

# POLICY – Child Protection

<b>Policy Title</b>	<b>CEF Child Protection Policy</b>
<b>Policy Number</b>	1.004
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<b>Date Approved</b>	16/09/2020
<b>Review Date</b>	<i>Three years from approval</i>
<b>Policy Officer</b>	Operations Manager
<b>Responsible Person/s</b>	Chief Executive Officer
<b>Scope</b>	<p>Member Foundations are required to adopt and implement this policy and to inform Country Education Foundation of Australia Ltd ACN 103889452 (CEF) national office of the approval of the policy by the relevant committee in accordance with its constitution. Member Foundations must also undertake to ensure that all volunteers are bound by this policy and are made aware of this policy and what it says.</p> <p>This Policy applies to:</p> <ul style="list-style-type: none"> <li>• CEF network which includes but not be limited to be all directors, employees, volunteers, contractors and/or donors of CEF and/or its Member Foundations, whether they work or connect face-to-face, online or remotely; and</li> <li>• children and young people accessing grants, programs or services of CEF or its Member Foundations.</li> </ul>
<b>Purpose</b>	<p>The purpose of this policy is to:</p> <ul style="list-style-type: none"> <li>• provide for the protection of children, and to ensure that the safety, wellbeing and best interests of a child are paramount;</li> <li>• promote a culture of child safety and prevent child abuse within CEF and its Member Foundations;</li> <li>• ensure that all parties are aware of their responsibilities for preventing child abuse;</li> <li>• to provide guidance on action that should be taken where a person suspects any child abuse within or outside of CEF and its Member Foundations; and</li> <li>• promote and protect the rights, interests and wellbeing of children and young people by requiring the implementation of risk management strategies and appropriate screening of employees.</li> </ul>
<b>POLICY STATEMENT</b>	

Country Education Foundation of Australia Ltd ACN 103889452 (CEF) and its Member Foundations are committed to promoting and protecting the safety and wellbeing of all children. CEF and its Member Foundations will take all necessary steps to ensure all children and young persons receive such care and protection as necessary for their safety, welfare and well-being. Children and young people have a fundamental right to grow, develop and feel safe in environments that are free from violence, exploitation and harm. We have zero tolerance for child abuse.

CEF and its Member Foundations have clear expectations that all children and young people will be protected from all forms of harm including sexual, physical and psychological harm, as well as ill-treatment and neglect. Everyone working with CEF and its Member Foundations are responsible for the care and protection of children and reporting information about child abuse. Consistent with its mission and values, and in compliance with its legislative obligations, CEF strives to ensure children in its care are safe and secure.

**If any person believes a child is in immediate risk of abuse, contact emergency services.**

## Definitions

“**Child**” means a person aged 15 years or under. Collective term for a “child” is “children”.

“**Young Person**” means a person aged 16 or 17 years.

Together a “**child**” or “**young person**” means a person under the age of 18 years unless otherwise stated under the law.

“**Employee**” means any person who is engaged in CEF or its Member Foundations, whether or not they are employed in connection with work or activities that relate to children in paid or volunteer capacity, as well as any person engaged by CEF or its Member Foundations to provide services to children and young people. Employees include, but are not limited to employees, directors, volunteers and contractors of CEF and its Member Foundations, whether they work face-to-face, online or remotely with children.

“**Employer**” means CEF or Member Foundations.

“**Complaint**” or “**Allegation**” means, for the purposes of this document, a complaint or allegation is considered to be any issue raised regarding the conduct of an employee of CEF or its Member Foundations in relation to children or young people, where such conduct is considered to be a nature of which may constitute reportable conduct in accordance to legislation.

“**Mandatory Reporter**” means a person who due to the nature of their employment must report any concern regarding the safety, welfare or well-being of a child.

## Policy

This Policy is based on the following principles:

- CEF and its Member Foundations have zero tolerance for child abuse;
- the best interests of the child are paramount;
- child protection is a shared responsibility;
- all children have a right to feel safe, and have the right to protection from abuse;
- CEF and its Member Foundations will consider the opinions of children and young people, and use their opinions to develop child protection policies and procedures;
- CEF and its Member Foundations are committed to the cultural safety of Aboriginal children and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for students living with a disability;
- everyone covered by this policy should familiarise themselves with the CEF Child Protection Procedures that accompany this policy; and
- everyone covered by the Policy must also comply with CEF’s Child Safety Code of Conduct, which sets stringent standards for personal behaviours.

## Child Protection Officers

The national office will nominate two Child Protection Officers (CPOs), available to listen, discuss and clarify issues confronting individual employees, directors, volunteers and contractors in relation to child physical and sexual abuse. CPOs will make reports on behalf of CEF and its Member Foundations and ensure that adequate records are maintained.

Member Foundations may choose to nominate a CPO from within their committee who will make reports on behalf of their foundation and ensure that adequate records are maintained. A CPO may be the Chairperson, Vice Chairperson, Secretary, Treasurer or Committee Member.

Member Foundations not wishing to nominate a CPO will be represented by the national office CPOs.

## **Recognising child abuse:**

**Physical abuse:** Physical abuse is any form of non-accidental physical injury, injury or violence which results from willful or neglectful failure to protect a child or young person;

**Sexual abuse:** Sexual abuse is when a child or young person is used by another person for his or her gratification or sexual arousal or for that of others (this includes grooming behaviour);

**Serious emotional and psychological abuse:** Emotional and psychological abuse is when a child has suffered or is likely to suffer emotional or psychological harm of such a kind that the child's emotional or intellectual development is or is likely to be, significantly damaged.

**Neglect:** Neglect is an omission, where the child or young person suffers serious harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care.

## **Reporting obligations**

Concerns that require reporting include, but are not limited to the following:

- Physical Abuse.
- Non-accidental injuries or physical harm.
- Domestic violence.
- General violence.
- Neglect.
- Lack of schooling.
- Homelessness.
- Living in a dangerous environment.
- Lacking adequate nutrition or is severely underweight or obese.
- Appearance is very dirty and/or lack of clothing appropriate for weather conditions and/or lack of hygiene.
- Lack of medical and/or mental health treatment.
- Sexual Abuse.
- Child or young person is the victim of sexual abuse.
- Child or young person is sexually harming another child or young person.
- Psychological Harm.
- Child or young person exhibiting psychological/emotional distress.
- Domestic violence.
- Underage marriage.
- Danger to self and/or Others.
- Suicide or self-harming behaviours.
- Alcohol or drug abuse.
- Mental health conditions.
- Parent or Carer Concern.
- Parent or carer is relinquishing care.
- Making of uninformed decisions (Child is under 18 is and is unable to make informed decisions).
- Lack of care arrangements.
- Significant substance abuse.
- Mental health condition/s.
- Domestic violence.
- Concerns of welfare of an unborn child.

## Mandatory reporting obligations

Mandatory reporting is a term used to describe the legislative requirement imposed on selected classes of people to report suspected cases of child abuse and neglect to government authorities. All of the CEF network must comply with all applicable mandatory reporting laws. All Australian states and territories have enacted mandatory reporting laws. However, the laws are not the same across all jurisdictions. Reporting is required if there are reasonable grounds to suspect that a child is at risk of significant harm.

Information about the mandatory reporting obligations in each state and territory can be found at <https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect> .

## Reasonable Grounds to Notify

You have reasonable grounds to notify whenever:

- a child tells you that they have been physically or sexually abused;
- a child states that they know someone who has been physically or sexually abused (sometimes the child is talking about themselves);
- someone else, such as a relative, friend, acquaintance or sibling of the child, tells you that a child has been abused;
- your observations of the child's behavior or knowledge of children lead you to believe that the child has been abused; or
- you observe physical signs or indicators of abuse (e.g. bruises, cuts etc.).

## Voluntary reporting

If any of the CEF network reasonably suspects or believes that a child needs protection, they should report their concerns immediately to the police or the relevant government agency.

If any person would like internal guidance or support with addressing their concerns, they are encouraged to speak with a CPO.

## Recruitment

CEF and its Member Foundations undertake a comprehensive recruitment and screening process for all employees, directors, volunteers and contractors which aims to:

- promote and protect the safety of all children at CEF and its member foundations;
- identify and recruit the safest and most suitable candidates who share CEF and its Member foundations' values and commitment to protect children; and
- prevent a person from working at CEF and its member foundations if they pose a risk to children.

All employees, directors, volunteers and contractors required to work with children must comply with the working with children obligations in their state or territory. This **may** involve an employee, volunteer or contractor undertaking a Working with Children Check (WWCC) to determine their suitability to work in a paid or volunteer capacity with children.

Information about statutory working with children obligations can be found in the URLs below:

- Queensland: [www.bluecard.qld.gov.au/](http://www.bluecard.qld.gov.au/)
- New South Wales: [www.check.kids.nsw.gov.au/](http://www.check.kids.nsw.gov.au/)
- Northern Territory: [www.workingwithchildren.nt.gov.au](http://www.workingwithchildren.nt.gov.au)
- South Australia: [www.families.sa.gov.au/pages/protectingchildren](http://www.families.sa.gov.au/pages/protectingchildren)
- Tasmania: [www.cbos.tas.gov.au/](http://www.cbos.tas.gov.au/)
- Victoria: [www.workingwithchildren.vic.gov.au/](http://www.workingwithchildren.vic.gov.au/)
- Western Australia: [www.workingwithchildren.wa.gov.au/](http://www.workingwithchildren.wa.gov.au/)

The National Office of CEF will record all WWCCs and check to identify when renewals are required.

## Communication

CEF and its Member Foundations are committed to being pro-active in preventing child abuse and will communicate the National Child Protection Policy in the manner below. CPOs are responsible for disseminating and communicating the National Child Protection Policy in the manner below.

STUDENTS	PARENTS, GUARDIANS, COMMUNITY, SPONSORS, PARTNERS	EMPLOYEES, DIRECTORS, VOLUNTEERS, CONTRACTORS
<ul style="list-style-type: none"> <li>• Grant application form</li> <li>• Student resources</li> <li>• Publications</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Website</li> <li>• Information evenings</li> <li>• CEF Newsletters</li> <li>• Grant application form</li> <li>• Publications</li> <li>• Student resources</li> </ul>	<ul style="list-style-type: none"> <li>• Website</li> <li>• Letters of appointment/contract</li> <li>• Induction training of new employees, directors, volunteers and contractors</li> <li>• Policy and Procedures Manual</li> </ul>

## Responding & Reporting

In the case of an allegation being made against a member of the CEF network, the CPO will follow the relevant state-based Child Protection Procedure. CEF will work with its Member Foundations and take all steps to ensure that the safety of the child is paramount.

The first step is to withdraw the accused person from active duty, which could entail standing down (with pay, where applicable), re-assignment to other duties that do not have direct contact with children, or to work under increased supervision while the matter is being investigated.

## Case Management

In the event of a child or young person disclosing an incident of abuse to someone they trust; it is essential that it is dealt with sensitively and professionally.

## Investigations

The Chairperson will conduct an independent investigation into the allegation to the extent that it will not interfere with investigations by the police or relevant government authority and will co-operate with the authorities as required. Every effort will be made to protect the rights and safety of any child and/or young person throughout any investigation.

All people covered by the CEF Child Protection Policy must co-operate fully with any investigation by the government authority, the police or CEF and its member foundations.

The Chairperson will make every effort to keep any such investigation confidential; however, from time to time other employees, directors, volunteers and contractors may need to be consulted in conjunction with the investigation (e.g. to provide witness statements).

The outcome will depend on the findings of the investigation, but may include withdrawal from active duty, re-assignment to duties with no contact with children, increased supervision, disciplinary action, dismissal, termination of the volunteer's engagement, or criminal prosecutions.

## Record Keeping

All reports of alleged abuse or harm, or risk thereof, must be recorded in the form of an Incident Report. Reporting and should be factual and not conjectural or interpretative. Places, times, dates, names of people, observable behaviors or evidence of harm are what is recordable. Reports must be to be securely stored by the national office CPO or if applicable, committee CPO.

## **Privacy and Confidentiality**

There are two guiding principles in respect to a child or young person's privacy.

- Firstly, CEF and its Member Foundations will operate on the 'best interests' principle. All employees, directors, volunteers, donors and contractors will do what they believe to be in the best interest of the child or young person. This principle supersedes all others.
- Secondly, CEF and its Member Foundations will respect a child or young person's confidentiality except in situations where it conflicts with the best interests' principle.

As much as is reasonably possible, an individual's confidentiality is to be protected.

Both those who are making reports and those about whom accusations are being made are entitled to confidentiality.

Where there is suspected abuse or misconduct, the members of the CEF family must not disclose or make use of the information in a manner that breaches confidentiality, other than to report and act consistent with the National Child Protection Policy, and relevant statutory requirements.

## **Photographs/videos of a child**

In line with the CEF Child Safety Code of Conduct, employees, volunteers and contractors at CEF and/or at its Member Foundations must not photograph or video a child without the consent of the parent or guardians. In order to gain consent of the parent or guardian, we recommend individuals use [CEF's Authority to Publish Waiver](#).

CEF and its Member Foundations undertake all reasonable, necessary precautions to protect paper and electronic information about children.

At all times staff are required to adhere to CEF and Member Foundation policies in relation to privacy and photography.