Vicphysics Teachers' Network (Vicphysics)

Child Safety and Wellbeing Policy and Code of Conduct

Endorsed by the Vicphysics Committee:

Date for review: March 2024

Introduction

The Vicphysics Teachers' Network is committed to promoting and protecting the interests and safety of children. Vicphysics has a zero-tolerance policy for child abuse. Every director, employee, contractor, and volunteer of Vicphysics is responsible for the care and protection of children and reporting information concerning child abuse.

Our commitment to child safety

Vicphysics is committed to providing a child safe environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives.

Purpose

The purpose of this policy is:

1. To prevent child abuse occurring at Vicphysics events and programs involving children.
2. To maintain an organisational culture of child safety.
3. 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.
4. To provide guidance and training to staff/volunteers/contractors as to action that should be taken where they suspect any abuse within or outside of the organisation.
5. To provide a clear statement to staff/volunteers/contractors forbidding any such abuse.
6. To provide assurance that all cases of suspected abuse will be reported and fully investigated.

Policy

Vicphysics is committed to providing and protecting the best interests of children involved in its programs and events. 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.

Child Safe Standards

As a provider of services to children, Vicphysics has a legal obligation to comply with the Child Safe Standards. Compliance with the standards is regulated and monitored by the Commission for Children and Young People. There are eleven Standards to be met. The standards aim to drive cultural change so that protecting children from harm and abuse is embedded in the everyday thinking and practice of leaders, staff and volunteers. The eleven Standards are as follows:

Standard 1: Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
Standard 2: Child safety and wellbeing is embedded in organisational leadership, governance and culture.
Standard 3: Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
Standard 4: Families and communities are informed and involved in promoting child safety and wellbeing.
Standard 5: Equity is upheld, and diverse needs respected in policy and practice.
Standard 6: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
Standard 7: Processes for complaints and concerns are child focused.
Standard 8: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

Standard 9: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
Standand 10: Implementation of the Child Safe Standards is regularly reviewed and improved.
Standard 11: Policies and procedures document how the organisation is safe for children and young people.

Procedural Responsibilities

The Vicphysics Committee 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. The Committee is also responsible for ensuring that appropriate policies and procedures and a Child Protection Code of Conduct are in place.

The Committee as a governing body is bound by this policy and must not only ensure high risk management is maintained but act in accordance with all the procedures set out in these policies and Code of Conduct at all times.

The President of the Committee is responsible for:

- management of all aspects of a report of child abuse
- ensuring that all staff, contractors, and volunteers who are associated with events involving children are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct
- ensuring that all adults within the Vicphysics community who are associated with events involving children 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 who are associated with events involving children are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety)
- communicating to staff who work with children that child safety training is mandatory and ensuring staff, volunteers and contractors are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training
- ensuring all staff have a relevant Working with Children check (WWC) or VIT registration.

All staff must ensure that they:

- promote child safety at all times
- assess the risk of child abuse within their area of control and establish appropriate controls to manage any risk in both physical and online environments
- provide training to employees and volunteers about the prevention and detection of child abuse
- help everyone involved with the organisation to acknowledge and appreciate the strengths of Aboriginal culture and understand its importance to the wellbeing and safety of Aboriginal children
- facilitate and encourage the reporting of any inappropriate behaviour or suspected abusive activities
- ensure children and young people are informed about all of their rights, including to safety, information and participation
- engage and openly communicate with families and the community about Vicphysics' child safe approach and to make relevant information accessible
- ensure all contractors and volunteers have a relevant Working with Children Check (WWC) or VIT registration who work with or care for children on behalf of Vicphysics.

Staff 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 Committee/staff/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 Vicphysics' 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)
- provide an environment that is supportive of all children's emotional and physical safety.

Recruitment

Vicphysics undertakes a comprehensive recruitment and screening process for all Committee, staff, contractors 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 Vicphysics' values and commitment to protect children, and
- prevent a person from working at Vicphysics if they pose a risk to children – or if they have any prior convictions relating to violent or sexually related offences.

Vicphysics requires all staff to pass through the organisation's recruitment and screening processes prior to commencing their engagement. All Committee, staff, contractors and volunteers who assist with events involving children are required to hold a Working with Children Check or VIT registration.

Vicphysics may require applicants to provide a police check in accordance with the law and as appropriate before they commence working.

Vicphysics will undertake thorough reference and other checks as per the internal procedure, this will include aspects as required by Vicphysics' insurer in regard to its sexual harassment (Betrayal of Trust) insurance policy as follows:

- inquiring with two referees as to the candidate's suitability for the role or position
- inquiring with the candidate's previous posting or employment as to the candidate's suitability for the role or position
- inquiring of the candidate whether they have ever been convicted or investigated for sexual abuse, assault or a sexual offence of any kind
- asking the candidate to sign an authority allowing Vicphysics to conduct a search to determine whether they have a criminal record legislation.

All Committee, staff, contractors and volunteers are to receive an appropriate induction to be made aware of their responsibilities to children and young people, including record keeping, information sharing and reporting obligations.

Employment Vacancy Advertisements

- All positions advertised are to include Vicphysics' Child Safety and Wellbeing Policy and Code of Conduct.
- Positions will clearly state the responsibilities with regard to children.
- Prerequisite criteria will be listed for positions including Working with Children check, training and qualifications and if necessary national police checks.
- Advertised positions will state that referee checks will be performed for shortlisted candidates.

Complaints Handling

Vicphysics takes any form of complaint seriously. Any staff, volunteer or contractor who has grounds to suspect abusive activity must immediately notify the appropriate authorities including the Police and Child Protection and the Commission for Children and Young People. They should also advise their manager about their concern. In situations where the manager 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. Children and young people are to be encouraged to report any incidents of abuse.

Managers must report complaints of suspected abusive behaviour or misconduct to the President of the Committee and to any external regulatory body such as the police 000. **To report concerns about the immediate safety of a child after hours, call the After-Hours Child Protection Emergency Service on 131 278.**

Record keeping and incident monitoring

All reports of child abuse shall be recorded within an incident reporting system.

Vicphysics will ensure records on reports of child abuse will maintain confidentiality and privacy for children and families in accordance with legislation. Records will be retained in line with the recommendations from the Office of Public Records. A good record keeping system is central to transparency and accountability, and to the overall integrity of the organisation. It is important to create, keep and store accurate records to effectively respond to a complaint of child abuse or harm.

Reports of child abuse and complaints about child safety will be monitored by the President of the Committee to ensure that they are appropriately managed.

Risks to child safety that are identified in complaints and reports of abuse will be reviewed and incorporated into the relevant risk management plan.

Investigations

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

Whether or not the authorities decide to conduct an investigation, the President of the Committee 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 President of the Committee and all elected members of the Committee 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 principles of natural justice.

The President of the Committee and all elected members of the Committee 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 President of the Committee 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.

Privacy

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

Code of Conduct

FOR EMPLOYEES, VOLUNTEERS AND CONTRACTORS WORKING WITH CHILDREN OR YOUNG PEOPLE

Committee, staff, volunteers and contractors at Vicphysics working with children or young people are required to abide by this Code.

The President of the Committee will:

- be responsible for the overall welfare and wellbeing of staff and volunteers
- be accountable for managing and maintaining a duty of care towards staff and volunteers, and
- 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 Vicphysics will:

- be responsible for relevant administration of programs and activities in their area
- maintain a duty of care towards others involved in these programs and activities
- establish and maintain a child-safe environment in the course of their work
- identify and mitigate risks in the online and physical environments without compromising a child's right to privacy, access to information, social connections and learning opportunities
- treat children and young people with respect and value their ideas, opinions and right to express their culture
- have zero tolerance of discrimination towards gender, race, religious beliefs, age, disability, sexual orientation, or family or social background and expectations that staff and volunteers will act on incidents of this
- act as positive role models in their conduct with children and young people
- maintain strict impartiality
- comply with specific organisational guidelines on physical contact with children
- respect the privacy of children, their families and teachers/carers, and only disclose information to people who have a need to know
- operate within the policies and guidelines of Vicphysics, and
- contact the police if a child is at immediate risk of abuse, phone 000.

No person shall:

- shame, humiliate, oppress, belittle or degrade children or young people
- unlawfully discriminate against any child
- engage in any activity with a child or young person that is likely to physically or emotionally harm them
- 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
- be alone with a child or young person unnecessarily and for more than a very short time
- Develop a relationship that is inappropriate, overly familiar and/or crosses a professional boundary with a specific child or young person for their own needs
- show favouritism through the provision of gifts or inappropriate attention

- arrange contact, including online contact, with children or young people outside of the organisation's programs and activities
- photograph or video a child or young person without the consent of the child and his/her parents or guardians
- work with children or young people while under the influence of alcohol or illegal drugs
- engage in open discussions of a mature or adult nature in the presence of children
- use inappropriate language in the presence of children, or
- do anything in contravention of the organisation's policies, procedures or this Code of Conduct.

What happens if you breach this 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.

Definitions
Child means a person below the age of 18 years unless otherwise stated under the law applicable to the child.
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.

Access and feedback
This policy and its procedures require a high level of risk management and will be reviewed annually. Up to date policies will be made available to access on the Vicphysics website.

Vicphysics is committed to creating opportunities for families and members to provide feedback on the organisation's policies, procedures and practices including the organisation's approach to child safety and wellbeing. If you wish to give feedback on this policy, please email projects@vicphysics.org

Relevant legislation and standards
Reference and links to relevant legislation, regulations, external policies and standards on child safety and wellbeing included below:

- Child Safe Standards – Commission for Children and Young People