

INTRODUCTION

KiP is committed to promoting and protecting the interests and safety of children. We have zero tolerance for child abuse.

Everyone working at KiP, including volunteers, is responsible for the care and protection of children including by reporting information about child abuse.

PURPOSE

The purpose of this policy is to;

1. prevent child abuse occurring within KiP.
2. Maintain an organisational culture of child safety.
3. 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. provide guidance to board and sub-committee members/staff/volunteers/contractors as to action that should be taken where they suspect any abuse within or outside of the organisation.
5. provide a clear statement to board and sub-committee members /staff/volunteers/contractors forbidding any such abuse.
6. provide assurance that any and all suspected abuse will be reported and fully investigated.

POLICY

KiP is committed to promoting and protecting at all times the best interests of children involved in its programs.

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.

KiP has zero tolerance for child abuse. Everyone working at KiP is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.

Child protection is a shared responsibility between KiP, all board and sub-committee members, employees, volunteers, workers, contractors, external providers, associates, and members of the KiP community.

KiP will consider the opinions of children and use their opinions to develop child protection policies.

KiP supports and respects all children, staff and volunteers. KiP is committed to supporting the cultural safety of Aboriginal and Torres Strait Islander children, and those 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.

RESPONSIBILITIES

The **Board** of KiP has ultimate responsibility for the detection and prevention 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 for Working with Children and Young People are in place.

The **CEO** of KiP is responsible for:

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

The Board, sub-committee members, external providers and management should be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct.

All board and sub-committee members, staff, volunteers, contractors and external providers share in the responsibility for the prevention and detection of child abuse, and must:

- Familiarise themselves with the relevant laws, KiP's Code of Conduct for Working with Children and Young People, and KiP'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.

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 is 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 taken into account 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 rumour 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.

EMPLOYMENT OF NEW PERSONNEL

KiP undertakes a comprehensive recruitment and screening process for all board and sub-committee members, workers and volunteers which aims to:

- Promote and protect the safety of all children under the care of the organisation;
- Identify the safest and most suitable people who share KiP's values and commitment to protect children; and
- Prevent a person from working at KiP if they pose a risk to children.

KiP requires all board and sub-committee members/workers/volunteers to pass through the organisation's recruitment and screening processes prior to commencing their engagement with KiP.

KiP requires all new facilitators to provide a working with children check (WWCC) prior to commencement. In accordance with the law, this must be kept in-date for a facilitator to continue working as a facilitator for KiP.

KiP may also require other (non-facilitator) applicants to provide a working with children check and/or police check in accordance with the law and as appropriate, before they commence working at KiP and during their time with KiP at regular intervals.

KiP will undertake thorough reference checks as per the approved internal procedure.

KiP requires all new facilitators to undergo child safety training before delivering programs with children.

RISK MANAGEMENT

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

REPORTING

Any board and sub-committee members, 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 also to any external regulatory body such as the police.

Reporting must comply with relevant State and Commonwealth legislation, including:

- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)

MAKING A REPORT

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

Otherwise, call the relevant numbers below.

Department of Families, Fairness and Housing - Victoria

During business hours – contact the appropriate local government area:

North Division	1300 598 521
South Division	1300 555 526
East Division	1300 360 452
West Division	1300 360 462

After hours and to report concerns about the immediate safety of a child:

Child Protection Crisis Line (24 hours)	13 12 78
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INVESTIGATING

If the appropriate child protection service or the police decide to conduct an investigation of a report, all employees, contractors or volunteers must cooperate fully with the investigation.

Whether or not the authorities decide to conduct an investigation, 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 and volunteers must cooperate fully with the investigation.

Any such investigation will be conducted according to the rules of natural justice, while prioritising the safety of children and KiP staff.

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. In such cases, the relevant staff will also be required to keep matters related to the investigation confidential.

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, external provider or a volunteer may have committed an offence or have breached KiP's policies or its Code of Conduct for Working with Children and Young People 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 for Working with Children and Young People) 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. KiP 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 year, 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 the children under the organisation's care.

RELATED DOCUMENTS

- KiP Confidentiality Policy
- This policy must be read in conjunction with:
 - The law of the Commonwealth or of the relevant state or territory;
 - KiP's Code of Conduct for Working with Children and Young People