

## Child Protection Policy

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### **Introduction:**

Prahran Malvern Community Housing is committed to promoting and protecting the interests and safety of children. We have zero tolerance of child abuse.

Everyone working at Prahran Malvern community Housing is responsible for the care and protection of children and reporting information about child abuse.

### **Purpose:**

The purpose of this policy is;

1. To facilitate the prevention of child abuse occurring within Prahran Malvern Community Housing.
2. To work towards an organisational culture of child safety.
3. To ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs.
4. To provide guidance to staff/volunteers/contractors as to action that should be taken where they suspect any abuse within or outside of the organisation.
5. To provide a clear statement to staff/volunteers/contractors forbidding any such abuse.
6. To provide assurance that any and all suspected abuse will be reported and fully investigated.

### **Policy:**

Prahran Malvern Community Housing is always committed to promoting and protecting the best interests of children that come into contact with Prahran Malvern Community Housing.

All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.

Prahran Malvern Community Housing has zero tolerance of child abuse. Everyone working at Prahran Malvern Community Housing is responsible for the care and protection of the children that come into contact with us and reporting information about suspected child abuse.

Child protection is a shared responsibility between Prahran Malvern Community Housing, all employees, workers, contractors, associates, and members of the community in which we work.

Prahran Malvern Community Housing will consider the opinions of children and use their opinions to develop child protection policies where possible.

Prahran Malvern Community Housing supports and respects all children, staff and volunteers.

Prahran Malvern Community Housing 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 living with a disability.

If any person believes a child is in immediate risk of abuse, telephone 000.

### **Definitions:**

**Child** means a person 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** means all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial (e.g. for financial gain) or other exploitation of a child and includes any actions that results in actual or potential harm to a child.

**Child sexual assault** is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child.

**Reasonable grounds for belief** are 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 considered and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

A reasonable belief is formed if a reasonable person believes that:

- a) the child is in need of protection,
- b) the child has suffered or is likely to suffer “significant harm as a result of physical injury”,
- c) the parents are unable or unwilling to protect the child.

A ‘reasonable belief’ or a ‘belief on reasonable grounds’ is not the same as having proof but is more than mere rumor 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’ might 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;
- d) professional observations of the child’s behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or
- e) signs of abuse lead to a belief that the child has been physically or sexually abused.

### **Procedures:**

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

- Familiarise themselves with the relevant laws, the Code of Conduct, and Prahran Malvern Community Housing’s policy and procedures 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 (such as the police and / or the state-based child protection service) and fulfil their obligations as mandatory reporters;
- Report any suspicion that a child’s safety may be at risk to their supervisor (or, if their supervisor is involved in the suspicion, to a responsible person in the organisation); and
- Provide an environment that is supportive of all children’s emotional and physical safety.

Prahran Malvern Community Housing undertakes a comprehensive recruitment and screening process for all workers (employees and contractors) and volunteers which aims to:

- promote and protect the safety of all children;
- identify the safest and most suitable people who share Prahran Malvern Community Housing’s values and commitment to protect children; and
- prevent a person from working at Prahran Malvern Community Housing if they pose a risk to children.

Prahran Malvern Community Housing requires all workers/volunteers to pass through the organisation's recruitment and screening processes prior to commencing their engagement with Prahran Malvern Community Housing.

Prahran Malvern Community Housing may require applicants to provide a police check in accordance with the law and as appropriate, before they commence working at Prahran Malvern Community Housing and during their time with Prahran Malvern Community Housing at regular intervals.

Prahran Malvern Community Housing will undertake thorough reference checks as per the approved internal procedure.

Once engaged, workers/volunteers must review and acknowledge their understanding of this Policy.

### **Reporting**

Any staff member, volunteer or contractor who has grounds to suspect abusive activity must immediately notify the appropriate child protection service or the police. They should also advise their supervisor about their concern. In situations where the supervisor is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision.

Supervisors must report complaints of suspected abusive behaviour or misconduct to the CEO and to any external regulatory body such as the police.

### **Investigating**

If the appropriate child protection service or the police decide to investigate of this report, all employees, contractors or volunteers must co-operate fully with the investigation. Whether or not the authorities decide to investigate, the CEO will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the CEO may decide to conduct such an investigation. All employees, contractors or volunteers must cooperate fully with the investigation. Any such investigation will be conducted according to the rules of natural justice. The CEO 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 CEO 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, contractor or a volunteer may have committed an offence or have breached the organisation's policies or its 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 the organisation's policies or Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the organisation. 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. Prahran Malvern Community Housing will have 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.

## **Reviewing**

Every two years, and following every reportable incident, a review shall be conducted to assess whether the organisation's child protection policies or procedures require modification to better protect children.

## **Responsibilities:**

The Board of Prahran Malvern Community Housing has ultimate responsibility for the prevention and detection of child abuse and is responsible for ensuring that appropriate and effective internal control systems are in place. The Board is also responsible for ensuring that appropriate policies and procedures and a Code of Conduct that deals with these issues are in place.

The CEO of Prahran Malvern Community Housing is responsible for:

- Dealing with and investigating reports of child abuse;
- Ensuring that all staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct in relation to child protection;
- Ensuring that all adults within the Prahran Malvern Community Housing community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures;
- Ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety);
- Providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.

All Staff must ensure that they:

- always promote child safety;
- assess the risk of child abuse within their area of control and eradicate/minimise any risk to the extent possible; facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

## **Related documents:**

This policy must be read in conjunction with:

- the law of the Commonwealth or of the relevant state or territory;
- the organisation's code of conduct;