



**St Joseph's
Outreach
Services**

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Child and Vulnerable Persons Protection Policy

Dated: 24th February 2021

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**St Joseph's
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CHILD & VULNERABLE PERSONS PROTECTION POLICY

INTRODUCTION

St Joseph's Outreach Services (SJOS) is committed to promoting and protecting the interests and safety of children and vulnerable people. We have zero tolerance for child and vulnerable person abuse.

Everyone working at St Joseph's Outreach Services is responsible for the care and protection of children/vulnerable people and reporting information about the abuse.

PURPOSE

The purpose of this policy is

1. To facilitate the prevention of child/vulnerable person abuse occurring within St Joseph's Outreach Services.
2. To work towards an organisational culture of child/vulnerable person safety.
3. To prevent child/vulnerable person abuse within St Joseph's Outreach Services.
4. To ensure that all parties are aware of their responsibilities for identifying possible occasions for child/vulnerable person abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs.
5. To provide guidance to 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 volunteers/contractors forbidding any such abuse.
7. To provide assurance that any and all suspected abuse will be reported and fully investigated.

POLICY

St Joseph's Outreach Services is committed to promoting and protecting the best interests of children/vulnerable people involved in its programs.

All children/vulnerable people, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.

St Joseph's Outreach Services has zero tolerance for child/vulnerable person abuse. Everyone working at St Joseph's Outreach Services is responsible for the care and protection

of the children within our care and reporting information about suspected child/vulnerable person abuse.

Child/vulnerable person protection is a shared responsibility between all board members, volunteers, contractors, associates, and members of the St Joseph's Outreach Services community.

St Joseph's Outreach Services supports and respects all children, vulnerable people, volunteers and contractors. St Joseph's Outreach Services is committed to the cultural safety of Aboriginal children/vulnerable persons, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children/people living with a disability.

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

AUTHORISATION

St Joseph's Outreach Services Board

Dated: 24th February 2021



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CHILD & VULNERABLE PERSONS PROTECTION PROCEDURES

RESPONSIBILITIES

The Committee of Joseph's Outreach Services (SJOS) has ultimate responsibility for the detection and prevention of child/vulnerable person abuse and is responsible for ensuring that appropriate and effective internal control systems are in place. The SJOS Committee is also responsible for ensuring that appropriate policies and procedures and a Child/Vulnerable Persons Protection Code of Conduct are in place.

The SJOS Committee will nominate a Child-Safety Officer.

The Child-Safety Officer is responsible for:

- Dealing with and investigating reports of child/vulnerable person abuse;
- Ensuring that all volunteers and contractors are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct;
- Ensuring that all adults within the St Joseph's Outreach Services community are aware of their obligation to report suspected sexual abuse of a child/vulnerable person in accordance with these policies and procedures;
- Ensuring that all volunteers and contractors are aware of their obligation to observe the Code of Conduct (particularly as it relates to child/vulnerable person safety);
- Providing support for volunteers and contractors in undertaking their child/vulnerable person protection responsibilities.
- Promoting child/vulnerable person safety at all times;
- Assessing the risk of child/vulnerable persons abuse within their area of control and eradicate or minimise any risk to the extent possible;
- Educating volunteers and contractors about the prevention and detection of child abuse; and
- Facilitating the reporting of any inappropriate behaviour or suspected abusive activities.

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

- Familiarise themselves with the relevant laws, the Code of Conduct, and St Joseph's Outreach Services' policy and procedures in relation to child/vulnerable person protection, and comply with all requirements;

- Report any reasonable belief that a child's/vulnerable person'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/vulnerable person'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 (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.

Vulnerable Person(s) means:

- a) a Child or Children; or
- b) an individual aged 18 years and above who is or may be unable to take care of themselves, or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason.

SCREENING AND RECRUITMENT OF VOLUNTEERS AND CONTRACTORS

St Joseph's Outreach Services undertakes a comprehensive recruitment and screening process for all volunteers and contractors 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 St Joseph's Outreach Services values and commitment to protect children; and
- prevent a person from working at St Joseph's Outreach Services if they pose a risk to children.

St Joseph's Outreach Services requires all volunteers and contractor to pass through the organisation's recruitment and screening processes prior to commencing their engagement with St Joseph's Outreach Services, such as:

- confirm the applicant's Working with Children Check and National Police Check status (as relevant) and/or professional registration (as relevant)
- obtain proof of personal identity and any professional or other qualifications (as relevant)
- verify the applicant's history of work involving children (as relevant)

- obtain references that address the applicant's suitability for the job and the applicant's suitability for working with children/vulnerable persons where this is relevant to the role

St Joseph's Outreach Services have processes for monitoring of the status of Working with Children Checks.

Once engaged, volunteers and contractors must review and acknowledge their understanding of this Policy by signing of the Code of Conduct Agreement.

RISK MANAGEMENT

St Joseph's Outreach Services will ensure that child/vulnerable person safety is a part of its overall risk management approach.

REPORTING

Any board 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 the Child-Safety Officer about their concern.

In situations where the Child-Safety Officer 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 the board.

Volunteers and contractors must report complaints of suspected abusive behaviour or misconduct to the Child-Safety Officer and also to any external regulatory body such as the police.

INVESTIGATING

If the appropriate child protection service or the police decide to investigate a report, all volunteers or contractors must co-operate fully with the investigation.

Whether or not the authorities decide to conduct an investigation, the Child-Safety Officer 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 Child-Safety Officer may decide to conduct such an investigation. All volunteers or contractors must co-operate fully with the investigation.

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

The Child-Safety Officer will make every effort to keep any such investigation confidential; however, from time-to-time others 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 Child-Safety Officer 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 volunteer or contractor may have committed an offence or have breached the organisation's policies or its Code of Conduct the person concerned may be stood down 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. St Joseph's Outreach Services 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

St Joseph's Outreach Services are committed to continuous improvement of our child and vulnerable persons safety systems and practices. This Policy will be reviewed **every three years** or updated to accommodate changes in legislation or circumstance. The next review will be on **February 2024**.

We will maintain a history of updates to the policy.

HISTORY OF UPDATES TO THE POLICY

Date	Document Version	Comment (e.g. major review, minor review)
24/02/2021	1.0	Approved by Board

RELEVANT LEGISLATION

- Children, Youth and Families Act 2005 (Vic.)
- Working with Children Act 2005 (Vic.)
- Worker Screening Act 2020 (Vic.)
- Privacy Act 1988 (Cth)
- Crimes Act 1958 SECT 327 (Vic.) – Amendment (Protection of Children) 2014

Three new criminal offences have been introduced under this Act:

- (a) **Failure to disclose offence:** Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
- (b) **Failure to protect offence:** The offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit an offence if they know of the risk, but negligently fail to reduce or remove it.
- (c) **Grooming offence:** This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.

AUTHORISATION

St Joseph's Outreach Services Board

Dated: 24th February 2021