



CHILD PROTECTION POLICY

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1 INTRODUCTION

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

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

2 PURPOSE

The purpose of this policy is:

1. To facilitate the prevention of child abuse occurring within Youth Insearch Foundation
2. To work towards an organisational culture of child safety.
3. To prevent child abuse within Youth Insearch Foundation.
4. 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.
5. To provide guidance to staff/volunteers/contractors as to action that should be taken where they suspect any abuse within or outside of the organisation.
6. To provide a clear statement to staff/volunteers/contractors forbidding any such abuse.
7. To provide assurance that any and all suspected abuse will be reported and fully investigated.

3 POLICY

Youth Insearch 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.

Youth Insearch has zero tolerance for child abuse. Everyone working and volunteering at Youth Insearch 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 Youth Insearch all employees, workers, volunteers, contractors, associates, and members of the Youth Insearch community.

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

Youth Insearch supports and respects all children, staff and volunteers Youth Insearch 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.

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

4 PROCEDURES

4.1 RESPONSIBILITIES

The **Board** of Youth Insearch 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;
- For ensuring that appropriate policies and procedures and a Child Protection Code of Conduct are in place.

The **CEO** of Youth Insearch is responsible for:

- Dealing with and investigating reports of child abuse;
- Ensuring that all staff, 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 Youth Insearch community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures;
- Ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety);
- Providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.

All **managers** must ensure that they:

- Promote child safety at all times;
- Assess the risk of child abuse within their area of control and eradicate / minimise any risk to the extent possible;
- Educate employees about the prevention and detection of child abuse; and
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities.
- 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 **staff/volunteers/contractors** share in the responsibility for:

- the prevention and detection of child abuse,
- and must familiarise themselves with the relevant laws, the Code of Conduct, Youth Insearch Foundation'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.

4.2 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.

4.3 EMPLOYMENT OF NEW PERSONNEL

Youth Insearch undertakes a comprehensive recruitment and screening process for all 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 Youth Insearch's values and commitment to protect children; and
- Prevent a person from working at Youth Insearch if they pose a risk to children.

Youth Insearch requires all workers/volunteers to pass through the organisation's recruitment and screening processes prior to commencing their engagement with Youth Insearch Foundation.

Youth Insearch may require applicants to provide a police check in accordance with the law and as appropriate, before they commence working at Youth Insearch and during their time with Youth Insearch at regular intervals.

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

Once engaged, workers/volunteers must review and acknowledge their understanding of this Policy.

4.4 RISK MANAGEMENT

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

Youth Insearch's Board is committed to identifying and managing risks at Youth Insearch Foundation. Risk and compliance sub-committee members will receive regular training in relation to child safety.

4.5 RESPONDING

Any staff member, volunteer or contractor who has grounds to suspect abusive activity must immediately notify the appropriate State Reporting Agency ([See Appendix 2](#)). 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.

4.5.1 RESPONDING TO ALLEGATION OF SEXUAL ASSAULT OCCURRING DURING A WEEKEND WORKSHOP

If an allegation of abuse is made against an attendee at the Weekend Workshop the following steps are to be followed.

The alleged offender is separated from others with their Support Person and/or Youth Leader.

The **Team Leader** will contact the Police and report the alleged assault.

The **Team Leader** with the **Support Adult** and /or **Community Coordinator** contact the parent or guardian of the alleged victim.

The **Team Leader** completes and Incident Report and submits to the **Program Manager** within 24 hours of the Weekend Workshop.

The **Community Coordinator** and **Support Adult** conduct follow up, offering support and/or referral for counselling following the program.

4.5.2 DISCLOSURE OF ABUSE AT A YOUTH INSEARCH WEEKEND WORKSHOP

If a disclosure of child abuse is received by a staff or volunteer at a Weekend Workshop, the person receiving the disclosure is required to notify the **Team Leader** of the Weekend Workshop.

If a disclosure of child abuse is received in any group sessions at a Weekend Workshop, the **Music Coordinator** is responsible to note the person's name and details of the disclosure onto an incident report and provide to the **Team Leader** at the end of the session.

The **Team Leader** will meet with the child and the **Support Person** and/or **Community Coordinator** to clarify details of the disclosure. The purpose is to ascertain the level risk to the young person when leaving the weekend workshop; what reporting is required by Youth Insearch; and what support and follow-up will be required following the program.

If the **Team Leader** forms a reasonable belief that the child is at risk of harm when returning to their current living environment; the **Team Leader** must make an immediate report to the State Reporting Agency ([See Appendix 2](#)).

If the **Team Leader** forms a reasonable belief that the child is not at risk when returning to their current living environment, yet have a reasonable belief that child abuse has occurred; the **Team Leader** must make a report within 24 hours of the report to the State Reporting Agency and police ([See Appendix 2](#)).

The **Team Leader** is responsible for forwarding all incident reports and report notifications to the **State Coordinator** and **Program Manager** within 24 hours of the Weekend Workshop.

The **Program Manager** is responsible for ensuring all reporting has complied with this policy and the reporting requirements for each State.

4.5.3 DISCLOSURE AT YOUTH INSEARCH WEEKEND WORKSHOP OR SUPPORT GROUP

If a disclosure of child abuse is received at a Support Group, the person receiving the disclosure is required to notify the **Support Adult** or **Community Coordinator** at the Support Group.

The **Support Adult** or **Community Coordinator** will meet with the child to clarify details of the disclosure. The purpose is to ascertain the level risk to the young person when leaving the Support Group; what reporting is required by Youth Insearch; and what support and follow-up will be required.

If the **Support Adult** or **Community Coordinator** forms a reasonable belief that the child is at risk of harm when leaving the Support Group; the **Support Adult** or **Community Coordinator** must make an immediate report to the State Reporting Agency and police ([See Appendix 2](#)).

If the **Support Adult** or **Community Coordinator** forms a reasonable belief that the child is not at risk when returning to their current living environment, yet have a reasonable belief that child abuse has occurred; the **Team Leader** must make a report within 24 hours of the report to the State Reporting Agency ([See Appendix 2](#)).

The **Support Adult** or **Community Coordinator** is required to complete an incident report and is responsible for forwarding all incident reports and report notifications to the **State Coordinator** and **Program Manager** within 24 hours of the Support Group.

The **Program Manager** is responsible for ensuring all reporting has complied with this policy and the reporting requirements for each State.

4.5.4 ALLEGATION OF ABUSE PERPETRATED BY A YOUTH INSEARCH STAFF, LEADER OR SUPPORT ADULT

If it is alleged that a member of staff, 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 a staff member or volunteer becomes aware of allegations of reportable conduct or a reportable conviction against themselves, or another Youth Insearch staff member or volunteer, must advise the **General Manager**. The **General Manager** must record the details of the allegation, conduct or conviction and advise the **CEO**.

Once Youth Insearch has been informed, the staff/volunteer will be told of the allegation and that they are to be present for a meeting to be held within the next 48 hours. The staff/volunteer is encouraged also to seek independent legal advice.

The meeting/teleconference will be held with the **General Manager** and another representative of Youth Insearch, the staff/volunteer and a support person of their choice present. The staff/volunteer will be told that the allegation is to be reported to the appropriate child safety body.

The staff/volunteer is to have no involvement with Youth Insearch activities involving children until the child protection investigation has been finalised.

The staff/volunteer is not to attempt any communication with the alleged victim or victim's family.

Youth Insearch will maintain regular communication during the child protection investigation, in relation to any changes in the volunteer's situation with regard to involvement in Youth Insearch activities.

4.6 INVESTIGATING

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

Any such investigation will be conducted according to the rules of natural justice.

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.

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.

4.7 OUTCOME OF INVESTIGATION

If the investigation concludes that on the balance of probabilities an offence (or a breach of the Youth Insearch's policies or Child Safety 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.

4.8 PRIVACY

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. Youth Insearch 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.

4.9 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.

5 RELATED DOCUMENTS

- Principal Policies and Practices Manual
- Leaders Manual
- Support Manual
- Employee Manual
- Weekend Workshop Planning Procedures Manual

APPENDIX 1 - CHILD SAFETY CODE OF CONDUCT

Management, staff, volunteers and contractors at Youth Insearch are required to abide by this Code.

UNDER THE CEO, MANAGEMENT WILL:

1. Be responsible for the overall welfare and wellbeing of staff and volunteers;
2. Be accountable for managing and maintaining a duty of care towards staff and volunteers; and
3. Nominate a Child Protection Officer to provide information and support to all staff, volunteers, children, young people and their carers regarding child protection matters.

ALL PEOPLE INVOLVED IN THE CARE OF CHILDREN ON BEHALF OF YOUTH INSEARCH WILL:

1. Work towards the achievement of the aims and purposes of the organisation;
2. Be responsible for relevant administration of programs and activities in their area;
3. Maintain a duty of care towards others involved in these programs and activities;
4. Establish and maintain a child-safe environment in the course of their work;
5. Be fair, considerate and honest with others;
6. Treat children and young people with respect and value their ideas and opinions;
7. Act as positive role models in their conduct with children and young people;
8. Be professional in their actions;
9. Maintain strict impartiality;
10. Comply with specific organisational guidelines on physical contact with children;
11. Respect the privacy of children, their families and teachers/carers, and only disclose information to people who have a need to know;
12. Maintain a child-safe environment for children and young people;
13. Operate within the policies and guidelines of Youth Insearch and
14. Contact the police if a child is at immediate risk of abuse (telephone 000).

NO PERSON SHALL:

1. Shame, humiliate, oppress, belittle or degrade children or young people;
2. Unlawfully discriminate against any child;
3. Engage in any activity with a child or young person that is likely to physically or emotionally harm them;
4. 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;
5. Be alone with a child or young person unnecessarily and for more than a very short time;
6. Develop a 'special' relationship with a specific child or young person for their own needs;
7. Show favouritism through the provision of gifts or inappropriate attention;
8. Arrange contact, including online contact, with children or young people outside of the organisation's programs and activities;
9. Photograph or video a child or young person without the consent of the child and his/her parents or guardians;
10. Work with children or young people while under the influence of alcohol or illegal drugs;

11. Engage in open discussions of a mature or adult nature in the presence of children;
12. Use inappropriate language in the presence of children; or
13. Do anything in contravention of the organisation's policies, procedures or this Child Safety Code of Conduct.

WHAT HAPPENS IF YOU BREACH THIS CHILD SAFETY CODE OF CONDUCT?

If you breach this Code of Conduct you will face disciplinary action, including and up to termination of employment or cessation of engagement with the organisation.

APPENDIX 2 - REPORTING OBLIGATIONS

MANDATORY REPORTING OBLIGATIONS

MAKING A REPORT

Any person who believes a child is in immediate danger should contact the police immediately. Otherwise, call the relevant numbers below.

EXAMPLE OF IMMEDIATE DANGER

A father has picked child up from school and the school is aware that he is not authorised to do so because of a history of abuse. The school must contact the police.

EXAMPLE OF NON-IMMEDIATE DANGER

A child has been acting up in school and the school is aware that his parents have broken up and that there is a history of domestic violence against the mother – in this case action must be taken but it would be more appropriate to raise the concerns with the relevant body than to call the police emergency line.

State or Territory	Legislation	Mandated Reporters	When must a report be made?	Who is a Child?
NSW	Children and Young Persons (Care and Protection) Act 1998 (NSW)	<ul style="list-style-type: none">A person who, in the course of his or her professional work or other paid employment, delivers health care, welfare, education, children’s services, residential services or law enforcement, wholly or partly, to childrenA person who holds a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children’s services, residential services or	<ul style="list-style-type: none">A mandated reporter must make a report if:They have reasonable grounds to suspect that a child is “at risk of significant harm”; andThose grounds arise during the course of or from the person’s work.	A person under 16 years old

		law enforcement, wholly or partly, to children		
	Crimes Act 1900 (NSW)	<ul style="list-style-type: none"> Any person 	<ul style="list-style-type: none"> A mandated reporter must make a report if: <ul style="list-style-type: none"> The person knows or believes that an offence has been committed (i.e. child abuse); and Their information might be of assistance to police in apprehending, prosecuting or convicting the offender. 	A person under 18 years old
QLD	Child Protection Act 1999 (QLD)	<ul style="list-style-type: none"> Teachers (specifically, approved teachers under the Education [Queensland College of Teachers] Act 2005, employed at a school) Doctors Registered nurses Police officers with child protection responsibilities A person performing a child advocate function under the Public Guardian Act 2014 Child Safety employees 	<ul style="list-style-type: none"> A mandated reporter must make a report if: <ul style="list-style-type: none"> They form a reasonable suspicion that a child has suffered, is suffering or is at an unacceptable risk of suffering significant harm caused by physical or sexual abuse; and The child may not have a parent able and willing to protect the child from the harm. 	A person under 18 years old

		<ul style="list-style-type: none"> Licensed care services employees 		
	Education (General Provisions) Act 2006 (Qld)	<ul style="list-style-type: none"> Staff members at a school 	<ul style="list-style-type: none"> A mandated reporter must make a report if they reasonably suspect, in the course of their employment at the school, that any of the following has been or is likely to be sexually abused by another person: <ul style="list-style-type: none"> A student under 18 years old attending the school; A pre-preparatory age child registered in a pre-preparatory learning program at the school or a distance education pre-preparatory learning program at the school; or A person with a disability who is being provided with special education at the school and is not enrolled in the preparatory year at the school. 	A person under 18 years old
VIC	Crimes Act 1958 (Vic)	<ul style="list-style-type: none"> Any person 18 years or older 	<ul style="list-style-type: none"> A mandated reporter must make a report if they form a reasonable belief that a sexual offence has been committed in Victoria against a child by another person of or over the age of 18 years. 	A person under 16 years old

			<p>NB: Exemption pertaining to public disclosure within group session at Youth Insearch:</p> <p>If the person believes on reasonable grounds that the information has already been disclosed to police by another person and the first mentioned person has no further information.</p>	
	Children, Youth and Families Act 2005 (Vic)	<ul style="list-style-type: none"> Registered medical practitioners, midwives and registered nurses Teachers registered or granted permission to teach under the Education, Training and Reform Act 2006 Principals Police 	<ul style="list-style-type: none"> A mandated reporter must make a report if: They form a belief on reasonable grounds that a child is in need of protection from physical injury or sexual abuse; The parents cannot or will not protect the child; and The belief is formed in the course of practising his/her position of employment. 	A person under 17 years old

VOLUNTARY REPORTING OBLIGATIONS

State	Legislation	Voluntary Reporters	When can a report be made?	Who is a child?

NSW	Children and Young Persons (Care and Protection) Act 1998 (NSW)	Any Person	A voluntary reporter may make a report if the person has reasonable grounds to suspect that a child or young person is at risk of significant harm.	A person under 16 years old
QLD	Child Protection Act 1999 (QLD)	Any Person	A voluntary reporter may make a report if: The person reasonably suspects a child may be in need of protection; or An unborn child may be in need of protection after he or she is born.	A person under 18 years old
VIC	Children, Youth and Families Act 2005 (VIC)	Any Person	A voluntary reporter may make a report if the person has a significant concern for the wellbeing of a child.	A person under 17 years old

RELEVANT REPORTING BODY

State	Reporting Body	Conditions	Reporting Line
NSW	Department of Family & Community Services	General Public line (24 hours)	13 21 11
		Mandated Persons line (24 hours)	13 36 27
QLD	Department of Communities, Child Safety and Disability Services	After Hours: Child Safety Service Centre (24 hours)	1800 177 135 or (07) 3235 9999

		During business hours contact the appropriate Regional Intake Service:	
		Brisbane	1300 682 254
		Central Queensland	1300 703 762
		Far North Queensland	1300 684 062
		North Coast Queensland	1300 703 921
		North Queensland	1300 706 147
		South East Queensland	1300 679 849
		South West Queensland	1300 683 390
VIC	Department of Health and Human Services	After hours and to report concerns about the immediate safety of a child: Child Protection Crisis Line (24 hours)	13 12 78
		During business hours contact the appropriate local government area:	
		Northern and western suburbs	1300 664 977
		Eastern suburbs	1300 360 391
		Southern suburbs	1300 655 795
		South-western rural and regional	1800 075 599
		Western rural and regional	1800 000 551
		North-western rural and regional	1800 675 598
		North-eastern rural and regional	1800 650 227
	Eastern and south-eastern rural and regional	1800 020 202	
	Victorian Police - Sexual Offences and Child Abuse Investigation Team (SOCIT)	Contact the appropriate local office:	
		North-West Metropolitan	(03) 8690 4056
Southern Metropolitan		(03) 9556 6128	
Western Victoria		(03) 5448 1420	
Eastern Victoria		(03) 5820 5878	

APPENDIX 3 INCIDENT REPORT



INCIDENT REPORT

Persons Involved: _____

Witnesses: _____

Incident Location: _____

Date of Incident: _____ Time of Incident: _____

(ATTACH MORE PAGES IF NEEDED)

INCIDENT BACKGROUND AND DETAILS:

ACTION TAKEN AT TIME OF INCIDENT:

HOW INCIDENT WAS FOLLOWED UP:

Your Name/Position: _____ Date: _____

Phone Number: _____ Email: _____ Date: _____

INSTRUCTIONS – please include the following detail. Attach more pages if necessary.

INCIDENT

The name of the offender/s.
Who was present when the incident occurred?
What was happening immediately before the incident occurred?
What injuries/damage was done? To whom or what?
What are the reasons the incident occurred?

ACTION TAKEN

Who took the action?
What procedures were followed?
How was the safety of other people ensured?
What outside help was enlisted? E.g. police, medical, fire, other.

FOLLOW UP

Were the persons involved in the incident offered support if requested or felt to be needed?
Was there debriefing of other Participants, team and support people after the incident?
Were steps taken to make sure people returned home safely after the incident?
Was Program Manager informed as soon as possible about the incident and the outcome and any follow up.

OFFICE USE ONLY

Received by: _____ Position: _____ Date: _____

Report Distribution

Must be provided to Program Manager and General Manager and Local Coordinator.

Name: _____ Position: _____ Date: _____

Name: _____ Position: _____ Date: _____

Name: _____ Position: _____ Date: _____

Comments:

Action Taken:
