

COLLINGWOOD CHILDREN'S FARM

Child Safe Policy, Code of Conduct and Procedure

Policy Number CSP 1, Version 1

Drafted by Chair of Governance Committee, approved by Board on September 2017

Responsible person, Chair of GC and Farm manager, Reviewed & ratified February 2020

1. CHILD SAFE POLICY

1.1. Introduction

Collingwood Children's Farm (CCF) is committed to promoting and protecting the safety and wellbeing of all children. We have zero tolerance for child abuse.

Everyone working at CCF is responsible for the care and protection of children and reporting information about child abuse.

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

1.2. Purpose

The purpose of this Policy is to:

- a) prevent child abuse occurring within all CCF Environments;
- b) work towards an organisational culture of child safety;
- c) ensure that children know who to speak with if they are worried about their safety, and that they should be encouraged to voice their concerns;
- d) 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;
- e) provide guidance on action that should be taken where a person suspects any child abuse within all CCF Environments;
- f) provide a clear statement to employees, directors, volunteers and contractors forbidding any such abuse; and
- g) provide assurance that any and all suspected abuse will be reported and fully investigated.

For the purposes of this Policy, 'CCF Environment' means any physical or virtual place made available or authorised by CCF's governing authority for use by a child, including:

- a) CCF's farm located at 18 St Heliers St, Abbotsford, Melbourne Victoria 3067 (and any offsite locations used in CCF activities);
- b) all offices of CCF;
- c) online environments (including the website, email & facebook).

1.3. Scope

This Policy applies to all employees, directors and any volunteers and contractors involved in the care of children on behalf or in connection with of CCF.

1.4. Guiding principles

This Policy is based on the following principles:

- a) CCF has zero tolerance for child abuse;
- b) the best interests of the child are paramount;
- c) child safety is a shared responsibility;
- d) all children have a right to feel safe and be safe, and have equal rights to protection from abuse;
- e) CCF will consider the opinions of children and use their opinions to develop child safe policies and procedures;
- f) CCF will take into account the diversity of all children, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, and children who are vulnerable, and make reasonable efforts to accommodate these matters;
- g) CCF is committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability; and
- h) everyone covered by this Policy must also comply with CCF's Child Safe Code of Conduct, which sets stringent standards for personal behaviour.

1.5. Governance Committee

The Governance Committee ('GC') is responsible for ensuring that policies are reviewed and updated as required and that employees, directors, volunteers and contractors are adequately trained on all child safety matters on a regular basis. The GC will also be responsible for identifying and managing risks at CCF in relation to child safety.

The GC meets regularly, approximately every one or two months. Members of the GC will receive regular training in relation to child safety.

The GC is open to receiving feedback from all members of the community on how to improve its risk management approach and better protect the safety of children. Feedback should be directed to the GC in writing.

1.6. Child Safe Officers

Nominated Child Safe Officers ('CSOs') are available to listen, discuss and clarify issues confronting individuals in relation to child physical and sexual abuse. CSOs will make reports on behalf of CCF and ensure that adequate records are maintained. CSOs are the Farm Manager and Chair of the Governance Committee.

1.7. Recognising child abuse

Child abuse includes:

- a)** any act committed against a child involving
 - i. a sexual offence; or
 - ii. an offence under section 498(2) of the Crimes Act 1958 (grooming); and
- b)** the infliction, on a child, of
 - i. physical violence; or
 - ii. serious emotional or psychological harm; and
- c)** serious neglect of a child.

'Child' means a person under the age of 18 years unless otherwise stated under the law applicable to the child.

Collective term for 'child' is 'children'.

1.8. Reporting obligations

Mandatory reporting obligations

Under the Crimes Act, any person who receives information that leads them to form a reasonable belief that a sexual offence has been committed in Victoria against a child (under the age of 16 years) by another person (of or over the age of 18 years), has a legal obligation to disclose that information to the Police as soon as it is practicable. Individuals who fail to comply with this obligation under the Crimes Act 1958 (Vic) can face up to 3 years imprisonment.

CCF supports and encourages employees, directors, volunteers and contractors to make a report to the Police if they form a belief on reasonable grounds that a child is in need of protection, or they are concerned about the safety, health or wellbeing of a child.

Voluntary reporting

In addition to the mandatory reporting obligations above, **any person** who believes on reasonable grounds that a child is in need of protection from child abuse, may disclose that information to the Police or the Department of Health and Human Services ('DHHS'). If a person would like internal guidance or support with addressing their concerns, they are encouraged to speak with the CSO.

You have reasonable grounds to notify when:

- a)** a child tells you that he/she has been physically or sexually abused;
- b)** a child states that they know someone who has been physically

or sexually abused (sometimes the child is talking about themselves);

- c)** someone else, such as a relative, friend, acquaintance or sibling of the child, tells you that a child has been abused;
- d)** your observations of the child's behaviour or knowledge of children lead you to believe that the child has been abused; or
- e)** you observe physical signs or indicators of abuse (e.g. bruises, cuts etc.).

NB: We encourage reporting where you hold a concern about the safety of a child.

Protection of reporters

Any employee, director, volunteer or contractor that makes a report in good faith in accordance with their reporting obligations will be supported by CCF, and will not be penalised by CCF for making the report.

If an employee, director, volunteer or contractor is uncertain as to whether they should make a report to an external authority in relation to the safety of a child, they must speak to the Farm Manager for guidance and information. Ultimately, it is a personal decision of the employee, director, volunteer or contractor whether they choose to make a report to an external authority or not.

1.9 Prevention

Recruitment

CCF undertakes a comprehensive recruitment and screening process for all employees, directors, volunteers and contractors which aims to:

- a)** promote and protect the safety of all children within all CCF Environments;
- b)** identify and recruit the safest and most suitable candidates who share CCF's values and commitment to protect children; and
- c)** prevent a person from working at CCF if they pose an unacceptable risk to children.

Each job or category of jobs for CCF employees, directors, volunteers and contractors that involves child-connected work will have a clear statement that sets out:

- a)** the job's requirements, duties and responsibilities regarding child safety; and
- b)** the job occupant's essential or relevant qualifications, experience and attributes in relation to child safety.

All applicants for jobs that involve child-connected work for CCF will be informed about CCF's child safety practices (including the Child Safe Policy, Code of Conduct and Procedure).

All employees, directors, volunteers and contractors engaged by CCF are required to have a current Working with Children Checks ('WCC') linked with CCF prior to be engaged by CCF. CCF's Farm Manager records all WCCs on a spreadsheet that is

checked annually to see who requires a renewal.

CCF will conduct thorough reference checks to ensure the suitability of all candidates prior to their engagement. This will include CCF making reasonable efforts to gather, verify and record the following information about a person whom it proposes to engage to perform child-connected work:

- a) WCC status, linked with CCF;
- b) proof of personal identity and any professional or other qualifications;
- c) the person's history of working with children; and references that address the person's suitability for the job and working with children.

The type of evidence that an applicant is required to provide to CCF will vary depending on the type of position that they are applying for. However, CCF will not offer any applicant a position at CCF until they provide the required evidence to the Farm Manager.

Once engaged, CCF will provide employees, directors, volunteers and contractors with access to the Child Safe Policy, Code of Conduct and Procedure and employees, directors, volunteers and contractors must review and acknowledge their understanding of the Child Safe Policy, Code of Conduct and Procedure.

Risk Management

CCF will ensure that child safety is a part of its overall risk management approach.

CCF will have a risk and compliance sub-committee committed to identifying and managing risks within all CCF Environments. Risk Management sub-committee members will receive regular training in relation to child safety.

If the risk and compliance sub-committee identifies risks of child abuse occurring in one or more CCF Environments the committee will make a record of those risks and specify the action(s) CCF will take to reduce or remove the risks (i.e. risk controls).

As part of its risk management strategy and practices, the risk and compliance sub-committee will monitor and evaluate the effectiveness of the implementation of its risk controls.

CCF will ensure that it provides appropriate/induction training at least annually for:

- Directors;
- Senior Leadership;
- Employees;
- Contractors; and
- Volunteers.

Communication

CCF is pro-active in the area of prevention and will communicate the Child Safe Policy, Code of Conduct and Procedure in the manner below. The Farm Manager is responsible for disseminating

and communicating the Child Safe Policy, Code of Conduct and Procedure in the manner below.

CHILDREN IN CCF ENVIRONMENTS

- Terms and conditions of CCF's activities
- Website

PARENTS, GUARDIANS, COMMUNITY, SPONSORS, PARTNERS

- Terms and conditions of CCF's activities
- Website
- Young Farmer's Program information evenings
- CCF's Annual Report

EMPLOYEES, VOLUNTEERS, CONTRACTORS, BOARD MEMBERS

- Website
- Letters of appointment/contracts
- New employees, directors, volunteers and contractors Induction Training and refresher training
- Annual refresher training session with the Committee of Management (at first meeting each year)

1.10. Responding & Reporting

In the case of an allegation being made against an employee, director, volunteer and/or contractor at CCF, the CSOs will follow CCF's Child Safe Procedure. CCF will take all steps to ensure that the safety of the child is paramount.

The first step is to withdraw the accused person from active duty, which could entail standing down (with pay, where applicable), re-assignment to other duties that do not have direct contact with children, or to work under increased supervision while the matter is being investigated.

Case management

In the event of a child disclosing an incident of abuse to someone they trust it is essential that it is dealt with sensitively and professionally.

Investigations

CCF will appropriately investigate all allegations relating to an incident of abuse in accordance with its obligations and to the extent reasonably practicable. In some circumstances, it may be necessary for CCF to conduct an investigation in addition to any investigation conducted by authorities (e.g. the police).

The Farm Manager will conduct an independent investigation into the allegation to the extent that it will not interfere with investigations by DHHS or the police, and will co-operate with the authorities as required.

All people covered by the Child Safe Policy, Code of Conduct and Procedure must co-operate fully with any investigation by DHHS, the police or CCF.

The Farm Manager will make every effort to keep any such

investigation confidential, however, from time to time other employees, directors, volunteers and contractors may need to be consulted in conjunction with the investigation (e.g. to provide witness statements).

An investigation conducted by CCF will be conducted in accordance with procedural fairness to protect the integrity of the investigation and the interests of all the participants involved in the investigation. CCF will also handle the allegations in a confidential manner to the greatest extent possible.

In some circumstances, it may be appropriate for CCF to engage a person (or persons) from outside CCF to conduct an independent investigation in relation to allegations.

The outcome will depend on the findings of the investigation, but may include withdrawal from active duty, re-assignment to duties with no contact with children, increased supervision, disciplinary action, dismissal or criminal prosecutions.

1.11. Record keeping

All reports of alleged abuse or harm, or risk thereof, must be recorded in the form of an Incident Reporting Form. Places, times, dates, names of people, observable behaviours or evidence of harm are what is recordable. Reports must be to be securely stored by the Farm Manager.

1.12. Privacy and confidentiality

CCF will collect, use, disclose and hold personal information in accordance with the Privacy Act 1988 (Cth).

Principles

There are two guiding principles in respect to a child's privacy.

a) First, CCF will operate on the best interests principle.

All employees, directors, volunteers and contractors will do what they believe to be in the best interest of the child.

This principle supersedes all others.

b) Second, CCF will respect a child's confidentiality except in situations where it conflicts with the best interests principle.

As much as is reasonably possible, an individual's confidentiality is to be protected. Both those who are making reports and those about whom accusations are being made are entitled to confidentiality. Where there is suspected abuse or misconduct, employees, directors, volunteers and contractors must not disclose or make use of the information in a manner that breaches confidentiality, other than to report and act consistent with the Child Safe Policy, Code of Conduct and Procedure, and relevant statutory requirements.

2. CODE OF CONDUCT

2.1. Introduction

Employees, directors, volunteers and contractors who are involved in the **care of children** at CCF are required to abide by this Code.

The purpose of this Code is to promote child safety within all CCF Environments.

The following list of behaviours includes examples of what is acceptable and not acceptable behaviour.

2.2. Acceptable behaviours

All people involved in the **care of children** on behalf of, or in connection with, CCF must:

- a)** contact the police if a child is at immediate risk of abuse (telephone '000');
- b)** adhere to the Child Safe Policy and Procedure and uphold CCF's statement of commitment to child safety at all times;
- c)** take all reasonable steps to protect children from abuse;
- d)** conduct themselves in a manner consistent with their position as an employee, director, volunteer or contractor of CCF and as a positive role model to children and young people;
- e)** work towards the achievement of the aims and purposes of the organisation;
- f)** be responsible for relevant administration of programs and activities in their area;
- g)** maintain a duty of care towards others involved in these programs and activities;
- h)** establish and maintain a child-safe environment in the course of their work;
- i)** be fair, considerate and honest with others;
- j)** treat children and young people with respect and value their ideas, opinions and backgrounds;
- k)** promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait Island children (for example, by never questioning an Aboriginal and Torres Strait Island child's self-identification);
- l)** promote the safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination);
- m)** promote the safety, participation and empowerment of children with a disability;
- n)** listen and respond to the views and concerns of children, particularly if they are telling you that they are or another child has been abused or that they are worried about their safety/the safety of another child;
- o)** ensure (as far as practicable) that adults are not alone with a child;

- p)** comply with all reporting obligations as they relate to mandatory reporting under the Children, Youth and Families Act 2005 (Vic) and the Crimes Act 1958 (Vic);
- q)** raise concerns about suspected abuse with a CSO as soon as possible;
- r)** record and act upon all allegations or suspicions of abuse, discrimination or harassment;
- s)** if an allegation of child abuse is made, ensuring as quickly as possible that the child(ren) are safe;
- t)** be professional in their actions;
- u)** maintain strict impartiality;
- v)** respect confidentiality when sharing information about children in accordance with the Child Safe Policy and Procedure and your reporting obligations;
- w)** maintain a child-safe environment for children and young people; and
- x)** operate within the policies and guidelines of CCF.

2.3 Unacceptable behaviour

All people involved in the **care of children** on behalf of CCF must not:

- a)** ignore or disregard any suspected or disclosed child abuse;
- b)** put a child at risk of abuse (for example, by locking doors for an improper reason);
- c)** speak to a child in a way that is or could be construed by any observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Some examples are:
 - i. swearing or using inappropriate language in the presence of a child;
 - ii. yelling at a child, except in an emergency situation where the a child's safety may be in danger;
 - iii. dealing with a child while the adult is angry with the child; and
 - iv. using hurtful sarcasm.
- d)** express personal views on cultures, race or sexuality in the presence of a child (unless the child is a member of your family);
- e)** discuss sexual activities with a child unless it is a specific job requirement and the person is trained to discuss these matters, or the child is a member of your family;
- f)** have contact with a child or their family outside of CCF's activities. Accidental/incidental contact, such as:
 - i. seeing children in the street;
 - ii. attending a friend's BBQ in which children are attending; or
 - iii. any other incidental contact that is outside of your professional relationship with the child and that is not for an improper purpose, is appropriate;**
- g)** have any online contact with a child (including by social media, email, instant messaging etc.) or their family (unless necessary e.g. by providing e-newsletters or the child is a member of your family);
- h)** use any personal communication channels/devices such as a personal email account to communicate with a child (unless the child is a member of your family);
- i)** exchange personal contact details such as phone number, social networking sites or email addresses with a child (unless the child is a member of your family);
- j)** use, possess, or be under the influence of alcohol while in the presence of or while supervising a child (unless the child is a member of your family or your contact with the child is accidental/incidental and you are not performing your professional obligations);
- k)** use, possess, or be under the influence of illegal drugs while in the presence of or while supervising a child;
- l)** provide or allow a child to consume alcohol (unless the child is a member of your family and you comply with all relevant legislation);
- m)** provide or allow a child to consume illegal drugs;
- n)** initiate unnecessary physical contact with a child or young person, or do things of a personal nature for them that they can do for themselves (unless the child is a member of your family and you comply with all relevant legislation);
- o)** engage in rough physical games, hold, massage, kiss, cuddle or touch a child in an inappropriate and or/culturally insensitive way (unless the child is a member of your family and you comply with all relevant legislation);
- p)** engage in any sexual contact with a child. For the purposes of this Code, sexual contact is defined as vaginal intercourse, anal intercourse, oral intercourse or the touching of an erogenous zone of another (including but not limited to the thighs, genitals, buttocks, pubic region or chest) for the purpose of sexually arousing or gratifying either person;
- q)** take a child to their home or encourage meetings outside program activities (unless the child is a member of your family or parental permission has been provided);
- r)** be naked in the presence of a child (unless the child is a member of your family);
- s)** possess sexually explicit printed materials (magazines, cards, videos, films, clothing, etc.) in the presence of children;
- t)** sleep in the same bed, sleeping bag, room or tent with a child (unless the child is a member of your family);
- u)** discriminate against any child, including because of age, gender identity, sex, race, culture, sexuality, or disability;

- v) engage in any activity with a child that is likely to physically or emotionally harm them;
- w) be alone with a child unnecessarily and for more than a very short time (unless the child is a member of your family);
- x) develop a 'special' relationship with a specific child for their own needs (unless the child is a member of your family);
- y) show favouritism through the provision of gifts or inappropriate attention (unless the child is a member of your family);
- z) photograph or video a child without the consent of the child and his/her parents or guardians;
- aa) do anything in contravention of CCF's policies, procedures or this Code of Conduct.

2.4. Confidentiality

Disclosing information to employees, directors, volunteers and contractors

When children are having a written or verbal interaction with employees, directors, volunteers and/or contractors of CCF, that interaction is confidential to the organisation not to the individual. This means that an employee, director, volunteer or contractor is able to talk with the CSO in a way that identifies the child. That said, where possible the privacy of the child should be respected at all times. When considering breaching their privacy who and how many people are told should be based on what is believed to be in the best interests of the child.

Disclosing information to people external to the organisation

Employees, directors, volunteers and contractors should not discuss confidential matters about children with people outside the organisation in a way that identifies that child except when they have the express permission of the child or it complies with CCF's Child Safe Policy, Code of Conduct and Procedure. In circumstances where employees, directors, volunteers and/or contractors believe that there is not enough knowledge within the organisation to provide the best possible assistance to a child, they are able to seek expertise external to CCF. When communicating with people outside CCF the child's identity should be protected.

2.5. Related legislation

- Children, Youth and Families Act 2005 (Vic);
- Crimes Act 1958 (Vic); and
- Child Wellbeing and Safety Act 2005 (Vic).

3. CHILD SAFE PROCEDURE

This Procedure applies to all employees, directors, volunteers and contractors of CCF, whether they work face-to-face, online or remotely with children. It should be read in accordance with the Child Safe Policy and Code of Conduct.

STEP 1:

Any person (aged 18 or over) that forms a belief, on reasonable grounds, that a sexual offence has been committed in Victoria against a child (under the age of 16 years) by another person (aged 18 or older), must make a report to the police as soon as practicable.

The individual employee, director, volunteer or contractor of CCF should discuss these observations and concerns with a CSO, who can assist the person to make the report to the police as required.

Any person (of any age) that forms a belief on reasonable grounds that a child is in need of protection from child abuse (physical, sexual, emotional, psychological or neglect), may disclose that information to the police or the Department of Health and Human Services ('DHHS'). CCF encourages all persons with concerns to raise this directly with a CSO.

STEP 2:

It may be that, following the previous step, a person decides to make a report to DHHS or the police with the support of a CSO.

Making a report:

Ring DHHS on 1300 664 977 (9:00am to 5:00pm) or 13 12 78 (after hours). Ask for Child Protection.

OR

Ring the police on 000.

Information for making a report:

- name, age and address of the child;
- the reason for suspecting that the behaviour or injury is a result of abuse;
- an assessment of the immediate danger to the child;
- a description of the injury or behaviour observed;
- the current whereabouts of the child;
- any other information about the child; and
- any specific cultural details, e.g. English speaking, disability, etc.

Ask that CCF be informed of each step of the procedure.

When the person informs a CSO that he/she is to make/has made a report, the CSOs will be set up to discuss the matter and to offer support to the child and reporter.

If the complainant alleges that a crime has been committed by an employee, director, volunteer, or contractor, that person will be stood aside immediately.

The [CSO] will conduct an independent investigation into the allegation to the extent that it will not interfere with investigations by DHHS or the police, and will co-operate with the authorities as required.

Where an allegation has been made, CCF will make, secure, and retain records of the allegation of child abuse and CCF's response to it.

Fulfilling the roles and responsibilities contained in this Procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.

STEP 3:

If the child is agreeable to be interviewed by DHHS or the police, the Farm Manager should offer to be present at the interview to give support to the child.

STEP 4:

Following a report, DHHS may need to contact the Farm Manager about the notification. It would be a matter of courtesy to inform the Farm Manager that a report has been made, or is about to be made.

STEP 5:

Following a report, it is important to protect confidentiality and the interests of the child and family at all times.

Special comments:

- DHHS will only interview the child if he/she is agreeable;
- the family will not be contacted until it is believed there is a case and the child is at risk;
- if the incident which caused the report to be made has occurred in the past - the child may be seen to be no longer at risk and no further action may be taken;
- the identity of the person making a notification will be kept confidential (except when that information is required in a court case) unless that person gives permission for the information to be divulged;
- throughout the entire process of observation, discussion and reporting, the interests of the child and their family should be protected from unnecessary disclosure of information concerning abuse; and
- following the making of a report to the DHHS, any investigation that takes place is the responsibility of DHHS.