

Child Safety and Protection Policy and Procedures

Objectives

The objectives of this policy are to:

- Comply with VARTA's obligations as set out in the *Child Wellbeing and Safety Act 2005 (Vic)*
- Set out overarching principles pertaining to child safety and wellbeing
- Demonstrate VARTA's commitment to child safety and preventing child abuse
- Comply with the Code of Conduct for Victorian public sector employees and the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*, as well as the *International Convention on the Rights of the Child*.

This policy and procedures will enable VARTA to:

- Facilitate the prevention of child abuse occurring at VARTA
- Work towards an organisational culture of child safety
- Ensure that all parties are aware of their responsibilities for identifying child abuse and establishing controls and procedures for preventing such abuse and/or detecting it when it occurs
- Provide guidance to staff and contractors as to when and how action should be taken when they suspect child abuse
- Set out acceptable behaviour towards children within the scope of VARTA's functions
- Provide assurance that any suspected abuse will be reported and investigated.

Overarching principles

These overarching principles are consistent with the guiding principles of the *Assisted Reproductive Treatment Act 2008 (Vic)* and the *Child Wellbeing and Safety Act 2005 (Vic)*. The following principles will guide VARTA's development and review of policies and procedures pertaining to child protection and safety:

- The welfare, best interests and safety of the child are paramount and are the responsibilities of society as a whole
- Children's safety, health, development and wellbeing should be promoted and protected
- Sensitivity should be shown to the unique cultural, social and psychological circumstances of each child
- Children should be empowered and engaged in working towards their own interests

Commitment to child safety

VARTA is committed to promoting and protecting the interests and safety of children. As an organisation, we do not tolerate any form of child abuse. VARTA recognises its' commitment to children of culturally and linguistically diverse backgrounds, as well as children with disabilities.

All employees of VARTA are responsible for the care and protection of children and reporting information about child abuse, in accordance with this policy and our Code of Conduct.

Definitions

Wherever possible, these definitions are consistent with those in the *Child Wellbeing and Safety Act 2005 (Vic)*.

Term	Meaning
Child	A person who is under the age of 18 years
Child protection	Any responsibility, measure or activity undertaken to safeguard children from harm
Child abuse	Any form of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect, commercial or other exploitation of a child. It includes any actions resulting in actual or potential harm to a child.
Code of Conduct	Code of Conduct for Victorian public sector employees

Roles and Responsibilities

Position	Roles and Responsibilities
The Board of VARTA	<ul style="list-style-type: none"> • Ensure that appropriate and effective internal control systems are in place • Ensure that appropriate policies and procedures surrounding child protection are in place • Ensure compliance with the Code of Conduct
Chief Executive Officer	<ul style="list-style-type: none"> • Deal with and investigate reports of child abuse • Ensure that all staff are aware of relevant laws, organisational policies and procedures • Ensure compliance with the Code of Conduct • Provide support for staff in undertaking their child protection responsibilities
Managers	<ul style="list-style-type: none"> • Promote child safety at all times • Be familiar with the types of child abuse that could occur • Assess the risk of child abuse within their area of controls and minimise or eradicate that risk to the extent that is possible • Educate other staff about the prevention and detection of child abuse • Facilitate the reporting of inappropriate behaviour or suspected abusive activities
All other staff	<ul style="list-style-type: none"> • Prevent and detect child abuse • Familiarise themselves with the relevant laws, the Code of Conduct and VARTA's procedures in relation to child protection • Comply with VARTA's child protection policies and procedures • Report any suspicions to the CEO • Foster an environment that recognises child safety and protection as important

Risk Management

Child safety will be considered as part of VARTA's overall risk management approach.

VARTA's Finance, Audit and Risk Management Committee is committed to identifying and managing risks pertaining to child safety at VARTA.

Reporting an incident

Any staff members who has grounds to suspect abusive activity must immediately notify VARTA's CEO who will report the activity to the Board and the police if necessary.

A staff member may also make a report to the Secretary of the Department of Human Services if they have a significant concern for the wellbeing of a child, in accordance with section 28 of the *Children, Youth and Families Act 2005 (Vic)*. Under section 40 of that Act, such a report will not constitute unprofessional conduct or a breach of professional ethics, nor will it subject the reporter to any liability. Under section 41 of that Act, the name and identifying information of the report will not be disclosed to any person.

VARTA staff do not have any mandatory reporting responsibilities under Victorian law with respect to child safety.

Investigating an incident

If the police conduct an investigation related to a child abuse incident reported by VARTA, all staff must fully co-operate with that investigation.

If the authorities choose not to conduct an investigation, the CEO is to consult with them to determine whether an internal investigation is appropriate. The CEO may then conduct such an investigation, coordinating VARTA's internal efforts with the efforts of the authorities and/or legal professionals. All staff must fully co-operate with that internal investigation. Any investigation of this kind will be conducted with regard to the rules of natural justice and procedural fairness. The confidentiality of the investigation will be maintained.

The findings of this investigation will be reported to an external body if legally required.

Responding to an incident

If a member of VARTA's staff may have or has committed an offence, breached VARTA's policies and procedures or its Code of Conduct, the person may be stood down while an investigation is conducted.

If the investigation determines that an offence or breach has occurred, disciplinary action may follow.

Privacy

With respect to all its functions and responsibilities, VARTA takes privacy considerations into account fully. In accordance with the *Privacy and Data Protection Act 2014 (Vic)*, any personal or sensitive information pertaining to child safety and protection will not be disclosed unless it is necessary to ensure individual safety.

Review and Compliance

This policy and related documents will be reviewed every two years and following every reportable incident. A review will assess whether the policies and procedures are compliant

with the Child Safe Standards and how children to whom VARTA has a duty of care could be better protected.

Effective date	5 July 2017
Superseded	N/A
Review	Every two years