



# Child Safety and Disclosure Policy

## Purpose and Intent

Blue Light Victoria (BLV) is committed to creating and maintaining a child safe organisation where protecting children and preventing and responding to child abuse is embedded in the everyday thinking and practice of all, employees, board members, contractors and volunteers.

This Policy reflects BLV's intention to be aspirational – not just compliant – in meeting the requirements of the Victorian Child Safe Standards. BLV is uniquely positioned to be an industry leader that models good practice and processes in keeping children safe from harm or abuse.

This Policy provides information and guidance to all levels of our organisation and requires that all employees, board members, contractors and volunteers commit to an active creation, demonstration and maintenance of a child safe culture.

BLV will do this in accordance with our values being *connection, growth, innovation and respect*.

BLV acknowledges that child safe practice would not be possible without the valued support of a number of key external stakeholders.

In 2015, the Victorian Child, Wellbeing and Safety Act 2005 was amended to include the Child Safe Standards. The Victorian Child Safe Standards (the Standards) are a compulsory framework that support organisations that provide services to children to implement policies and procedures that prevent, respond to and report allegations of child abuse.

In 2021, further amendments were made to strengthen the regulatory framework by replacing the existing seven standards and introducing eleven new standards. Key changes include:

- the involvement of families and communities in an organisation's efforts to keep children and young people safe
- a greater focus on the safety of Aboriginal children and young people
- managing the risk of child abuse in online environments
- greater clarity on governance, systems and processes to keep children and young people safe.

The eleven Standards are:

1. Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
2. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
3. Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
4. Families and communities are informed and involved in promoting child safety and wellbeing.
5. Equity is upheld and diverse needs respected in policy and practice.



6. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
7. Processes for complaints and concerns are child focused.
8. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
9. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
10. Implementation of the Child Safe Standards is regularly reviewed and improved.
11. Policies and procedures document how the organisation is safe for children and young people.

## Scope

This Policy applies to all employees, board members, volunteers and work experience/work placement students, irrespective of whether or not they are engaged in a child facing role in Blue Light Victoria or its branches.

## Definitions

Aboriginal Child	A child or young person up to the age of 18 years who is of Aboriginal or Torres Strait Islander descent, identifies as Aboriginal or Torres Strait Islander, and is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.
Abuse	<p>Abuse is an act (or acts) which endangers a child's health, wellbeing and/or development. It can be a single event or a series of traumatic events. It includes:</p> <ul style="list-style-type: none"> <li>• Physical abuse</li> <li>• Sexual abuse</li> <li>• Emotional and Psychological abuse</li> <li>• Cumulative harm</li> <li>• Exposure to family violence</li> <li>• Neglect</li> <li>• Grooming</li> <li>• Multi-dimensional harm</li> <li>• Cultural abuse</li> </ul>
Child or young person	means any child or young person 17 years or under



<p><b>Child facing role</b></p>	<p>Employment where duties required include direct contact with children.</p> <p>Direct contact with children:</p> <p>Any access or contact with children and young people when a parent or guardian is not present and while the employee or volunteer is completing their normal duties. This includes face to face, physical, oral and electronic communication.</p> <p>The BLV definition of direct contact exceeds that of the Department of Justice and Community Safety to include work within any occupational field that has access or contact with children and young people when a parent or guardian is not present and the employee or volunteer is completing their normal duties.</p> <p>Incidental contact:</p> <p>Where contact is rare, one off and when the parent or guardian is present.</p>
<p><b>Child safe organisation</b></p>	<p>In the context of the Child Safe Standards, a child safe organisation is one that takes deliberate steps to protect children from abuse. This commitment to protecting children must be embedded in an organisation's culture and policies<sup>i</sup>.</p>
<p><b>Children from culturally and/or linguistically diverse backgrounds</b></p>	<p>A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home, or because of their parents' identification on a similar basis.</p>
<p><b>Children with a disability</b></p>	<p>Use of the term 'disability' is consistent with that in the Disability Act 2006. In relation to a child, the use of the word 'disability' incorporates any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities. A disability can occur at any time in life. Children can be born with a disability or acquire a disability suddenly through an injury or illness. Some disabilities may be obvious while others are hidden<sup>ii</sup>.</p>
<p><b>Child Safe Standards</b></p>	<p>In 2015, the Child Wellbeing and Safety Act 2005 was amended to include Child Safe Standards. The Standards are designed to drive cultural change and embed practice of protecting children into the everyday thinking of an organisation<sup>iii</sup></p>
<p><b>Contracted Organisation</b></p>	<p>Any type of business entity (which may include all their employees and sub-contractors) contracted by BLV to provide a specific service or range of services in accordance with the contract terms and the defined scope of the contract.</p>
<p><b>Cultural safety of Aboriginal children</b></p>	<p>Aboriginal or Torres Strait Islander children must be given the opportunity to be connected to culture and provided with a safe, nurturing and positive environment where they are comfortable with</p>



	being themselves, actively encouraged to express their culture, their spirituality, belief systems and enjoy their cultural rights.
<b>Cultural safety for children from culturally and/or linguistically diverse backgrounds</b>	An environment which is spiritually, socially and emotionally safe, as well as physically safe for children; where there is no assault, challenge or denial of their cultural or linguistic identity, of who they are and what they need <sup>2</sup>
<b>Duty of Care</b>	The obligation of BLV employees, board members, contractors and volunteers to take reasonable steps to protect children in their care from the risks of injury that are reasonably foreseeable.
<b>Employee</b>	Directly employed individual, including but not limited to: full and part-time appointments, and those staff on casual, short and long term employment agreements.
<b>Failure to Disclose</b>	As defined in the Crimes Act 1958 (Vic), a failure to act on the legal obligation upon all adults to report to Victoria Police where they form a reasonable belief that a sexual offence has been committed by an adult (18 years and over) against a child under the age of 16 (16 being the legal age of consent) <sup>iv</sup>
<b>Failure to Protect</b>	As defined in the Crimes Act 1958 (Vic), a person with power and authority who fails to protect a child from criminal sexual abuse, they know of the risk of abuse, and are able to reduce or remove the risk but fail to do so <sup>5</sup>
<b>Grooming</b>	As defined in the Crimes Act 1958 (Vic), the act of communication, including online communication, with a child under the age of 16 or their parents with the intent of committing child sexual abuse. This includes predatory conduct undertaken to prepare a child for sexual abuse at a later time with the groomer (aged 18 years old or over) or another adult <sup>5</sup>
<b>Head of a Relevant Entity</b>	As defined in the Child Wellbeing and Safety Act 2005 (Vic) <sup>v</sup> , a head of a relevant entity means – <ul style="list-style-type: none"> <li>A. An individual who is primarily responsible for – <ul style="list-style-type: none"> <li>(a) engaging and terminating the engagement of the relevant entity’s employees; and</li> <li>(b) managing the relevant entity’s employees; or</li> </ul> </li> <li>B. a person nominated by the relevant entity; or</li> <li>C. a person or class of person prescribed to be a head of a relevant entity.</li> </ul>
<b>Mandatory Reporting</b>	The legal obligation under the Children Youth and Families Act 2005 of certain professionals to report when a child is in need of protection. Mandatory reporters include:



	<ul style="list-style-type: none"> <li>• Registered Medical Practitioners, e.g. General Practice Doctors</li> <li>• Nurses and Maternal and Child Health Nurses (Midwives)</li> <li>• Registered Teachers and Early Childhood Teachers</li> <li>• Early Childhood Workers</li> <li>• School Principals and School Counsellors</li> <li>• Police Officers</li> <li>• Registered Psychologists</li> <li>• Youth Justice Workers</li> <li>• Out of Home Care Workers (excluding voluntary foster and kinship carers)</li> <li>• A person in religious ministry<sup>vi</sup></li> </ul>
<p><b>Reasonable Belief</b></p>	<p>A reasonable belief that a child or young person is in need of protection, or their safety and wellbeing is at risk, is formed:</p> <p>If a reasonable person in the same position would have formed the belief on the same grounds. It does not require proof.</p> <p>A ‘reasonable belief’ may be formed through disclosures, observations or other information of which a person has become aware.</p>

## Statement of Commitment to Child Safety

All children or young people who attend services, programs, and events delivered by BLV (and its branches) have the right to feel and be safe. The wellbeing and safety of children and young people in our care will always be our priority.

BLV has zero-tolerance of child abuse and is committed to creating and maintaining a child safe and child friendly organisation where all children are valued and protected from abuse, harm and neglect.

BLV is committed to creating and maintaining a child safe organisation where protecting children from abuse, harm and neglect is embedded in the everyday thinking and practice of its employees, board members, contractors and volunteers.

## Children Have the Right to Speak and be Heard

BLV ensures that children and young people are informed about their rights, including to safety, information and participation. BLV engages children and young people in a meaningful, respectful and authentic way



BLV encourages the voice of children and young people in organisational planning, delivery of services, programs and events. Our priority is to involve children and young people in opportunities to influence matters that affect them as active citizens in their community. This will be achieved by:

- providing children and young people with opportunities to voice their opinions, be taken seriously, be actively involved in shaping their community and participate in decisions that affect them
- enhancing the skills of staff and local branches to collaborate with children, young people and families in a respectful, ethical and genuine way
- empowering children, young people and families to maximise their potential as they participate in BLV programs, events and activities.

## Diversity and Inclusion

BLV is committed to creating an inclusive, safe and connected community for all children and young people.

BLV operates in a diverse range of communities, each with their own characteristics that should be factored into planning and service delivery, including:

- Culturally and Linguistically Diverse People - Our stakeholders, staff and participants represent culturally rich and diverse communities for which BLV is committed to providing inclusive spaces for. This includes Aboriginal and Torres Strait Islander peoples, refugees, migrants, and other CALD people.
- LGBTQIA+ - BLV proudly supports its LGBTQIA+ participants, including those who identify as Lesbian, Gay Bisexual Trans, Intersex, Asexual, Questioning and others. This support goes beyond tolerance and acceptance to celebrating queer communities.
- Disability and Accessibility - BLV believes that reducing barriers and improving access can assist people with disabilities in living an enriching life. Both people living with disability and/or with mental health conditions have a right to respect and equal treatment, and are protected under disability discrimination law.
- Gender - Gender-diverse people, women and men deserve to live and participate where their diversity is embraced, they are respected, their access and treatment is equitable and not determined by gender.
- Mental Health - Mental health is a focus for BLV. We recognise that social inclusion is a barrier for stigmatised and marginalised people, exacerbating mental health challenges and access for at-risk individuals.
- Socioeconomic Status - Socioeconomic factors are key determinants of physical and mental health outcomes. Lower socioeconomic groups experience disproportionate marginalisation, yet deserve equal respect.

Diversity and inclusion recognises and appreciates the differences between people and how they identify themselves. This includes a commitment that all children and young people feel valued, respected, with equitable access to opportunities and resources, and the ability to contribute to their community.



An inclusive approach recognises that children and young people have different needs, characteristics, and life experiences. No one child's experience is the same, and therefore stereotypes are to be avoided.

BLV recognises the increased vulnerabilities of particular groups of children and/or young people. We pay particular attention to the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds as well as the safety of children with a disability, children who identify as lesbian, gay, bisexual, trans and/or intersex and children who are unable to live at home<sup>vii</sup>.

## Employees, Board Members, Contractors and Volunteers

BLV has clear and well established behavioural expectations of all employees, board members, contractors and volunteers who work or interact with children and/or young people. This includes appropriate behavioural expectations for working with all children including Aboriginal, culturally and/or linguistically diverse children, children with a disability, those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people.

The Chief Executive Officer (CEO) as the head of BLV, as prescribed by the Child Wellbeing and Safety Act 2005, is responsible for appointing, directing and managing employees, contractors and volunteers.

## Employee and Volunteer Code of Conduct

All employees or volunteers of BLV are responsible for ensuring the safety, participation, wellbeing and empowerment of children and young people whilst undertaking their roles. All employees employed by BLV, and volunteers engaged in a BLV program or branch, are made aware of and must abide by BLV's relevant Code of Conduct agreements.

## Human Resources and Recruiting

BLV has effective screening tools to assist the recruitment of suitable employees, board members, contractors and volunteers to minimise the risk of inappropriate individuals entering the organisation.

BLV's recruitment process includes the above statement of commitment to child safety in all job advertisements, inclusion of child safe questions for pre-interview screening including a National Police Check, interview and referee checks, and the requirement for a valid Working with Children Check before commencing in a child facing role at BLV.

BLV complies with all relevant regulatory and legal requirements when recruiting staff to ensure its employees and customers are not placed under unreasonable risk.

## Support and Training

BLV is responsible for ensuring that appropriate behaviour with children and young people is clearly defined and expectations are accessible and understood by all employees, board members, contractors and volunteers.

BLV will appropriately inform, and/or provide training for employees, board members and volunteers on child safety, including the cultural safety of Aboriginal children, children from



culturally and/or linguistically diverse backgrounds, children with a disability, those who are unable to live at home, and LGBTQIA+ children and young people.

All employees and volunteers are assigned compulsory Child Safe Standards training to complete as part of their induction to BLV and every two years thereafter.

BLV ensures all employees and volunteers are aware of the established BLV Child Safe Reporting Process to ensure the implementation of child safe practices with children and young people across the organisation.

## Reporting a Child Safety Concern

BLV has committed to be a child safe organisation that complies with all relevant legislation, including both the Standards and the Scheme.

BLV takes all concerns and allegations of child abuse seriously and will investigate all concerns and allegations in a procedurally fair way complying with natural justice principles.

## Legislative Requirements

BLV has implemented processes and training to ensure all employees, board members and volunteers are aware of both their own, and the organisation's legal obligations in relation to the reporting of child abuse. This includes an understanding of the following legislation:

- Failure to disclose
- Failure to protect
- Mandatory reporting
- Grooming.

## Internal Response Team

BLV has established an Internal Response Team with the following objectives:

- To ensure that reportable conduct incidents and staff/volunteers who report any incidents and organisational obligations in relation to reporting are managed effectively, efficiently and in compliance with all legislative obligations.
- To ensure BLV is at the forefront of being a child safe organisation and reinforcing that child safety is of paramount importance to the organisation.
- To manage and maintain a robust governance framework.
- To be focused on the total management and compliance of reported incidents relating to child safety.

In fulfilling these objectives, the Internal Response Team will action findings from child safety reviews or investigations and facilitate changes to relevant BLV policies and procedures where appropriate.





## Reporting

All incidents or allegations of child abuse should be reported to the Internal Response Team **and** in the case of branches to the sworn Victoria Police member assigned as the Child Safety Officer. Allegations or incidents can be reported by anyone: child, young person, parent, carer, employee, board member, volunteer, contractor or others in the community.

A reportable conduct allegation is made where a child, young person or adult makes an allegation, based on a reasonable belief, that an employee, board member, contractor or volunteer has been involved in the harm or abuse of a child or young person.

The BLV Child Safe Reporting Process outlines that if children, young people, families, employees, board members, contractors or volunteers have concerns regarding the organisation's leadership in relation to child safety, they can report these concerns under the Scheme.

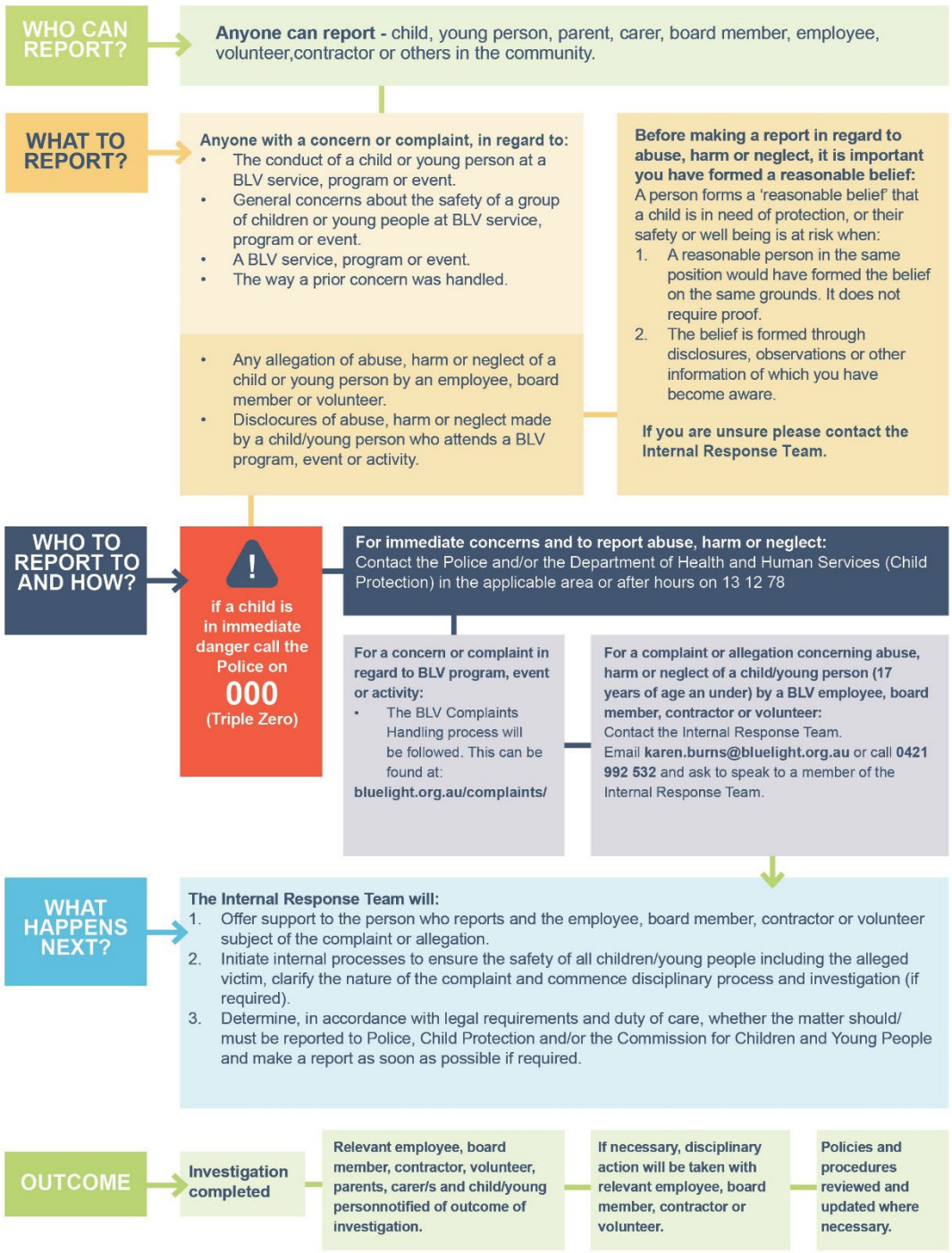
Under the Scheme, reports can be made on the conduct of employees, board members, contractors or volunteers to the Internal Response Team.

Children, young people or adults can make first contact with the Internal Response Team by emailing [karen.burns@bluelight.org.au](mailto:karen.burns@bluelight.org.au) or calling 0421 992 532.

Following a report BLV will provide support to the person who has reported a complaint and also to the person who is the subject of the complaint or allegation. Complaints will be handled inline with legal requirements and duty of care.



# CHILD SAFE REPORTING PROCESS





## Support

Where appropriate, following a reported child safety concern, BLV will:

- assist alleged victims and their families to access counselling and support services.
- provide support to affected staff.

## Privacy, Record Keeping and Incident Monitoring

BLV is committed to protecting an individual's right to privacy. All personal information considered or recorded during the process of a report or investigation will be handled in accordance with BLV's Privacy Policy. BLV is committed to best practice when keeping and maintaining confidential records of child abuse allegations or reports. Records will be retained in keeping with its Document and Destruction Policy.

Risks to child safety that are identified in complaints, reports or allegations of abuse will be reviewed and incorporated into the relevant risk register.

## Risk Management

BLV's risk management approach is to minimise the potential for abuse, harm or neglect to occur to children and/or young people. BLV uses this approach to inform policies, procedures and activity/events planning. BLV has a Risk Management Policy and Framework (a 'how to' guide for staff to manage risk). BLV maintains a risk register including the identified risks of child abuse.

The following elements are included in BLV's approach to risk management:

- All existing and new activities and facilities must be assessed for risks of child abuse including:
  - environmental risks (e.g. areas that might obscure a line of sight)
  - vulnerability risks (e.g. activities that may foster personal relationships between staff/volunteers and children who have an increased risk of being exploited, such as children who are highly vulnerable and dependent on the employees/volunteer for their needs).
- All identified risks of child abuse are actively reduced by designing and implementing appropriate preventative measures (risk assessment corrective action plans).
- Risk assessment corrective action plans are documented for all existing and new activities and facilities.
- Employees, contractors and volunteers are made aware of their responsibility for identifying risks of child abuse and their obligation to work with management on reducing those risks.
- Families and children are made aware of how to report on identified risks of child abuse.
- Risk assessment corrective action plans are living documents that are updated as required, referred to regularly, and reviewed periodically.



The Internal Response Team will undertake assessments of activities and amenities that are considered higher risk and how these are to be mitigated.

## References

- <sup>i</sup> Commission for Children and Young People, A Guide for Creating a Child Safe Organisation, available at <https://ccyp.vic.gov.au/>
- <sup>ii</sup> Department of Human Services, Disability Act 2006, available at <https://providers.dhhs.vic.gov.au/disability-act-2006-service-providers>
- <sup>iii</sup> Commission for Children and Young People, Child Safe Standards, available at <https://ccyp.vic.gov.au/>
- <sup>iv</sup> Crimes Act 1958 (Vic), available at <https://www.legislation.vic.gov.au/in-force/acts/crimes-act-1958/294>
- <sup>v</sup> Child Wellbeing and Safety Act 2005 (Vic)
- <sup>vi</sup> Child Youth and Families Act 2005, available at, <https://www.legislation.vic.gov.au/in-force/acts/children-youth-and-families-act-2005/121>
- <sup>vii</sup> Commission for Children and Young People, Child Safe Policy, available at, <https://ccyp.vic.gov.au/>

## Policy Administration

Committee Owner	Governance, Risk & Finance (GRAF)
Effective Date	November 2023
Review Frequency	Biennial
Approval Body	Blue Light Victoria Board
Regulator (if applicable)	
Compliance Mechanism	<i>Child Wellbeing and Safety Act 2005 (Vic) (including Child Safe Standards)</i> <i>Children, Youth and Families Act 2005 (Vic) (including reporting to Child Protection)</i> <i>Crimes Act 1958 (Vic) (including Failure to Protect and Failure to Disclose offences)</i> <i>Equal Opportunity Act 2010</i> <i>Victorian Working with Children Act 2005 and Amendment 2014</i> <i>Victorian Child Safe Standards</i> <i>National Principles for Child Safe Organisations</i>
Related Policies, supporting procedures or guidelines	

Version	Revision Date	Reason
1.6	Nov 2023	Policy Review