

**Wyndham Community and Education Centre Inc
Policy and Procedure**

Policy name	Child Safe Policy & Procedure (including Statement of Commitment)
Responsible person	Board, CEO, Managers, Child Safety Officer
Staff involved	All staff, contractors and volunteers
Review dates	2019
Related documents	<p><u>Legislation:</u> Child Wellbeing and Safety Act 2005 (Vic), Working with Children Act 2005 (Vic), Children, Youth and Families Act 2005 (Vic), Commission for Children and Young people Act 2012 (Vic), Crimes Act 1958 (Vic), Crimes Amendment (Protection of Children) Act 2014, Crimes Amendment (Grooming) Act 2014 (Vic), Charter of Human Rights and Responsibilities Act 2006 (Vic), Disability Act 2006 (Vic), Disability Regulations 2007, Education and Training Reform Act 2006 (Vic), Education and Training Reform Regulations 2007 (Vic), Equal Opportunity Act 2010 (Vic), Multicultural Victoria Act 2011 (Vic), Health Records Act 2001 (Vic), Public Records Act 1973 (Vic), Racial and Religious Tolerance Act 2001 (Vic), Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Com), Privacy Regulations 2013, Occupational Health and Safety Act 2004 (Vic), Ministerial Order 870 Child Safe Standards -Managing the risk of child abuse in schools, Reportable Conduct Scheme (legislated from 1 July 2017)</p> <p><u>Policies:</u> Access & Equity Policy & Procedure, Complaints and Appeals Policy & Procedure, Privacy Policy & Procedure, Mandatory Reporting Policy & Procedure, Staff Recruitment Policy & Procedure, Critical Incident & Emergency Management Policy & Procedure, Equal Employment Opportunity Policy & Procedure, Records Management & Record keeping Policy & Procedure, Risk Identification & Management Policy & Procedure, Excursions Policy and Procedure, National Police Check, Working with Children Check and VIT Registration Policy and Procedure, Cyberbullying Policy and Procedure, Harassment, Discrimination, Victimisation and Anti-Bullying Policy & Procedure, Student Well Being and Duty of Care in VCAL (includes procedures for under-18s) Policy and Procedure, Student Safety and Welfare in VET Programs Policy & Procedure, Governance Policy and Procedure, Marketing, Advertising and Promotions Policy and Procedure, Quality Management & Continuous Improvement Policy and Procedure</p>

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Version: 2018v1

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Page 1 of 14

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G:\2018\2018 Compliance_P&P_AQTF\Policies\Management\Child Safe\Child Safe Policy and Procedure and Statement of Commitment.docx

Wyndham Community and Education Centre Inc Policy and Procedure

<p><u>Other:</u></p> <p>Staff Code of Conduct, Student Placement Procedure (VET), Structured Workplace learning Procedure (VETiS), Structured Workplace learning Procedure (VCAL), Privacy & Your Rights flier, Critical Incident Form, Failure to Protect information and fact sheet is available at - http://www.justice.vic.gov.au/</p> <p>Failure to disclose information and fact sheet available at http://www.justice.vic.gov.au/</p> <p>Guide to Making a Report to Child Protection or Child FIRST, How to make a report to Child protection is available at www.dhs.vic.gov.au</p> <p>Overview of the Victorian Child Safe Standards, Childsafe standards resources http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards-resources</p> <p>A Guide for Creating a Child safe Organisation at http://www.ccyp.vic.gov.au/aboutus/news/child-safe-law.htm</p> <p>Betrayal of Trust Report, United Nations Convention on the Rights of the Child – www.unicef.org/crc Charter of Human Rights and Responsibilities – www.humanrightscommission.vic.gov.au, Royal Commission – www.childabuseroyalcommission.gov.au</p>

Purpose

Creating a child safe environment is part of the Victorian Government's response to the report of the Parliamentary Inquiry into the Handling of Child Abuse (Betrayal of Trust Inquiry).

This policy and procedure including the Statement of Commitment demonstrate Wyndham Community and Education Centre's determination to provide a child safe environment for children and families accessing programs and services.

Wyndham Community and Education Centre supports the premise that children's safety is everyone's responsibility.

Commitment to Child Safety

Wyndham Community and Education centre Inc. (Wyndham CEC) is committed to child safety.

Wyndham CEC wants children to be safe, happy and empowered and supports and respects children attending the Centre, as well as staff and volunteers.

Wyndham CEC is committed to the safety, participation and empowerment of all children.

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Version: 2018v1

Document number: 409

Page 2 of 14

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G:\2018\2018 Compliance_P&P_AQTF\Policies\Management\Child Safe\Child Safe Policy and Procedure and Statement of Commitment.docx

Wyndham Community and Education Centre Inc

Policy and Procedure

Wyndham CEC has **zero tolerance** of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our policies and procedures.

Wyndham CEC has legal and moral obligations to contact authorities when concerned about a child's safety.

Wyndham CEC is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.

Wyndham CEC has robust HR and recruitment practices for staff and volunteers.

Wyndham CEC is committed to training and educating staff and volunteers on child abuse risks.

Wyndham CEC is committed to the cultural safety of Aboriginal children, the cultural safety of children from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.

Wyndham CEC has specific policies, procedures and training in place that support the management team, staff and volunteers to achieve these commitments.

If you believe a child is at immediate risk of abuse phone 000.

Policy Context

The introduction of compulsory minimum Child Safe Standards is part of the Victorian Government's response to the recommendations from the Betrayal of Trust Report. Legislation passed in Victoria gives the Commission for Children & Young People (the Commission) new regulatory powers to oversee and enforce compliance with the standards, giving the Commission the ability to request information and documents from organisations and, inspect premises where services are provided for children.

The VRQA will continue to be the main authority for non-government schools on the standards and compliance.

Policy

Wyndham CEC is committed to doing more to prevent and respond to child abuse in the community and will use the child Safe Standards to promote and embed a culture of protecting children across the organisation.

This policy and procedure is intended to provide clear guidelines, principles and processes for staff, contractors and volunteers within Wyndham CEC and for parents and children accessing a program or service at Wyndham CEC. It is intended to empower children who participate in Wyndham CEC programs or services. It includes responsibilities for the welfare of children outside of normal program contact hours

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Version: 2018v1

Document number: 409

Page 3 of 14

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G:\2018\2018 Compliance_P&P_AQTF\Policies\Management\Child Safe\Child Safe Policy and Procedure and Statement of Commitment.docx

Wyndham Community and Education Centre Inc

Policy and Procedure

such as camps, excursions, after-hours activities or structured workplace learning/ work placements.

The safety and well-being of children and young people is a priority for Wyndham CEC across the programs and services. Wyndham CEC has a zero tolerance approach to child abuse.

In Victoria, failure to report suspected or disclosed child abuse is a criminal offence. Failure to protect children is also a criminal offence and people in authority can face penalties including 5 years imprisonment for failing to protect a child.

Child Safe Standards

Standard 1 - strategies to embed an organisational culture of child safety, including through effective leadership arrangements

Standard 2 - a child safe policy or statement of commitment to child safety

Standard 3 - a code of conduct that establishes clear expectations for appropriate behaviour with children

Standard 4 - screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel

Standard 5 - processes for responding to and reporting suspected child abuse

Standard 6 - strategies to identify and reduce or remove risks of child abuse

Standard 7 - strategies to promote the participation and empowerment of children.

In complying with the child safe standards, Wyndham CEC recognises the following principles are integral to each standard:

- promoting the cultural safety of Aboriginal children
- promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
- promoting the safety of children with a disability

Wyndham CEC's children

This policy is intended to empower children who are students or clients of Wyndham CEC programs and activities. Wyndham CEC involves young people when making decisions, especially about matters that directly affect them.

Wyndham CEC's people and community are diverse. Wyndham CEC works with people from all walks of life who reflect the broad diversity of the Victorian community. Through Wyndham CEC's service units, diverse people, expansive networks and strong partnerships, we are inclusive of the needs of all children; particularly those who are vulnerable due to their age, family circumstances, disability, indigenous or CALD backgrounds.

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Version: 2018v1

Document number: 409

Page 4 of 14

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G:\2018\2018 Compliance_P&P_AQTF\Policies\Management\Child Safe\Child Safe Policy and Procedure and Statement of Commitment.docx

Wyndham Community and Education Centre Inc

Policy and Procedure

Wyndham CEC's staff and volunteers

This policy provides the foundation for child safety across Wyndham CEC. It outlines a clear commitment to child safety and Wyndham CEC's zero tolerance of child abuse. Alongside the Staff Code of Conduct, this policy and procedure establishes clear expectations and guidance for all staff, contractors and volunteers on how to behave appropriately with children across the organisation.

Procedures

Child Safety Officer

Wyndham CEC has a Child Safety Officer – Lesley Nallawalla who has knowledge of child safety issues and is a point of contact and resource for staff, volunteers and children who have questions or concerns, need advice or want to report an allegation of child abuse.

Lesley can be contacted at Head Office: 20 Synnot Street, Werribee VIC 3030

PH: 97424013

E: lesleyn@wyndhamcec.org.au

The Child Safety Office is on the first floor at the top of the stairs.

Wyndham CEC ensures that its children and young people and their families know their rights and how to access the Child safety Officer and Wyndham CEC's complaints processes. The Child Safety Officer will make herself known to students annually as a point of contact.

Posters of the Child Safety officer are displayed at all venues delivering child-related programs and services.

Staff and student induction processes include reference and introduction to the Child Safety Officer.

The Child Safe Officer will assist the management team to implement child safe practices and promote awareness of acceptable and unacceptable behaviour of students and staff.

The Child Safe Officer will also assist the VCAL Youth Manager to implement educational strategies and programs into the curriculum that promote healthy and respectful relationships.

Wyndham CEC surveys its children and their families and welcomes feedback from young people who access our programs and services. Through our feedback action plan we act on any concerns raised. Feedback and survey responses are tabled at Board level.

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Version: 2018v1

Document number: 409

Page 5 of 14

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G:\2018\2018 Compliance_P&P_AQTF\Policies\Management\Child Safe\Child Safe Policy and Procedure and Statement of Commitment.docx

Wyndham Community and Education Centre Inc

Policy and Procedure

Professional Development

Training and education is important to ensure that everyone at Wyndham CEC understands that child safety is everyone's responsibility.

Wyndham CEC culture aims for all staff and volunteers to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

Wyndham CEC will source Professional Development to train staff to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

Wyndham CEC will ensure that staff and volunteers understand the commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate.

Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services (DHHS) and Victoria Police, depending on the severity and urgency of the matter.

The Child Safety Officer will undertake relevant Professional Development (PD) in child safety as it becomes available. Resources will be shared with relevant staff.

The Senior Management Team is responsible for identifying relevant PD and ensuring staff undertake appropriate training.

Cultural Safety

Wyndham CEC promotes the cultural safety of aboriginal, culturally & linguistically diverse, and, children of all abilities through its employment practices, professional development programs, networks and partnerships, and, through specialist staff working across the organisation including;

- creating an environment that is respectful of aboriginal culture
- creating an environment that is respectful and inclusive of families from CALD background
- committing to making the environment safe and accessible for children with a disability
- employing staff who are representative of our local community
- supporting children of same sex attracted, intersex and gender diverse

Recruitment

Wyndham CEC takes all reasonable steps to employ skilled and qualified people to work with children. Recruitment practices are in place to manage and reduce the risk of child abuse. Wyndham CEC's recruitment practices demonstrate a commitment to child safety and an awareness of its social and legislative responsibilities when recruiting staff, contractors and volunteers.

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Version: 2018v1

Document number: 409

Page 6 of 14

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G:\2018\2018 Compliance_P&P_AQTF\Policies\Management\Child Safe\Child Safe Policy and Procedure and Statement of Commitment.docx

Wyndham Community and Education Centre Inc

Policy and Procedure

Wyndham CEC's management team follows the National Police Check, Working with Children Check and VIT Registration Policy and Procedure for all people engaged in child-related work, including volunteers.

Wyndham CEC carries out thorough reference checks and security screening to ensure that the right people are recruited.

In addition, Wyndham CEC has staff and volunteer induction programs, professional development and staff supervision arrangements (as required) that ensure a child-safe environment.

Staff job descriptions include a reference to the child safe standards.

Fair procedures for Staff, Contractors and Volunteers

The safety and wellbeing of children is very important to Wyndham CEC. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

Wyndham CEC follows the Critical Incident & Emergency Management Policy & Procedure to record all allegations of abuse and safety concerns.

Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety.

Wyndham CEC has safeguards and practices in place to ensure any personal information is protected.

Legislative Responsibilities

Wyndham CEC takes its legal responsibilities seriously, including:

On 1 July 2017, the *Reportable Conduct Scheme* commenced in Victoria. Allegations of child abuse or misconduct involving children (reportable conduct) made against employees, must be reported to the Commission for Children and Young People. This scheme does not override other legal obligations under mandatory reporting.

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 against a child under 16 have an obligation to report that information to the police. This offence applies to all adults, not just professionals who work with children.

Failure to protect: People of authority in the organisation will commit an offence if they know of a substantial risk of child sexual abuse by someone in the organisation and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

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Version: 2018v1

Document number: 409

Page 7 of 14

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G:\2018\2018 Compliance_P&P_AQTF\Policies\Management\Child Safe\Child Safe Policy and Procedure and Statement of Commitment.docx

Wyndham Community and Education Centre Inc

Policy and Procedure

Grooming offences: A grooming offence is now in effect to target individuals who communicate with a child or their parents with the intent of committing child sexual abuse.

Any staff who are **mandatory reporters** must still comply with these responsibilities.

Risk Management

In Victoria, organisations are required to protect children when a risk is identified (see information about failure to protect above). In addition to other organisational risks, Wyndham CEC proactively manages and reduces risks of abuse to children accessing programs and services.

Wyndham CEC has risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments (for example, no staff or volunteer is to have contact with a child in organisations on social media). Strategies include: providing effective leadership and governance; robust recruitment and induction processes, and ongoing access to professional development; program and service review processes; and, the appointment of a Child Safety Officer.

Wyndham CEC monitors and evaluates risks in relation to Structured Workplace Learning, Work Experience and Work Placements, excursions, camps and other after-hours activities.

This policy will be reviewed annually and following any significant incidents or events as they occur. Wyndham CEC networks with relevant organisations that work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

Wyndham CEC's Risk Identification and Management Policy and Procedure is reviewed annually by the Board and management team. The resulting Risk Plan is reviewed twice a year.

Structured Workplace Learning (SWL) and Work Experience (WE)

Standard six of the Child Safe Standards requires Wyndham CEC to monitor and evaluate risks management strategies to ensure child safety in school environments.

The VCAL & Youth Manager is responsible for developing and monitoring risk management strategies prior to any students undertaking SWL or WE.

Allegations, Concerns and Complaints

Wyndham CEC takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Relevant staff and volunteers will be trained to deal appropriately with allegations.

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Version: 2018v1

Document number: 409

Page 8 of 14

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G:\2018\2018 Compliance_P&P_AQTF\Policies\Management\Child Safe\Child Safe Policy and Procedure and Statement of Commitment.docx

Wyndham Community and Education Centre Inc Policy and Procedure

Wyndham CEC works to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

We **all** have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident has taken place.

Suspected abuse and reasonable belief

If a staff member or volunteer is concerned that a Wyndham CEC student or client aged 16 or under is at risk of or, is experiencing sexual or other criminal abuse, they have a responsibility to report the matter to the Child protection Authority.

Factors contributing to reasonable belief may be (but are not limited to):

- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- behaviour consistent with that of an abuse victim is observed
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour
- observing grooming behaviour
- knowledge of inappropriate gifts
- inappropriate online behaviour and/ or inappropriate boundaries
- knowledge of secretive relationships

What do I do?

- If the child is at immediate risk, call **000**
- If the victim is aged 16 or under, a report must be made to the relevant Child Protection Authority (DHHS) – call **1300 664 977** during business hours or **13 12 78** after-hours (also see ChildFirst steps and Mandatory Reporting Policy and Procedure for guidance).
- If the victim is aged 17 or above, Wyndham CEC encourages reporting to the Police and will support the person if they choose to make the report.
- If a victim aged 17 or above discloses an offence that occurred when they were under 16 and the offence was committed by someone 18 or over, the offence must be reported to police unless the victim requests confidentiality. Any such report must be done with the relevant program manager, CEO or Child Safety Officer.
- If a victim aged 17 or above decides not to report the offence but details of the alleged perpetrator are known to the person who has had the offence disclosed to, consideration must be given to reporting the known details. The decision whether to report must be made in consultation with the direct manager, CEO and /or Child Safety Officer and must consider the potential risk to the community, the victim,

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Version: 2018v1

Document number: 409

Page 9 of 14

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G:\2018\2018 Compliance_P&P_AQTF\Policies\Management\Child Safe\Child Safe Policy and Procedure and Statement of Commitment.docx

Wyndham Community and Education Centre Inc Policy and Procedure

and the age of the victim when the alleged offence occurred. All discussions and decisions must be documented using the Critical Incident Form.

- Report any allegations or concerns to the CEO, your direct Manager or the Child Safety Officer, immediately you become aware of an incident, event or allegation regarding a Wyndham CEC staff member, volunteer or contractor.
- The CEO or Deputy CEO will immediately suspend the staff member or volunteer while an investigation is undertaken.
- If an alleged perpetrator is a Wyndham CEC student or client, staff must consider reporting to Police. If there is reasonable belief that a child under 17 is at risk, a report must be made to Child protection who will liaise with Police. All decisions must be made with your direct manager, the CEO or Child Safety Officer.
- Staff dealing with disclosures and suspected abuse can also seek secondary advice from West CASA - <http://westcasa.org.au/> or Victoria Police Sexual Offences and Child Abuse Investigation Teams (SOCIT) on (03) 8398 9860

What about leaving children unattended?

In Victoria, it is an offence to leave a child unattended for any longer than is reasonable, without making appropriate arrangements for the child's supervision and care. This includes leaving a child at home or in a car or anywhere else unattended.

In Victoria, there is no set age at which it is legal to leave a child unattended.

For more information see <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/leaving-children-unattended>

Parent Line Victoria can also provide information on 13 22 89 between 8am and midnight, 7 days a week or view

<http://www.education.vic.gov.au/about/contact/Pages/parentline.aspx>

Remember:

- Ring **000** if you believe a child is at immediate risk
- Report all allegations or incidents where there is a reasonable belief
- Follow the steps above
- Speak to the CEO, your Manager or Child Safety Officer to seek advice or guidance if you need to
- Complete and lodge an incident report for any event you report (follow the Critical Incident and Emergency Management Policy and Procedure)

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Version: 2018v1

Document number: 409

Page 10 of 14

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G:\2018\2018 Compliance_P&P_AQTF\Policies\Management\Child Safe\Child Safe Policy and Procedure and Statement of Commitment.docx

Wyndham Community and Education Centre Inc

Policy and Procedure

Procedures: Child Safe Standards

Standard 1 - *strategies to embed an organisational culture of child safety, including through effective leadership arrangements*

- Wyndham CEC has a dedicated Child Safety officer in place who together with the CEO and management team leads implementation of the standards.
- Wyndham CEC conducts a child safety review annually
- Wyndham CEC reviews its child safe policy and procedure annually
- Wyndham CEC reviews & updates its risk management plan annually
- Wyndham CEC considers the diversity of its children and families and their needs when developing supports and supervising children
- Wyndham CEC has developed a statement of commitment

Standard 2 - *a child safe policy or statement of commitment to child safety*

- Wyndham CEC has a detailed Child Safe Policy & Procedure which includes a commitment to child safety. This is also referenced in Wyndham CEC's Strategic Plan and Risk Plan.
- Wyndham CEC reviews its policy annually

Standard 3 - *a code of conduct that establishes clear expectations for appropriate behaviour with children*

- Wyndham CEC's Code of Conduct for Staff outlines clear expectations for appropriate staff behavior including with children/ students under the age of 18. The Code applies to all staff, volunteers and contractors.
- Wyndham CEC reviews its Codes of Conduct regularly and sets a date in the schedule for review annually
- Wyndham CEC communicates the Code to all staff

Standard 4 - *screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel*

- Wyndham CEC has rigorous screening mechanisms in place including: Working with Children Checks; National Police Checks at point of employment; Referee checks (2).
- Wyndham CEC's formal induction process includes setting expectations regarding appropriate behavior with all students, including those under 18.
- Wyndham CEC promotes child safety in its job advertisements
- Wyndham CEC has a statement regarding child safety in all Job Descriptions
- Wyndham CEC reviews its Police Check Policy annually

Standard 5 - *processes for responding to and reporting suspected child abuse*

- Wyndham CEC's Child Safe and mandatory reporting Policies & procedures provide staff with clear guidelines as to how to respond to and report suspected child abuse.
- Wyndham CEC has a number of mechanisms for reporting including access to a staff member trained in child safe standards (Child Safety Officer)
- Wyndham CEC maintains clear records of any child safe incidents

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Version: 2018v1

Document number: 409

Page 11 of 14

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G:\2018\2018 Compliance_P&P_AQTF\Policies\Management\Child Safe\Child Safe Policy and Procedure and Statement of Commitment.docx

Wyndham Community and Education Centre Inc Policy and Procedure

Standard 6 - *strategies to identify and reduce or remove risks of child abuse*

- Wyndham CEC's Risk Plan identifies risk of child abuse and outlines strategies for removing risks.
- Wyndham CEC has rigorous safety screening processes and a dedicated youth-safe venue.
- Wyndham CEC reviews its Risk Plan annually with Board and other stakeholders
- The senior management team schedules two reviews of the Risk Plan annually and monitors it monthly
- Wyndham CEC's school lawyer works with children to promote community legal education workshops on cyber, online and mobile phone safety
- Wyndham CEC has a policy on cyberbullying which is reviewed annually

Standard 7 - *strategies to promote the participation and empowerment of children.*

- Wyndham CEC has a school lawyer who provides community education sessions which include information and support around abuse.
- Staff in collaboration with the Child safety officer, encourage children to speak up.
- Wyndham CEC's youth team provide children with information about how to keep safe

In complying with the child safe standards, Wyndham CEC recognises the following principles are integral to each standard:

- promoting the cultural safety of Aboriginal children
- promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
- promoting the safety of children with a disability

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Page 12 of 14

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G:\2018\2018 Compliance_P&P_AQTF\Policies\Management\Child Safe\Child Safe Policy and Procedure and Statement of Commitment.docx

Wyndham Community and Education Centre Inc Policy and Procedure

What do I do? Step by step checklist

<p>Is the child/ student/ client 16 or under?</p>	<p>YES <input type="checkbox"/></p> <p>Notify child protection authority (in consultation with CEO, Manager or Child safety officer)</p> <p>Child protection authority will notify police when appropriate</p> <p>Support and referral for child</p> <p>Incident report to CEO</p>
<p>Is the student/ client 17 or over?</p>	<p>YES <input type="checkbox"/></p> <p>Support and referral for client</p> <p>Information re legal options</p> <p>If details of the alleged perpetrator are known, a decision whether to report must be made in consultation with the direct manager, CEO and /or Child Safety Officer.</p> <p>Incident report to CEO</p>
<p>If the student/ client is currently 17 or over, were they under 16 at the time of the alleged offence?</p>	<p>YES <input type="checkbox"/></p> <p>If the offence was committed by someone 18 or above, the offence must be reported to Police unless the victim requests confidentiality. Any report to police must be done in consultation with the direct manager, CEO and /or Child Safety Officer.</p> <p>Incident report to CEO</p>
<p>Is the alleged perpetrator a staff member or volunteer of Wyndham CEC?</p>	<p>YES <input type="checkbox"/></p> <p>Immediate report to CEO/ Deputy CEO</p> <p>CEO or Deputy reports to Police and cooperates with any investigation</p> <p>Immediate suspension of staff / volunteer from duties while investigation is undertaken</p>
<p>Is the alleged perpetrator a student or client of Wyndham CEC?</p>	<p>YES <input type="checkbox"/></p>

This document was accepted by the Board of Governance of the Wyndham Community and Education Centre Inc on 2/02/18 and supersedes all previous versions.

Version: 2018v1

Document number: 409

Page 13 of 14

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Wyndham Community and Education Centre Inc Policy and Procedure

	<p>Immediate report to CEO/ Deputy CEO</p> <p>If child is under 17 and at risk of sexual abuse, report to Child Protection who will report to police if appropriate</p> <p>Consider a report to Police</p> <p>Support victim and refer to specialist services</p> <p>Incident report to CEO</p>
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