



Policy name	<i>Child Safety Policy</i>
Version	<i>2.0</i>
Responsibility	<i>Board</i>
Date of development	<i>January 2017. Revised December 2017.</i>
Date of next review	<i>Annual review cycle, or following any reportable incident</i>
Relevant standards	<i>Child Safe Standards</i>
Relevant legislation	<i>Human Services Standards, 2012 (Vic) National Standards for Disability Services, 2013 (Cth) NDIS Terms of Business, 2016 Child Wellbeing and Safety Act 2005 (Vic). Crimes Act 1958 (Vic).</i>

Our Vision

To enhance lives and change perceptions of Down syndrome within society through dance, fitness and performance.

Purpose

- To promote child safety for participants in an e.motion21 program.
- To facilitate the prevention of child abuse occurring within e.motion21.
- To ensure all parties are aware of their responsibilities to identify and report potential child abuse.
- To provide guidance to staff, volunteers and contractors as to action that should be taken where they suspect child abuse.
- To comply with the Victorian Government's introduction of the child safe standards.
- To comply with the Reportable Conduct Scheme as administered by the Commission for Children and Young People (Vic).

Related Policy	Forms
Code of Conduct	Incident Report
Privacy Policy	
Recruitment Policy	
Incident Reporting Policy and Procedure	

Policy

e.motion21:

- is committed to promoting and protecting the best interests and safety of children involved in its programs;
- is committed to preventing child abuse and identifying risks early, and removing or minimising these risks to the extent possible;
- has zero tolerance for child abuse;
- supports and respects all children, staff and volunteers;
- is committed to the cultural safety of Aboriginal children and those from culturally and/or linguistically diverse backgrounds; and
- is committed to providing a safe environment for children living with a disability.

Responsibilities

Every person working or volunteering at e.motion21 is responsible for the care and protection and reporting information about child abuse.

The **Board** of e.motion21 has ultimate responsibility for the detection and prevention of child abuse and is responsible for ensuring that:

- appropriate and effective internal control systems are in place; and
- appropriate policies and procedures and a Child Protection Code of Conduct are in place.

The **Chief Executive Officer** of e.motion21 is responsible for:

- investigating reports of child abuse and, where necessary, filing reports with the relevant regulatory bodies in accord with regulations;
- ensuring that all staff, contractors and volunteers are aware of relevant laws, organisational policies and procedures and the Child Protection Code of Conduct and their obligations under these documents;
- ensuring that all adults within the e.motion21 community are aware of their obligation to report suspected child abuse of a child in accordance with these policies and procedures; and
- providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.

The Chief Executive Officer, Artistic Director and Volunteer Coordinator must ensure that they:

- promote child safety at all times;
- assess the risk of child abuse within their area of control and remove or minimise the risk to the extent possible;
- educate employees and volunteers about the prevention and detection of child abuse; and
- facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

All staff, volunteers and contractors share in the responsibility for the prevention and detection of child abuse and must:

- familiarise themselves with the relevant laws, the Child Protection Code of Conduct and this and any other policies in relation to child protection and comply with all requirements;
- report any reasonable belief that a child's safety is at risk to the relevant authorities and fulfil their obligations as mandatory reporters;
- report any suspicion that a child's safety may be at risk to the Chief Executive Officer (or, if the Chief Executive Officer is involved in the suspicion, to the Chairman of the Board); and
- provide an environment that is supportive of all children's emotional and physical safety.

Recruitment

e.motion21 undertakes a comprehensive recruitment and screening process for all workers and volunteers which aims to:

- promote and protect the safety of all children under the care of the organisation;
- identify the safest and most suitable people who share e.motion21's values and commitment to protect children; and
- prevent a person from working at e.motion21 if they pose a risk to children.

e.motion21 undertakes pre-employment screening and requires all staff, volunteers and contractors engaged in child-related work to undergo a police check, a working with children check and a Disability Worker Exclusion Scheme (DWES) check before commencing work and during their time with e.motion21 at regular intervals, and to provide evidence of these checks.

Once engaged, workers and volunteers are provided with this Policy and must review and acknowledge their understanding of this Policy.

Risk Management

e.motion21 ensures that child safety is a part of its overall risk management approach. We are committed to protecting children once a risk is identified and have risk management strategies in place to identify, assess and take steps to minimise child abuse risks, including risks posed by physical environments and online environments.

e.motion21 has a Finance and Risk Management Committee which is committed to identifying and managing risks at e.motion21. Committee members will receive training in relation to child safety.

Reporting

Any staff member, volunteer or contractor who has reasonable grounds for belief that child abuse of any kind has occurred must immediately notify their line manager. The line manager will then notify the Chief Executive Officer who's responsibility it is to determine whether the abuse is of major or minor impact (as defined by the CCYP) and, where appropriate, notify both the Department of Health and Human Services (via CIMS) and the Commission for Children and Young People (Vic) and/or Victoria Police. If the Chief Executive Officer is suspected of involvement, or if the person who has formed the reasonable belief does not believe the matter is being appropriately addressed, the matter should be reported to the Chairman of the Board who will follow the aforementioned regulatory reporting process.

The Chief Executive Officer must report complaints of suspected child abuse to the Board and to any external regulatory body such as the Department of Human Services, the Commission for Children and Young People or Victoria Police.

In addition, at e.motion21 we acknowledge and take our 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 an adult has committed a sexual offence (including grooming) against a child under 16 has an obligation to report that information to the police.
- **Failure to protect** – people of authority within e.motion21 will commit an offence if they know of a substantial risk of child sexual abuse (including grooming) by a person associated with e.motion21 and have the power or responsibility to reduce or remove the risk but negligently fail to do so.

If a staff member, volunteer or contractor has concerns about whether they are required to disclose information and/or to which authority the information should be disclosed, they should speak to the CEO as soon as possible so that assistance can be provided.

Investigating

If the appropriate child protection service (the Department of Human Services and the Commission for Children and Young People) or Victoria Police decide to conduct an investigation based on a report made by a staff member, volunteer or contractor of e.motion21, all staff members, volunteers and contractors must cooperate fully with the investigation.

Whether or not the authorities decide to conduct an investigation, the Chief Executive Officer will consult with the authorities to determine whether an internal investigation is appropriate. All staff members, volunteers and contractors must cooperate fully with the investigation.

Any such investigation will be conducted according to the rules of natural justice. The Chief Executive Officer 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 Chief Executive Officer 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.

Responding

If it is alleged that a member of staff, volunteer or contractor may have committed an offence or have breached e.motion21's policies or the Child Safety 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 e.motion21's policies or the Child Safety Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or termination of employment with e.motion21. The findings of the investigation will also be reported to any external body as required.

Privacy

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. e.motion21 has safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how the personal information is recorded, what will be done with it, and who will be able to access it.

Definitions

Child means a person participating in an e.motion21 program who is below the age of 18 years, unless, under the law applicable to the child, majority is attained earlier.

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

Child Abuse

Child abuse includes any action that results in actual or potential harm to a child and includes—

- (a) any act committed against a child involving—
 - (i) a sexual offence; or
 - (ii) an offence of grooming; and
- (b) the infliction, on a child, of—
 - (i) physical violence; or
 - (ii) serious emotional or psychological harm; and
- (c) the serious neglect of a child.

Reportable behaviour/conduct (as defined by the CCYP) – see information sheet 'What is Reportable Conduct' <https://www.dropbox.com/s/8yzqea6m8xysf9/What-is-reportable-conduct.docx?dl=0>

Reasonable grounds for belief or reasonable belief is a belief based on reasonable grounds that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. A 'reasonable belief' 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 may 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; or
- (d) signs of abuse lead to a belief that the child has been physically or sexually abused.

Document history			
Date of review	Reviewed by	Endorsed by	Notes
9 February 2017	NDIS Project Officer/Chief Executive Officer	Board	
12 December 2017	NDIS Project Officer/ Chief Executive Officer		
February 2018	NDIS/DHHS Project Officer/Chief Executive Officer		Board reviewed and accepted changes in line with new legislative requirements