

# Child Safe Policy and Reporting Procedure

## Issue/ Amendment/ Compliance Status

Compliance Instrument/s	Reference
Australian Skills Quality Authority (ASQA) Standards for Registered Training Organisations 2015	Chapter 3 (Support and Progression) Clause 6.1
Children and Young Persons (Care and Protection) Act 1998 (the Care Act) - NSW	
Child Safe Standards (Victoria), implemented 1 <sup>st</sup> July 2022	
Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021 (Vic)	
Child Protection Act 1999 (Cth)	
Child Protection Regulation 2023 (cth)	

Version	Description of Changes	Date of Change	Change Made By	Approving Authority
1.0	New Policy	June 2016	RCC	GM
1.1	New Format	21/06/2017	RCC	GM
1.2	Date in Footer	21/08/2018	RCC	GM
1.3	Issue/ Amendment/ Compliance Status' table (this page). Wording adjustment	10/09/2018	RCC	GM
1.4	Updating information	06/05/2019	RCC	GM
1.5	Updated information and combined policy and procedure	29/01/2021	CSDM	GM
1.6	Reviewed policy and added information in 'intent'	18/01/2022	RCC	GM
1.7	Reviewed policy, Updated 'intent', 'Child Safe Officer', 'Issue/ Amendment/ Compliance Status', links in 'State and Territory Requirements' and phone numbers in 'What is a 'reasonable belief'?'. Added 'scope' and 'purpose'. Checked all weblinks.  NOTE: There has been a change to the Child Safe Standards in Victoria. These changes may impact this policy & procedure when all the rectifications are completed	17/04/2023	RCC	GM
1.8	Reviewed policy, website, and phone numbers. Updated punctuation, 'Issue/ Amendment/ Compliance Status and 'Child Safe Officer'	09/04/2024	RCC	GM

# Child Safe Policy and Reporting Procedure

Please note that Julie Reid Management Pty Ltd trading as MP Training and Recruitment is referred to as 'MP' for the purpose of this document.

## Intent

MP is committed to establishing and maintaining child safe environments and adhering to the relevant legalisation, regulations, and Child Safe Standards.

## Scope

This policy applies to trainers, assessors, administration officers, management staff and learners.

## Purpose

This policy needs to be read in conjunction with A Guide for Creating a Child Safe Organisation Document, relevant legislation, regulations, as well as MP's Cultural Safe Policy and Procedure.

## Reportable Conduct and Organisational Duty of Care

The Victorian State Government Reportable Conduct Scheme applies to MP.

### What is a 'reportable allegation'?

There is an allegation of 'reportable conduct' where a person has a reasonable belief that there has been:

- A sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child under 18.
- Behaviour causing significant emotional or psychological harm to a child under 18; or
- Significant neglect of a child under 18,

or misconduct involving any of the above, whether or not the person the allegation relates to provides services to children, and even if the allegation arises outside the person's employment. Only conduct by an adult against a child under 18 is reportable under the Victorian State Government 'Reportable Conduct Scheme'.

Under the organisational duty of care MP will take reasonable precautions to prevent any form of abuse of a child.

MP will notify the Commission for Children and Young People (CCYP) of 'reportable allegations'.

## Our Commitment to Child Safety

MP Training and Recruitment (MP) is committed to child safety.

All learners under eighteen (18) years of age who are supported by MP have a right to feel and be safe. We want children to be safe, happy, and empowered. We support and respect all children. We are committed to the safety, participation, and empowerment of all children.

We promote diversity and tolerance, and people from all walks of life and cultural backgrounds are welcome. 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; and
- Ensure that children with a disability are safe and can participate equally.

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, which we follow rigorously, to contact authorities when we are concerned about a child's safety.

MP is committed to preventing child abuse and identifying risks early and removing and reducing these risks. We have robust human resources and recruitment practices for all RTO (Registered Training Organisation) staff and are committed to regular training and education our RTO staff on child abuse risks.

As a child safe organisation, MP:

- Has a visible culture of child safety that is part of everyday practice.
- Has strong leadership driving a culture of child safety.
- Has the safety of children as its prime consideration.
- Has well-articulated policies and procedures to implement its child safe approach.
- Actively encourages participation, empowerment and serves to protect children.
- Has actively considered risks of abuse within the organisation.
- Engages with children to create a child safe environment and empowers children to speak up if something is wrong; and
- Has inclusive approaches for children with a disability, Aboriginal children, and children from culturally and/or linguistically diverse backgrounds.

## Child Abuse

Reporting child abuse is a community-wide responsibility. Child abuse includes any act committed against a child involving:

- Physical violence.
- Sexual offences.
- Serious emotional or psychological abuse; and
- Serious neglect.

**Call the police on 000 if you have immediate concerns for a child's safety.**

All Registered Training Organisation (RTO) staff are required to report to police if they know or reasonably believe that a sexual offence has been committed by an adult against a child under the age of 18. *It is a criminal offence (failure to disclose) to fail to comply with this obligation across jurisdictions.*

## What is a 'reasonable belief'?

A 'reasonable belief' is not the same as having proof. 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 when:

- A child state that they have been sexually abused.
- A child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves).
- Someone who knows a child states that the child has been sexually abused.
- Observations of the child's behaviour or development leads to a belief that the child has been sexually abused; or
- Signs of sexual abuse led to a belief that the child has been sexually abused.

A reasonable belief is a deliberately low threshold. This enables authorities to investigate and act.

If a person 16 years or older provided you with the information and they do not have an intellectual disability and they do not want the information reported to the police, an individual is then not required to report to police.

MP will not tolerate incidents of child abuse. All RTO staff understand their obligation to notify relevant authorities as soon as practicable if they have a reasonable suspicion that a minor has been, or is being, abused or neglected by a member of their family or any other individual:

- New South Wales Child Protection Line - 13 21 11
- Victoria Child Protection Crisis Line – East Division Intake - 1300 360 391

## Child Safe Officer

MP has appointed a Child Safe Officer for its RTO operations, being the designated person to hear or be informed about all allegations or concerns and providing support to other staff.

**Child Safe Officer** – Steve Shiel – Phone: 0421 089 087 or E-mail: [sshiel@personnelgroup.com.au](mailto:sshiel@personnelgroup.com.au)

Our designated Child Safe Officer provides a single contact for children, parents, and RTO staff to seek advice and support regarding the safety and wellbeing of children.

## Code of Conduct

As part of the induction process for new employees, and the annual re-induction process for existing employees, MP employees will receive training in Child Safety and be required to read and sign the Child Safety Code of Conduct agreement.

## Risk Management

MP ensures the protection of children when a risk is identified. In addition to general occupational health and safety risks, we proactively manage risks of abuse to 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 and online environments.

## Training and supervision

MP culture aims for all individuals to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

MP has specific policies, procedures and training in place that support our leadership team and RTO staff to achieve these commitments. We support RTO staff through ongoing supervision 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.

### **Regular review**

MP reviews this policy regularly and following any significant incident, should it occur. Where possible we do our best to work with families, children, local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

A self-audit and risk assessment will be conducted annually to ensure appropriate review and updates are made in line with organisation, legislation, and best practice changes.

### **Fair procedures for staff**

The safety and wellbeing of children is our primary concern. We are also fair and just to staff. The decisions made by MP 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 Child Safe Incident Report form, 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**

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, parents, or children, unless there is a risk to someone's safety. MP has safeguards and practices in place to ensure any personal information is protected.

### **Disclosures**

If a child discloses an incident of abuse:

- Try and separate them from others 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 a Child Safe Incident Report form to complete, or complete it together, if you think the child can do this.
- As soon as possible after the disclosure, record the information using the child's words and report the disclosure to the Child Safety Officer as well as police or child protection as relevant.
- Ensure the disclosure is recorded accurately, and that the record is stored securely.

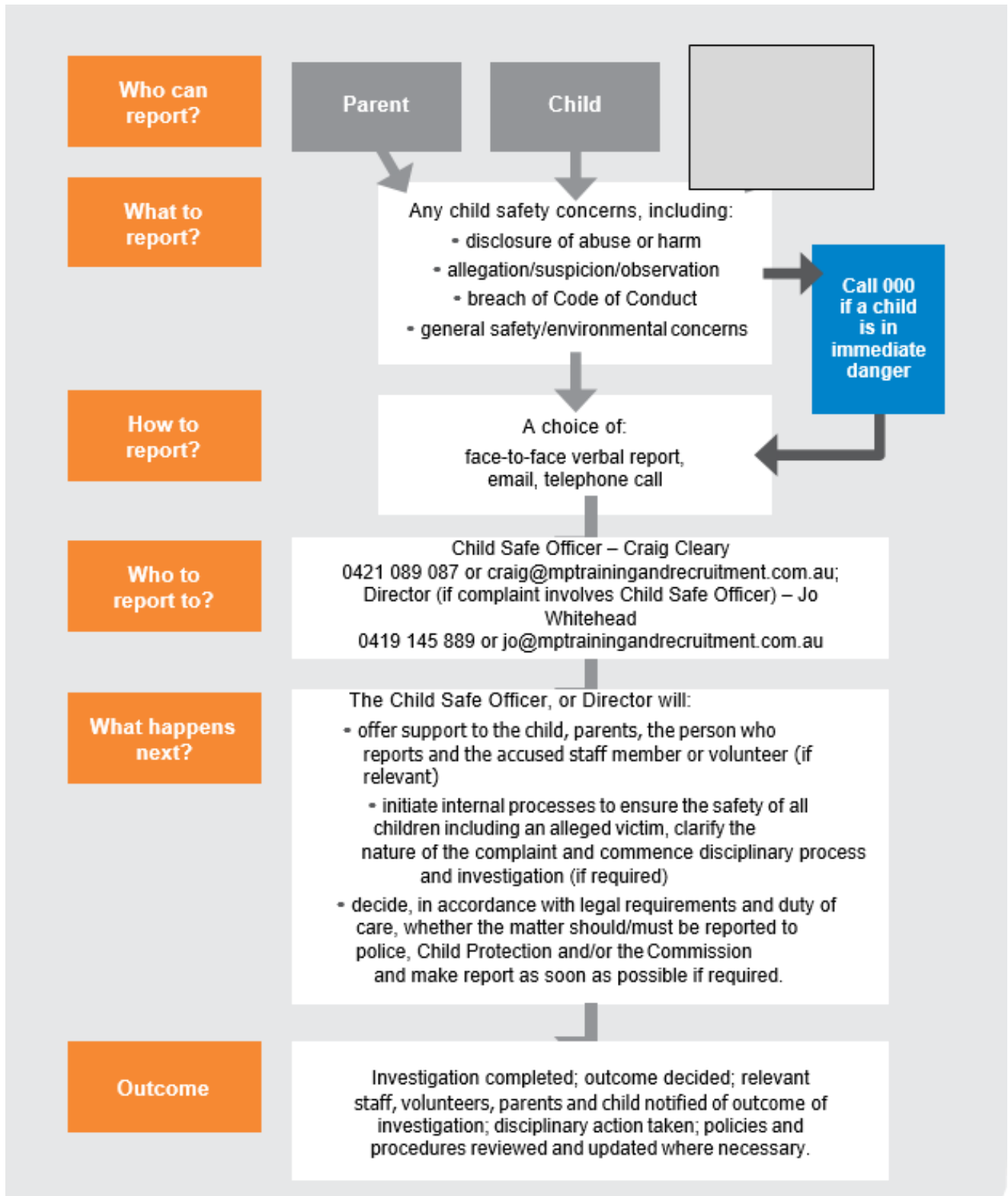
If a parent/carer says their child has been abused or raises a concern:

- Explain that MP 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 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 a Child Safe 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.
- Be aware that:
  - Individuals from Aboriginal, culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse.
  - Individuals with a disability may experience barriers disclosing an incident.  
You need to be sensitive to these issues and meet individuals' needs where possible.

RTO staff must follow the Four Critical Actions every time you become aware of a further instance or risk of abuse. This includes reporting new information to authorities.

If staff believe that a child is not subject to abuse, but still hold significant concerns for their wellbeing they must still act immediately.

## REPORTING PROCEDURES



## FOUR CRITICAL ACTIONS FOR VET & HIGHER EDUCATION PROVIDERS

# Responding to Incidents, Disclosures and Suspicions of Child Abuse



### YOU MUST TAKE ACTION

As an Organisation/Institution/University staff member, you play a **critical role** in protecting children\* in your care.

- You **must** act, by following the four critical actions, as soon as you witness an incident, receive a disclosure or form a reasonable belief that a child has, or is at risk of being abused.
- You **must** act if you form a suspicion/reasonable belief, even if you are unsure and have not directly observed child abuse (e.g. if the victim or another person tells you about the abuse).

- You must use the relevant templates to keep clear and comprehensive notes.

Refer to MP's Child Safe Policy and Reporting Procedure and Child Safe Incident Report Form

\*A child or young person is defined as a person under the age of 18 years

### 1 RESPONDING TO AN EMERGENCY

If there is no risk of immediate harm go to **Action 2**.

If a child is at immediate risk of harm you **must** ensure their safety by:

- separating alleged victims and others involved
- administering first aid
- calling **000 for urgent medical and/or police assistance** to respond to immediate health or safety concerns
- identifying a contact person in your organisation for future liaison with Police.

Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.

### 2 REPORTING TO AUTHORITIES

As soon as immediate health and safety concerns are addressed you **must** report all incidents, suspicions and disclosures of child abuse as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

*Q: Where does the source of suspected abuse come from?*

#### WITHIN THE ORGANISATION, INSITUTE OR UNIVERSITY

##### VICTORIA POLICE

You **must** report all instances of suspected child abuse to Victoria Police.

You **must also** report **internally** to:

MP's Child Safe Officer  
Craig Cleary  
M: 0421 089 087  
E: [craig@mptrainingandrecruitment.com.au](mailto:craig@mptrainingandrecruitment.com.au)

#### WITHIN THE FAMILY OR COMMUNITY

##### DHHS CHILD PROTECTION

You **must** report to DHHS Child Protection if a child is considered to be:

- in need of protection from child abuse
- at risk of being harmed (or has been harmed) and the harm has had, or is likely to have, a serious impact on the child's safety, stability or development.

##### VICTORIA POLICE

You **must also** report all instances of suspected sexual abuse (including grooming) to Victoria Police.

If you believe that a child is not subject to abuse, but you still hold **significant concerns** for their wellbeing you must still act. This may include making a referral or seeking advice from Child FIRST (in circumstances where the family are open to receiving support), or to DHHS Child Protection or Victoria Police.

### 3 CONTACTING PARENTS/CARERS

The relevant unit/staff member **must** consult with DHHS Child Protection or Victoria Police to determine what information can be shared with parents/carers. They may advise:

- not to contact** the parents/carer (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parent/carer to be contacted)
- to contact** the parents/carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion).

### 4 PROVIDING ONGOING SUPPORT

Your Organisation/Institution/University **must** provide support for children impacted by abuse. This should include a **Student Support Plan** developed in consultation with a Student Wellbeing professional/Counselling staff. Strategies may include development of a safety plan, direct support and referral to wellbeing professionals.

You **must** follow the **Four Critical Actions** every time you become aware of a further instance or risk of abuse. This includes reporting new information to authorities.

### CONTACT

#### DHHS CHILD PROTECTION

**AREA**

North Division **1300 664 9777**  
 South Division **1300 655 795**  
 East Division **1300 360 391**  
 West Division (Rural) **1800 075 599**  
 West Division (Metro) **1300 664 9777**

**AFTER HOURS**  
 After hours, weekends, public holidays **13 1278**

**CHILD FIRST**  
[www.dhs.vic.gov.au](http://www.dhs.vic.gov.au)

**VICTORIA POLICE**  
**000** or your local police station

Refer to MP's Child Safe Policy and Reporting Procedure and Child Safe Incident Report Form



## Additional Support – Mandatory Reporting

MP management uses appropriate tools to inform decision making, such as the online *Mandatory Reporter Guide*, professional judgment, or specialist advice, where there are concerns about risk of harm.

The mandatory reporter guide is available at <https://reporter.childstory.nsw.gov.au/s/>

## Working with Children Checks

All MP RTO staff are required to undertake, as a component of the recruitment process, a Victorian and/or NSW Working with Children Check (WWCC) and National Criminal Check to ensure suitability in meeting MP’s legislative and contractual obligations.

MP Staff will be notified when renewal of the WWCC and National criminal checks is required. Staff are required to ensure the renewal process is completed without delay. Staff whose WWCC and/or National Criminal Check lapse will be unable to undertake duties involving working with children.

For further information go to [www.nationalcrimecheck.com.au](http://www.nationalcrimecheck.com.au)

## State and Territory Requirements

In addition to the above national check, the following state jurisdictional checks also apply to MP’s RTO staff provided services in these jurisdictions. Staff must have completed and provided an appropriate check prior to commencing employment or engagement.

Jurisdiction	Requirements
New South Wales	All RTO staff providing services in New South Wales must undertake screening in accordance with the requirements of the <i>Child Protection (Working with Children) Act 2012 (NSW)</i> . Checks are valid for five years.  <a href="#">Apply for a Working with Children Check   Service NSW</a>
Victoria	All RTO staff providing services in Victoria must undertake a Victorian "Working with Children" check as a component of the recruitment process, in line with the <i>Working with Children Act 2005 (VIC)</i> . Checks are valid for five years.  <a href="http://www.workingwithchildren.vic.gov.au/">http://www.workingwithchildren.vic.gov.au/</a>

It is the responsibility of everyone to register for and obtain the required check(s). Potential personnel with adverse findings in these checks undertaken at the time of recruitment will not be employed by within a learner service role.

## MP Requirements

MP Staff are required to attend progress meetings. As a component of this meeting Child Safety Issues or Concerns are discussed as a meeting ‘item’.

## Related documents

- Cultural and Child Safety Code of Conduct Agreement
- Child Safe Incident Report Form
- Child Safe Risk Assessment