

CHILD SAFETY AT YARRA LEISURE

CHILD SAFE STANDARDS

The Child Safe Standards are compulsory minimum standards that apply to organisations that provide services for children in order to help protect children from all forms of abuse.

Further information on the Child Safe Standards, including a range of advice, resources and templates and information on the scope of the Child Safe Standards is available from the [Child Safe Standards](#) web page of the **Commission for Children and Young People**.

Contact

tel. (03) 8601 5281

email childsafestandards@ccyp.vic.gov.au

OUR CHILDREN

This policy is intended to empower children who are vital and active participants in our organisation. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and tolerance in our organisation, and people from all walks of life and cultural backgrounds are 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.

OUR STAFF AND VOLUNTEERS

This policy guides our staff and volunteers on how to behave with children in our organisation.

All of our staff and volunteers must agree to abide by our 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.

OUR COMMITMENT TO CHILD SAFETY

Our organisation is committed to child safety.

We want children to be safe, happy and empowered. We support and respect all children, as well as our staff 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 policies and procedures.

We have an obligation 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 human resources and recruitment practices for all staff and volunteers.

Our organisation is committed to regularly training and educating our staff on child abuse risks.

We support and respect all children, as well as our staff and volunteers. We are committed to the cultural safety of Aboriginal children, the cultural safety of children from a culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.

We have specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.

CHILD SAFE CODE OF CONDUCT

All swim instructors, aquatic services officers, coaches, volunteers and planning staff members of Aquatic Programs Team at Yarra Leisure are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children, as noted below.

All personnel are responsible for supporting the safety, participation, wellbeing and empowerment of children by:

- adhering Yarra Leisure's child safe policy at all times / upholding Yarra Leisure's statement of commitment to child safety at all time
- taking all reasonable steps to protect children from abuse
- treating everyone with respect

- listening and responding to the views and concerns of children, particularly if they are telling you that they or another child has been abused and/or are worried about their safety or the safety of another
- promoting the cultural safety, participation and empowerment of Aboriginal children (for example, by never questioning an Aboriginal child's self-identification)
- promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination)
- promoting the safety, participation and empowerment of children with a disability (for example, during personal care activities)
- ensuring as far as practicable that adults are not left alone with a child
- reporting any allegations of child abuse to the appropriate authorities or the Aquatic Programs Team Leader/Coordinator and ensure any allegation reported to the police or child protection
- reporting any child safety concerns to the Aquatic Programs Team Leader/Coordinator
- if an allegation of child abuse is made, ensure as quickly as possible that the child(ren) are safe
- encouraging children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them
- when contacting a child or family via email always using the allocated Yarra City Council email account

Staff and volunteers must not:

- develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children)
- exhibit behaviours with children which may be construed as unnecessarily physical (for example inappropriate sitting on laps. Sitting on laps could be appropriate sometime, for example while reading a storybook to a small child in an open plan area)
- put children at risk of abuse (for example, by locking doors)
- do things of a personal nature that a child can do for themselves, such as toileting or changing clothes
- engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities)
- use inappropriate language in the presence of children
- express personal views on cultures, race or sexuality in the presence of children
- discriminate against any child, including because of culture, race, ethnicity or disability
- have contact with a child or their family outside of Yarra Leisure without the Aquatic Program Team Leader/Coordinator's knowledge and/or consent (for example, no babysitting). Accidental contact, such as seeing people in the street, is appropriate)
- have any online contact with a child or their family (unless necessary, for example providing families with e-newsletters or information regarding our services or programs)
- ignore or disregard any suspected or disclosed child abuse.

By observing these standards you acknowledge your responsibility to immediately report any breach of this code to Yarra Leisure or your direct leadership team members.

TRAINING AND SUPERVISION

Training and education is important to ensure that everyone in our organisation understands that child safety is everyone's responsibility.

Our organisational culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

We commit to train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We also support our staff 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 employees and volunteers will be supervised regularly to ensure they understand our organisation's 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 (please refer to this organisation's code of conduct to understand appropriate behaviour further).

Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter.

RECRUITMENT

We take 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. Our organisation understands that when recruiting staff and volunteers we have ethical as well as legislative obligations.

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

All people engaged in child-related work, including volunteers and AUSTSWIM candidates, are required to hold a Working with Children Check or must be under the age of 16 and to provide evidence of this Check/Age.

LINK: **Working with Children Check** website <www.workingwithchildren.vic.gov.au>

We carry out reference checks to ensure that we are recruiting the right people. We do retain these for our own records, and only engage staff/volunteers to work/volunteer when this is current and valid.

FAIR PROCEDURES FOR PERSONNEL

The safety and wellbeing of children is our primary concern. We are also fair and just to personnel. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

We record all allegations of abuse and safety concerns using our incident reporting form¹, including investigation updates. All records are securely stored.

If an allegation of abuse or a safety concern is raised, we provide updates to children and families on progress and any actions we as an organisation take.

PRIVACY

We record personal information such as:

- Assessment Records
- Teacher Class Sheets
- Supervisor Class Lists
- Enrolment Forms
- Any documents that contain medical or personal details of children and their families

We respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety.

We have safeguards and practices in place to ensure any personal information is protected, including the destruction and disposal of these documents and information. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it.

LEGISLATIVE RESPONSIBILITIES

Our organisation takes our legal responsibilities seriously, including:

- **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.²
- **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.³
- Any personnel who are **mandatory reporters** must comply with their duties.⁴

¹ See resource seven in this toolkit.

² A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

Further information about the failure to disclose offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence) <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence>.

³ Further information about the failure to protect offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence) <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence>.

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 general occupational health and safety risks, we proactively manage risks of abuse to our children.

We have 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).

REGULAR REVIEW

This policy will be reviewed every two years and following significant incidents if they occur.

ALLEGATIONS, CONCERNS AND COMPLAINTS

Our organisation takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with allegations.

We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place (see information about failure to disclose above).

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 observed⁵
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

INFORMING AND REPORTING

Yarra City Council's Family and Children's Services is part of North East Child FIRST (Family Information and Referral Team), a partnership of nine agencies that link families to suitable support services in the community.

If you have concerns about a child's wellbeing, contact Child FIRST North East on 9450 0955.

⁴ Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

See the Department of Health and Human Services website for information about [how to make a report to child protection](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first) <www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first>.

⁵ For example behaviour, please see [An Overview of the Victorian child safe standards:](http://www.dhs.vic.gov.au/__data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc)

<www.dhs.vic.gov.au/__data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc>

If you are concerned that a child may be at risk of harm contact:

North and Western Metropolitan Region Child Protection on 1300 664 977, or the After Hours Child Protection Emergency Service on 13 1278A series of initiatives are being implemented to respond to the recommendations of **Betrayal of Trust**, the report of the Parliamentary Inquiry into the Handling of Child Abuse by Religious and other Non-Government Organisations.

Many of the initiatives will have an impact on the way organisations prevent and respond to child sexual abuse. Information is available via the links below about how the changes will impact organisations. This includes organisations funded by Victorian Government departments and other organisations that are not funded by government, but are engaged in child-related work.

The initiatives fall into three areas, to find out more please see:

- [New criminal offences to improve responses to child sexual abuse](#)
- [Creating child safe organisations](#)
- [Responding to civil claims involving allegations of child sexual abuse](#)

If a child discloses an incident of abuse to you

- Try and separate them from the other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.
- Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.
- Explain to them that this information may need to be shared others, such as with their parent/carer, specific people in your organisation, or the police.
- Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
- Provide them with an incident report form to complete, or complete it together, if you think the child is able to do this.
- As soon as possible after the disclosure, record the information using the child's words and report the disclosure to your manager or your organisation's child safety officer/champion,⁶ police or child protection.
- Ensure the disclosure is recorded accurately, and that the record is stored securely.

⁶ A child safety officer/champion is a person in your organisation who has knowledge of child safety issues, and could be a point of contact for others who have questions or concerns or want to report an allegation of child abuse. You could consider including child safety officer/champion duties in the person's job description.

If a parent/carer says their child has been abused in your organisation or raises a concern

- Explain that your organisation has processes to ensure all abuse allegations are taken very seriously.
- Ask about the wellbeing of the child.
- Allow the parent/carer to talk through the incident in their own words.
- Advise the parent/carer that you will take notes during the discussion to capture all details.
- Explain to them the information may need to be repeated to authorities or others, such as the organisation's management or Child Safety Officer, the police or child protection.
- Do not make promises at this early stage, except that you will do your best to keep the child safe.
- Provide them with an incident report form to complete, or complete it together.
- Ask them what action they would like to take and advise them of what the immediate next steps will be.
- Ensure the report is recorded accurately, and that the record is stored securely.

You need to be aware that some people from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police, and communicating in English may be a barrier for some. You need to be sensitive to these issues and meet people's needs where possible, such as having an interpreter present (who could be a friend or family member).

If an allegation of abuse involves an Aboriginal child, you will need to ensure a culturally appropriate response. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisations to review policies and procedures.

Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters.

Advice on [communicating with people with a disability](http://www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities) can be found on the Department of Health and Human Services website <www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities>.

HOW TO REPORT

Professionals involved with vulnerable children, young people (0-17 years) and their families, including families with an unborn child, may from time to time consider they should report or refer a concern to either Child Protection or Child FIRST (Child and family services information, referral and support teams).

Child FIRST or Child Protection?

There may be a range of circumstances and factors to consider when deciding whether to make report to Child Protection or refer to Child FIRST. There are many factors, or a combination of factors, that can adversely impact upon children's safety, stability and development. The following

lists are intended to provide some basic guidance on how to decide whether to refer a matter to Child FIRST or make a report to Child Protection.

A report to Child Protection should be made where you believe the child may be in need of protection from significant harm or damage to their health or development in connection with:

- physical abuse, non-accidental or unexplained injury (mandatory reporters must report)
- sexual abuse (mandatory reporters must report)
- emotional abuse or ill treatment
- persistent neglect, poor care or lack of appropriate supervision
- persistent family violence, parental substance misuse or psychiatric illness, or intellectual disability
- a child's actions or behaviour which places them at risk.

A report should also be made where a child appears to have been abandoned, or where the child's parents are dead or incapacitated, and no other suitable person is willing and able to care for the child.

A referral to Child FIRST may be the best way of connecting children, young people and their families to the services they need, where families exhibit any of the following factors:

- significant parenting problems that may be affecting the child's development
- family conflict, including family breakdown
- families under pressure due to a family member's physical or mental illness, substance abuse, disability or bereavement
- young, isolated or unsupported families
- significant social or economic disadvantage that may adversely impact on a child's care or development.

Factors to consider

Many cases will not fit neatly into these categories, and it may be harder to determine whether the level and nature of any risk is such that the child is in need of protection. The following questions may help resolve the best course of action in such cases:

- What specifically has happened to the child that has caused your concerns and what is the impact on their safety, stability, health, wellbeing and development?
- How vulnerable is the child?
- Is there a history or pattern of significant concerns with this child or other children in the family?
- Are the parents aware of the concerns? Are they also concerned?
- Are they willing and able to take action that will be sufficient to address the concerns you hold?
- Are the parents willing and able to use support services that will assist them to meet their child's needs?

A referral to Child FIRST will be appropriate if, after consideration of the available information, you are on balance more inclined to form a view that:

- the concerns currently have a low to moderate impact on the child, and the immediate safety of the child is not compromised.

On receiving a referral from a professional or community member, the Child FIRST team will conduct further assessment of the family and may consult with an experienced community-based child protection practitioner based in the Child FIRST team. This assessment may lead to the involvement of a local family services organisation. In most circumstances, Child FIRST will inform you of the outcome of your referral.

Where Child FIRST forms a view that a child or young person is in need of protection they are required to report the matter to Child Protection.

A report to Child Protection will be appropriate if, after consideration of the available information, you are on balance more inclined toward a view that:

- the concerns currently have a significant adverse impact on the child's safety or development, or are likely to significantly harm the child or damage their development.

On receiving a report from a professional or community member, Child Protection may seek further information from other professionals who may also be involved with the child or family to determine whether further action is required. In determining what action to take, Child Protection will also consider any previous concerns that may have been reported about the child or young person. In most circumstances, Child Protection will inform you of the outcome of your report.

If you are still unsure about whether to report to Child Protection or refer to Child FIRST you may contact either service for further advice.

More information

For more information, see the Department of Human Services website: www.dhs.vic.gov.au – particularly under 'Family & Parenting Support' and 'Child Protection'.

Please note that as for any adult in Victoria, if you have a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child (aged under 16) it is an offence not to disclose that information to police (unless you have a reasonable excuse). Information about the failure to disclose offence is available on the [Department of Justice website](#).