

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 |
| Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 | |

| 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 |
| | | | | |

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 7 Child Safe Standards that are part of the Victorian State Government Reportable Conduct Scheme. This policy applies to all staff and learners.

Note: This policy and procedure is to be read in conjunction with:

<https://ccyp.vic.gov.au/assets/resources/CSSGuideFinalV4-Web-New.pdf>

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. 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; 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 states 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 lead to a belief that the child has been sexually abused.

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

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 – 13 12 78

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 – Craig Cleary – P: 0421 089 087 or E: craig@trainingandrecruitment.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 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 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.

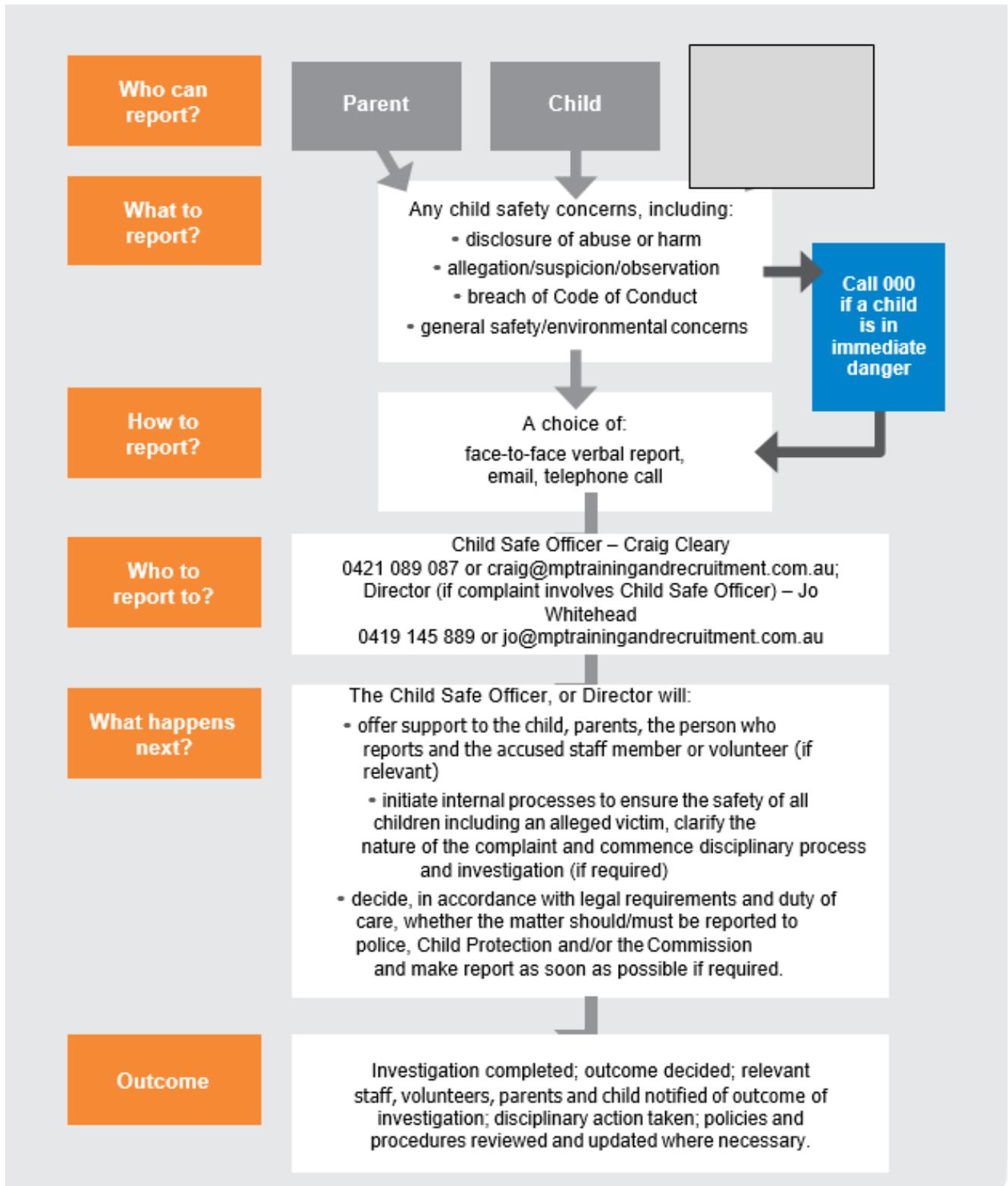
If a parent/carer says their child has been abused or raises a concern:

- 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

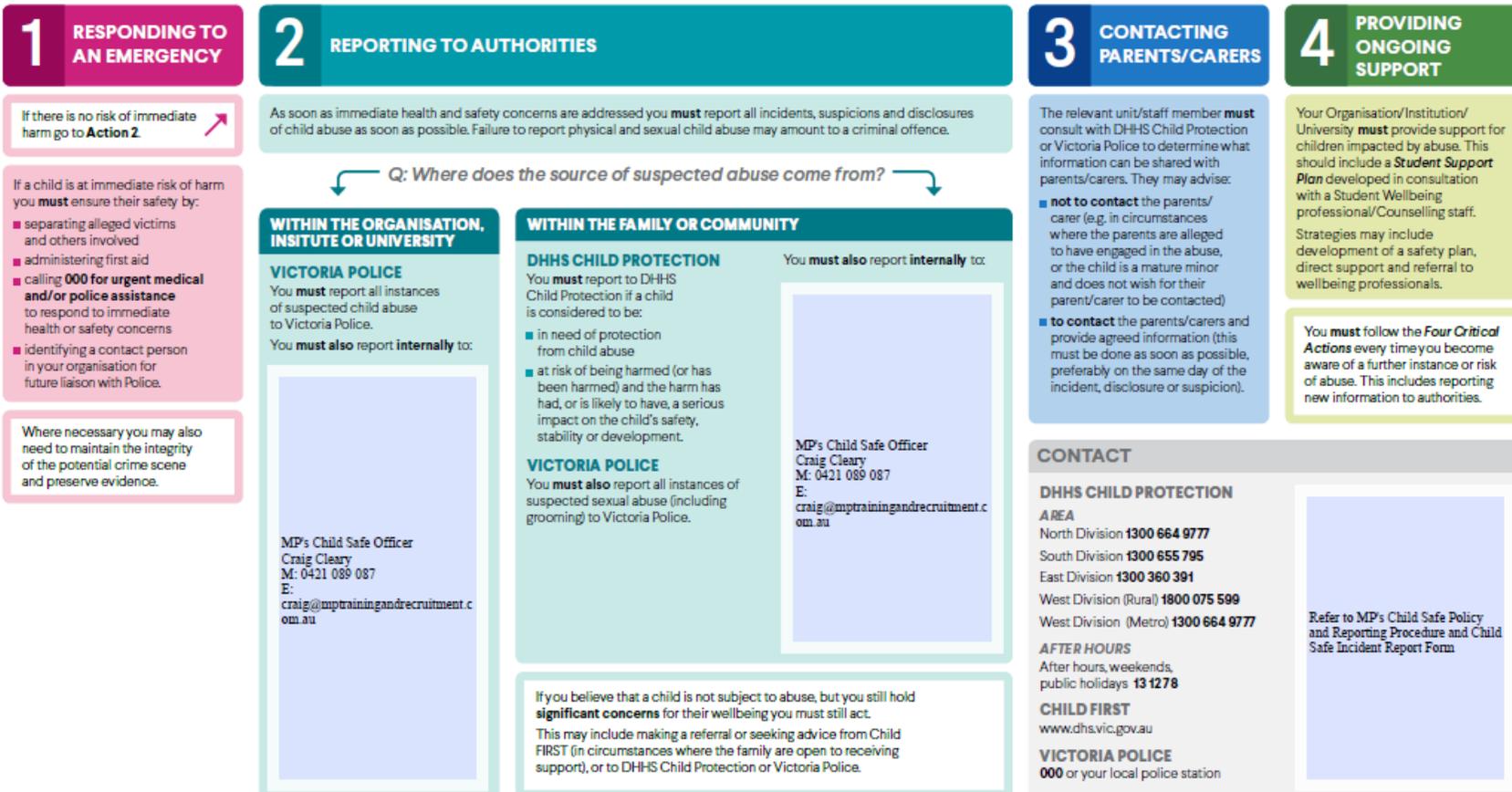
As an Organisation/Institution/University staff member, you play a **critical role** in protecting children* in your care.

- 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



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

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. http://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check |
| 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. http://www.workingwithchildren.vic.gov.au/ |

It is the responsibility of each individual 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 Student 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