A Guide for Creating a Child-safe Organisation
Message from the Child Safety Commissioner

As the Child Safety Commissioner, I have heard many stories from people throughout Victoria about the great joy and sense of achievement they receive from supporting children to grow and develop. Whether it’s the cricket coach teaching kids to hit a ball on a Saturday morning or a youth worker supporting a vulnerable young person struggling to overcome a difficult start to life, we know that sharing in the lives of children is a great privilege. It is also a great responsibility.

Whether you work with children in a paid professional role or as a volunteer, you have the right to feel confident that the organisation or group you are a part of has the commitment and ability to keep children safe. My aim in producing this guide is to better equip you to assess how safe and welcoming your organisation is and to provide you with some practical guidance about things you can do to improve safety.


My commitment is to work in partnership with the public, non-profit and private sectors to help build a strong culture of child safety within organisations. Safety is fundamental to the rights of children.

Many organisations and groups in Victoria have begun the process of embedding child-safe principles and practices in their organisations. I am grateful to those who have agreed to share their stories in this guide. I am also grateful to Child Wise for their assistance in developing this guide. The information provided in this guide draws on the extensive experience of Child Wise in training and supporting organisations to become child-safe.

I will continue to promote the child safety message around the state and encourage organisations to share with one another what they have learned from their own experiences. I encourage you to have a look at our web site (www.ocsc.vic.gov.au) for further information and resources that may assist you. Finally, I am very interested to receive your feedback on this guide so that I can best ensure the material we produce is of greatest assistance to you. Please email any comments you have to childsafe@ocsc.vic.gov.au

Bernie Geary OAM
Child Safety Commissioner
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All children have the right to feel safe and to be safe all of the time.
Introduction

What is a child-safe organisation?

All children have the right to feel safe and to be safe all of the time. A child-safe organisation acknowledges that safety does not just happen. A child-safe organisation takes action to protect children from physical, sexual, emotional, psychological and cultural abuse and from neglect. In a child-safe organisation, this commitment to protecting children is embedded in the organisation’s culture and responsibility for taking action is understood and accepted at all levels of the organisation.

Essential child-safe principles

**United Nations Convention on the Rights of the Child**

The United Nations Convention on the Rights of the Child specifically recognises that children have a right to be protected from physical and mental harm and neglect. An extract of the convention is at Appendix 1.

**Victorian legislation**

In Victoria, the Child Wellbeing and Safety Act 2005 includes principles acknowledging that:

- ‘Society as a whole shares responsibility for promoting the wellbeing and safety of children.’
- ‘Those who develop and provide services, as well as parents, should give the highest priority to the promotion and protection of a child’s safety, health, development, education and wellbeing.’

**National framework**

This guide builds on the nationally endorsed framework, Creating Safe Environments for Children Organisations, Employees and Volunteers and in particular, the first schedule of the framework, Guidelines for Building the Capacity of Child-Safe Organisations.

**Office of the Child Safety Commissioner**

The Office of the Child Safety Commissioner has developed the following set of principles for child-safe organisations in Victoria.
How this guide can help you

Creating safe places for children to fully and actively participate in the life of the community benefits everyone. This guide was written to assist you to take the necessary steps to ensure the children in your care are protected to the best of the organisation’s ability and in accordance with your duty of care.

The guide provides guidance on key aspects of child safety, such as:

- Are we really doing the best we can?
- How do we find the most suitable and safe people to work with children?
- How can I find out whether I have to get a Working with Children Check?
- What are other groups doing to make their organisations safer?

Who should use this guide

This guide is to assist organisations to protect children from harm.

The word ‘organisation’ is used as a generic term to cover the wide range of agencies and

A child safe organisation:
- welcomes children and their families/carers
- recognises that children are vulnerable
- recognises and responds to children with special needs including a disability
- actively encourages the participation of Aboriginal children
- recognises and responds to the particular needs of children from diverse cultural, linguistic and religious backgrounds
- encourages children to participate in making decisions
- carefully recruits and manages its staff and volunteers
- ensures the commitment to child safety is clear and shared by all
- educates staff and volunteers about child safety.

The following sections of this guide explain what the leaders, staff and volunteers of your organisation can do to make these principles a reality.
groups working with children, including bodies such as sporting clubs, child care centres, educational bodies, religious organisations and other clubs and associations. Larger organisations as well as smaller bodies and clubs can use the strategies described in this guide.

The word ‘child’ in this context refers to children and young people up to the age of 18 years. This definition is consistent with the national framework, Creating Safe Environments for Children – Organisations, Employees and Volunteers and Victoria’s Child Wellbeing and Safety Act 2005.

What does harm mean?

The word ‘harm’ in this guide refers to any and all of the following types of abuse or neglect of children:

**Physical**
Includes either intentionally causing, or threatening to cause, physical injury to a child, as well as inadvertently causing injury as a consequence of physical punishment or physically aggressive treatment of a child. The injury may take the form of bruises, cuts, burns or fractures. Children’s basic needs must also be met, according to their developmental stage, such as being provided with adequate food and drinks and rest periods.

**Sexual**
Occurs when a person uses power or authority over a child, or inducements such as money or special attention, to involve the child in sexual activity. It includes a wide range of sexual activity from inappropriate touching or fondling of a child, exposing a child to pornography to having sex with a child.

**Emotional and psychological**
Occurs when a person engages in inappropriate behaviours, such as rejecting, ignoring, threatening or verbally abusing a child, or allowing others to do so. Because such abuse does not leave physical injuries, it is often hidden and underestimated (National Child Protection Clearinghouse 1997).

**Racial, cultural, religious**
Is conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion. It may be overt, such as direct racial vilification or discrimination, or covert, such as demonstrating a lack of cultural sensitivity or an absence of positive images about another culture.

All abuse injures children. Injuries that are not visible can be profound because they can strike at the child’s sense of identity, cause them to fear and reduce their opportunities to participate in the life of the community.

If a child’s identity is denied or denigrated, they are also not being kept safe. Denying cultural identity is detrimental to their attachment needs, their emotional development, their education and their health. Every area of human development which defines the child’s best interests has a cultural component. Your culture helps define HOW you attach, HOW you express emotion, HOW you learn and HOW you stay healthy.

Muriel Bamblett, Robin Clark Memorial Lecture 2005

What can we do about cultural abuse of Aboriginal children?

It is important to acknowledge that an Aboriginal child’s cultural identity is fundamental to their overall well-being. You can create an environment that acknowledges and respects Aboriginal culture. Positive images, praise and understanding of cultural issues can go a long way to promoting resilience in children to cultural abuse.
There is a security issue – lots of parents don’t feel comfortable exposing their children to the stress of being teased so it’s more likely they’ll go to Islamic schools. A school shouldn’t be like a boxing arena where the kids have to learn to fight back. We need to focus on education without having to justify our religion.

Human Rights and Equal Opportunity Commission 2004, p79

The layers upon which a child-safe organisation is created

Children’s organisations vary enormously in size, structure, resources and the types of interactions between staff and volunteers and children. A key objective of this guide is to have its principles and practices become embedded in your organisation’s culture.

Unlike baking the perfect cake, the process of building a child-safe organisation is never finished. It is a dynamic and ongoing process of learning, monitoring and reviewing. When the steps suggested in this guide are followed and reviewed regularly, the opportunities for harm to occur will be reduced.

Some organisations find it difficult to get started on the process of creating a child-safe organisation. To make it as easy as possible to begin, we have included a simple Child Safety Review checklist on page 6–7. The checklist gives you the opportunity to assess whether your organisation is missing any of the essential ingredients. Once you have completed the checklist, you can focus on developing or enhancing each of the required ingredients.

The main challenge was convincing members of the protection offered to them and their clubs by the Member Protection Bylaw (‘MPBL’) and its applicability to their roles and responsibilities. There is now a much better level of awareness and acceptance of the need and benefits of the MPBL.

Victorian Country Cricket League
Child Safety Review

How to undertake a Child Safety Review

To begin the process of assessing how child-safe your organisation is, it is important to review existing policies and practices. Children’s safety and wellbeing is your first consideration. By honestly completing the Child Safety Review checklist (on the following page), you will quickly identify your organisation’s strengths and weaknesses in the protection of children. You could complete this review at a staff or volunteer meeting.

The review’s focus is on protecting children from harm, but it also encourages you to think about broader aspects of child safety relating to the diverse ages and abilities of the children participating and the specific nature of the activities you run and the places in which they occur.

As you complete the Child Safety Review:

Think about the different types of activities you provide
Certain activities pose more risk than others. For example, taking a group of primary school aged children to the local swimming pool is a high risk activity because there are many safety variables to be considered. These include transport to and from the venue, water safety issues, supervision in the change rooms, and medical conditions. On the other hand, an activity such as an ‘in house’ chess competition for the same children may pose fewer risks because they are in a known and controlled environment which is formally supervised and much less susceptible to unpredictable risk. When planning activities, risk management strategies must be included. In addition, certain activities have specific regulations that apply to them (for example, childcare and kindergarten).

Think about the diverse needs of the children
Children’s needs and abilities vary with age. Younger children are particularly vulnerable and require greater levels of supervision and support. In addition, some older children may require additional support because they have a disability or an illness or because their life experiences have had an impact on their development.

Invite staff and volunteers to contribute to the process
Inviting staff and volunteers to participate in the review helps to identify areas of risk of harm or injury and encourages all those involved in the organisation to take a proactive approach to reducing risk.

Take action
Once you have completed the Child Safety Review you will have identified the areas in which you need to improve. Refer to the other sections of this guide to help you to formulate and implement your action plans. While implementing your child safety policy and procedures requires an ongoing commitment and will not be achieved in one activity or exercise, it does not have to be a complex process. As with the Child Safety Review, the more people in the organisation who are involved, the better the outcomes will be.

In some cases you may decide that implementing particular parts of your action plan will mean you need to get some additional information or training for your staff or to seek advice from others. The list of organisations and resources at the back of this guide can help you with this.

Set a date for the next review
Once you have achieved the set tasks, it is important to regularly review policies and procedures. Creating child-safe environments is an ongoing process of improvement. Set a date to have another look at the Child Safety Review, perhaps incorporating this into your annual planning processes. Did you miss anything the first time around? Are you confident the approach you adopted is still the best one? Have the activities you provide changed? Do you now include younger children? What can you learn from your successes and mistakes?
### Child Safety Review checklist

<table>
<thead>
<tr>
<th>Clear and public commitment to child safety</th>
<th>Yes</th>
<th>Describe how.</th>
<th>No or only partly. Describe what needs to be done.</th>
<th>Person responsible for each action</th>
<th>Timeline and review date</th>
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<tr>
<td>Is there a Child Safety Policy for the organisation?</td>
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<td>Are children welcomed, consulted and respected in your organisation?</td>
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<td>Is the environment physically safe?</td>
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<td>Do you do a safety assessment for all activities?</td>
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<td>Do your programs or activities stimulate children and meet their physical, emotional, intellectual, social and recreational needs?</td>
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<tr>
<td>Do you encourage children with special needs and from different backgrounds to participate and do they in fact participate?</td>
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### Children’s rights to safety and participation

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**Victorian children – seen and heard**

**Clear and public commitment to child safety**

**Children’s rights to safety and participation**

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**Child Safety Review checklist**

**Yes**

**Describe how:**

**No or only partly. Describe what needs to be done:**

**Person responsible for each action**

**Timeline and review date**
## Child Safety Review checklist

<table>
<thead>
<tr>
<th>Employment of staff and volunteers</th>
<th>Are staff and volunteers screened?</th>
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<tbody>
<tr>
<td>□ Yes Describe how.</td>
<td>□ No or only partly. Describe what needs to be done.</td>
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<tr>
<td>Person responsible for each action</td>
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<tr>
<th>Support for staff and volunteers</th>
<th>Is there a written Code of Conduct which explains acceptable and unacceptable behaviour for staff, volunteers and children?</th>
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<tr>
<td>□ Yes Describe how.</td>
<td>□ No or only partly. Describe what needs to be done.</td>
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<tr>
<th>Reporting a child safety concern</th>
<th>Do you have a process for reporting and acting on concerns about child safety?</th>
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<tbody>
<tr>
<td>□ Yes Describe how.</td>
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Developing a Child Safety Policy

The benefits of a Child Safety Policy

One of the most effective ways for an organisation to demonstrate its commitment to child safety is to document how it will meet its responsibilities and duty of care to children. This document is called a ‘Child Safety Policy’. A Child Safety Policy articulates the organisation’s commitment to provide the highest level of protection to the children in its care.

After I raised concerns about their procedures, I was told by my child’s dancing school that they did not feel it necessary to develop a Child Safety Policy. Now my child attends a child and family friendly dancing school.

Virginia, a parent

What is included in the policy

The purpose of an organisation’s Child Safety Policy is to provide information and guidance on child safety within the organisation. In some organisations, the Child Safety Policy is a short document, which provides an overview of the key elements of the organisation’s approach to creating a child-safe organisation. In these organisations, the Child Safety Policy does not stand alone but is supported by other documents, such as a detailed Code of Conduct. In other organisations, the Child Safety Policy is a longer document, which incorporates more detailed information, such as the Code of Conduct and procedures for reporting complaints.

The policy needs to be clear and simple so everyone understands its intention and what to do when there are concerns. When organisations work with particularly vulnerable children, these organisations need to pay special attention to developing awareness and communication strategies for those who may be unable to speak up or communicate.

Hockey Victoria
Along with other state hockey associations, Hockey Victoria adopted its membership protection policy in 2004 (copies of the policy are available on the Hockey Victoria web site www.hockeyvictoria.org.au). One of the benefits Hockey Victoria has identified in having a membership protection policy is that it ‘promotes awareness that Hockey Victoria is serious about providing a safe and enjoyable environment for its members’.

The steps to creating and communicating the Child Safety Policy

Step 1: Consult
You should consult staff, volunteers, families and children in the policy development stage. Discussions about the policy provide an opportunity for you to talk about your organisation’s aims and values. The topics covered in the Child Safety Review will help you to identify the topics to include in your policy.

For a Child Safety Policy to be successful, staff who work with children may have some influence in its development coupled with the support and guidance from management and the executive team. The policy should be written in a language that is understood holistically throughout the organisation. The policy should also support any legislative requirements pertaining to the Act.

Daniel, HR Manager,
Windemere Child and Family Service

Step 2: Write the policy
The following sample policy identifies the essential ingredients of a policy, and can help you to think about what you want to include in your own Child Safety Policy.
Sample Child Safety Policy

The Sunny Pines Child Safety Policy

This Child Safety Policy was approved by the Committee of Management on 30 June 2006 and endorsed by members at the annual general meeting. It is due to be reviewed on 30 June 2007.

This policy was written to demonstrate the strong commitment of the management, staff and volunteers to child safety and to provide an outline of the policies and practices we have developed to keep everyone safe from any harm, including abuse.

Commitment to child safety

All children who come to Sunny Pines have a right to feel and be safe. The welfare of the children in our care will always be our first priority. We aim to create a child safe and child friendly environment where children feel safe and have fun.

This policy was developed in collaboration with all our staff, volunteers and the children who use our services and their parents. It applies to all staff, volunteers, children and individuals involved in the organisation.

Children’s rights to safety and participation

Sunny Pines staff and volunteers encourage children to express their views, and listen to their suggestions, especially on matters that directly affect children. We actively encourage all children who use our services to ‘have a say’ about those things that are important to them. We value diversity and do not tolerate any discriminatory practices.

We teach children about what they can do if they feel unsafe. We listen to and act on any concerns children, or their parents, raise with us.

Employment of staff and volunteers

Sunny Pines applies the best practice standards in the recruitment and screening of staff and volunteers. We interview and conduct referee checks on all staff and volunteers and require police checks and Working with Children Checks for relevant positions. Our statement of commitment to child safety and our requirements are included in all advertisements.

Support for staff and volunteers

Sunny Pines seeks to attract and retain the best staff and volunteers. We provide support and supervision so people feel valued, respected and fairly treated. We have developed a code of conduct to provide guidance to our staff and volunteers, all of whom receive training on the requirements of the code.

Reporting a child safety concern

Ann Smith and Kent Tan have been appointed as Child Safety Persons with the specific responsibility for responding to any complaints made by staff, volunteers, parents or children. Our complaints processes are outlined on the attached diagram.

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1 This sample is for illustration purposes only. The topics included in this illustration are essential, but each organisation will need to consider any other topics and the level of detail they wish to include in their own policy.
**Step 3: Finalise the policy**
Once you have developed a draft policy, circulate it to staff, volunteers, parents and children. Ask someone outside the organisation to have a look at it (perhaps someone from an organisation that has already developed its own policy).

Set a date for finalising the policy and ensure you have identified who will undertake the key tasks identified in the policy.

**Step 4: Get the policy approved**
The board, committee of management or other leaders of the organisation should approve the policy.

**Step 5: Communicate the Child Safety Policy**
You should display the policy for all to see, and review it regularly. When new staff, volunteers or children join your organisation, ensure their induction includes information about the child safety policy, particularly the requirements of the code of conduct and the value your organisation places on safety. Similarly, when memberships are renewed, remind people about the child safety policy and all of its requirements.

*I was surprised to find that a child safety policy was not included in the comprehensive policy and procedures outlined on the otherwise excellent web site for my child’s crèche.*

A parent

**Step 6: Review and update the policy**
As with all aspects of child safety, the Child Safety Policy should be reviewed and updated regularly.

St John has developed a proactive approach to child protection rather than a reactive one. As an organization, St John wants parents to feel confident that their children are safe when participating in their activities. Our approach to child safety includes:

- police check and interview of all new members
- policies available on Child Protection, Harassment and a Code of Conduct
- Child Protection, Harassment and Peer Support brochures given to all new adult members
- Personal Safety brochure for younger members emphasises that everyone has the right to feel safe and be supported
- educating members through inhouse training and training from other organizations
- emphasis on preventative practices/practices to be avoided
- Personal Safety and Awareness badges for Juniors and Cadets to do.”

St John Ambulance Australia (Victoria)
Developing a Code of Conduct

What is a Code of Conduct?

One of the most effective child-safe strategies an organisation can put in place is to develop a Code of Conduct. Simply put, a Code of Conduct lists behaviours that are acceptable and those that are unacceptable. It spells out professional boundaries, ethical behaviour and acceptable and unacceptable relationships.

Why do we need a Code of Conduct?

When staff, volunteers, parents and children are clear about expectations, they are much more likely to act appropriately with each other and with the children. When everyone is educated about the Code of Conduct and the reasons it is so important to uphold, the environment becomes much more transparent and people are accountable for their behaviour. Above all, a Code of Conduct helps to protect children from harm.

If people behave in ways that are unacceptable, the Code of Conduct enables the organisation to take action. If a person does not comply with the expected standard of behaviour, their behaviour should be discussed with them. Non-compliance can lead to disciplinary action being taken, which may result in the person being asked to leave the organisation. Without a Code of Conduct it can be very difficult to raise behavioural issues with staff and volunteers, and unacceptable behaviour continues, which seriously compromises the safety of the environment.

Swift and appropriate action must be taken when the code is breached, otherwise people will continue to feel compromised or unsafe.

How should the Code of Conduct be written?

The Code of Conduct needs to use language and contain details of behaviour that are relevant to your organisation. Children can be consulted on the development of the staff Code of Conduct so that staff are aware of the way in which their behaviour impacts on children and adopt a code that maximises the wellbeing of children.

Our School Rules

Move and play safely.
Care for yourself, others and property.
Resolve problems calmly, sensibly and fairly.
Respect others through your speech and manners.
Work as well as you can and allow others to do the same.

These have been the rules at our school for a long time. This year the students are working on trying to condense the five rules into three because it is much easier to remember three.

Jennifer, aged 8 and Daniel, aged 10,
Princes Hill Primary School
Children may wish to write their own Code of Conduct, which can be more meaningful to them. A child-safe organisation will encourage and facilitate opportunities for children to do this.

Some of our leaders have said that, ‘The guidelines in our code of practice for child safety also protect the leaders.’

Manager, church youth group

Sample Code of Conduct

Code of Conduct

This Code of Conduct outlines appropriate standards of behaviour from adults towards children.

The Code serves to protect children and reduce any opportunities for abuse or harm to occur. It also assists staff and volunteers by providing them with guidance on how to best support children and how to avoid or better manage difficult situations. All staff and volunteers are expected to comply.

We will:
– follow the policies of the organisation
– treat children and young people with respect, listen to and value their ideas and opinions
– welcome all children and include them in all activities
– respect cultural, religious and political differences
– model appropriate adult behaviour
– listen to children and take action to protect their wellbeing
– report and act on any breaches of these standards of behaviour
– comply with specific organisational guidelines on physical contact with children
– respect the privacy of children and their families and only disclose information to people who have a need to know.

We will not:
– seek to use children in any way to meet the needs of adults
– use prejudice, oppressive behaviour or language with children
– discriminate on the basis of age, gender, race, culture, vulnerability or sexuality
– initiate unnecessary physical contact with children or do things of a personal nature that children can do for themselves
– develop ‘special’ relationships with specific children for our own needs
– show favouritism through the provision of gifts or inappropriate attention
– have contact with children outside of the organisation’s programs.

I have read this Code of Conduct and agree to abide by it at all times.

Signature

Witness Date

2 This sample Code of Conduct is provided for illustration purposes only. Your organisation’s Code of Conduct should reflect its particular circumstances and activities. For example, in some cases the code may also be written to apply to parents (for example, to clearly identify expectations of parents who are spectators at events) or to the children who participate in the activities, if appropriate.
How to implement a Code of Conduct

**Step 1: Consult**
You should consult staff, volunteers, families and children on what to include in your Code of Conduct.

The topics covered in the sample Code of Conduct and your own Child Safety Policy will help you to identify the types of behaviours that should be included in your code.

**Step 2: Decide whether you will have a separate Code of Conduct for children**
If the children in your organisation are to develop their own Code of Conduct, give them the support they need to understand the types of things they should put in their code and to get it finalised.

**Step 3: Write the code and get it approved**
The code (or codes, if you’re having more than one) should be written down and approved by the board, committee of management or other leaders of your organisation.

**Step 4: Establish complaint and disciplinary procedures**
Complaint and disciplinary procedures are discussed on page 22.

**Step 5: Conduct educational sessions**
Conduct workshops and staff or volunteer training to ensure all those involved in the organisation understand the requirements of the Code of Conduct and are clear what to do when someone breaches it. Induction procedures or manuals for new staff and volunteers should include information about the Code of Conduct. All members of the organisation, including parents and children, should be aware of the code: display it in a prominent position or post it on your web site.

**Step 6: Review and update**
As with all aspects of child safety, the Code of Conduct should be reviewed and updated regularly.
Enabling and promoting the participation of children within your organisation

Benefits of enabling and promoting the participation of children

Enabling and promoting the participation of children within your organisation has many benefits, including:

• demonstrating your commitment to upholding the rights of children
• providing you with the opportunity to check that what you are doing is actually what children want
• strengthening the commitment of children to your organisation
• building the leadership skills of children
• enhancing the safety of children.

When children and young people are respected and valued, they are much more likely to speak up about matters of safety and wellbeing.

Talking with children about safety

To create a true child-safe organisation, it makes sense to ask those you are trying to protect when they feel safe and when they feel unsafe. Their comments and insight will always be different from the adult perspective. So many well intentioned people put policies and procedures aimed at protecting children in place, yet rarely do the children ever know these policies exist and often they do not know what to do if they feel unsafe or concerned about something the organisation could do something about.

The concept of ‘safety’ is very broad and means different things to different people, especially children. It is much easier to understand the concept of ‘physical’ safety and the need for safe practices around hygiene, road and water safety, slippery surfaces, pool fencing, sign-in and sign-out procedures and staff supervision ratios. All of these contribute to the physical protection of children.

In a child-safe organisation, we also want to promote ‘psychological’ safety because even if the physical environment is as safe as we can make it, when children feel unsafe we need to understand why and respond to their needs. Psychological safety means children feel valued, respected and cared for. They know they can speak to people if they feel unsafe or are unhappy and that something will be done to address their concerns. Knowing these things increases a child’s self-esteem, which boosts their confidence and empowers them to speak up when necessary. Children also contribute valuable insight and ideas towards the creation of a meaningful child-safe organisation.

Victorian children – seen and heard

Our school values help keep us safe when we are at school. The values are:

- caring
- trust
- sharing
- friendship
- respect.

Included in caring is being aware of each other’s need to be safe. Included in trust is knowing you have someone to confide in and feeling safe.

Brydie, aged 9, and Dan aged 6
McKinnon Primary School
How to enable and promote the participation of children

<table>
<thead>
<tr>
<th>Consulting and talking to children</th>
<th>Practical suggestions</th>
<th>Good outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establish what safety means to children</td>
<td>Ask children when they feel safe and when they feel unsafe. Ensure the physical environment is safe, warm and friendly towards children.</td>
<td>Children’s insight and responses will inform the development of the Child Safety Policy, Code of Conduct and complaints management process. You will be alerted to any physical danger in the environment.</td>
</tr>
<tr>
<td>Educate children about their rights</td>
<td>Run informal education sessions on the Convention on the Rights of the Child (CROC). Teach children that with every right they enjoy, they need to meet its corresponding responsibility. Undertake activities on rights versus wants.</td>
<td>The children will understand their basic human rights and also understand they need to meet their responsibilities. The children will know the difference between a ‘right’ and a ‘want’.</td>
</tr>
<tr>
<td>Include children in policy development</td>
<td>Explain what the organisation is attempting to do and ask the children for their ideas, opinions and suggestions. Run small discussion groups, and provide refreshments and activities. Give regular breaks.</td>
<td>Your organisation will have a Child Safety Policy that children understand and which represents their suggestions. Practical suggestions will be contributing to a physically safe environment.</td>
</tr>
<tr>
<td>Encourage children to develop their own Code of Conduct</td>
<td>Ask children what is acceptable behaviour and unacceptable behaviour. This includes behaviours of adults towards children, of children towards adults and of children towards children. Formulate a Code of Conduct using ‘DO’ and ‘DO NOT’ or ‘WE WILL’ and ‘WE WILL NOT’.</td>
<td>Your organisation will have a child friendly Code of Conduct written by children for children. Your organisation will have guidelines for staff and volunteers about their interactions, expected behaviour and relationships with children.</td>
</tr>
</tbody>
</table>

We have placed a Charter of Children’s Rights in our activities room and spoken to the children about their rights.

Child care centre
Choosing suitable staff and volunteers

Selecting suitable and appropriate people to work with children is vital. Everyone benefits when the best people, who also share the organisation’s values about keeping children safe from harm, are chosen. If you take good care during the recruitment phase, you are more likely to screen out those people who are unsuitable to work with children. Good recruitment practices help to reduce the opportunities for harm to occur by deterring the ‘wrong’ people from applying.

Job descriptions and duty statements

Organisations need to be clear about the role and responsibilities of each position, particularly when they involve close work with children. An accurate job description and a duty statement that clearly spells out the qualifications, experience and attributes a person must have are more likely to attract suitably qualified, experienced staff and volunteers. When roles and responsibilities are unclear, unsuitable people are more likely to apply because the organisation may not look as ‘professional’ as it should.

Promoting child safety in your advertisements

One of the first steps is to promote the fact yours is a child-safe organisation. You should publicise this in advertisements, duty statements and all organisational materials. This may discourage some unsuitable people from applying. The example of an advertisement on this page demonstrates implementation of a Child Safety Policy.

The best thing we have done in our child-safe practices is to adapt our interview questions so we really get to know why people want to work with children.

Large welfare non-government organisation

What should be assessed

When recruiting new staff or volunteers, important areas you need to assess include:

- motivation to work with children (that is, personal versus professional)
- relevant experience which can be verified
- an understanding of children’s physical and emotional needs
- professional boundaries
- attitudes to children’s rights and how they can be upheld
- values (that is, honesty, integrity, reliability, fairness, and non-discrimination)
- responses from referees.

The organisation needs to invest time and resources when recruiting staff or volunteers who will work closely with children, particularly if the children are vulnerable or have special needs.

Childcare Assistant

Our 50-place community child care centre is seeking a dynamic, experienced childcare worker. At Our Village Childcare we are committed to excellence in child care and to ensuring the safety and wellbeing of children.

The application form can be accessed at our website and will need to include three referees. All applicants must have previous experience working with children and referees who can comment on this experience.

A current police check/Working with Children check is essential.

We are a child safe and equal employment opportunity employer. Applications from Aboriginal and Torres Strait Islander peoples and from people from culturally and linguistically diverse backgrounds are encouraged.
How to conduct reference checks

Screening potential staff and volunteers is essential and failure to do proper reference checks can result in negative outcomes for children and organisations. Reference checks are crucial.

When interviewing candidates and conducting reference checks, the people responsible need to be confident and assertive. At least one person on the interview panel should be experienced in interviewing. An independent outsider may provide objectivity, particularly when internal applicants are applying to work directly with children.

It is important to verify who you are talking to in order to ensure they are genuine.

Employers should insist that one referee must be the current or most recent employer regardless of applicant’s willingness. A current assessment of performance is invaluable. It is also pertinent to ask the referee whether the referee has directly supervised the applicant and directly observed their work with children.

Useful questions for a referee include:
• Would you employ the person again?
• Do you have any concerns about the applicant working directly with children?
• Are you comfortable knowing the applicant could be working alone with children at times?

Also ask for an example of a time when the referee observed the applicant managing a child with challenging behaviour.

A police check should be used to screen out those people who have a criminal history of abusing and exploiting children or being violent.

In addition, applicants may be legally required to obtain a Working with Children Check to ensure that they do not have a recorded history of certain types of criminal offences or professional disciplinary - hearing findings.

Working with Children Check

The Victorian Government has introduced a new checking system that will affect some people who work or volunteer with children. While many organisations already check those people who work with children, some do not. The Working with Children Check will ensure that there are statewide minimum standards for checking people who work with children.

Under the Working with Children Act 2005 (‘the Act’), employees, volunteers and self-employed people...
are or will be legally required to apply for a Working with Children Check if they work in, or in connection with, any of the 20 services, bodies, places or activities listed in the Act (these are also summarised in Appendix 2 of this guide) where that work usually involves (or is likely to usually involve) regular, direct contact with a child where that contact is not directly supervised.

The Working with Children Check involves checking a person’s criminal record and any findings from prescribed professional disciplinary bodies. Broadly speaking, the offences considered relevant under the Act fall into the categories of serious sexual, serious violence and serious drug-related offences.

The Working with Children Check is one part of building a child-safe organisation, but it is not a substitute for undertaking the other strategies included in this guide.

Benefits
A Working with Children Check is valid for five years and is transferrable between employers or volunteer organisations (except if moving from a volunteer to an employee position because a person cannot use a volunteer card to engage in paid work).

The Working with Children Check is unique because cardholders are monitored for any new relevant offences or findings from professional disciplinary bodies on an ongoing basis. New charges, convictions or findings relevant to the Working with Children Check will trigger a re-assessment of the person’s Working with Children Check eligibility.

The Department of Justice’s web site www.justice.vic.gov.au/workingwithchildren enables employers and volunteer organisations to confirm whether or not a person holds a valid Working with Children Check card.

Legal obligations
People who work in child-related work as defined by the Act must obtain a Working with Children Check by the relevant due date (see Appendix 2, which includes a chart outlining when people engaged in particular types of child-related work will need to apply). It is against the law for a person who is required to but who has not obtained a Working with Children Check to engage in child-related work, including volunteering.

It is also against the law to knowingly employ a person who has not obtained a Working with Children Check in child-related work if they are required to have one, including volunteering.

When do people need to apply?
Child Protection workers and Juvenile Justice workers were required to apply for a Working with Children Check before 1 July 2006. Foster carers are required to obtain a Working with Children Check by 30 August 2006. Other fields of child-related work will be phased in over the next five years. It is anticipated that approximately 100,000 Working with Children Checks will be processed each year. Appendix 2 includes a chart that shows when people engaged in particular types of child-related work need to apply.

How do you and your employees apply for a Working with Children Check?
People who need to have a Working with Children Check can apply at the appropriate time by lodging a Working with Children Check application form at a participating Australia Post outlet. Applicants will
need to show proof of identity and attach a passport-size photograph of themselves to their application. The application fee for employees is $70 and the Working with Children Check is free of charge for volunteers. Details of participating Australia Post outlets can be found on www.auspost.com.au/workingwithchildren/vic.asp

Are there any exemptions?
The Act includes some exemptions; for example, if a person is under the age of 18 years they do not need to have a Working with Children Check. The complete list of exemptions is available on the Department of Justice web site www.justice.vic.gov.au/workingwithchildren.

Where can I get more information?
For information on the Working with Children Check, please visit www.justice.vic.gov.au/workingwithchildren or call the Working with Children Check Information Line on 1300 652 879.

Fairness
When selecting staff or volunteers, the processes you follow should be fair and just; however, the safety and wellbeing of children should be your primary consideration. In addition, you should ensure your decision making is rigorous, defensible and transparent. Developing clear duty statements and job descriptions and ensuring appropriately qualified staff conduct interviews and referee checks are important aspects of establishing fair processes that also provide for the safety of children.

Organisations should be aware of the requirements of privacy legislation and laws relating to unlawful discrimination. A detailed discussion of these topics is outside the scope of this guide, but a few basic points are noted here. If you need more information about these topics, refer to the contacts and resources at the back of the guide.

Privacy
In brief, it is important to remember that criminal histories, outcomes of professional disciplinary proceedings, and other information that you may consider during background checking include sensitive personal information. This information should be treated with respect for the privacy of all individuals. To achieve this, you should develop appropriate safeguards around the collection, retention, use and disclosure of personal information. People being assessed should be informed about what will happen to any information they provide and who will have access to the information.

Discrimination
The Human Rights and Equal Opportunity Commission has produced On the Record: Guidelines for the prevention of discrimination in employment on the basis of criminal record, which provides useful practical guidance on how to prevent criminal record discrimination in the workplace. These guidelines note that it is understood that there is no discrimination if an applicant is not successful in obtaining a job because they cannot fulfil the essential aspects (inherent requirements) of that particular job.
## Checklist: choosing suitable staff and volunteers

<table>
<thead>
<tr>
<th>Choosing safe staff and volunteers</th>
<th>Practical suggestions</th>
<th>Good outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Develop selection criteria and a duty statement</strong></td>
<td>These documents help you to identify required experience and qualifications and to document roles, responsibilities and accountability in a duty statement.</td>
<td>You will recruit the most suitable staff or volunteers.</td>
</tr>
<tr>
<td><strong>Advertise position</strong></td>
<td>Promote your Child Safety Policy.</td>
<td>This encourages the best qualified people to apply.</td>
</tr>
</tbody>
</table>
| **Interview applicants** | • Prepare interview questions pertaining to motivation to work with children.  
• Ask questions about real life experience.  
• Have three people on the interview panel if possible. Have a gender mix if possible.  
• Appoint an interview chairperson.  
• Conduct a second interview if not sure who you wish to appoint. | You will achieve a fair and transparent interview process that allows reasonable opportunity to assess a candidate’s skills and suitability. |
| **Conduct reference checks (minimum of two)** | • At least two reference checks must be undertaken by telephone or in person.  
• Accepting letters of reference is not advised.  
• Insist on current or most recent employer.  
• Referee needs to have observed the applicant’s work with children.  
**Useful questions**  
• Would you employ the person again?  
• Do you have any concerns about the person working directly with children?  
• Are you comfortable knowing this person could be working alone with children at times?  
• Ask for an example of a time when the referee observed this person managing a child with challenging behaviour. | Thorough reference checks should reveal accurate information, which enables informed decisions to be made about the candidate’s suitability. |
| **Conduct identity checks** | • Ensure you are background checking the right person.  
• Evidence of identity must be provided (for example, driver’s licence, passport).  
• Make sure you sight original birth certificate.  
• Make sure you sight original qualifications certificates. | You should end up employing genuine and suitable employees or volunteers. |
| **Conduct a police check and a Working with Children Check** | • Exclude anyone with a criminal history of violence, abuse of children or serious drug charges.  
• When the Working with Children Check is introduced for this category of child-related work, ensure the applicant has one. | This will help to screen out unsuitable people. |
| **Provide supervision, support and monitoring of staff and volunteers** | • Meet regularly with staff and volunteers.  
• Support them in their role.  
• Provide training and resources.  
• Raise performance issues and required improvements.  
• Treat staff and volunteers with respect. | You will have staff and volunteers who enjoy their job and feel valued by the organisation. |
Staff support, supervision and performance monitoring

Once staff or volunteers have commenced their work with children, the organisation needs to provide them with ongoing support, supervision and training.

When staff and volunteers are cared for by the organisation, they are more likely to ‘do the right thing’. If they experience problems or have concerns, they are more likely to report it to a supervisor or manager.

Requirements of good supervision

People responsible for the supervision of staff and volunteers need to provide adequate support, as well as on-the-job monitoring of their performance. An ongoing commitment to this is a key component of a child-safe organisation. Supervision means providing clear expectations about roles and responsibilities and giving people the best support and training you can to equip them to perform their roles as professionally as possible. When staff feel valued and supported they are much more likely to work to the best of their ability.

If staff and volunteers are provided with regular opportunities to meet with and talk to a ‘supervisor’, they are more likely to share any observations or problems they experience or are concerned about. This could act as an alert when something is not going well or someone is not acting in the best interests of the organisation or the children in their care.

Supervisors need to be honest with staff and volunteers, and set realistic performance management guidelines when people are not performing to the best of their ability or are acting in ways that are detrimental to children or the organisation.

Ongoing training and professional development

When employing new staff or volunteers, organisations need to think about the relevant levels of training and experience they expect staff or volunteers to have. They can specify these in job descriptions and duty statements. Once in position, organisations may wish to ensure staff and volunteers receive regular training in specific areas. Child-safe organisations emphasise and implement training opportunities and strategies that equip people to do their job well.

Ally* started a new school and was introduced to her class by her teacher. Whilst standing in front of the grade, Ally’s new teacher told the entire class that she was new to the school as she was a foster child and could no longer live with her family or go to her old school. Ally felt ashamed and was either teased, pitied or ostracised by the other children and had trouble feeling like she belonged. (*Not her real name).

Feedback from consultations by the Office of the Child Safety Commissioner and CREATE

Understanding the nature and signs of abuse

In child-safe organisations, people who work with children need to understand the definition of harm to children, including different forms of child abuse, if they are expected to prevent it and protect children from such harm. Children often do not speak up when they are unsafe; however, their behaviour will change, and it is very important that staff and volunteers are ‘in tune’ with this and in a position to act in a preventative way. This is the reason staff training sessions on these topics are so important.

Staff and volunteers working with children need to have a basic understanding of children’s development and how it changes through different ages and stages. If they understand this, it will be much easier for them to detect any physical or behavioural changes in children that may indicate the child could be at risk or is already being harmed. When staff and volunteers work closely with children, they are in a position to observe changes and respond to or report any concerns about the child’s welfare and development.
Reporting child safety concerns

Primary focus is the best interests of the child

People are much more likely to report concerns if there is a clear and effective reporting process to follow. Reporting can be difficult to do. The best interests of the child must always be the primary consideration, with due regard for confidentiality and fairness to the person against whom the allegation is made.

Benefits of a clear and well publicised policy

Organisations have a responsibility to encourage staff, volunteers and children to speak up when they are uncomfortable or concerned. When there is a well publicised reporting process, which staff and volunteers are trained to use, it is more likely that people will raise relevant and important issues about child safety. This process will also encourage people to give helpful and important information that reduces the risk of all forms of harm to children, staff and volunteers.

The types of concerns that should be reported

Identifying concerns about the safety and wellbeing of children ranges from an uncomfortable feeling through to a direct observation or a disclosure by a child. People are encouraged to speak to someone and be proactive rather than wait until it is too late. Staff and volunteers need to be aware of their duty of care to children and of their legal responsibilities.

Examples of child safety concerns include:
- concerns about the physical environment which may pose a risk to children (this includes health and hygiene issues)
- inappropriate or special relationships developing between staff or volunteers and children
- inadequate staff/child supervision ratios
- breaches of the Code of Conduct, particularly persistent breaches
- feelings of discomfort about the interaction between a staff member or volunteer and a child
- suspicions or beliefs that children are at risk of harm, or observations of changed behaviour indicating concern
- children’s disclosures of abuse which must be reported to the Child Protection service or the police.

Keeping records

Organisations should record any child safety complaints and store the records in accordance with security and privacy requirements. Keep a record of action taken, any internal investigations and any reports made to statutory authorities or professional bodies.

To avoid confusion and maintain confidentiality, everyone, including children, should be made aware of the need to report serious matters involving child protection to external authorities. You cannot promise confidentiality in these matters; however, you must assure privacy in handling the matter and that only those who need to know will be advised. A flowchart outlining the process for reporting child safety concerns would convey a clear message to everyone that their concerns will be handled fairly, confidentially and efficiently. You should attach this to your organisation’s Child Safety Policy.

Benefits of appointing Child Safety Persons

A reporting process can be simplified if there is a dedicated Child Safety Person appointed within the organisation who manages the process from beginning to end. If there is no specific Child Safety Person, the organisation needs to advise all staff, volunteers, parents and children who they should report concerns to. Staff and volunteers generally report to their ‘supervisor’ or manager.
Sample flowchart: child safety reporting process

Who can report

- Parent
- Child
- Staff member or volunteer

What to report

Any child safety concerns, including:
- disclosure of abuse or harm
- allegation, suspicion or observation
- breach of Code of Conduct
- environmental safety issues.

How

Verbal report, letter, email, telephone call, meeting

To whom

Child Safety Person, manager, supervisor

What next

The child safety person, manager or supervisor will:
- offer support to the child, the parents, the person who reports, and the accused staff member or volunteer
- initiate internal processes to ensure safety of the child, clarify the nature of the complaint, and commence disciplinary process (if required)
- decide, in accordance with legal requirements and duty of care (see page 24), whether the matter should be/must be referred to the police or Child Protection and make referral as soon as possible if required.

Outcome

Investigation; outcome decided; relevant staff, volunteers, parents and child notified of outcome of investigation. Policies, procedures updated where necessary.
When should complaints be reported to the police?

The physical and sexual abuse of children are crimes and must be reported to the police if they occur in an organisational setting. If a child discloses any such abuse, the organisation must listen, respond and report to the police.

It is important to ‘validate’ a child’s disclosure, no matter how you feel about it. This means listening to the child, taking them seriously and responding and acting on the disclosure by reporting to the police. Children, parents, staff and volunteers must be encouraged and supported in their efforts to protect themselves and others.

What should I do if I suspect a child is being abused by a family member?

The Child Protection service is part of the Victorian Department of Human Services. It provides child-centred, family-focused services to protect children and young people from significant harm caused by abuse or neglect within the family. It also aims to ensure children and young people receive services to deal with the impact of abuse and neglect on their wellbeing and development. Some professionals, such as doctors, nurses, police and school teachers, are legally obliged to report suspected child abuse to Child Protection (this is known as a legally mandated notification); however, anyone who believes, on reasonable grounds, that a child needs protection can voluntarily notify Child Protection (this is known as a voluntary (non-mandated) notification). It is the Child Protection worker’s job to investigate allegations of abuse or neglect.

To make a notification of child abuse, as soon as possible contact your regional Child Protection office (the numbers are listed in the contacts page of this guide) or call 13 1278 for afterhours notifications.
Suggested helpful organisations and resources

Office of the Child Safety Commissioner
Level 20/570 Bourke Street
Melbourne, Victoria, Australia 3000
Tel: 03 8601 5884
Fax: 03 8601 5877
Web: www.ocsc.vic.gov.au
Email: childsafe@ocsc.vic.gov.au

Child Wise
PO Box 451
South Melbourne, Victoria, Australia 3205
Tel: 03 9645 8911
Fax: 03 9645 8922
Email: ecpat@ecpat.org

- Publications:
  Choose With Care®: Building Child-safe Organisations
  Child Wise 2004 (Contact Child Wise to order or visit www.childwise.net).

- For training, policy advice and consultancy, contact ecpat@ecpat.org

Working with Children Check Unit
Department of Justice
GPO Box 1915
Melbourne, Victoria, Australia 3001
Tel: Working with Children Check Information Line: 1300 652 879

Australian Council for Children and Youth Organizations (ACCYO)
12 Lansdowne Street
East Melbourne, Victoria, Australia 3002
Tel: 03 9419 1455
Fax: 03 9486 0879
Web: www.acccyo.org.au

Australian Childhood Foundation
P O Box 525
Ringwood, Victoria, Australia 3134
Tel: 03 9874 3922
Fax: 03 9874 7922
Web: www.childhood.org.au

Centre for Excellence in Child and Family Welfare Inc.
Level 5, 50 Market Street
Melbourne, Victoria, Australia 3000
Tel: 03 9614 1577
Fax: 03 9614 1774
Web: www.cwav.asn.au

Children’s Protection Society
Head Office
70 Altona Street
Heidelberg West, Victoria, Australia 3081
Tel: 03 9458 3566
Fax: 03 9457 6057
Web: www.cps.org.au
Reservoir site
204 Broadway
Reservoir, Victoria, Australia 3073
Tel: 03 9495 7000
Fax: 03 9469 3244

Child Protection
After Hours Crisis Line 13 1278
(24 hours, seven days a week)
During business hours contact your local Department of Human Services (DHS) regional office.
Barwon–South Western Region
State Government Offices
2nd Floor, Corner Little Malop and Fenwick Streets
Geelong, Victoria, Australia 3220
Tel: 1800 075 599

Eastern Metropolitan Region
883 Whitehorse Road
Box Hill, Victoria, Australia 3128
Tel: 1300 360 391

Gippsland Region
64 Church Street
Traralgon, Victoria, Australia 3844
Tel: 1800 020 202

Grampians Region
State Government Offices
Corner Mair and Doveton Streets
Ballarat, Victoria, Australia 3350
Tel: 1800 000 551

Hume Region
43 Rowan Street
Wangaratta, Victoria, Australia 3677
Tel: 1800 650 227

Loddon Mallee Region
74–78 Queen Street
Bendigo, Victoria, Australia 3550
Tel: 1800 675 598

North and West Metropolitan Region
145 Smith Street
Fitzroy, Victoria, Australia 3065
Tel: 1300 369 536

Australian children – seen and heard
ChildSafe
38 Windich Road
Bull Creek,
Western Australia, 6149
Tel: 08 9313 7913
Web: www.childsafe.org.au
This organisation has a resource: the Child-safe Risk Management System®, Version 1.1
(See www.childsafe.org.au for more information.)

Equal Opportunity
Commission Victoria
3/380 Lonsdale Street
Melbourne, Victoria,
Australia 3000
Tel: 03 9281 7111
Fax: 03 9281 7171
Web: www.equalopportunitycommission.vic.gov.au

Metropolitan Sexual Offences and Child Abuse Units
Box Hill 03 9890 4977
Dandenong 03 9767 7469
Knox 03 9881 7932
Melbourne 03 9247 6936
For rural Sexual Offences and Child Abuse (SOCA) Units, call 000.

National Child Protection Clearing House
Australian Institute of Family Studies
300 Queen Street, Melbourne,
Victoria, Australia 3000
Tel: 03 9214 7888
Fax: 03 9214 7839
Web: www.aifs.gov.au/nch

Office of the Victorian Privacy Commissioner
GPO Box 5057
10–16 Queen Street, Melbourne,
Victoria, Australia 3000
Tel: 03 8619 8719
Fax: 03 8619 8700
Web: www.privacy.vic.gov.au

Safety Centre, Royal Children’s Hospital
Flemington Road
Parkville, Victoria,
Australia 3052
Tel: 03 9345 5085
Fax: 03 9345 5086
Web: www.rch.org.au/safetycentre

Victorian Institute of Teaching
Level 24/570 Bourke Street
Melbourne, Victoria,
Australia 3000
PO Box 531, Collins Street West, Victoria 8007
Tel: 03 8601 5820
Fax: 03 8601 5801
Web: www.vit.vic.edu.au

VicSport
Grnd Floor, 120 Jolimont Road
Jolimont, Victoria,
Australia 3002
Tel: 03 9654 3755
Fax: 03 9654 6414
Web: www.vicsport.asn.au

Victoria Police
Contact your local Sexual Offences and Child Abuse Unit or call 000 and ask for police.

YACVic (Youth Affairs Council of Victoria Inc.)
Level 2, 172 Flinders Street
Melbourne, Victoria,
Australia 3000
Tel: 03 9267 3799
Fax: 03 9639 1622
Web: www.yacvic.org.au
Appendix 1 – United Nations Convention on the Rights of the Child

Highlights of the convention

- Every child has the inherent right to life, and states shall ensure to the maximum child survival and development.
- Every child has the right to a name and nationality from birth.
- Children shall not be separated from their parents, except by competent authorities for their wellbeing.
- States shall facilitate reunification of families by permitting travel into, or out of, their territories.
- Parents have the primary responsibility for a child’s upbringing, but states shall provide them with appropriate assistance and develop child care institutions.
- States shall protect children from physical or mental harm and neglect, including sexual abuse or exploitation.
- States shall provide parentless children with suitable alternative care. The adoption process shall be carefully regulated and international agreements should be sought to provide safeguards and assure legal validity if and when adoptive parents intend to move a child from his or her country of birth.
- Disabled children shall have the right to special treatment, education and care.
- Children are entitled to the highest attainable standard of health. States shall ensure that health care is provided to all children, placing emphasis on preventive measures, health education and reduction of infant mortality.
- Primary education shall be free and compulsory. Discipline in schools shall respect the child’s dignity. Education should prepare the child for life in a spirit of understanding, peace and tolerance.
- Children shall have time to rest and play and equal opportunities for cultural and artistic activities.
- States shall protect children from economic exploitation and from work that may interfere with their education or be harmful to their health or wellbeing.
- States shall protect children from the illegal use of drugs and involvement in drug production or trafficking.
- All efforts shall be made to eliminate the abduction and trafficking of children.
- Capital punishment or life imprisonment shall not be imposed for crimes committed before the age of 18.
- Children in detention shall be separated from adults; they must not be tortured or suffer cruel or degrading treatment.
- No child under 15 shall take any part in hostilities; children exposed to armed conflict shall receive special protection.
- Children of minority and indigenous populations shall freely enjoy their own culture, religion and language.
- Children who have suffered mistreatment, neglect or exploitation shall receive appropriate treatment or training for recovery and rehabilitation.
- Children involved in infringements of the penal law shall be treated in a way that promotes their sense of dignity and worth and aims at reintegrating them into society.
- States shall make the rights set out in the convention widely known to both adults and children.
Child-related work

Section 9 of the Working with Children Act 2005 defines child-related work. For the purposes of the Act, child-related work is work, including volunteer work, that usually involves or is likely to usually involve regular direct contact with a child in connection with a service, body, place or activity below:

- Child Protection services
- child care services
- children's services (for example, providing care or education for five or more children under the age of six years)
- educational institutions
- community services, remand centres, youth residential centres, youth supervision units or youth training centres or probation services
- refuges or other residential facilities used by children
- paediatric wards of public or private hospitals
- clubs, associations or movements whose membership mainly comprises of children
- religious organisations
- baby sitting or child minding services arranged by a commercial agency
- fostering children
- providing a transport service specifically for children
- coaching or private tuition services of any kind for children
- counselling or support services for children
- overnight camps for children
- school crossing services
- providing commercial entertainment or party services for children, that are not merely incidental to other business activities
- providing commercial gym or play facilities for children, that are not merely incidental to other business activities
- providing commercial photography services specifically for children
- talent or beauty competitions.

This is a summary only. Organisations are encouraged to check details by referring to the website <www.justice.vic.gov.au/workingwithchildren> or calling the Working with Children Check Information Line on 1300 652 879.

When do I need to apply?
The Working with Children Check is being phased in over five years. When you need to apply for a check depends on the year your category of child-related work is being phased in. To work out when it is time to apply, check the phasing plan below. If you fall into more than one category of child-related work, you should apply under whichever category comes first.
<table>
<thead>
<tr>
<th>Child-related field (service, body, place, activity)</th>
<th>When to apply</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Child Protection services (Department of Human Services employees only)</td>
<td>3 April 2006 to 30 June 2006</td>
</tr>
<tr>
<td>• The following Juvenile Justice places or services (Department of Human Services employees only):</td>
<td></td>
</tr>
<tr>
<td>– remand centres</td>
<td></td>
</tr>
<tr>
<td>– youth residential centres</td>
<td></td>
</tr>
<tr>
<td>– youth supervision units</td>
<td></td>
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<tr>
<td>– youth training centres</td>
<td></td>
</tr>
<tr>
<td>– probation services</td>
<td></td>
</tr>
<tr>
<td>– 3 April 2006 to 30 June 2006</td>
<td></td>
</tr>
<tr>
<td>• Fostering children (foster carers only)</td>
<td>3 April 2006 to 30 August 2006</td>
</tr>
<tr>
<td>• Fostering children (other than those persons covered above)</td>
<td></td>
</tr>
<tr>
<td>• Child Protection services (other than those persons covered above)</td>
<td>Year 1</td>
</tr>
<tr>
<td>• The following Juvenile Justice places or services (other than those persons covered above):</td>
<td>1 July 2006 to 30 June 2007</td>
</tr>
<tr>
<td>– remand centres</td>
<td></td>
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<tr>
<td>– youth residential centres</td>
<td></td>
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<tr>
<td>– youth supervision units</td>
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<tr>
<td>– youth training centres</td>
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<tr>
<td>– probation services</td>
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<tr>
<td>• Community services (that are established under the Children and Young Persons Act 1989. Please note the Children, Youth and Families Act 2005 will in future replace this legislation.)</td>
<td></td>
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<tr>
<td>• Child care services, specifically:</td>
<td></td>
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<tr>
<td>– family day care</td>
<td></td>
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<tr>
<td>– outside school hours care</td>
<td></td>
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<tr>
<td>• School crossing services</td>
<td></td>
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<tr>
<td>• All overnight camps for children</td>
<td></td>
</tr>
<tr>
<td>• Educational institutions for children, specifically:</td>
<td>1 July 2006 to 30 December 2007</td>
</tr>
<tr>
<td>– state schools (including all primary, secondary, technical and special state schools)</td>
<td></td>
</tr>
<tr>
<td>– non-government schools (including all primary, secondary and special non-government schools)</td>
<td></td>
</tr>
<tr>
<td>• Educational institutions for children, specifically:</td>
<td>Year 2</td>
</tr>
<tr>
<td>– TAFE colleges and TAFE divisions of universities providing VCE and/or Victorian Certificate of Applied Learning (VCAL) subjects</td>
<td>1 July 2007 to 30 June 2008</td>
</tr>
<tr>
<td>– some adult education providers providing VCE and/or VCAL subjects</td>
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<tr>
<td>– other institutions providing children’s study or training programs</td>
<td></td>
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<tr>
<td>• Child care services, specifically:</td>
<td></td>
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<tr>
<td>– centre based long day care</td>
<td></td>
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<tr>
<td>– occasional care</td>
<td></td>
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<tr>
<td>– in home care</td>
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<tr>
<td>• Children’s services (that are required to be regulated under the Children’s Services Act 1996) including kindergartens or preschools</td>
<td></td>
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<tr>
<td>• Counselling or other support services for children</td>
<td></td>
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<tr>
<td>• Publicly-funded or commercial transport services specifically for children</td>
<td></td>
</tr>
<tr>
<td>• Refuges or other residential facilities used by children</td>
<td></td>
</tr>
<tr>
<td>• Religious organisations</td>
<td></td>
</tr>
</tbody>
</table>
### Child-related field (service, body, place, activity)

- **Babysitting or childminding services** arranged by a commercial agency
- **Clubs, associations or movements** (including of cultural, recreational or sporting nature) that:
  - provide services or conduct activities for, or directed at, children
  - whose membership is mainly comprised of children
- **Paediatric wards** of public or private hospitals

<table>
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<tr>
<th>When to apply</th>
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<tbody>
<tr>
<td><strong>Year 3</strong></td>
<td>1 July 2008 to 30 June 2009</td>
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</tbody>
</table>

- **Clubs, associations or movements** (including of cultural, recreational or sporting nature) that:
  - provide services or conduct activities for, or directed at, children
  - whose membership is mainly comprised of children
- **Coaching or private tuition** services of any kind for children

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<thead>
<tr>
<th>Year 4</th>
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<tbody>
<tr>
<td>1 July 2009 to 30 June 2010</td>
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</tbody>
</table>

- **Clubs, associations or movements** (including of cultural, recreational or sporting nature) that:
  - provide services or conduct activities for, or directed at, children
  - whose membership is mainly comprised of children
- **Commercial entertainment or party services** for children, unless they are merely incidental to or in support of other business activities
- **Commercial gym or play facilities** for children, unless they are merely incidental to or in support of other business activities

For example, the provision of play facilities for children by a fast food business may be merely incidental to the business of providing food.

- **Commercial photography services** specifically for children, unless they are merely incidental to or in support of other business activities
- **Commercial talent or beauty competitions** for children, unless they are merely incidental to or in support of other business activities

<table>
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<tr>
<th>Year 5</th>
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<tbody>
<tr>
<td>1 July 2010 to 30 June 2011</td>
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</tbody>
</table>

This is a summary only. Organisations are encouraged to check details by referring to the web site www.justice.vic.gov.au/workingwithchildren or calling the Working with Children Check Information Line on 1300 652 879.
References


South Australian Equal Opportunity Commission & the Office for Recreation and Sport, Play by the Rules, Superprint, Melbourne. (Also at www.playbytherules.net.au).


DANIEL
Sorry I'm late, I stared at a rainbow.