

Safeguarding Children and Vulnerable People Policy

Purpose

The purpose of this policy is to provide key elements of South East Leisure's (SEL) approach to being a safe organisation for children and vulnerable people.

It is designed to assist SEL to prevent and respond to any alleged abuse of children and/or vulnerable people or safety concerns for children and/or vulnerable people that may occur within SEL or any alleged abuse or safety concerns for children and/or vulnerable people which is reported to SEL.

This policy aims to:

- embed an organisational culture of child and vulnerable people safety, for all children and vulnerable people including children or people with a disability; and
- promote the cultural safety of children and young people who are Aboriginal or Torres Strait Islanders and/or from a culturally and linguistically diverse background.

Finally, the policy informs SEL employees, volunteers, and contractors of their legal and duty of care obligations in reporting alleged abuse and neglect. This policy is intended to operate in conjunction with the mandatory reporting requirements which apply to some groups of employees at SEL.

If you believe a child or vulnerable person is at immediate risk of abuse, phone 000.

Scope

This policy applies to all SEL employees, volunteers, and contractors.

Definitions

The following words and phrases are defined in Appendix One:

- Aboriginal or Torres Strait Islander child/young person;
- Abuse;
- Children/young people from culturally and/or linguistically diverse backgrounds;
- Child/Young Person;
- Child Safe Standards;
- Children and vulnerable people safety;
- Child safe organisation;
- Cultural safety for Aboriginal/Torres Strait Islander children;
- Cultural safety for children and young people from culturally and/or linguistically diverse backgrounds;
- Vulnerable people; and
- Reasonable belief of child sexual abuse.



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SEL's commitment to the safety of children and vulnerable people:

SEL is committed to the safety of children and vulnerable people.

SEL wants children and vulnerable people to be safe, happy, and empowered and supports and respects all children and vulnerable people, as well as its own staff.

At SEL, we recognise the diverse and unique identities of Aboriginal children and young people and support Aboriginal and young people to express their culture and enjoy their cultural rights.

SEL has zero tolerance for abuse. All allegations and safety concerns will be treated seriously and consistently in line with SEL's policies and procedures, and all relevant legislation.

SEL has legal and moral obligations to contact authorities when it is concerned about a child young person or vulnerable person's safety, which SEL endeavours to follow rigorously.

SEL is committed to preventing children and vulnerable people's abuse and identifying risks early, and where possible, to remove and reduce these risks.

At SEL, we empower children and vulnerable people by informing them of their rights and responsibilities and support them to speak up about any matters of importance to them, including if something goes wrong. We work to include the participation of children and vulnerable people in decision making regarding any services or other matters affecting them.

SEL has robust human resources and recruitment practices for all staff and volunteers.


SEL is committed to regularly training and educating its employees and volunteers and contractors on children and vulnerable people abuse risks.

SEL is committed to the cultural safety of Aboriginal and Torres Strait Islander children and young people, the cultural safety of children and young people from a culturally and/or linguistically diverse background, and to providing a safe environment for children, young people and people with a disability.

SEL has specific policies, procedures and training in place which supports its leadership team, staff, and volunteers to achieve these commitments.

Our Children and vulnerable people

This policy is intended to empower children and vulnerable people who are vital and active participants in SEL. SEL involves children and vulnerable people when making decisions, especially about matters that directly affect them. SEL listens to their views and respects what they have to say.



SEL promotes diversity and tolerance, and people from all walks of life and cultural backgrounds are welcome. In particular, SEL endeavours to:

- promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children and young people.
- promote the cultural safety, participation and empowerment of children and young people from culturally and/or linguistically diverse backgrounds; and
- ensure that children, young people and people with a disability are safe and can participate equally.

Codes of Conduct

All of SEL's staff, volunteers and contractors must agree to abide by SEL's Code of Conduct which specifies the standards of conduct required when working with children.

Training and Supervision

Training and education are important to ensure everyone at SEL understands that the safety of children and vulnerable people are everyone's responsibility.

SEL's culture aims for all employees, volunteers, and contractors (in addition to facility hirers, patrons, parents, guardians, carers, children, and vulnerable people) to feel confident and comfortable in discussing any allegations of abuse or safety concerns.

SEL educates its employees and volunteers to identify, assess and minimise risks of abuse of children and vulnerable people and, where employees work with children or vulnerable people, to detect potential signs of abuse.

SEL also supports relevant employees and volunteers including through ongoing supervision, to:

- develop their skills to protect children and vulnerable people from abuse; and
- promote the cultural safety of Aboriginal and Torres Strait Islander children and young people, the cultural safety of children and young people from linguistically and/or diverse backgrounds, and the safety of children, young people and people with a disability.

New employees and volunteers will be supported to ensure they understand SEL's commitment to the safety of children and vulnerable people and that everyone has a role to play in protecting children and vulnerable people from abuse. Appropriate work practices will be used to check that the behaviour of employees and volunteers towards children and vulnerable people is safe and appropriate (please refer to the Code of Conduct to understand appropriate behaviour further).

Recruitment





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SEL takes all reasonable steps to employ skilled people to work with children and vulnerable people. It develops selection criteria based on position descriptions and advertisements which clearly demonstrate SEL's commitment to the safety of children and vulnerable people and an awareness of its social and legislative responsibilities. SEL understands that when recruiting employees and volunteers that it has ethical as well as legislative obligations.

SEL actively encourages applications from Aboriginal and Torres Strait Islander peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability. All appointments are based on merit.

All people engaged by SEL to perform work at SEL facilities, including volunteers, are required to hold and to provide evidence of a valid Working with Children Check. SEL carries out reference checks and police record checks to ensure that it is recruiting the right people.

Requirements on service providers and facility hirers

SEL will require any:

- providers of services to SEL
 - service providers using SEL facilities to provide activities for children and vulnerable people; and
 - organisations or individuals using SEL assets for any activity at which children or vulnerable people may be present or involved (including facility hirers);
- to have a Safeguarding Children Policy and procedure or Statement of Commitment to Child Safety. Further, SEL reserves the right to review such policy and procedure or statement for compliance with the Child Safe Standards.

Allegations, concerns, and complaints

SEL encourages reporting of alleged abuse and takes all allegations of abuse seriously. This includes a person believing, on reasonable grounds, that a child or vulnerable person is in need of protection and the child/vulnerable person's parents are unable or unwilling to protect the person.

SEL's procedure for Managing Alleged Abuse and Safety Concerns provides the reporting procedure and methods to deal with any allegation thoroughly and in a timely manner. Any inappropriate behaviour (such as breaching a relevant Code of Conduct) should be reported through appropriate channels, including internally within SEL and to the Department of Health and Human Services (DHHS) Child Protection and Victoria Police, depending on the severity and urgency of the matter.

Any person employed by SEL who has engaged in inappropriate behaviour or unlawful conduct may be counselled or warned in accordance with SEL policies. Serious or persistent breaches can lead to formal disciplinary action up to and including dismissal.

Disciplinary action may also be taken against any person employed by SEL who makes a false or vexatious complaint. However, no such action will be taken if a person raises a legitimate concern about alleged abuse that is proven to be unfounded on investigation.

If an allegation is made against a person not connected with SEL, then SEL will delegate suitable officers to implement an appropriate process, which may include reporting the allegations to Victoria Police or DHHS.

South East Leisure staff and volunteers are trained to deal appropriately with allegations.

SEL works to ensure all children, young and vulnerable people, families, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice any inappropriate behaviour.

Legislative responsibilities

SEL takes its legal responsibilities seriously, including the criminal offences of failure to disclose (which applies to all adults in Victoria) and failure to protect (which applies to relevant employees of SEL), as set out above. In addition, any staff members or volunteers who are mandatory reporters must comply with their duties.

Fair procedures

As well as being concerned about the safety and wellbeing of children and vulnerable people, SEL also aims to be fair and just to its staff and volunteers. The decisions SEL makes when recruiting, assessing, or investigating alleged incidents and undertaking disciplinary action will always be thorough, transparent, and evidence based. The principles of procedural fairness and natural justice will be applied.

SEL will record all allegations of abuse and safety concerns. All records will be securely stored in confidential files, subject to the privacy and confidentiality parameters set out below.

If an allegation of abuse or a safety concern is raised, SEL will provide updates as appropriate to relevant children, young and vulnerable people and/or families (as well as to the person who is alleged to have committed the abuse) on progress and actions taken by SEL.

Privacy and Confidentiality

SEL will respect the privacy of all individuals involved, whether they are staff members, volunteers, parents/guardians/carers, children, or vulnerable people, unless there is a risk to someone's safety. Information should be treated as confidential and should only be used and disclosed on a need-to-know basis, with the consent of the individual or their authorised representative, or otherwise in accordance with law. SEL has safeguards and practices in place

to ensure any personal and/or health 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.

Risk Management

In Victoria, organisations are required to protect children and vulnerable people when a risk is identified. In addition to general occupational health and safety risks, SEL proactively manages risks of abuse to children and vulnerable people. SEL has risk management strategies in place to identify, assess, and take steps to minimise abuse risks, which include risks posed by physical environments (for example, any rooms with doors that can lock), and online environments (for example, no employee and volunteer is to have contact with a child on social media unless necessary or appropriate in the course of their role with SEL).

Continuous Improvement and Policy Review

SEL takes responsibility for continuously improving the ways in which, in its operations it provides for the safety of children and vulnerable people and the prevention of abuse. SEL encourages continuous improvement of the way in which it responds to allegations of abuse. As well as the scheduled review, this policy will be reviewed following changes in the operating environment and/or significant incidents.

Appendix One – Definitions

<p>Aboriginal or Torres Strait Islander child/young person</p>	<p>A person under the age of 18 who:</p> <ul style="list-style-type: none"> • is of Aboriginal or Torres Strait Islander descent • identifies as Aboriginal or Torres Strait Islander, and • is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.
<p>Abuse</p>	<p>For the purposes of this policy, 'abuse' includes any act committed against a child or vulnerable person involving:</p> <ul style="list-style-type: none"> • physical violence (Physical violence occurs when a person suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person); • sexual offences (Sexual offences occur when a person involves the child or vulnerable person in sexual activity, or deliberately puts the child or vulnerable person in the presence of sexual behaviours that are exploitative or inappropriate to their age and development);





	<ul style="list-style-type: none">• serious emotional or psychological abuse (which may include hearing, witnessing or being exposed to family violence, or racial, cultural or religious abuse. Serious emotional or psychological abuse occurs when harm is inflicted on a child or vulnerable person through repeated rejection, isolation, or by threats or violence. It can include derogatory name-calling and put-downs, or persistent and deliberate coldness from a person, to the extent where the behaviour of the person is disturbed or their emotional development is at serious risk of being impaired. Serious emotional or psychological abuse could also result from conduct that exploits a child or vulnerable person without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.); and/or• serious neglect (Serious neglect is the continued failure to provide a child or vulnerable person with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the person's health, safety and/or development is, or is likely to be, jeopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life threatening situations.)
Children/young people from culturally and/or linguistically diverse backgrounds	A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis.
Child/Young Person	A person who is under the age of 18 years
Child Safe Standards	The 11 Victorian Child Safe Standards





Children and vulnerable people safety	In the context of this policy, 'safety' means measures to protect children and vulnerable people from abuse.
Cultural safety for Aboriginal/Torres Strait Islander children	<p>The positive recognition and celebration of cultures is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity.</p> <p>A culturally safe environment does not ignore, challenge, or deny cultural identity. Cultural safety upholds the rights of Aboriginal/Torres Strait Islander children to:</p> <ul style="list-style-type: none">• identify as Aboriginal/Torres Strait Islander without fear of retribution or questioning;• have an education that strengthens their culture and identity;• maintain connections to their land and country;• maintain their strong kinship ties and social obligations;• be taught their cultural heritage by their Elders;• receive information in a culturally sensitive, relevant and accessible manner; and• be involved in services that are culturally respectful.
Cultural safety for children and young people from culturally and/or linguistically diverse backgrounds	<p>Cultural safety encompasses an environment which is spiritually, socially, and emotionally safe, as well as physically safe for children and young people; where there is no assault, challenge, or denial of their cultural or linguistic identity, of who they are or what they need.</p> <p>Efforts need to be made to ensure that information is provided to culturally and/or linguistically diverse children and their families in a culturally sensitive, relevant, and accessible manner, including in relevant community languages.</p>
Vulnerable people	Children or young people under the age of 18; or People above the age of 18 years who may not be able to protect themselves against harm due to any; physical harm,





	<p>age, illness, trauma or disability and other reasons.</p> <p>Disabilities may be a result of birth or be acquired through an injury or illness. Some disabilities may be obvious while others are hidden.</p> <p>Disability includes:</p> <ul style="list-style-type: none">• total or partial loss of body function or a body part;• the presence of organisms (such as HIV or Hepatitis C) that may cause disease or disability, malformation or disfigurement of the body;• mental or psychological diseases or disorders; and• conditions or disorders that may result in a person learning more slowly.
Reasonable belief of abuse	<p>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:</p> <ul style="list-style-type: none">• a child or vulnerable person states that they have been sexually abused;• a child or vulnerable person states that they know someone who has been sexually abused (sometimes the person may be talking about themselves);• a person who knows a particular child or vulnerable person states that the person has been sexually abused;• professional observations of the person's behaviour or development leads a mandated professional to form a belief that the person has been sexually abused; or• signs of sexual abuse leads to a belief that the person has been sexually abused.

