

Policy overview

Youth Enterprises Australia (YEA) has legal and moral obligations to comply with the Child Safety Standards, under the Child Safety and Wellbeing Act 2005. These standards are regulated by the Victorian Commission for Children and Young People (CCYP).

This policy applies to all YEA personnel including staff, volunteers, and Board members. Contractors must also be made aware of our commitment to child safety, our code of conduct and their child safety obligations where applicable.

This policy is part of YEA's overarching strategy to embed an organisational culture of child safety and must be read in conjunction with the supplementary policies and procedures referred to within this document.

Our commitment to child safety

YEA is committed to the safety and wellbeing of children and young people.

We are committed to providing an environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives.

We have zero tolerance for child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.

We have a zero tolerance for racism within YEA. Any instances of racism are identified, confronted and not tolerated; this includes addressing them with appropriate consequences.

We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

Every person involved in YEA has a responsibility to understand the important and specific role they play individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make.

Particular attention will be paid to needs of Aboriginal children, children from culturally and/or linguistically diverse backgrounds, children with a disability, and those who are unable to live at home, lesbian, gay, bisexual, transgender and intersex children and young people. This includes providing/promoting a culturally safe environment for all children and young people.

We have specific policies, procedures and training in place that support our Executive Team, personnel and volunteers to achieve these commitments.

Our young participants

The term "child" refers to any person under the age of 18. YEA uses the term "child", "young person" and "participants" interchangeably.

YEA child safety policies and practices are intended to provide a safe environment and to empower children who are vital and active participants within YEA. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and tolerance in our organisation. We make reasonable efforts to recognise and accommodate diverse needs by:

- Promoting the cultural safety, participation and empowerment of Aboriginal children.
- Promoting the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds.
- Ensuring that children with a disability, who are unable to live at home, are lesbian, gay, bisexual, transgender, intersex, or who are vulnerable, are safe and can participate equally.

Examples of this may include providing environments that are visually inclusive and welcoming, recognising the impact of the past, acknowledging culturally diverse practices, working in partnership with culturally or linguistically diverse communities, or by being aware of support or accessibility needs.

Strategies to promote the participation and empowerment of children

YEA recognises that children have unique insights into their lives, their needs and the world around them. They have a right to be heard and have their concerns and ideas taken seriously, particularly on matters that affect them – including how to keep them safe. Enabling and promoting the participation of children includes:

- Supporting children and young people to understand their rights, contribute to child safety planning and raise concerns
- Promoting and encouraging children’s participation in decision-making
- Valuing and respecting children’s opinions
- Seeking children’s views about what makes them feel safe and unsafe
- Establishing an environment of trust and inclusion that enables children to ask questions and speak up if they are worried or feeling unsafe

Most importantly, when children have opportunities to participate and feel their contributions are valued, they are more likely to speak up when harmed or feeling unsafe.

YEA understands that:

- Empowerment is about helping children to have their say
- Acting to empower children should always guide the work of our organisation
- Participation is important for children because it gives them an opportunity to have a say about issues and decisions that affect them
- Children are more likely to speak up about their concerns of feeling unsafe, or make a complaint, if they feel their views are valued and welcomed
- Empowerment and participation are not one-off events – it is an approach that needs to be a part of our organisational culture
- Empowering children and facilitating their participation enhances their safety
- Mandatory child safe standards have been introduced to help protect children from abuse in organisations

Participation and empowerment are vital components of a child safe organisation like YEA, that will benefit children, families, communities, organisations and staff.

Involving and consulting with children enables YEA to improve its policies, practices, and services as children provide a unique voice regarding what makes them feel safe and unsafe.

Facilitating the empowerment and participation of children, enhances a culture of child safety and listening to children within our organisation. Children and young people learn new skills, build self-esteem and develop an understanding of collaboration and their rights.

YEA’s approach to encourage the empowerment and participation of children

YEA’s planned approach to the involvement of children will ensure participation is designed to be:

- Ethical
- Age appropriate and child-friendly
- Culturally respectful
- Inclusive of a diverse range of children, demonstrating respect for children of all ages, abilities, social and cultural backgrounds
- Positive and fun
- Voluntary and with informed consent
- Clear, honest and realistic about the boundaries of a discussion and what can change
- Give adequate time to consult and make sure the venue is appropriate

When listening to what we are being told by children we will recognise that they may have a very different view to ours or what we expect, however we will acknowledge, value and take seriously the views put forward by children.

We will:

- Ensure adults involved are skilful in facilitating the participation of children
- Be clear if the discussion will be confidential or if the outcomes will be made public
- Monitor the impact consultation may have had on the children involved
- Ensure we have procedures in place to provide support to any child who may be distressed as a result of their involvement or disclosure of concerns
- Provide feedback to children about how their views had informed decision-making

Examples of child participation events at YEA might include:

- Conducting a meaningful consultation with children to inform the development of our organisation's Child Safe Policy – asking them about what makes the children in our organisation feel safe and unsafe?
- Planning and identifying the risks involved in an excursion remembering it is important to be aware that our views about safety may be different from those held by children and young people.

Family and community

YEA recognises the importance of family and community in the role of child safety. YEA will ensure that all parents, carers and other applicable family or community members are involved and informed of the child safe operations and governance at YEA. This could include:

- Maintaining a clear line of communication with an appropriate carer during child safety matters with a child or young person.
- Including family and community in discussions and projects that can enable a child safe environment, such as development of our child safe policies and practices.
- Involving families or guardians in decisions affecting their children.

Child safety in an online environment

With the normalised use of digital products and online platforms being used by children and young people in their personal lives, educational settings, and employment environments, it is important that we understand the additional layer of risk this imposes on children and how YEA as an organisation can help to protect young people online as well as ensure we conduct ourselves in a safe and professional manner when working with children within these online platforms.

Online technologies are constantly changing, and children are often ahead of parents, carers and organisational staff in adapting to these changes. YEA must maintain an awareness of evolving technologies that children are using and understand how they may affect the safety of those children and young people when working with YEA.

YEA makes the commitment to inform and educate staff and other adults of the appropriate use and conduct when communicating with children in a digital environment. This includes but is not limited to:

- Maintaining separate professional and personal accounts as the personal account could impose risk of oversharing personal information or inappropriate content with children.
- Communication with young people through online platforms is kept to a minimum, maintains a professional manner, and is only used to communicate for the purposes of conducting YEA work.
- When online areas are being used with children a secondary staff member is added to the area to ensure monitoring and accountability. For example, in a Facebook group with students and a trainer, a member of the YEA RTO Team (using a YEA profile) will be added to the group to monitor activity and ensure accountability and transparency from the trainer.

When using a communication platform (such as WhatsApp, FB Messenger, or Discord) the personnel requiring access to it will submit a request to the Quality, Compliance and ICT Coordinator who can review and keep note of each application, its intended purpose, and who will have access to it. The Quality, Compliance and ICT Coordinator can then determine and inform the users of any potential risks and how to mitigate them.

Our personnel and volunteers

This policy guides our personnel and volunteers on how to behave with children in our organisation.

Our personnel and volunteers must agree to abide by our code of conduct which specifies the standards of conduct required when working with children. All personnel and volunteers, as well as children and their families, are given the opportunity to contribute to the development of the code of conduct.

Recruitment

YEA takes all reasonable steps to employ suitably skilled people to work with children. We develop selection criteria and advertisements which clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities. YEA understands that when recruiting personnel and volunteers we have ethical as well as legislative obligations.

We actively encourage applications from first peoples, people from culturally and/or linguistically diverse backgrounds, and people with disability.

All YEA personnel and volunteers are required to hold a Working with Children Check and to provide evidence of this check.

We carry out reference checks and police record checks to ensure that we are recruiting the right people.

Refer to **QMS:327 Recruitment and Selection Policy and Procedure** for further information.

Training and supervision

We provide training and education to ensure that everyone in the YEA community understands that child safety is everyone's responsibility.

YEA fosters a culture where all personnel and volunteers (in addition to parents/carers and children) can feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

We train our personnel and volunteers to identify, assess, and minimise risks of child abuse and harm, and to detect potential signs of child abuse and harm, including harm caused by other children and young people.

We also support our personnel and volunteers through ongoing supervision to:

- Develop their skills in order to respond to or protect children from abuse
- Promote the cultural safety of Aboriginal children, children from culturally and/or linguistically diverse backgrounds, children with a disability, and those who are unable to live at home, lesbian, gay, bisexual, transgender and intersex children and young people.

New Board members, employees and volunteers will be inducted on commencement of employment, supervised regularly, and undertake an annual all staff refresher in child safety training.

This is to ensure they understand YEA's commitment to child safety, and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate.

Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services (DHHS), Victoria Police, and the CCYP depending on the severity and urgency of the matter.

Fair procedures and support for personnel

The safety and wellbeing of children is our primary concern. We are also fair and just to personnel. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

YEA records all allegations of abuse and safety concerns using our incident reporting form, including investigation updates. All records are securely stored.

If an allegation of abuse or a safety concern is raised regarding YEA personnel, we provide updates to children and families on the progress, and any actions we take.

YEA also acknowledges that instances of child abuse can have an impact on others. Support must and will be provided to any impacted personnel and volunteers.

Privacy

The personal information of the individuals involved, whether they be personnel, volunteers, parents or children, will be kept private unless there is a risk to someone's safety. We have safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it. Refer to **QMS:101 Youth Enterprises Australia Privacy Policy** for further information.

Roles and responsibilities

People at all levels within YEA have a role to play in child safety, empowerment, and respecting children's rights. Staff and volunteers need to be aware of and know how to respond to the signs of child abuse and harm, and how to empower and encourage participation of children. Staff and volunteers must also understand their information sharing and record keeping obligations.

Staff and volunteers in the organisation must engage with children to help them to:

- Understand their rights, including to safety, information and participation,
- Know how adults in the organisation should behave,
- Understand the organisation's complaints process and how to raise safety concerns for themselves, their friends or peers,
- Know about support services aimed at children.

Reporting obligations

YEA takes our legal responsibilities seriously. All YEA personnel and volunteers are required to report child abuse. Some personnel have greater reporting obligations than others.

Failure to report child abuse may result in a criminal offence.

Our legislative obligations include:

Failure to disclose

All adults (aged 18 years or over) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 years must disclose that information to Victoria Police as soon as possible. Failing to disclose this information is a criminal offence, unless the adult who holds the belief has a reasonable excuse not to disclose the information, such as they fear for their safety or that of another person.

More information about failure to disclose is provided in the Department of Justice and Community Safety [failure to disclose](#) factsheet.

Mandatory reporting

There are several professionals who are classified as mandatory child abuse reporters. In YEA, all staff and volunteers who hold VIT registration, or have been granted permission to teach, are Mandatory Reporters. Mandatory reporters must report to Child Protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

For more information on mandatory reporting requirements please refer to [DHHS Child Protection Manual](#). Please refer to the DHHS website for information about [how to make a report to child protection](#).

Failure to Protect

The offence of failure to protect applies where there is a substantial risk that a child under the age of 16 years 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 relevant organisation is an organisation that exercises care, supervision or authority over children, whether as its primary function or otherwise. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

Further information about [failure to protect](#) is available on the DHHS website.

Duty of care

On 1 July 2017, organisations that exercise care, supervision or authority over children became subject to a new statutory duty of care to take reasonable precautions to prevent the abuse of children committed by individuals associated with the organisation. If a child is abused by an individual associated with the organisation, the organisation is presumed to have breached its duty unless it can provide it took 'reasonable precautions' to prevent the abuse in question.

More information about the YEA's duty of care is provided in the Department of Justice and Community Safety [Betrayal of trust factsheet](#).

Risk management

YEA believes the wellbeing of children and young people is paramount and is vigilant in ensuring proper risk management processes. We have a risk management strategy in place to identify and mitigate child abuse risks, including those posed by physical environments, and online environments, while also considering the individual characteristics and needs of our young participants.

YEA's risk management strategy includes:

- Promoting a child safety culture that is embedded in practices of the YEA community
- Conducting thorough screening processes during recruitment of new personnel
- Providing ongoing instruction, training and supervision to enable personnel to prevent and respond to child abuse
- Providing easily accessible and clear child safety information to all personnel
- Conducting risk assessments to identify, reduce or remove risks

Risk assessments

YEA recognises there are potential risks to children and young people and will take a risk management approach by undertaking preventative measures.

Risk assessment tools (refer to **QMS:300-41 Child Safety Risk Assessment Tool**) are made available to suitably experienced employees to conduct child safety risk assessments. Risk assessments will be overseen by the CEO or nominated delegate. The CEO or nominated delegate will be responsible for implementing child abuse mitigation measures in response to the assessment.

Risks will be assessed where additional venues, services or activities are introduced. Any identified issues will be recorded in **QMS:300-06 Accident Incident Register**.

Child abuse mitigation measures will be reviewed where changes to venues, services or activities are proposed. In addition, mitigation measures will be reviewed where a new assessment or information becomes available, or where a report or incident has occurred.

Regular review

YEA's child safety policies will be reviewed every two years and following significant incidents if they occur. We will ensure that families and children have the opportunity to contribute. Where possible we do our best to work with local first people communities, culturally and/or linguistically diverse communities and people with disability.

If you believe a child is at immediate risk of abuse, phone 000.

Associated documents

- QMS:101 Youth Enterprises Australia Privacy Policy
- QMS:300-41 Child Safety Risk Assessment Tool
- QMS:300-06 Accident Incident Register

Version control

Revision history

Date	Version	Author	Change Reference
21/04/2020	2.0	B. Newman	Updated to fit with new QMS version control guidelines and updated standards.
30/07/2020	3.0	B. Newman	Minor edits to Risk Management.
03/09/2020	4.0	M. Van Looy	Updated to include strategies for the participation and empowerment of children.
30/6/2022	5.0	T. Day	Updated in line with new Child Safety Standards July 2022. Removed reference to Ministerial Order 870 (Education and Training Reform Act 2006) and the reportable conduct scheme as we are no longer a non-secondary senior school provider. Updated old or broken hyperlinks. Name changed to Child Safety and Wellbeing Policy.

Reviewers

Date	Version	Approved By	Next Review Date
21/04/2020	2.0	P. Vakakis	21/04/2022
30/07/2020	3.0	P. Vakakis	30/07/2022
03/09/2020	4.0	P. Vakakis	03/09/2022
26/07/2022	5.0	A. Cameron	26/07/2023