



Policy Number	MAN019
Policy Created	December 2016
Version	5
Reviewed Date	June 2022
Next Review Date	June 2024

Child Safety and Wellbeing

Policy Declaration

Laurels Education and Training (LET) is committed to empowering children as vital and active members of our community and our organisation. We involve them when making decisions about matters which affect them and are committed to their safety and our legal and moral obligations to act in their best interest. This policy identifies the importance of children and their safety in our organisation and guides us on how to behave with them.

This child Safety and Wellbeing Policy demonstrates the strong commitment of management, staff and volunteers to child safety and wellbeing, and how our organisation keeps children safe from harm, including child abuse.

Our Child Safe Code of Conduct outlines the child safe principles and minimum expectations for appropriate behaviour when in the company of children at LET.

Policy Description

Purpose: Children are valued participants in LET activities who bring insight and innovation. We incorporate practices and system into LET to ensure compliance with the Victorian Child Safe Standards. Children are vital members of our community and have a right to be safe, happy and empowered.

The purpose of this policy is to acknowledge Laurels Education and Training's (LET's) commitment to child safety in order to ensure the safety, participation and empowerment of all children.

This policy outlines how Laurels Education and Training prioritises the safety and wellbeing of children and what steps we will take to do this.

LET has zero tolerance to child abuse and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.

LET is committed to preventing child abuse and identifying risks early and removing and reducing these risks. LET has legal and moral obligations to contact authorities with concerns about a child’s safety and this is rigorously followed.

Support and respect of all children is expected with a strong commitment to the cultural safety of Aboriginal children, children from culturally and/or linguistically diverse backgrounds and to providing a safe environment for children with a disability.

Background:

The Victorian Government Child Safe Standards (The Standards) are compulsory minimum standards for organisations which provide services for children (or are used by children) to help protect them from harm.

Objectives:

The Standards require organisations who provide services for children to have a Child Safe Code of Conduct which establishes clear expectations for appropriate behaviour with children

Scope:

This policy applies to all Staff, Governance Committee Members, Students, Contractors, Visitors and other individuals involved in our organisation. This policy applies to all programs, activities and social interactions conducted by and held at Laurels Education and Training. It applies to a brand range of situations where interaction with a person under the aged of 18 (children) may occur including all activities in and organised by LET which involve, result in or relate to contact with children.

It is important that everyone is aware of LET’s child safety obligations, including understanding allegations of misconduct involving children can be made against a person even if the conduct occurred outside of work.

Definitions:

<i>Word/term</i>	<i>Definition</i>
Child/Children	Means a person under the age of 18 years
Child abuse	An offence committed against a child under section 49M(1) of the Crimes Act 1958 (Vic) such as grooming, physical violence against a child, causing serious emotional or psychological harm to a child.



	<p>Any act committed against a child can include physical or sexual harm, grooming, emotional or psychological harm, neglect, or family violence.</p> <p>It does not have to involve physical contact or force. Child abuse can include:</p> <ul style="list-style-type: none"> • Sexually abusing or exploiting a child; • Talking to a child in a sexually explicit way; • Grooming a child for future sexual activity; • Forcing a child to watch pornography; • Being witness to family violence; • Engaging in sexual activity with a child under 16; • Failing to provide a child with an adequate standard of nutrition, supervision or medical care to the extent that the development of the child is placed at serious risk or is significantly impaired. • Serious neglect of a child.
Harm	<p>Damage to the health, safety or wellbeing of a child or young person, including as a result of child abuse by adults or the conduct of other children.</p> <p>It includes physical, emotional, sexual and psychological harm. Harm can arise from a single act or event and can also be cumulative, that is, arising as a result of a series of acts or events over a period of time.</p>
Grooming	<p>When a person engages in predatory conduct to prepare a child for sexual activity at a later time.</p> <p>Grooming can include communicating electronically or face-to-face and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer.</p>

Concerns and complaints	<p>A concern refers to any potential issue that could impact negatively on the safety and wellbeing of children.</p> <p>A complaint is an expression of dissatisfaction to Laurels Education and Training related to one or more of the following:</p> <p>Our services or dealings with individuals</p> <p>Allegations of abuse or misconduct by a staff member, a volunteer or another individual associated with Laurels Education and Training.</p> <p>Disclosures of abuse or harm made by a child or young person.</p> <p>The conduct of a child or young person at Laurels Education and Training.</p> <p>The inadequate handling of a prior concern.</p> <p>Can take the form of general concerns about the safety of a group of children or activity.</p>
Reasonable belief	<p>A reasonable belief or a belief on reasonable grounds is not the same as having proof but is more than a mere rumor or speculation. 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 if:</p> <ul style="list-style-type: none"> • A child states that they have been physically or sexually abused; • A child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves); • Someone who knows a child states that the child has been physically or sexually abused; • Professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; • Signs of abuse lead to a belief that the child has been physically or sexually abused; • A report has been made of a sexual relationship with a child under 16.
Duty of care	<p>A legal obligation to exercise reasonable care to avoid acts or omissions that could expose a person to a reasonably foreseeable risk of injury</p>
Reportable Conduct Scheme	<p>Is how organisations in Victoria with a high level of responsibility for children respond to allegations of child abuse and child-related misconduct – Mandatory Reporting</p>
Working with Children Check	<p>A legislative requirement and process of assessment as prescribed in the <i>Working with Children Act 2005</i> and subsequent Regulations as amended from time to time.</p>

Policy

Statement of Commitment

Laurels Education and Training is committed to the safety, wellbeing and best interests of children. LET requires all staff to uphold the following commitments. LET has specific policies, procedures and training in place to achieve these commitments **and has a zero tolerance approach to all forms of child abuse.**

LET is committed to ensuring the safety and well-being of all children under the care and supervision of LET staff, students, volunteers, contractors and subcontractors by:

- Preventing all forms of child abuse, identifying risks early, and removing / reducing those risks.
- Complying with the legal and moral obligations of the University Community in reporting allegations of child abuse, and alerting the appropriate authorities if there is a reasonable belief a child is in need of protection;
- Upholding the safety of all children, including Aboriginal children, children from culturally and/or linguistically diverse backgrounds and children with a disability; and
- Providing regular training and education to all staff on the risks of child abuse.

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 with the required support can participate equally.
- promote the safety, participation and empowerment of children who identify as LGBTIQ+

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 (Attachment 1) 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.

Role of the Management Committee

The Governance Committee has the role of making sure Laurels Education and Training prioritises children's safety and that action is taken when anyone raises concerns or tenders a complaint about children's safety.

The management committee will champion and model a child safe culture at Laurels Education and Training. We encourage anyone involved with the organisation to report a child safety concern. The Governance Committee will work to create a positive culture around reporting so that people feel comfortable raising concerns.

Everyone at Laurels Education and Training has a role in identifying and managing risks of child abuse and harm. The Governance Committee will make sure that staff and volunteers are conducting risk assessments and taking action to manage risks in accordance with this policy. They will also ensure that appropriate child safety training for all staff and volunteers is identified and completed.

The Governance Committee will conduct an annual review of how effectively Laurels Education and Training is delivering child safety and wellbeing. The input of people involved with Laurels Education and Training will be sought as part of this review.

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 educate and support our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

LET staff will be encouraged to acknowledge and appreciate the strengths of the Aboriginal culture in order to understand its importance in ensuring the safety and wellbeing of Aboriginal Children and young people.

We also support our staff and volunteers through ongoing supervision to develop their skills to protect children from abuse, promote cultural safety of Aboriginal children and children from linguistically and/or diverse backgrounds. Safety of children with a disability.

All employees and volunteers will be monitored regularly to ensure they understand the Laurels Education and Training'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.

Childrens Empowerment and Participation

Laurels Education and Training actively seeks to include children's views and ideas in our organisational planning, delivery of services, and management of facilities.

We want children to develop new friendships through Laurels Education and Training's programs and activities and encourage children to be supportive of each other. We do not tolerate bullying or abuse behaviour between children and take action if this occurs.

Laurels Education and Training values the voices of children and will act on any safety concerns raised by children or their families. We regularly communicate with children about what they can do if they feel unsafe.

Laurels Education and Training values the voices of children and will act on safety concerns raised by children or their families

Families and Communities

Laurels Education and Training recognises the important role of families and involves parents and carers when making significant decisions about their child. Parents, families and communities are welcome to provide feedback at any time through our contact email address and are encouraged to raise any concerns they have with us. Laurels Education and Training provides information to families and community about our child safe policies and practices including through:

Publishing this Child Safety and Wellbeing Policy and Code of Conduct on our website including information about our child safety approach, our operations and Management Committee and management structure in the student information handbook.

Creating culturally safe environments for all Aboriginal children and their families

Laurels Education and Training is committed to creating environments where Aboriginal culture is celebrated and Aboriginal children, families and community members are welcomed and included. Strategies to embed cultural safety for Aboriginal children include:

An acknowledgement of Country at all formal meetings

Consulting with families and members of the Aboriginal community to

Valuing Diversity

We value diversity and equity for all children. To achieve this we:

Provide training for all Governance Committee members, staff and volunteers on understanding diversity and how to support inclusion and cultural safety

Welcome and support participation of all children, including children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home. LGBTIQ+ children and Aboriginal children and their families.

Offer students and families through our enrolment forms the opportunity to provide information about themselves, including any specific needs to participate fully in our programs.

Have zero tolerance of racism and other forms of discrimination and take action when discrimination or exclusion is identified

Delivery programs that reflects the diversity of our students their interests and their cultures

Strive to reflect the diversity of our community members through representation in our staff and Governance Committee members

Acknowledge and celebrate important cultural dates

Have a physical and online environment that actively celebrates diversity

Commit to ensuring our facilities and online activities promote the inclusion of children of all abilities.

Code of Conduct

Laurels Education and Training has a Child Safety and Wellbeing Code of Conduct. All staff , volunteers and the Governance Committee must comply with the Code of Conduct at all times. Breaches of the Code of Conduct may result in disciplinary action including termination of a person's involvement with the organisation.

All third-party contractors are also expected to abide by the Child Safe Code of Conduct, and where they are engaging with children will have to sign an agreement to comply with the code, prior to delivering any services.

Complaints and Reporting

All reports of child abuse and child safety concerns will be treated seriously, whether they are made by an adult or a child and whether they are about the conduct of an adult or child. All complaints and child safety concerns will be responded to promptly and thoroughly.

Laurels Education and Training has a complaint handling policy that includes information for staff and volunteers about how a complaint or child safety concern will be responded to. An easy-to-understand complaints information sheet will be provided for children, families and the community to know about the complaint process and the supports available to those making a complaint and to those involved in the complaint process.

If a complaint includes an allegation or incident of child abuse or harm, then staff and volunteers at Laurels Education and Training must report it in accordance with the complaint handling policy. Laurels Education and Training are required to prioritise children's safety in any response and to report all potentially criminal conduct to Victoria Police. Under the complaint handling and disciplinary policies, staff and volunteers may be subject to actions to support child safety including:

Being stood down during and investigation or terminated following an investigation s

Having their duties altered so they do not engage with children at Laurels Education and Training

Not being allowed unsupervised contact with children at Laurels Education and Training

Removing their access to Laurels Education and Training's IT system and facilities

Complaints can be emailed to: kylie@thelaurels.org.au or you can speak directly – face to face to Chief Executive Officer Kylie Reeve or a Committee member.

If there is concern for the immediate safety of a child, immediately call 000 for Police.

Record Keeping

Laurels Education and Training is committed to making and keeping full and accurate records about all child-related complaints or safety concerns.

All child safety complaints, concerns, incidents and near misses will be recorded in the incident reporting system.

Records which may assist with the investigation of a complaint or safety concern will be identified and kept as part of the record of investigation. Records will be kept even if an investigation does not substantiate a complaint.

We will record and keep the outcomes of any investigations, and the resolution of any complaints. This includes findings made, reasons for decisions and actions taken.

Records will be stored securely and kept by Laurels Education and Training for at least 45 years.

Laurels Education and Training may share relevant information to promote the safety and wellbeing of children, where it is appropriate and in their best interests. Laurels Education and Training will keep information about complaints confidential, except where it is necessary to share information to respond properly to a complaint or to prioritise child safety. We may also need to share information about incidents or complaints with external authorities to comply with the law or to prioritise safety. Please refer to our complaints and appeals policy. *PROG004 Complaints and Appeals.*

Confidentiality

Laurels Education and Training may share relevant information to promote the safety and wellbeing of children, where it is appropriate and in their best interests. Laurels Education and Training will keep information about complaints confidential, except where it is necessary to share information to respond properly to a complaint or to prioritise child safety. We may also need to share information about incidents or complaints with external authorities to comply with the law or to prioritise safety. Please refer to our complaints handling policy. *PROG004 Complaints and Appeals Policy.*

Risk Management

We recognise the importance of identifying and managing risks of child harm and abuse in the physical and online environments. We conduct regular risk assessments and have a risk management plan to address the risk of child abuse and harm at Laurels Education and Training. The risk management plan will be developed in consultation with our staff, volunteers, parents and children. We will ensure that any risk controls put in place balance the need to manage harm with the benefits of participating in programs and activities. The Management Committee is responsible for approving the risk management plan.

Any contractors or other providers or services using our venue will be provided with a copy of this Policy to ensure child safety when room booking. The Laurels Education and Training Code of Conduct applies to all room hirers.

Non-compliance with this policy and Code of Conduct

Laurels Education and Training will enforce this policy, Code of Conduct and any other child safety and wellbeing policies (see list below). Potential breaches by anyone will be investigated and may result in termination of room hire, restriction of duties, suspension or termination of employment or engagement or other corrective action. **More information can be found in our disciplinary policy.**

Review

Laurels Education and Training will review all child safe practices and policies at least every two years. We also review relevant practices and policies in response to a child safety incident or “near miss”. Findings from reviews will be reported to the people involved in our organisation and also inform our approach to continuous improvement of our child safety practices. Reviews are conducted and approved by the Governance Committee and will be informed by consultation with children, families and staff.

Procedure

Recruitment

Laurels Education and Training puts child safety and wellbeing at the centre of recruitment and screening processes for staff and volunteers as outlined in the staff recruitment and Induction policy (*STAF001 Staff Recruitment and Induction Policy*). We only recruit staff and volunteers who are appropriate to engage with children.

We require a Working with Children Check, Police Checks and referee checks for all staff and volunteers who have a role with children or have access to children’s personal information. We require staff to have appropriate qualifications for their roles and check to make sure these qualifications are valid. Members of Governance must hold a valid Working with Children check and a National Police Check is required.

LET will take all reasonable steps to employ skilled people to work with children – Attachment 2. Selection criteria and advertisements clearly demonstrate LET’s commitment to child safety and an awareness of social and legislative responsibilities.

LET understands that when recruiting staff and volunteers there are ethical as well as legislative obligations to consider.

LET actively encourages applications from Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds, people with a disability and people who identify as LGBTIQ+.

All people engaged in child-related work, including volunteers, are required to hold a Working with Children Check and to provide evidence of this Check. Please see the [Working with Children Check](http://www.workingwithchildren.vic.gov.au) website <www.workingwithchildren.vic.gov.au> for further information

LET carry out reference checks and police record checks to ensure recruiting the right people for the position.

Police Checks are required for all staff and Board members and retained in the secure staff and Board files.

If during the recruitment process a person’s record indicates a criminal history then the person will be given the opportunity to provide further information and context.

Staff and Volunteers

Laurels Education and Training is committed to ensuring that leaders, staff and volunteers receive training to ensure they understand their responsibilities in relation to child safety and to support their engagement with children. Laurels Education and Training assists its leaders, staff and volunteers to incorporate child safety considerations into

Staff will be provided with information and ongoing support through professional development and staff meetings to ensure their understanding of responsibilities in regard to child safety and wellbeing

Information on how to build a culturally safe environment for children and young people will be given to staff along with training to recognise indicators of child harm including harm caused by other children and young people

Staff and volunteers will be provided with ongoing support and training on the effective implementation of LET's Child Safe Policy and is reviewed at the Professional Development day held at the commencement of each year.

Staff will also be guided with information on how to respond effectively to child safety and wellbeing issues and how to support other members of staff who may have disclosed harm situations.

Fair procedures for personnel

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

All allegations of abuse and safety concerns are recorded using the Mandatory Reporting form or Complaint and Action Report Form, including investigation updates. All records are securely stored in accordance the following LET Policies -

- PROG006 Protecting your Privacy; and
- MAN015 Records Management.

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

Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, (in accordance with Policy PROG006 Protecting your Privacy and MAN015 Records Management) whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety. LET have safeguards and practices in place to ensure any personal information is protected. 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

LET takes 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 a person has committed a sexual

offence against a child under 18 years have an obligation to report that information to the police.

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.

Mandatory Reporting: Any personnel who are **mandatory reporters** must comply with their duties. (Policy MAN013 Mandatory Reporting)

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, LET will proactively manage risks of abuse to our children.

LET 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 on social media).

Regular review

This policy will be reviewed every two years and following significant incidents if they occur. LET will ensure that families and children can contribute. Where possible, LET will work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

Allegations, concerns and complaints

Laurels Education and Training take all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with allegations.

LET work to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

LET staff have a responsibility to report an allegation of abuse if 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 observed
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

Reports must be made in accordance with LET's Mandatory Reporting Policy.

Supporting Documentation

- Child Safe Standards
- Code of Conduct – Child Safety
- MAN013 Mandatory Reporting Policy
- MAN005 Risk Management Policy
- Staff Recruitment and Induction Policy
- Staff Induction Checklist
- United Nations Convention – Simplified version of the Rights of the Child

More Information

The following web links are available for more information regarding Child Safe Standards

<https://ccyp.vic.gov.au/news/new-child-safe-standards-start-in-victoria-on-1-july-2022-to-better-protect-children/>

<https://www2.education.vic.gov.au/pal/child-safe-standards/policy>

Supporting Legislation

Child Wellbeing and Safety Act 2005 (Vic) (including Child Safe Standards)

Children, Youth and Families Act 2005 (Vic) (including reporting to Child Protection)

Crimes Act 1958 (Vic) (including Failure to Protect and Failure to Disclose offences)

Wrongs Act 1958 (Vic) (including Part XIII – Organisational liability for child abuse)

Version Control and Change History

Version Number	Approval Date	Approved by	Amendment
1	23 Feb 2017	Board of Directors	New Policy
2	20 FEB 2019	Board of Directors	Addition of section providing more information
3	19 FEB 2020	Board of Directors	Rebranding and minor changes for clarity purposes.
4	15 JUN 2022	Board of Directors	Changes in line with the new Child Safe Standards and addition of definitions for clearer explanation of terms.