

CHILD AND YOUNG PEOPLE SAFETY POLICY

		Version:	1
Drafted by:	Bernadette Nugent	Approved by:	Board
Responsible person:	Bernadette Nugent	Scheduled review date:	Dec 2025

Introduction

Amber Community is committed to protecting the safety and well-being of children and young people.

We seek to prevent harm impacting children and young people and have zero tolerance for racism, child abuse and inequality. Children and young people's rights, relationships, identity, and culture must be recognised and respected, their voices heard, and their concerns acted upon.

We aim to foster a culturally safe, child safe and child-friendly environment for all children and young people we have contact with, deliver services to, or are impacted by our work.

Amber Community requires all staff to uphold these commitments.

This policy applies to all the activities in the organisation which involve, result in or relate to contact with children and young people and includes all people who work for and with the organisation in a paid or unpaid capacity.

Operation

The purpose of this policy is to clarify what Amber Community expects from employees, and employees are required to be familiar with and always comply with the terms of this policy. Failure to do so may result in disciplinary action, including potential termination of employment.

To the extent that this policy imposes any obligations on the organisation, those obligations are not contractual and do not give rise to contractual rights. To the extent that this policy describes employee benefits and entitlements, they are discretionary and not intended to be contractual. The terms and conditions of employment intended to be contractual are set out in an employee's written employment contract.

Amber Community may unilaterally introduce, vary, remove or replace this policy.

Scope

This policy explains the guidelines and process followed at Amber Community to ensure that all children and young people connected or come into contact with the organisation are safe, and their well-being is always our highest priority.

The purpose of this policy is to:

- Maintain a safe environment within Amber Community when working with children.

- Support a child-safe culture within Amber Community that is aligned with the Child Safe Standards <https://www.health.vic.gov.au/childsafestandards>
- Ensure Amber Community has reasonable safeguards for children and members of Amber Community to the extent that it may be reasonable to do so.
- The policy applies to a broad range of situations where interaction with children and young people may occur. For example, the Child Safe Policy will apply when staff encounter children and young people in the following situations:
 - Amber Community’s counselling and support programs
 - Amber Community’s education programs
 - Contact initiated through the child or young person’s carers or any other means
 - Amber Community events
 - Incidental contact
 - Through services provided by funded agencies.

Definitions

Definition of key terms used in this policy:

- Child means a child or young person under the age of 18 years.
- Child abuse means a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding about the offence has been commenced or concluded, sexual misconduct committed against, with or in the presence of, a child, physical violence committed against, with or in the presence of, a child, any behaviour that causes significant emotional or psychological harm to a child or significant neglect of a child.
- Child Safe Standards as made under section 17(1) of the Child Wellbeing and Safety Act 2005.

Authorisation

CEO, Amber Community

Principles for safeguarding children and young people

The following principles underpin Amber Community’s approach to working with children and young people:

- Amber Community has zero tolerance for child abuse.
- Amber Community recognises the child’s rights and works in their best interests to protect them.

Amber Community aligns with the National Principles for Child Safe Organisations founded on:

- Respect for the individual, ensuring they feel welcome, listened to, and included
- Providing accessible information about both physical and online safety, health and wellbeing, with signposting to avenues for support
- Listening and being responsive to individual concerns and needs to achieve their goals
- Establishing an environment of mutual trust where the individual feels safe and supported
- Providing a safe environment with safeguards to protect children from harm.

Key requirements for working with children and young people

All workers are responsible for the following guiding principles of this policy. In addition, specific role responsibilities are as follows:

Amber Community will take reasonable steps to meet its obligations by:

- Supporting a culture that values the rights and safety of children
- Ensuring that all staff and volunteers have a current Working with Children's check
- Maintaining and communicating strategies for Working with children and young people
- Conducting a systematic review of Amber Community strategies and controls for managing risks associated with working with children and young people
- Ensuring there are multiple channels for children and members of the Amber Community to raise concerns or make disclosures of harm
- Maintaining a supportive process for handling and processing complaints, disclosures, and suspicion of harm

Allegations, concerns and complaints

Amber Community takes all allegations seriously and has practices to investigate thoroughly and quickly. Our board members, staff and volunteers are trained to deal with allegations appropriately.

We work to ensure all children, families, board members, staff and volunteers know what to do and who to tell if they observe abuse or are victims and if they notice inappropriate behaviour.

We all have a responsibility to report an allegation of abuse if we reasonably believe that an incident occurred. If a staff member reasonably believes an incident has occurred, they must report it. Factors contributing to reasonable belief may include:

- a child states they or someone they know has been abused (noting that sometimes the child may, in fact, be referring to themselves)
- behaviour consistent with that of an abuse victim is observed
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing or hearing suspicious behaviour.

Reporting a child safety concern or complaint

Amber Community works to ensure all children and young people, families, staff, and volunteers understand their obligations and know who to tell if they observe abuse, are a victim, or if they notice inappropriate behaviour. Our organisation takes all allegations of child abuse and reportable conduct seriously. It is committed to ensuring that such allegations are addressed in accordance with departmental processes for responding to and reporting suspected child abuse.

Child-safe issues should be reported to the appropriate manager and the CEO. If the incident is a criminal offence, the incident must also be reported to the police on 000. For other child safety issues, a report should be made to The Department of Health and Human Services Victoria: <https://www.dhs.vic.gov.au/reporting-child-abuse-and-neglect>.

The following reportable conduct must be reported. Reportable conduct includes:

- a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded
- sexual misconduct committed against, with or in the presence of, a child
- physical violence committed against, with or in the presence of, a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.

Fair procedures for staff and volunteers

The safety and well-being of children is our primary concern. We are also fair and reasonable to all staff and volunteers. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

We record all allegations of abuse and safety concerns using our incident reporting form. All records are families on progress and actions we as an organisation take.

Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, families or children, unless there is a risk to someone's safety. Everyone is entitled to know how this information is recorded, what will be done with it and who will have access to it. This is intended to protect reporters and to ensure that all members of Amber Community are comfortable disclosing any allegations or concerns in relation to child safety without repercussions.

Legislative responsibilities

Amber Community takes its legal responsibilities seriously, including:

- Failure to disclose: All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to Victoria Police
- Mandatory reporting: Any board members, staff or volunteers who are mandatory reporters (doctors, nurses, midwives, teachers, principals and police officers) must comply with their duties
- Failure to protect: People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk but negligently fail to do so
- Reportable conduct: The head of our organisation must be made aware of any allegations of physical and sexual abuse, sexual misconduct, significant emotional or psychological harm or significant neglect by an employee or volunteer towards a child. We must also legally notify the Commission for Children and Young People of the allegation.
- Duty of care: If a child is abused by an individual associated with our organisation, our organisation is presumed to have breached its duty of care unless it can prove that it took 'reasonable precautions' to prevent the abuse in question. For more information, please refer to the [new organisational duty of care to prevent child abuse page](https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/betrayal-of-trust-fact-sheet-the-new) <<https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/betrayal-of-trust-fact-sheet-the-new>> on the Department of Justice and Regulation's website.

Risk management

In Victoria, organisations are required to protect children when a risk is identified. In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments and online environments.

Relevant policies

- Privacy Policy
- External Grievance and Complaints Policy
- Workplace Behaviour Policy
- Code of Conduct Policy

Further information

Further information about the [Child Safe Standards](https://providers.dhhs.vic.gov.au/child-safe-standards) <https://providers.dhhs.vic.gov.au/child-safe-standards> can be found on the Department of Health and Human Services (the department) website.