

1. Objective

This policy confirms the commitment of all bestchance departments to ensure a safe environment for all children:-

- bestchance is committed to the protection, safety and wellbeing of all children;
- bestchance is committed to protection children from harm, abuse and exploitation
- bestchance has a legal, oral and ethical duty of care to ensure the safety of all children who participate in our programs
- bestchance has a zero tolerance of child abuse;
- bestchance support children's right to safety;
- bestchance will act without hesitation to ensure a child safe environment is maintained; and
- bestchance act with sensitivity to the diverse characteristics of our community and support and assist children who disclose child abuse or are otherwise linked to suspected child abuse

bestchance takes its duty of care seriously and aims at all times to:

- provide the safest possible programs and environment for children
- identify and respond to any risks that may lead to harm as arise
- strive for best practice in relation to our work with children and family
- commit to supporting and providing sensitive assistance to all children who disclose child abuse or are otherwise linked to child abuse
- educate our bestchance community with regard to child safety and child protection

2. Scope

The policy applies to all bestchance employees, volunteers, Family Day Care (FDC) educators, The Cheshire School staff, visitors and contractors (our bestchance community).

This policy takes into account the diversity of all children, including but not limited to, the needs of Aboriginal and Torres Strait Islander, children, children from culturally and linguistically diverse backgrounds, children with disability and children who are vulnerable ensuring sensitivity to our whole community including that of The Cheshire School.

The policy aims to create an open and aware environment where concerns for the safety and wellbeing of a child can be raised and managed in a fair and just manner, which protects the rights of all. The policy provides guidance on how to work respectfully with children and how to respond to concerns and allegations of child abuse. Additionally, information is included about the recruitment and supervision of employees, volunteers and FDC educators.

This policy covers all forms of 'child abuse' as defined in the ERT Act, including:-

- a) Any act committed against a child involving –
 - i. A sexual offence; or
 - ii. An offence under section 49B(2) of the *Crimes Act 1958* (Grooming); and
- b) The infliction, on a child, of –
 - i. Physical violence; or
 - ii. Serious emotional or psychological harm; and
- c) Serious neglect of a child

The **Chief Executive Officer** is responsible for monitoring organisational wide compliance with this procedure.

The **Principal** of The Cheshire School is responsible for:-

- Monitoring overall school compliance with this procedure
- Ensuring all staff The Cheshire School receive annual retraining in Child Safe Standards as well as Mandatory Reporting

- Annual review of The Cheshire School Child Safe Risk Management Plan
- Annual audit of The Cheshire School Staff Matrix
- Annual performance development plans are conducted to ensure staff suitability for ongoing child centered work
- Ensuring The Cheshire School community is aware of and has access to all policies, procedures and Codes of Conduct relating to Child Safety, Child Protection and the Reportable Conduct Scheme

The **Board** is responsible for ensuring the following:-

- Development of strategies to embed a culture of child safety across the organisation including The Cheshire School
- Allocating roles and responsibilities for achieving the strategies through the four Child Safety Delegates
- The bestchance community (including that of The Cheshire School) are informed about these practices
- That an annual review is conducted of the effectiveness of the strategies and/or that these strategies are reviewed following any instances of child abuse

All **employees, staff, visitors, contractors, family day care educators and volunteers** are mandated to adhere to the following:-

- Child Safe Policy
- Child Protection Policy
- Child Safe Code of Conduct
- Reportable Conduct Scheme Policy
- Mandatory Reporting requirements

3. Guiding Principles and Context

bestchance believes that any form of child abuse and exploitation is unacceptable and has zero tolerance of child abuse. All children have a right to be safe at all times and that we have an obligation to provide safe protective services and environments.

bestchance recognises our duty of care to take all reasonable steps to ensure that children are safe from harm and will take proactive steps to create child safe and friendly programs. All decisions regarding the welfare and protection of children are made on the basis of the best interests of the child. This refers to the child receiving maximum benefit possible from services provided and that the positive impacts from any course of action outweigh any negative impacts.

bestchance is obliged to adhere to Child Protection legislation and policies. In the event it is considered that a child is at risk of harm or has been harmed within his/her family, steps as outlined in the Child Protection Policy will be followed. Most child abuse occurs within families and communities, however, children can also be at risk of abuse in organisations that provide them with support and services.

Whilst bestchance adheres to thorough employment screening practices of employees, volunteers and FDC educators; vigilance of child supervision and safety must be an ongoing process. Any concerns in relation to non-accidental harm or the risk of non-accidental harm must be immediately reported to and acted on by senior management.

Adherence to this policy is a mandatory requirement for all employees, volunteers and FDC educators, visitors and contractors.

4. Definitions

4.1 Duty of care

Duty of care is a requirement that a person/organisation act towards others with watchfulness, attention, caution and prudence that a reasonable person in the circumstances would. It is the duty of bestchance to protect children from all reasonably foreseeable risk of injury or harm.

4.2 Child protection

The term used to describe the responsibilities and activities undertaken to prevent or stop children being abused or maltreated.

4.3 Child abuse

Child abuse happens to male and female children of all ages, ethnicity and social backgrounds, abilities and religious beliefs. Child abuse includes physical, sexual, emotional, neglect, bullying and domestic violence.

Child abuse is a harmful act by parents, family members or other individuals that endangers a child or young person's physical or emotional health or development. It can be a single incident but usually takes place over time.

5. Our Commitment to Protecting Children in our Care

bestchance recognises the importance of having recruitment, behaviour and conduct processes and appropriate supervision practices in place to ensure that all employees are aware of their responsibilities towards the children and young people in their care.

5.1 Code of Conducts

All employees and volunteers are provided with the People Principles/ Code of Conduct and the Child Safety Code of Conduct as part of their recruitment and induction which they are expected to follow. These include observing the rights of clients to respect, courtesy, privacy and protection from harm or abuse.

If employees and volunteers are non-compliant in a manner that places children or young people at risk, it may be considered to be a case of serious misconduct which may result in summary dismissal and the involvement of the Victoria Police.

5.2 Procedure for the Recruitment of Employees and Volunteers

This procedure applies to all employees and volunteers regardless of whether their roles involve direct contact with children, as follows:

- All job applicants for employment are provided with a position description detailing the key selection criteria, the tasks expected to be performed and that bestchance is a child safe and equal opportunity employer.
- A minimum of two recent and relevant reference checks will occur with the preferred job applicants and volunteers.
- All offers are conditional upon a current Working with Children Check and/or Victorian Institute of Teachers (VIT) and National Police Check being successfully undertaken.
- All new employees are subject to a probationary period as prescribed in the relevant industrial agreement

5.3 Support, Supervision and Training

To create the optimum working environment where risks to children and young people are minimised, all employees are required to:

- Participate in induction, training and education processes on a regular or as required basis.
- Receive regular supervision from an up line manager.
- Participate in an annual formal performance development plan

- Undertake annual Child Safety retaining (including Mandatory Reporting where required).

bestchance is committed to the safety and wellbeing of children and is committed to child protection. It is recognised that this is a complex issue and employees must be afforded opportunities to undertake appropriate professional development to assist them in the identification of possible child abuse and to assist them to develop skills in responding to children who may have been abused. Regular professional development opportunities are communicated to all employees covering topics such as indicators of child abuse and notification procedures. In addition, more specialised education sessions are held on particular aspects of children's wellbeing and behaviour.

6. Reporting Process

bestchance values an open culture; one that supports bringing forward of observations and concerns. This is especially so with matters that impact the safety of children.

All reports and concerns about child abuse will be taken seriously and be acted on immediately.

It is mandatory for all bestchance community members to report concerns and allegations of child abuse, refer to the Child Protection Policy. These concerns may relate to a child or an employee involved in the organisation or a concern about a child within his/her family. Any concerns should be reported immediately to your respective up line manager who will report to a bestchance Child Safety Delegate.

6.1 Who should report?

Any bestchance community member including Sessional Teachers assessing a student undertaking a work placement.

Note:

- It is mandatory for any person registered as a teacher or an early childhood teacher under the Education and Training Reform Act 2006 to report physical or sexual abuse against children.
- Any adult in Victoria is mandated to report sexual offences against a child under the age of 16.

6.2 What should be reported?

- Disclosure or allegation made by a child and/or bestchance community member
- Observations or concerning behaviour exhibited by a child and/or bestchance community member or any other adult in contact with children.
- Injuries or behaviours in children that may be indicators of non-accidental injuries or harm.
- Inappropriate use of bestchance photographic and computer equipment that may be indicative of child exploitation.

6.3 Who to report to?

Concerns should be immediately reported to the employee's up line manager who will immediately notify a Child Safety Delegate.

- Safety Delegates are:-
 - The Cheshire School Principal
 - Kindergarten Cluster Program Manager
 - Family Day Care Team Manager
 - Team Manager Integrated Services

Agreed action will be implemented; and the CEO will be advised of any initial concern. The CEO will determine which incidents will be reported to the Board.

Physical and sexual assault are criminal offences. Where it is believed that an offence may have been committed, the matter will be reported to the police by bestchance.

Note: This policy does not exclude your Mandatory Reporting responsibilities.

7. Complaints Resolution Procedure

All bestchance community members are supported to come forward if they have any concern or suspicion about the behaviour of a colleague. These concerns are to be raised with your respective up line Manager who will report to a Child Safety Delegate, prior to taking any action.

These concerns will be investigated with sensitivity and discretion; and the fear of being incorrect or embarrassed should not prevent employees from raising concerns.

The respective Senior Manager and Child Safety Delegate, will:-

- determine the seriousness of the allegation/concern
- Follow the Compliment, Complaints, Feedback procedure
- Complete a Compliments, Complaints, Feedback form
- Meet with the respondent/alleged perpetrator to discuss the incident and any potential breaches of this policy, the People Principles/Code of Conduct and/or the Child Safety Code of Conduct. I
- Immediately remove from the workplace and suspend with pay whilst an investigation takes place for instances where there is an f there is indication that abuse may have occurred
- take action if the issue is considered to be serious misconduct as per the Employee Disciplinary Policy
- report the incidence to the Victoria Police if it of a criminal nature
- debrief the employees concerned to evaluate the process
- review the policies and procedures and update where required

bestchance will meet with the family to:-

- provide information and support
- Support the family to secure appropriate counselling for which bestchance will meet the cost
- Provide debriefing and/or counselling to any other families or employees associated with the incident as appropriate.

8. Breach of Policy

Individuals who fail to follow the policy and found to be in breach, may be subject to the Employee Disciplinary Policy. Depending upon the severity of the case, the consequences for breach of this policy may involve termination of employment/engagement. Any matters involving criminal conduct will be reported to the Police.

If a complaint is found to be of a frivolous or vexatious nature, disciplinary action may be taken against the complainant.

9. Relevant Legislation, Sources and Policies

- Education and Care Services National Law Act 2010 and Regulations 2011 (Vic)
- Ministerial Order 870
- Education and training Reform Act 2016

- Education and Training Reform Regulations 2017
- Australian Council for Children and Youth Organisations
- The United Nations Convention on the Rights of the Child (www.unicef.org/crc)
- Child Wellbeing and Safety Act 2005
- Working with Children Act 2005

[Child Protection Policy and Procedure](#)

[Child Safety Code of Conduct](#)

People Principles/Code of Conduct

Employee Disciplinary Policy

Recruitment and Selection Procedure

Compliments, Complaints and Feedback Procedure