

Policy Title: Child Safe Policy

Clinical Governance Domain: Risk Management

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Approved by: Senior Leadership Group



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SCOPE

This policy applies to all board members, staff, volunteers, students and co-located staff working at Brophy Family and Youth Services (Brophy). It applies to all client contact in Brophy buildings, home visits or outreach services. In this policy, the term 'employee' covers all persons listed above.

PRINCIPLES

Brophy is committed to the safety and wellbeing of all children and young people.

We recognise the importance of keeping all children and young people in our community safe by supporting and improving the safety and wellbeing of children, young people and their families.

Brophy is committed to the safety, participation and empowerment of all children and young people, and have zero tolerance of any form of child abuse. All allegations and safety concerns will be treated seriously and consistently with our policies and procedures.

We are committed to providing a safe environment and to the cultural safety of aboriginal children and those from culturally and/or linguistically diverse ('CALD') backgrounds, LGBTQIA+ children and young people, and children and young people living with a disability.

This Policy reflects Brophy's commitment to:

- Providing a safe environment for all children which promotes their health, safety and wellbeing:
- Promoting an organisational culture of child safety in which children feel valued, respected and cared for
- Identifying, reducing and removing the risks of child abuse
- Intervene when a child may be at risk of abuse
- Making staff aware of their legal and moral obligations in reporting child abuse
- Informing all other policies and procedures in addition to general occupational health and safety risks

DEFINITION OF TERMS

What is Abuse?

Abuse includes sexual abuse, physical abuse, emotional abuse and neglect, financial abuse, and racial, cultural or religious abuse.

What is Child Abuse?

Children have a right to live in a safe, secure and nurturing environment. Early identification and effective intervention is central to reducing the initial effects and long term consequences of child abuse. In working with families, the safety and best interest of children and young people is of paramount concern.

Child Abuse is harm perpetrated on a child or young person, which endangers the child's physical or emotional health or development. Child Abuse is usually grouped in four categories – physical abuse, sexual abuse, emotional abuse and neglect

- Physical Abuse occurs when a child suffers or is likely to suffer significant harm from an injury inflicted by a child's parent other adult or caregiver. The injury may be inflicted intentionally or may be the inadvertent consequence of physical punishment or physically aggressive treatment of a child. The injury may take the form of bruises, cuts, burns or fractures.

- Sexual Abuse occurs when a person uses power or authority over a child to involve or groom the child for sexual activity and the child's parent or caregiver has not protected the child. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity including exposure of the child to pornography.
- Emotional and Psychological Abuse occurs when a child's parent or caregiver repeatedly rejects the child or uses threats to frighten the child. This may involve name calling, put downs or continual coldness from the parent or caregiver, to the extent that it significantly damages the child's physical, social, intellectual or emotional development.
- Neglect is the failure to provide the child with the basic necessities of life such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is, or is likely to be, significantly harmed.
- Racial, Cultural or Religious Abuse is when contempt, ridicule, hatred or negativity is directed towards a child due to their race culture or religion. It may be overt, such as direct racial vilification or discrimination, or covert, such as demonstrating a lack of cultural respect (attitude and values) and awareness (knowledge and understanding) or failing to provide positive images about another culture.

POLICY

Brophy is committed to working with individuals and families to provide a safe environment for all that is free from physical, sexual, emotional, racial and cultural abuse including neglect.

BFYS a Child Safe organisation, committed to the seven Child Safe Standards which were introduced into Victoria on 1 January 2017. All organisations that provide services to children are required to comply with the standards and to have:

1. Strategies to embed an organisational culture of child safety, including effective leadership arrangements;
2. A child safe policy or statement of commitment to child safety;
3. A code of conduct that establishes clear expectations for appropriate behaviour with children
4. Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel;
5. Processes for responding to and reporting suspected child abuse
6. Strategies to identify and reduce or removed the risks of child abuse
7. Strategies to promote the participation and empowerment of children

In 2019, the Department of Health and Human Services are undertaking a review of the Standards. It is recognised that this Policy may need to change as a result of that review.

Code of Conduct

This policy should be read in conjunction with the Brophy Code of Conduct.

All Brophy employees are expected to follow the Brophy Code of Conduct which sets out the acceptable and unacceptable behaviours when working with or in the vicinity of children or young people.

Brophy employees are provided with the Brophy Code of Conduct as part of the on boarding pack prior to the commencement of employment, which is to be signed and returned at commencement.

Any updates to the Code of Conduct will be communicated to employees when they occur with a new Code of Conduct to be provided.

Training and supervision

Training and education is important to ensure that everyone at Brophy understands that child safety is everyone's responsibility.

Our organisational culture aims for all board members, staff, volunteers, families and children to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our board members and staff 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, the safety of children from an LGBTIQ background and the safety of children with a disability.

New staff and volunteers will be supervised regularly to ensure they understand Brophy's 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 (please refer to Brophy's Code of Conduct for information about appropriate behaviour). Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services, Victoria Police and the Commissioner for Children and Young People, depending on the severity and urgency of the matter.

Recruitment and Induction

Brophy has robust policies in place to ensure that only suitably qualified people are engaged to work in the agency. All Brophy employees (unless otherwise exempt) including volunteers are required to hold a Working with Children

Check, and submit to National and/or International Police Checks and Disability Worker Exclusion Checks.

For further information refer to the [Recruitment, Selection and Exit Policy](#), [Safety Screening Guidelines and Procedures](#), and the [Advantaged Workforce Policy](#).

Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be employees, volunteers, families or children, unless there is a risk to someone's safety, as required by law or in accordance with the Family Violence Information Sharing Scheme or the Child Information Sharing Scheme.

Brophy will ensure that our client's information is managed in accordance with our [Client Records Policy](#) and National Privacy Principles.

Legislative responsibilities

Brophy employees are expected to comply with all laws and regulations in relation to the safety and protection of children and young people, and the Brophy Duty of Care Policy.

The Brophy [Duty of Care Policy](#) requires all employees to exercise a duty of care to the children and young people who access our services. All employees must comply with the legislated reporting process for any allegations of child abuse that have been disclosed by a child or their family or any safety concerns relating to an employee within Brophy:

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria that 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.
- **Mandatory reporting:** Any board members, staff or volunteers who are mandatory reporters (doctors, nurses, midwives, teacher, principals, police officers, youth justice workers and out of home care workers) must if in the course of practising their profession or carrying out duties of their office, position or employment they form a reasonable belief, that a child has been or is at risk of significant harm, as a result of physical or sexual abuse, and the child's parents have not protected or are unlikely to protect the child from that abuse report to Child Protection..
- **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 Quality and Compliance Lead and the CEO of our organisation 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.

- **Duty of care:** If a child is abused by an individual associated with our organisation, our organisation is presumed to have breached its duty of care unless it can prove that it took 'reasonable precautions' to prevent the abuse in question.

Risk management

Brophy has 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. As part of our ongoing risk management process, we will review risks regularly and implement strategies to minimise and manage risks to ensure a child safe environment is maintained.

Allegations, concerns and complaints

All child abuse allegations, concerns and complaints will be treated with the utmost importance and will be dealt with in accordance with the Client Incident Reporting Process.

INTERNAL REFERENCES

[Code of Conduct](#)

[Rights Based Practice Policy](#)

[Duty of Care Policy](#)

[Recruitment, Selection and Exit Policy](#)

[Safety Screening Guidelines and Procedures](#)

[Advantaged Workforce Policy](#)

[Client Records Policy](#)

[Critical Incidents Policy](#)

EXTERNAL REFERENCES

Child Safe Standards

National Privacy Principles

Commission for Children and Young People