

# Healthy Cities Onkaparinga Inc.

## CHILD SAFETY POLICY April 2019

### INTRODUCTION

Healthy Cities Onkaparinga Inc. is committed to promoting and protecting the interests and safety of children. We have zero tolerance for child abuse. Management, members, volunteers and contractors at Healthy Cities Onkaparinga Inc. are required to abide by this Child Safety Policy and are responsible for the care and protection of children involved in its programs and reporting information about child abuse. If any person believes a child is in immediate risk of abuse, telephone 000.

### PURPOSE

The purpose of this policy is

1. To prevent child abuse within Healthy Cities Onkaparinga Inc.
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 Management, committee members, volunteers and contractors as to action/s that should be taken where they suspect any abuse within or outside of the organisation.
5. To provide a clear statement to members/volunteers/ contractors forbidding any such abuse.
6. To provide assurance that all cases of suspected abuse will be reported and fully investigated.

### POLICY

1. Healthy Cities Onkaparinga Inc. is committed to promoting and protecting the best interests of children involved in its programs.
2. All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, family or social background, have equal rights to protection from abuse.
3. Healthy Cities Onkaparinga Inc. has zero tolerance for child abuse.
4. Everyone involved at Healthy Cities Onkaparinga Inc. 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 the Healthy Cities Onkaparinga Inc., all employees, workers, volunteers, contractors, associates, and members of the Healthy Cities Onkaparinga Inc. community.
5. Healthy Cities Onkaparinga Inc. will consider the opinions of children and use their opinions to develop child protection policies where appropriate.
6. Healthy Cities Onkaparinga Inc. supports and respects all children, members and volunteers.

7. Healthy Cities Onkaparinga Inc. 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.

## **RESPONSIBILITIES**

**The Executive of Healthy Cities Onkaparinga Inc.** 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 Executive is also responsible for ensuring that appropriate policies and procedures and a Child Protection Code of Conduct are in place.

**The Chair of Healthy Cities Onkaparinga Inc.** is responsible for:

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

**All management/members/ volunteers/contractors** share the responsibility for the prevention and detection of child abuse, and must:

- Familiarise themselves with the relevant laws, this Healthy Cities Onkaparinga Inc. policy and the Code of Conduct 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);
- Report any suspicion that a child's safety may be at risk to a member of the Executive; and
- Provide an environment that is supportive of all children's emotional and physical safety.

## **PROCEDURES**

### **Employment of New Personnel**

Healthy Cities Onkaparinga Inc. undertakes a recruitment and screening process for all workers and volunteers that 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 Healthy Cities Onkaparinga Inc.'s values and commitment to protect children; and
- prevent a person from working at Healthy Cities Onkaparinga Inc. if they pose a risk to children.

Healthy Cities Onkaparinga Inc. may require applicants to provide a police check in accordance with the law and as appropriate, before they commence working/volunteering at Healthy Cities Onkaparinga Inc. and update it during their time with Healthy Cities Onkaparinga Inc. at regular intervals.

### **Risk Management**

Healthy Cities Onkaparinga Inc. will ensure that child safety is a part of its overall risk management approach.

### **Reporting**

Any members, volunteers or contractors who have grounds to suspect abusive activity, must immediately notify the appropriate child protection service or the police. They should also advise the Executive about their concern. 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 any external regulatory body such as the police. [See South Australian Legislation 'Children and Young People safety Act 2018'.]

### **Investigating**

If the appropriate child protection service or the police decide to investigate a report, all employees, contractors or volunteers must co-operate fully with the investigation. Whether or not the authorities decide to conduct an investigation, the Chair 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 Chair may decide to conduct such an investigation. All employees, contractors and volunteers must co-operate fully with the investigation. Any such investigation will be conducted according to the rules of natural justice. The Chair will make every effort to keep any such investigation confidential; however, from time to time other members 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 Chair 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, 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. Healthy Cities Onkaparinga Inc. 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 the children under the organisation's care.

ENDORSED by Healthy Cities Onkaparinga management committee 10<sup>th</sup> April 2019

DUE FOR REVIEW April 2021

## DEFINITIONS

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

**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 (see below) 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," or
- (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.