

Title:	Child and Young Person Safety Policy
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1. INTRODUCTION

Read the Play is committed to promoting and protecting the interests and safety of children. We have zero tolerance for child abuse.

Everyone working at Read the Play is responsible for the care and protection of children and reporting information about child abuse.

2. PURPOSE

The purpose of this policy is

1. To facilitate the prevention of child abuse occurring within Read the Play.
2. To promote an organisational culture of child safety.
3. To educate employees and volunteers of Read the Play on the principles of child and young person safety and the organisation's behavioural expectations of employees and volunteers.

4. To ensure that all parties are aware of their responsibilities for identifying, responding to, and reporting possible occasions of child and young person abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs.
5. To establish controls and procedures for preventing, identifying, responding to, and reporting child and young person abuse.
6. To clearly articulate the organisation's commitment to the safety and wellbeing of children and responding to abuse sensitively, appropriately and thoroughly.
7. To provide assurance that all suspected abuse will be reported and fully investigated.

3. TARGET AUDIENCE

All staff, volunteers, board members, students, contractors, and consultants.

4. STATEMENT OF COMMITMENT TO CHILD SAFETY

Read the Play is committed to promoting and always protecting the best interests of children and young people involved in its programs. We are committed to fostering the safety, health, wellbeing and empowerment of all children and young people.

Read the Play has zero tolerance for child abuse. Everyone working at Read the Play is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.

All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.

Child protection is the shared responsibility of all employees, workers, contractors, associates, and members of the Read the Play community.

Read the Play takes the views of children and young people seriously and invite them to contribute to the organisation's programs, policies, and practices.

Read the Play supports and respects all children, staff, and volunteers. Read the Play is committed to the cultural safety of First Nation children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.

Allegations of abuse, neglect and safety concerns will be treated seriously and consistently with our policies, procedures, and legal obligations.

5. CHILD SAFE STANDARDS

There are eleven compulsory minimum standards made pursuant to provisions of the *Child Wellbeing and Safety Act 2005 (Vic)*. As a provider of services to young people and children, Read the Play must comply with these standards.

Child Safe Standard
Standard One: Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
Standard Two: Child safety and wellbeing is embedded in organisational leadership, governance, and culture.
Standard Three: Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
Standard Four: Families and communities are informed and involved in promoting child safety and wellbeing.

Standard Five: Equity is upheld and diverse needs respected in policy and practice.
Standard Six: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
Standard Seven: Processes for complaints and concerns are child-focused.
Standard Eight: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
Standard Nine: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
Standard Ten: Implementation of the Child Safe Standards is regularly reviewed and improved.
Standard Eleven: Policies and procedures document how the organisation is safe for children and young people.

6. LEGISLATIVE RESPONSIBILITIES

Read the Play is committed to complying with all legislation that supports the safety and wellbeing of children. Staff are aware of the criminal offences of failure to disclose and failure to protect which arise under Sections 327 and 490 of the Crimes Act 1958 (Vic).

Read the Play are committed to upholding the organisation's obligations under the Children, Youth & Families Act 2005 and Working with Children Legislation and Organisational Liability (Wrongs Amendment Organisational Child Abuse) Act 2017 to put policies and processes in place to prevent child and young person abuse.

6.1 FAILURE TO DISCLOSE

The failure to disclose offence applies to you if:

- you are an adult, and
- you have information that leads you to form a 'reasonable belief' that another adult has sexually offended against a child under 16 in Victoria.

If this applies to you, you must report the information to police as soon as possible, unless:

- you have a 'reasonable excuse' for not reporting the information, or
- you are exempt from the offence.

If you fail to report the information, you may be charged with a criminal offence. The maximum penalty is three years imprisonment. The failure to disclose offence helps to ensure that protecting children from sexual abuse is the responsibility of the whole community.

Further information regarding a failure to disclose offence and definitions of 'reasonable belief' and 'reasonable excuse' can be found here: [Failure to disclose offence | Department of Justice and Community Safety Victoria](#) or from page 165 of the Child, Youth and Families Act 2005: [Children, Youth and Families Act 2005 \(legislation.vic.gov.au\)](#).

6.2 FAILURE TO PROTECT

The offence provides that a person who:

1. by reason of the position, he or she occupies within a relevant organisation, has the power or responsibility to reduce or remove a substantial risk that a relevant child will become the victim of a sexual offence committed by a person of or over the age of 18 years who is associated with the relevant organisation; and
2. knows that there is a substantial risk that the person will commit a sexual offence against a relevant child – must not negligently fail to reduce or remove that risk

If you fail to report the information, you may be charged with a criminal offence. The maximum penalty is three years imprisonment. The failure to protect offence helps to ensure that protecting children from sexual abuse is the responsibility of the whole community.

7. PROCEDURES

7.1 RECRUITMENT AND ONBOARDING OF NEW STAFF, VOLUNTEERS, AND BOARD MEMBERS

Read the Play undertakes a comprehensive recruitment and screening process for all workers and volunteers which aims to:

- Promote and protect the safety of all children engaging with the organisation;
- Identify the safest and most suitable people who share Read the Play's values and commitment to protect children; and
- Prevent a person from working at Read the Play if they pose a risk to children.

Read the Play requires all workers/volunteers to pass through the organisation's recruitment and screening processes prior to commencing their engagement with Read the Play.

Read the Play require applicants to provide a police check in accordance with the law and as appropriate before they commence working at Read the Play and every three years whilst employed at Read the Play.

Read the Play will undertake a minimum of two thorough reference checks as per the approved internal procedure.

Once engaged, workers/volunteers must review and acknowledge their understanding of this Policy and the organisation's Code of Conduct. Workers/Volunteers will be asked to sign these documents, and provided a copy.

7.2 RISK MANAGEMENT

Read the Play will ensure that child safety is a part of its overall risk management approach.

Read the Play will have a rolling review of risk and compliance during formal board meetings with the committed purpose of identifying and managing risks. All Read the Play board members will be expected to be informed of child safety standards and legislation.

7.3 MANDATORY/VOLUNTARY REPORTING

Any staff member, volunteer or contractor who has grounds to suspect abusive activity must immediately notify the Read the Play General Manager about their concerns. Together, the staff member and General Manager will then notify the appropriate child protection service and the police. Any report to relevant authorities must be made by the person who has suspicions of abuse, with the support of the General Manager. It is not enough to handover your concerns to another person to make a report. If the staff member is unable to contact the General Manager, or the General Manager does not agree with the decision to notify authorities, but the staff member believes it is necessary, the staff member can report the abuse to the relevant authorities independently.

In situations where the General Manager is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision.

Mandatory Reporting Victoria:

Legislation	Mandated Reporters	When must a report be made?	Who is a child?
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Children, Youth and Families Act 2005 (Vic)	<ul style="list-style-type: none"> • Registered medical practitioners, midwives, and registered nurses • Teachers registered or granted permission to teach under the Education, Training and Reform Act 2006 • Principals • Police 	<p>A mandated reporter must make a report if:</p> <ul style="list-style-type: none"> • They form a belief on a reasonable ground that a child needs protection from physical injury or sexual abuse; • The parents cannot or will not protect the child; and • The belief is formed while practising his/her position of employment • NB: exceptions may apply 	A person under 17 years old.
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Voluntary Reporting Victoria:

Legislation	Mandated Reporters	When must a report be made?	Who is a child?
Children, Youth and Families Act 2005 (Vic)	Any persons	<p>A voluntary reporter may make a report if the person suspects on reasonable grounds that a child is suffering, has suffered or is likely to suffer abuse or neglect.</p> <p>This also applies to unborn children.</p>	A person under 17 years old.

Regardless of a staff member or volunteer's status as a mandatory or voluntary reporter, under this policy all staff/volunteers are required to report all concerns internally and, externally, where the concern meets the threshold for escalation.

7.4 INVESTIGATION OF CHILD ABUSE REPORTS

If the appropriate child protection service or the police decide to investigate a child abuse report made by a representative of Read the Play, all employees, contractors, or volunteers must co-operate fully with the investigation.

Whether or not the authorities decide to investigate, the General Manager will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the General Manager may decide to conduct such an investigation. All employees, contractors and volunteers must co-operate fully with the investigation.

Any such investigation will be conducted according to the rules of natural justice.

The General Manager will make every effort to keep any such investigation confidential; however, from time-to-time other members of staff may need to be consulted in conjunction with the investigation.

After an initial review and a determination that the suspected abuse warrants additional investigation, the General Manager shall coordinate the investigation with the appropriate investigators and / or law enforcement officials. Internal or external legal representatives will be involved in the process, as deemed appropriate.

7.5 RESPONSE TO ALLEGATIONS OF CHILD ABUSE PERPETRATION

If it is alleged that a member of staff, board member or a volunteer may have committed an offence or have breached the organisation's policies or its Code of Conduct the person concerned may be stood down (with pay, where applicable) while an investigation is conducted.

If the investigation concludes that on the balance of probabilities an offence (or a breach of the organisation's policies or Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the organisation. The findings of the investigation will also be reported to any external body as required.

7.6 MAINTENANCE OF PRIVACY AND CONFIDENTIALITY

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. Read the Play will have safeguards and practices in place to ensure any personal information is protected.

Everyone is entitled to know how their personal information is recorded, what will be done with it, and who will be able to access it.

8. REVIEW

Every 12 months, and following every reportable incident, a review shall be conducted to assess whether the organisation's child protection policies or procedures require modification to better protect the children under the organisation's care.

9. GLOSSARY

9.1 CHILD

means a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

9.2 CHILD ABUSE

means all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect, or negligent treatment, commercial (e.g., for financial gain) or other exploitation of a child and includes any actions that results in actual or potential harm to a child.

9.3 CHILD PROTECTION

means any responsibility, measure or activity undertaken to safeguard children from harm.

9.4 CHILD PROTECTION SERVICES

The Victorian Child Protection Service is specifically targeted to support those children and young people at risk of harm or where families are unable to protect them.

The main functions of Child Protection are to:

- Investigate matters where it is alleged that a child is at risk of significant harm
- Refer children and families to services that assist in providing the ongoing safety and wellbeing of children

- Make applications to the Children's Court if the child's safety cannot be ensured within the family
- Administer protection orders granted by the Children's Court.

To make a report, you should contact the child protection intake service covering the local government area (LGA) where the child normally resides.

Contact numbers for the Victoria Child Protection Services can be found here: [Child protection contacts - DFFH Services](#)

9.5 CHILD SEXUAL ASSAULT

is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child.

9.6 CHILD PHYSICAL ABUSE

Physical abuse happens when a child has been hurt or injured, and it is not an accident. Physical abuse does not always leave visible marks or injuries.

Physical abuse can include:

- hitting
- shaking
- choking
- smothering
- throwing
- burning
- biting
- poisoning
- using physical restraints.

9.7 CHILD EMOTIONAL ABUSE

Emotional abuse happens when a child is treated in a way that negatively impacts their social, emotional or intellectual development.

Emotional abuse can be caused by:

- rejection
- name calling, teasing or bullying
- yelling
- criticism
- isolation or locking a child up for extended periods
- exposure to domestic and family violence.

Experiencing domestic and family violence can also lead to emotional harm. A child who experiences violence at home is at greater risk of not having their basic needs met, including their protection and care needs. Domestic and family violence can:

- affect a child's emotional wellbeing and development
- teach them that violence is a solution to problems

- cause post-traumatic stress disorder.

9.8 CHILD NEGLECT

Neglect is a form of child abuse. Neglect happens when a child's basic needs are not met, affecting their health and development. Basic needs include:

- food
- housing and clean living conditions
- health care
- adequate clothing
- personal hygiene
- adequate supervision.

9.9 REASONABLE GROUNDS FOR BELIEF

is a belief based on reasonable grounds that child abuse has occurred. Reasonable grounds for belief is formed when suspicion of child abuse is based on the information that the person has and that information indicates that it is more likely than not that abuse has happened. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

A reasonable belief is formed if a reasonable person believes that:

- (a) The child needs protection,
- (b) The child has suffered or is likely to suffer "significant harm as a result of physical injury,"
- (c) The parents are unable or unwilling to protect the child.

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour 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:

- a) A child states that they have been physically or sexually abused;
- b) A child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- c) Someone who knows a child states that the child has been physically or sexually abused;
- d) 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; and/or
- e) Signs of abuse lead to a belief that the child has been physically or sexually abused.

10. RELATED DOCUMENTS AND APPENDICES

10.1 KEY ALIGNED DOCUMENTS

This document should be read in conjunction with the following documents:

- Working with children check policy/procedure (TBC)
- Workforce mandatory Training procedure (TBC)
- Staff Induction policy (Draft attached)
- Risk management policy (Draft attached)
- Confidentiality Policy (Draft attached)
- Complaint handling policy (Draft attached)
- Child Safe Code of Conduct (Draft attached)

- Staff Recruitment Policy (Draft attached)

10.2 KEY LEGISLATION, ACTS & STANDARDS

- 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)
- Family Violence Protection Act 2008 (VIC)
- Worker Screening Act 2020 (VIC)
- Commission for Children and Young People Act 2012 (VIC)
- Charter of Human Rights and Responsibilities Act 2006 (VIC)

11. VERSION CONTROL

Document History		
Version	Version date	Summary of Changes
1	5/1/2023	Draft document created
2	4/2/2023	Reviewed and edited
3	27/3/2023	Reviewed and edited (RTP Board)
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