



CHILD SAFE POLICY

This document provides a clear set of guidelines and procedures to ensure:

- All children within the Club are provided with a safe environment
- All reasonable steps are taken by the Club to ensure the health, safety and wellbeing of children
- Timely and effective intervention for children and young people who may be at risk of abuse and neglect.

SCOPE

This policy applies to all Club management, volunteers, parents/guardians, children (including children in child protection) and others attending the Port Fairy Football Netball Club.

DEFINITIONS

- **Abuser:** A person who mistreats and/or harms a child or young person.
- **Abuse:** (in the context of this procedure) refers to physical and/or emotional mistreatment, and/or lack of care of the child. Examples include sexual abuse, the witnessing of family violence and any non-accidental injury to a child.
- **Bullying:** Repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons.
- **Child:** In Victoria, under the Children, Youth and Families Act 2005, a child or young person is a person under 18 years of age.
- **Child abuse:** An act or omission by an adult that endangers or impairs a child's physical and/or emotional health and development. Child abuse can be a single incident but often takes place over time. Abuse, neglect and maltreatment (refer to Definitions) are generic terms used to describe situations in which a child may need protection. Child abuse includes any and all of the following:
 - **Physical abuse:** When a child suffers or is likely to suffer significant harm from an injury inflicted by a parent/guardian, caregiver or other adult. The injury may be inflicted intentionally, or be the consequence of physical punishment or the physically aggressive treatment of a child. Physical injury and significant harm to a child can also result from neglect by a parent/guardian, caregiver or other adult. The injury may take the form of bruises, cuts, burns or fractures, poisoning, internal injuries, shaking injuries or strangulation.
 - **Sexual abuse:** When a person uses power or authority over a child, or inducements such as money or special attention, to involve the child in sexual activity. It includes a wide range of sexual behaviour from inappropriate touching/fondling of a child or exposing a child to pornography, to having sex with a child.
 - **Emotional and psychological abuse:** Involves continuing behaviour by adults towards children, which erodes social competence or self-esteem over time. It occurs when a person engages in inappropriate behaviours, such as rejecting, ignoring, threatening or verbally abusing a child, or allowing others to do so (Office of the Child Safety Commissioner (OCSC), Victoria).
 - **Racial, cultural and religious abuse:** Conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion (OCSC).
 - **Neglect:** Refer to definition below.
 - **Exposure to domestic/family violence:** When children and young people witness or experience the chronic, repeated domination, coercion, intimidation and victimisation of one person by another through physical, sexual and/or emotional means within intimate relationships (adapted from the Australian Medical Association definition).



- **Child FIRST:** A Victorian community-based intake and referral service linked with Family Services. Child FIRST ensures that vulnerable children, young people and their families are effectively linked to relevant services, including Child Protection (<http://www.dhs.vic.gov.au/for-individuals/children,-families-and-youngpeople/child-protection>)
- **Child sex offender:** Someone who sexually abuses children, and who may or may not have prior convictions.
- **Child protection:** The term used to describe the whole-of-community approach to the prevention of harm to children. It includes strategic action for early intervention, for the protection of those considered most vulnerable and for responses to all forms of abuse.
- **Child Protection Service (also referred to as Child Protection):** The statutory child protection service provided by the Victorian Department of Health & Human Services, to protect children and young people at risk of abuse and neglect. This service also works closely with Family Services (including Child FIRST) to support the assessment and engagement of vulnerable children and families in community-based services (<http://www.dhs.vic.gov.au/for-individuals/children,-families-and-young-people/family-and-parenting-support>)
- **Code of conduct:** A set of rules or practices that establish a standard of behaviour to be followed by individuals and organisations. A code of conduct defines how individuals should behave towards each other, and towards other organisations and individuals in the community.
- **Disclosure:** (In the context of this policy) refers to a statement that a child or young person makes to another person that describes or reveals abuse.
- **Domestic/family violence:** The repeated use of violent, threatening, coercive or controlling behaviour by an individual against a family member(s) or someone with who they have or have had an intimate relationship, including carers.
- **Duty of care:** A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility of education and care services to provide children with an adequate level of care and protection against foreseeable harm and injury.
- **Maltreatment:** (In the context of this policy) refers to physical and/or emotional mistreatment, and/or lack of care of the child. Examples include sexual abuse, the witnessing of family violence and any non-accidental injury to a child.
- **Mandatory reporting:** The legal obligation of certain professionals and community members to report when they believe, on reasonable grounds, that a child is in need of protection from harm. A broad range of professional groups are identified in the CYFA as 'mandatory reporters'. Mandated staff members must make a report to Child Protection as soon as is practicable after forming a belief, on reasonable grounds, that a child or young person is in need of protection from significant harm as a result of physical injury or sexual abuse, and the child's parents/guardians are unwilling or unable to protect the child (Protecting the safety and wellbeing of children and young people – refer to Sources). To have reasonable grounds to believe a child is in need of protection, a mandatory reporter should believe both that there is risk of significant harm as a result of physical injury or sexual abuse, and that the parents/guardians are unwilling or unable to protect the child (Sections 162(c)(d) and 184 of the Children, Youth and Families Act 2005 (amended in 2011)). Section 182 of the Children, Youth and Families Act 2005 (amended in 2011) lists those who are mandated to report.
 - Mandatory reporters must report the abuse/neglect to:
 - police, by calling 000, if the offence requires immediate police attention, or



- Child Protection authorities, (Child Protection Crisis Line: toll free on 13 12 78, or a regional DHHS office). if they suspect, on reasonable grounds, that a child is suffering abuse or neglect, or wish to discuss their concerns about a child or young person.
- **Neglect:** The failure to provide a 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 (Victorian Department of Health & Human Services).
- **Negligence:** Doing, or failing to do something that a reasonable person would, or would not do in a certain situation, and which causes another person damage, injury or loss as a result.
- **Notifiable complaint:** A complaint that alleges a breach of the Act or Regulation, or alleges that the health, safety or wellbeing of a child at the service may have been compromised. Any complaint of this nature must be reported by STAY to DHHS. Refer CC 01 Complaints & Grievances procedure
- **Offender:** A person who mistreats and/or harms a child or young person.
- **Perpetrator:** A person who mistreats and/or harms a child or young person.
- **Reasonable grounds:** A person may form a belief on reasonable grounds that a child or young person is in need of protection after becoming aware that the child or young person's health, safety or wellbeing is at risk and the child's parents/guardians are unwilling or unable to protect them. There may be reasonable grounds for forming such a belief if:
 - a child or young person states that they have been physically or sexually abused,
 - a child or young person states that they know someone who has been physically or sexually abused (sometimes the child may be referring to themselves),
 - someone who knows the child or young person states that the child or young person has been physically or sexually abused,
 - a child shows signs of being physically or sexually abused,
 - the person is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on the child or young person's safety, stability or development,
 - the person observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision, or
 - a child's/young person's actions or behaviour may place them at risk of significant harm and the parents/guardians are unwilling or unable to protect the child.
- **Voluntary (non-mandated) notification:** A notification to the Child Protection Service by a person who believes that a child is in need of protection. Section 183 of the Children, Youth and Families Act 2005 (amended in 2011) states that any person who believes, on reasonable grounds, that a child is in need of protection, may notify a protective intervener of that belief and of the reasonable grounds that the belief is based on. Under this part of the Act, notifications are made out of moral obligation, rather than legislative obligation. The person making the notification is not expected to prove the abuse, and the law protects the anonymity of the person making the notification.
- **Young person:** In Victoria, under the Children, Youth and Families Act 2005, a child or young person is a person under 18 years of age.

POLICY

The Port Fairy Seagulls has a moral and legal responsibility to ensure that all children are safe in their care, and will provide training, resources, information and guidance to support this. The Club is committed to:

- Ensuring that the health, safety and wellbeing of children are protected at all times while also promoting their development and respecting their cultural identity.



- Fulfilling its Duty of Care (see Definitions) obligations under the law by protecting children from any reasonable, foreseeable risk or injury of harm.
- Ensuring that club members act in the best interests of the child, and take all reasonable steps to ensure the child's safety and wellbeing at all times.
- Supporting the rights of children to feel safe and be safe at all times.
- Developing and maintaining a culture in which children feel valued, respected and cared for.
- Encouraging active participation from parents/guardians and families where appropriate, and ensuring that best practice is based on a partnership approach and shared responsibility for children's health, safety, wellbeing and development.
- Promoting children's development and wellbeing.

PROCEDURES

In relation to child protection matters, the club is responsible for:

- Ensuring anyone who volunteers with children are advised of current child protection legislation, its application, and any obligations that they may have under that law (Regulation 84).
- Identifying the potential for and signs of child abuse.
- Ensuring recruitment and induction processes for Junior Club volunteers.
- Screening of volunteers (see Working With Children Policy).
- Ensuring all are aware of court orders prohibiting an adult from contacting a child while the child is at the Club.
- Maintaining confidentiality at all times.

The Club will provide a child safe environment by:

- Ensuring children are adequately supervised
- Ensuring the physical environment at the Club is safe, secure and free from hazards for children.
- Ensuring volunteers who work with children are aware that it is an offence to subject a child to any form of corporal punishment, or any discipline that is unreasonable or excessive in the circumstances.
- Protecting the rights of children and families, and encouraging their participation in decision making.

RISK MANAGEMENT

The Club 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 (social media) environments.

LEGISLATION AND STANDARDS

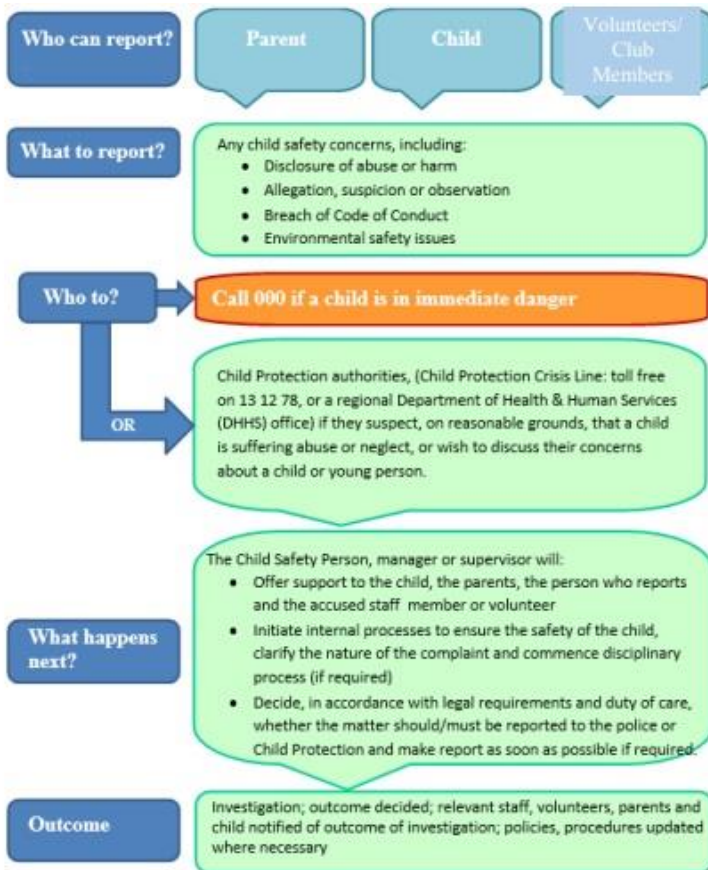
Relevant legislation and standards include but are not limited to:

- Children, Youth and Families Act 2005 (Vic), as amended 2011
- Child Wellbeing and Safety Act 2005 (Vic), as amended 2012
- Commission for Children and Young People Act 2012
- Charter of Human Rights and Responsibilities Act 2006 (Vic), as amended 2011
- Education and Care Services National Law Act 2010 (Vic): Sections 165, 166, 167
- Education and Care Services National Regulations 2011 (Vic): Regulations 84, 85, 86, 99, 100, 101, 102, 168(2)(h)
- Family Law Act 1975 (Cth), as amended 2008 and 2011
- Occupational Health & Safety Act 2004 (Vic)
- Working with Children Act 2005 (Vic)



- Working with Children Regulations 2006 (Vic)

CHILD SAFETY REPORTING PROCESS



POLICY REVIEW

This policy will be reviewed annually to ensure it remains relevant to Club operations and reflects both community expectations and legal requirements.

Resources:

- <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-andlegislation/child-safe-standards-resources>

Reference: 'The 11 Child Safe Standards', Commission for Children and Young People, <https://ccyp.vic.gov.au/child-safe-standards/the-11-child-safe-standards/>