



## CHILD SAFE POLICY

<b>Applies to:</b> All Djirra staff and volunteers in the course of their work in all offices, events and functions of Djirra.	Version: 2.0
<b>Responsibility:</b> Executive Team	Date approved: 16 November 2021
	Next review date: three years after approval

### 1. Statement of commitment to child safety

Djirra is committed to child safety. As an Aboriginal Community Controlled Organisation providing specialist family violence services since 2002, predominantly to Aboriginal women of Victoria, Djirra's foundations are strong and trusted. The safety of children is enshrined in our culture, our values and the way we work at Djirra. We want any child who accesses Djirra's services or programs – whether directly or accompanying a family member or carer - to feel safe and empowered and to know how to raise any concerns should they feel unsafe. We support and respect all children, and in the safe and culturally shaped spaces and services we create, children feel protected and valued. Importantly, children are welcomed and know that they belong at Djirra for a time.

Cultural safety of Aboriginal women and their children is at the heart of everything we do. We are committed to the cultural safety of our clients and their children, as well as the safety of children from all backgrounds, communities and with diverse abilities. Cultural safety for children is evident in the way we encourage them to be themselves and to “talk up” to Djirra staff so that their needs are recognised and can be met, as far as practicable. In turn, Djirra staff understand that some children might feel anxious and carry emotional burdens not of their making. This may require staff, particularly Aboriginal team members, to exercise judgement and draw on wise insights formed by their knowledge of the past and present trauma faced by Aboriginal peoples, in order to provide children with a sense of safety and wellbeing while at Djirra.

We respect children's rights - including their right to self-identify – and to always feel safe and empowered. We are also committed to providing a safe environment for, and considering the needs of, children who have suffered trauma. We welcome and encourage children to voice their views on the issues we deal with at Djirra everyday – including gender-based violence and the preservation and empowerment of Aboriginal culture.

We do not tolerate child abuse. All allegations and safety concerns will be treated seriously and consistently with our policies, procedures and legal obligations. The best interests of our clients and their children inform every aspect of our service provision.

Djirra is committed to preventing child abuse, identifying risks early and removing and reducing these risks. We have human resources and recruitment practices for all staff and volunteers and are committed to regularly educating our staff and volunteers on child safety. In developing and delivering child safety education to staff, we ensure that the content goes beyond the scope of child safe legislative and regulatory frameworks. It includes the history and impact of colonisation, systemic racist policies such as the removal of Aboriginal children and the continuation of traditional kinship and family relationships which remain strong while adapting to changing circumstances and contemporary settings. This cultural lens across child safety training is important positioning, especially for non-Aboriginal staff, who may not understand that within Aboriginal community and culture, children are our future. It is through our children that culture, connection to country, ancestors and kinship transition through the ages; child safety is intrinsic, it is survival.

Djirra's service responses are also informed by a recognition that often institutional responses to family violence hold adults who experience violence, usually women, responsible for the continuation of violence and for the consequent harm caused to children in their care. Djirra is committed to challenging practices that fail to place full responsibility for ongoing violence and the harm it causes on those who use violence.

All staff and volunteers agree to abide by our *Child Safe Code of Conduct* and are required to contribute to a safe and welcoming environment for children.

## 2. Scope of policy

This policy guides our staff and volunteers on how to behave with children in our organisation. All of our staff and volunteers must agree to abide by our *Child Safe Code of Conduct*.

## 3. Definitions

**Child** means a child or young person who is under the age of 18 years (section 3, *Child Wellbeing and Safety Act 2005*).

**Child abuse** is as defined in section 3 of the *Child Wellbeing and Safety Act 2005*, and includes sexual offences, sexual misconduct and any infliction of physical, serious emotional or psychological harm or serious neglect of a child.

**Child safety concern** is a concern regarding the safety of a child, including any:

- disclosure of child abuse or harm;
- allegation, suspicion or observation of child abuse or harm;
- breach of the *Child Safe Code of Conduct*; and/or
- physical or online environmental safety concerns.

**Djirra** is the name the Aboriginal and Torres Strait Islander Corporation Family Violence Prevention and Legal Service Victoria operates under.

**Mandatory reporters** are persons within certain professions who are obligated to report a reasonable belief of child physical or sexual abuse to child protection authorities. Mandatory reporters are registered medical practitioners, nurses, midwives, teachers, school principals, school counsellors, police officers, out of home care workers, early childhood workers, youth justice workers, registered psychologists and people in religious ministries.

**Sexual misconduct** is as defined in section 3 of the *Child Wellbeing and Safety Act 2005*, and includes behaviour, physical contact or speech or other communication of a sexual nature, inappropriate touching, grooming behaviour and voyeurism.

#### **4. Safety and participation of children**

Children are vital and active participants in our organisation and the communities we represent. We listen to their views and respect what they have to say. We work closely with our clients and communities to ensure they understand our commitment to child safety and ensure that families participate in any decisions relating to their child/ren.

We acknowledge that women who access our services, programs or events are sometimes accompanied by their children, and we recognise our responsibility to these children.

We are mindful that some conversations children may overhear at Djirra are distressing and may retraumatise children who are living with family violence. In particular, disclosures of family violence should never be made in front of a child. As far as practicable, we encourage our clients to make alternative caring arrangements for their children, so their children are not privy to these discussions. Where this is not possible, we are committed to providing safe facilities and resources for these children, so they are protected from overhearing anything which may impact their safety. We ensure the client is comfortable with any suggestions we make for distracting their child or children during these discussions, by asking their views on what would best occupy the child.

We also acknowledge that some of our clients may be under the age of 18, and recognise our particular responsibilities relating to them.

In limited circumstances, Djirra staff and volunteers also work directly with children as clients or participants in programs (e.g. Young Luv workshops involve girls aged from 13). The Young Luv workshops provide a safe space for young women to yarn about a range of issues directly related to their safety, including appropriate and respectful behaviours. The workshops are facilitated by respected community members committed to improving outcomes for young Aboriginal women.

#### **5. Valuing diversity**

We promote – and live - diversity and inclusion in our organisation, and people from all walks of life and cultural backgrounds are welcome, including staff, visitors, clients and children:

- from culturally and linguistically diverse backgrounds;
- with diverse abilities; and/or
- who are same-sex attracted, intersex or gender diverse.

We strive to provide a safe environment for all our staff, volunteers, clients and their families. Djirra is an Aboriginal Community Controlled Organisation and all staff attend both Cultural Relations training and Aboriginal Mental Health First Aid training. Staff also have access to Djirra's Cultural Advisor and other senior Aboriginal women at Djirra.

We strive for an organisational culture in which all staff and volunteers (in addition to parents/carers and children) feel confident and comfortable in discussing any allegations of child abuse or other child safety concerns.

## 6. Recruitment

We take all reasonable steps to employ people who can safely and appropriately work with children. Our position descriptions and job advertisements expressly recognise our commitment to child safety and require all staff at Djirra to be aware of, and act in accordance, with their social and legal responsibilities.

Through Djirra's *Recruitment Selection and Appointment Policy*, we actively encourage applications from Aboriginal peoples and/or candidates from diverse backgrounds, communities and abilities.

We carry out reference checks and police record checks to ensure that we are recruiting appropriate people. We assess the level of contact and responsibility a role will have in relation to children and ask relevant questions during candidate interviews, and of referees, to assess the suitability of the candidate to work with children.

If during the recruitment process a person's records indicate a criminal history, then the person will be given the opportunity to provide further information and context. On the basis of this additional material, Djirra reserves the right to terminate the selection process.

All Djirra staff and volunteers are required to hold a valid Working with Children Check and to provide evidence of this Check. They are also required to confirm their intention to abide by Djirra's *Child Safe Code of Conduct*.

## 7. Training and support

Djirra is committed to ensuring all leaders, staff and volunteers understand their responsibilities in relation to child safety. We assist our leaders, staff and volunteers to incorporate child safety considerations into decision-making and to promote a culturally safe environment where children are empowered to speak up about issues that affect them.

Djirra staff and volunteers receive training at induction to ensure they are aware of their child safety obligations and the actions they should take in the event of an incident or allegation, including cultural safety, the type of contact that should be reported, who is responsible for reporting, and to whom the report should be made.

These obligations are reinforced regularly in refresher training, discussions within teams and through supervision.

We support our staff and volunteers to:

- ensure they understand our organisation's commitment to child safety and that everyone has a role to play in protecting children;
- ensure their behaviour towards children is safe and appropriate;
- develop their skills to protect children from abuse and in prevention and early identification of risk; and
- promote the cultural safety of all children.

Inappropriate behaviour will be reported through appropriate channels, depending on the severity and urgency of the matter.

Appropriate safe behaviour with children is achieved through the following:

- induction for all new staff to ensure they are aware of Djirra's commitment to child safety and their duty of care requirements;
- refresher training and/or discussions within teams on child safety;

- Djirra's *Child Safe Code of Conduct*, which is made available to Djirra staff and volunteers, as well as to families and children, through Djirra's website.

We also support our staff and volunteers through ongoing supervision to develop their skills to identify risks to children, protect children from child abuse, and provide a culturally safe – and welcome - environment.

Any breaches of the *Child Safe Code of Conduct* will be addressed in accordance with Djirra's disciplinary and performance management processes.

Tailored training is provided to Legal Services staff at induction. Staff and volunteers working in Djirra's Legal Services operate in a distinct context with legal professional privilege. Djirra's Legal Practice Guide covers working with children and reporting child safety concerns, and we ensure all personnel in Djirra's Legal Services understand their distinct responsibilities in this regard.

## 8. Reporting allegations of child abuse

When child safety concerns arise, including any allegations of child abuse, the first responsibility is to ensure that the child is safe, and the risks of further abuse or harm are mitigated.

The child safety concern must immediately be reported to a manager.

Djirra will make every effort to work with the child's caregiver or other family or community members to decrease the level of risk to the child and will consider making reports to statutory agencies only in cases where there is a likelihood of significant harm as a result of abuse or neglect and this risk cannot be mitigated.

The cultural safety of the child and their family is integral to any decision. The employee must satisfy themselves and their manager that they have taken this into consideration. This includes exploring all culturally appropriate resources internally and externally (e.g., with other Aboriginal services) and consulting with senior Aboriginal women at Djirra.

We take our legal reporting responsibilities seriously, including as follows.

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. 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 the police. Factors contributing to *reasonable belief* may be:
  - 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 suspicious behaviour.
- **Failure to protect:** People in authority in our organisation will commit an offence if they know of a substantial risk of child abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- **Mandatory reporting;** Any staff who are mandatory reporters must comply with their duty to report a reasonable belief of physical or sexual abuse to child protection authorities.
- **Duty of care:** Djirra has a duty of care to children who access its services directly or indirectly. All Djirra services and programs are designed and delivered to uphold and promote child safety and wellbeing. If a

child is abused by an individual associated with Djirra, 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.

Any reported child safety concerns involving a Djirra employee, volunteer or contractor will be investigated.

## **9. Feedback, concerns, complaints and allegations**

Djirra's management team and Board of Directors strive always to foster child safety, and welcome and encourage feedback from community members, clients, children, staff and volunteers to promote a culture of openness and support when talking about safety concerns.

We work to ensure all children, families, staff and volunteers know what to do and who to tell if they observe child abuse or are a victim, and if they notice any inappropriate behaviour.

All reports of child abuse will be treated as serious, whether they are made by an adult or a child. Djirra staff and volunteers are trained to deal appropriately with any concerns raised.

All Djirra legal clients are provided with a *Client Service Charter* which covers how to raise concerns or make a complaint. This is also publicly available at the reception of all Djirra offices. Resources are also available on Djirra's website that detail how and where children can seek assistance for matters relating to their safety.

Allegations, concerns and complaints are managed in line with Djirra's *Managing Complaints Policy* and *Incident Reporting Policy* and supporting procedures.

If an allegation of child abuse or a child-related safety concern is raised, we provide support to impacted children and families throughout the process and provide regular progress updates.

## **10. Record keeping and incident monitoring**

Djirra is committed to best practice record keeping. We record all allegations of abuse or safety concerns using our incident reporting form, including investigation updates. All records are securely stored, in accordance with Djirra's legislative obligations.

We maintain confidentiality and privacy for children and families in accordance with legislation.

Any reports of child abuse or child safety concerns will be monitored by the Board to ensure that they are appropriately managed. Risks to child safety that are identified in complaints and reports of child abuse will be reviewed and incorporated into the relevant risk management plan.

## **11. Fair procedures for personnel**

While the safety and wellbeing of children is of primary concern, we also act fairly and justly with our staff and volunteers. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be transparent, and based on evidence.

Employees and volunteers under investigation in relation to a matter involving child abuse, or any other matter that has the potential to jeopardise their Working with Children Check status, may be prohibited from participating in Djirra activities until the matter is resolved.

## **11. Risk management**

At Djirra, we recognise the importance of a risk management approach in minimising the potential for child abuse in the provision of our services.

Djirra has a comprehensive risk management policy and framework and maintains an organisation-wide Risk Register. We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, and to ensure regular monitoring of child safety risks in both our physical and online environments.

We acknowledge there are different risk settings which apply to our various services. For example, the primary risk to child safety in our legal and individual support services, arises when children accompany a client to a meeting with our staff. We mitigate this risk by:

- requiring that a staff member or volunteer is never physically alone with a child – in circumstances where there this is not possible, approval and risk management strategies (e.g. keeping the door open) must be discussed and agreed with the staff member or volunteer’s manager in advance;
- encouraging clients to make alternative caring arrangements so that their child or children does not attend our offices with them or overhear disclosures over the telephone;
- suggesting an alternative appointment time for when the child or children will not be present; and/ or
- having appropriate resources available for children to occupy them while the client is speaking with our staff (e.g. toys, activities, noise-cancelling headphones).

There are different risks associated with the provision of services directly to children – for example, through Djirra’s Young Luv workshops. The Young Luv workshops are commissioned by external organisations and are not run on Djirra premises. We mitigate the risks associated with these workshops by:

- providing a culturally safe space for young Aboriginal women to share their experiences;
- ensuring our partner organisations have complementary and robust child safety policies and practices in place; and
- ensuring the workshop facilitators have an exemplary record in working with children.

We consider our Young Luv workshops to be a mitigating factor in and of themselves as the workshops seek to build an understanding of personal safety and empower young women to understand respectful and appropriate relationships and behaviours.

## 12. Regular review

This policy will be reviewed every three years and following significant incidents if they occur. We will endeavour to provide opportunities for families and children to contribute, and to work with all communities, particularly local Aboriginal communities to raise awareness of child safety.

### Responsibilities

Djirra’s **Board** is responsible for:

- approving this policy and the *Child Safe Code of Conduct*;
- ensuring that the Executive Team implements this policy and the *Child Safe Code of Conduct* thoroughly and puts in place appropriate mechanisms for ensuring the safety of children in the provision of Djirra’s service; and
- reviewing the outcomes of any allegations, complaints and child safety concerns and adjusting risk settings and risk mitigations accordingly.

The **Executive Team** is responsible for:

- ensuring this policy and *Child Safe Code of Conduct* is thoroughly and effectively implemented;
- ensuring all Djirra staff and volunteers are aware of – and agree to abide by – this policy and the *Child Safe Code of Conduct*;
- creating and maintaining a culturally safe culture for clients and their families;
- ensuring children who access Djirra’s services (directly or indirectly) are safe; and
- promptly and appropriately responding to and managing any child safety concerns.

**Individual managers** are responsible for:

- promoting child safety within their areas of responsibility;
- assessing the risks of child abuse within their area of responsibility and mitigating or managing those risk appropriately;
- ensuring all staff and volunteers within their area of responsibility have valid Working with Children Checks and have been appropriately screened to determine their suitability to work with children;
- educating staff and volunteers in their area of responsibility regarding their obligations with respect to child safety; and
- facilitating the reporting of child safety concerns.

All **staff and volunteers** are responsible for:

- abiding by the requirements of this policy, the *Child Safe Code of Conduct* and all related policies and procedures relevant to child safety;
- contributing to a child safe environment at Djirra; and
- reporting any allegations of child abuse or child safety concerns which occur in the provision of Djirra’s services, in accordance with the requirements of this policy.

## REVIEWING AND APPROVING THIS POLICY

Frequency	Person/s responsible	Approval
Every three years	Executive Team	Board

## POLICY REVIEW AND VERSION TRACKING

Review	Date Approved	Approved by	Next Review Due
1	20/11/2018	Board	2020
2	16 November 2021	Board	2024