, volunteers, families and children to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our Directors, employees, contractors and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child harm, abuse or exploitation.

PCA Families also supports our Directors, employees, contractors and volunteers through ongoing supervision to develop their skills to protect children from abuse and promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.

New Directors, employees, contractors and volunteers will be supervised regularly to ensure they understand PCA Families' commitment to child safety and that everyone has a role to play in protecting children from abuse. This will include checking that their behaviour towards children is safe and appropriate (refer to Code of Conduct for information about appropriate behaviour). Any inappropriate behaviour will be reported through the appropriate channels, including the Department of Families, Fairness and Housing and Victoria Police, depending on the severity and urgency of the matter.

PCA Families telephony calls are recorded for training and supervision purposes, and random and unannounced inspections of physical events by the CEO and/or Child Safety Officer are performed to deter misconduct.

### 3.3 Recruitment

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

We actively encourage applications from people from diverse backgrounds, including Aboriginal people, people from culturally and/or linguistically diverse backgrounds and people with a disability.

All people who are engaged in child-related work and who are not exempt, including volunteers, are required to hold a Working with Children Check and to provide evidence of this check. For more information, please refer to the [Working with Children website](http://www.workingwithchildren.vic.gov.au/home/) <<http://www.workingwithchildren.vic.gov.au/home/>>.

We carry out reference checks and police record checks to ensure that we are recruiting the right people. If during the recruitment process a person's records indicate a criminal history then the person will be given the opportunity to provide further information and context.

## 4. Reporting a Child Safety Concern or Complain

### 4.1 Legislative Responsibilities

PCA Families takes seriously our legal responsibilities and duty of care, 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 the police, unless they have a reasonable excuse. A reasonable excuse may include fear for safety or where the information has already been reported.

**Mandatory reporting:** Any Directors, employees, contractors or volunteers who are mandatory reporters (doctors, nurses, midwives, teachers, 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 Child Safety Officer and CEO of PCA Families 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.

**PCA Families is committed to its *duty of care* to ensure child safety:** If a child is abused by an individual associated with PCA Families, PCA Families is presumed to have breached its duty of care unless PCA Families can prove it took "reasonable precautions" to prevent the abuse in question. For more information, please refer to the new [new organisational duty of care to prevent child abuse page](https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/betrayal-of-trust-fact-sheet-the-new) <<https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/betrayal-of-trust-fact-sheet-the-new>> on the Department of Justice and Regulation's website.

### 4.2 Reporting Allegations, Concerns and Complaints

PCA Families takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our Directors, employees, contractors and volunteers are trained to deal with allegations appropriately.

PCA Families works to ensure all children, families/carers, Directors, employees, contractors and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

We all have a responsibility to report an allegation of abuse if we have a *reasonable belief* that an incident took place. The five types of reportable conduct are:

Reportable conduct	Report To	Examples
Sexual offences (against, with or in the presence of, a child) –	<b>Police, immediately</b> <b>Child Protection, immediately</b> Commission for Children and Young People	<ul style="list-style-type: none"> <li>• Sexual assault</li> <li>• Indecent acts</li> <li>• Possession of child abuse material</li> <li>• ‘grooming’ a child in order to commit a sexual offence</li> </ul>
Sexual misconduct (against, with or in the presence of, a child)	Child Protection Commission for Children and Young People	A broader range of inappropriate behaviours of a sexual nature that are not necessarily criminal: <ul style="list-style-type: none"> <li>• unwanted and inappropriate touching,</li> <li>• inappropriate conversations or communication about an area of the body or a sexual activity,</li> <li>• exposure to sexual activity by others,</li> <li>• undressing or watching someone else undress</li> </ul>
Physical violence (against, with or in the presence of, a child)	Police Child Protection Commission for Children and Young People	<ul style="list-style-type: none"> <li>• Actual physical violence such as hitting, punching, kicking, pushing or throwing something that strikes a child or another person</li> <li>• Apprehended physical violence (capable of causing a child to think physical force is about to be used against them or another person, such as words, gestures or action)</li> </ul>
Behaviour that is likely to cause significant emotional or psychological harm	Child Protection Commission for Children and Young People	<ul style="list-style-type: none"> <li>• Tangible or visibly expressive manner (distress, withdrawal, fear, anxiety, anger, despair)</li> <li>• Longer term cognitive impact, negatively affecting and delaying cognitive development</li> <li>• Diagnosable psychological disorder</li> <li>• Suicidal action, ideation, self-harm</li> <li>• Self destructive antisocial or anxious behaviour</li> <li>• Ongoing sleep disturbance, nightmares or bedwetting</li> </ul>
Significant neglect	Child Protection Commission for Children and Young People	<ul style="list-style-type: none"> <li>• Supervisory neglect</li> <li>• Physical neglect</li> <li>• Educational neglect</li> <li>• Emotional neglect (inadequate nurturing, affection, encouragement and support)</li> </ul>

If an adult has a *reasonable belief* that an incident has occurred, then they must report the incident. Factors contributing to *reasonable belief* may be:

- 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.

Where there is a reasonable belief that a child has suffered, or is likely to suffer a significant harm as a result of abuse or neglect, and that their parent/carer has not protected or is unlikely to protect the child from harm of that type, a mandatory report is made to Victoria's Child Protection unit within the Department of Families, Fairness and Housing.

A child may be in need of protection if they have experienced or are at risk of significant harm, and the parents/carers have not protected, or are unlikely to protect them from that harm. Significant harm may relate to:

- physical injury
- sexual abuse
- emotional or intellectual development
- physical development or health
- abandonment or parental incapacity.

Where there are significant concerns for the well being of a child, but they are not at risk of significant harm, and where the immediate safety of the child will not be compromised, a referral to Child FIRST or The Orange Door may be made by PCA Families.

If the allegation involves a PCA Families Director, employee, contractor or volunteer, unless prevented by legislation, in addition to reporting to the Police or Victoria's Child Protection, notify either the PCA Families Child Safety Officer, or the CEO if the allegation involves the Child Safety Officer. If the allegation involves the CEO (as head of PCA Families) the PCA Families Chair and the Commission for Children and Young People are notified.

If the adult with the reasonable belief is a PCA Families Director, employee, contractor or volunteer, discuss the matter immediately with:

- the Child Safety Officer,
- the CEO, if the matter involves the Child Safety Officer, or the Child Safety Officer is absent,
- the Chair, if the matter involves the CEO,

to determine the appropriate course of action.

Reportable conduct allegations against PCA Families Directors, employees, contractors or volunteers are reported by the CEO or Chair, as appropriate, to the Commission for Children and Young People within:

- three business days of becoming aware of the allegation, AND
- 30 calendar days of becoming aware of the allegation to report the specified information and proposed response.

If a PCA Families Director, employee, contractor or volunteer has a concern about a child safety issue, but is not sure if the behaviour is reportable conduct or a breach of the Code of

Conduct, they should consult the Child Safety Officer to determine the appropriate course of action.

## 5. Fair Procedures

The safety and wellbeing of children is our primary concern. PCA Families is also fair and reasonable to Directors, employees, contractors and volunteers. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will be thorough, transparent and based on evidence.

PCA Families records all allegations of abuse and safety concerns using our *Child Safe Incident Report form* and will maintain records of all subsequent investigation and actions. All records are securely stored.

### 5.1 Notifying families/carers

If an allegation of abuse or a safety concern is raised, PCA Families will notify where appropriate a parent/carer/guardian of the child, as soon as practicable, unless such notification would increase the risk of harm for the child, or compromise a child protection or police investigation.

The notification conveys:

- Appropriate details of the incident, disclosure and/or suspicion of child abuse
- The action PCA Families has taken
- Who the incident, disclosure, suspicion has been reported to
- Where relevant, the name and contact number for Child Protection and/or the investigating police officer, and whether they are likely to be contacted by these authorities
- If the investigation will take some time, PCA Families will ask what further information they would like and how staff can assist them
- Offer to provide support to the child from PCA Families and make referrals to support services
- Invite the parents/carers/guardians to attend a meeting where a support plan can be prepared to ensure appropriate support is provided for their child.

### 5.2 Reported Allegation Process

In the event of a reported breach of PCA Families' Code of Conduct relating to Child Safety or an allegation against a PCA Families Director, employee, contractor or volunteer, the following actions will be taken by the PCA Families employee and/or the Child Safety Officer:

- Explain the process to the parent/carer/guardian, individual making the allegation and provide them with any incident reports to confirm their accuracy and explain the immediate next steps
- Assess if the child's immediate safety is compromised or if the child is at risk of further harm or involved in any risk-taking activity that poses a high risk to the child. PCA Families will take reasonable steps to protect the child, including staying with the child, preventing access from the alleged offender, administering first aid, calling 000, taking reasonable steps to preserve evidence such as environment, clothing, witnesses until police or other relevant authorities arrive

- Notify the Child Safety Officer, the CEO if relating to the Child Safety Officer, or the Chair if relating to the CEO, immediately.
- If the allegation is reportable under relevant Victorian legislation, inform the appropriate authorities immediately (Police, Child Protection, Commission for Children and Young People).
- The CEO or Chair, as appropriate, will suspend duties performed by the alleged person (ie Director, employee, contractor or volunteer) connected to the allegations in full (or part ie; no duties with direct contact with children) until investigation takes place.
- The Child Safety Officer, CEO or Chair determines the appropriate investigator, independent of all parties involved, who would generally be an external expert
- PCA Families investigation starts when legally permissible, taking into account advice from Police and Child Protection
- Update involved parties on PCA Families investigation progress, unless this would increase the risk of harm for a child, or compromise a child protection or police investigation.
- If allegation is proven, the Program Director, CEO, Chair and/or Board will determine appropriate PCA Families disciplinary action, including dismissal, in accordance with the Delegation Policy.
- If allegation is not proven, the PCA Families' Directors, employees, contractors and volunteer will be able to resume their duties after discussion with the CEO or Chair, as appropriate.
- The outcome of any PCA Families investigation may be appealed as set out in the Grievance Policy, subject to any guidance from the Police or Child Protection regarding the appropriate course of action.
- Support in the form of debriefing is provided to any impacted Director, employee, contractor or volunteer.

## 6. Risk Reduction and Management

In Victoria, organisations are required to protect children when a risk is identified. In addition to general workplace health and safety risks, we proactively manage risks of abuse to our children.

PCA Families has risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical and online environments; for example, no PCA Families Directors, employees, contractors or volunteers are to have contact with a child *via personal social media channels*.

## 7. Confidentiality and Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be Directors, employees, contractors, volunteers, parents/carers or children, unless there is a risk to someone's safety. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it. This is intended to protect reporters and to ensure that everyone is comfortable to disclose any allegations or concerns in relation to child safety without repercussions.

PCA Families' Privacy Policy provides safeguards and practices to ensure any personal information is protected.

\*If a significant incident occurs prior to this date, a review of our Child Safe Policy & Procedures manual will occur and any adjustments made to minimise risk accordingly.



## 8. Approvals and Revision

Date	Version	Responsible Officer	Revision Description
23/8/2022	1.00	Chief Executive Officer	New Policy

<b>EMPLOYEE AGREEMENT:</b> I agree to abide by the details of this Child Safe Policy.		
Employee Name	Employee Signature	Date

# Appendix 1

## Child Safe Standards

### Standard 1

Organisations must be safe for First Nations children and young peoples.  
And they must treat First Nations children and young peoples with respect.

### Standard 2

Organisations must do more to focus on:

- keeping children and young people safe
- improving the wellbeing of children and young people.

This includes the organisation's:

- leaders
- staff
- volunteers.

This will help improve the organisation's workplace culture.

### Standard 3

Organisations must support children and young people to understand their rights.  
And they must support children and young people to take part in decisions that affect them.  
This includes making sure other people listen to what they have to say.

### Standard 4

Families and communities must have support to:

- get information they need
- speak up about a child or young person's safety and wellbeing.

### Standard 5

When something is **inclusive**, everyone:

- can take part
- feels like they belong.

Plans or rules about children and young people must be inclusive.

And these plans and rules must treat children and young people with respect.

### Standard 6

People who work with children and young people must:

- be the right person for the job
- get the support they need.

### Standard 7

When you make a **complaint**, you tell someone that something:

- has gone wrong
- isn't working well

When someone makes a complaint, organisations must put the child and young person's needs first.

This includes when people share what they are worried about.

### Standard 8

People who work with children and young people must:

- have the right information and skills to keep them safe
- take part in lots of learning and training.

### Standard 9

Children and young people must have safe environments.

These environments can be:

- physical, like a park or building
- online, like a website or online chat.

### Standard 10

Organisations must review how well they follow the Standards to continually improve and develop new ways to keep children and young people safe. We must make sure the new Standards work well.

For example, someone might make a complaint to an organisation. If this happens, the organisation might change their plans or rules to make them better.

### Standard 11

Organisations must write a document that explains how they keep children and young people safe.