

# Child Safe Policy

Beechworth Chain Gang



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*Note: Within the general principles expressed here and in other policies, more specific procedural provisions may be necessary to deal with particular circumstances and difficult situations – for example, sports coaching may legitimately involve some forms of physical contact, and some people with disabilities may legitimately require carefully monitored physical restraint. Such specific provisions must be developed by staff and stakeholders in the organisation's that require them and cannot be prescribed on a one-size-fits-all model.*

*The Victorian Child-Safe Standards suggest that to remove any ambiguity employees should be required to sign a statement that they agree to abide by the Code of Conduct.*

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## **CODE OF CONDUCT FOR EMPLOYEES, VOLUNTEERS AND CONTRACTORS WORKING WITH CHILDREN AND YOUNG PEOPLE**

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### **POLICY**

The Beechworth Chain Gang (BCG) is committed to promoting and protecting the interests and safety of children. We have zero tolerance for child abuse.

Everyone involved with the Beechworth Chain Gang (BCG) is responsible for the care and protection of children and reporting information about child abuse.

The purpose of this policy is

1. To facilitate the prevention of child abuse occurring within BCG
2. To work towards a club culture of child safety
3. To prevent child abuse within BCG
4. 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
5. To provide guidance to staff/volunteers/contractors as to action that should be taken where they suspect any abuse within or outside of the organisation
6. To provide a clear statement to staff/volunteers/contractors forbidding any such abuse
7. To provide assurance that any and all suspected abuse will be reported and fully investigated.

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BCG is committed to promoting and protecting the best interests of children involved in its programs.

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.

BCG has zero tolerance for child abuse. Everyone involved at BCG is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.

Child protection is a shared responsibility between all BCG volunteers, employees, workers, contractors, associates, and members of the BCG community.

BCG will consider the opinions of children and use their opinions to develop child protection policies.

BCG supports and respects all children, staff and volunteers. BCG is committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.

If any person believes a child is in immediate risk of abuse, telephone 000.

## Human Resources

The Committee of BCG has ultimate responsibility for the detection and prevention of child abuse within the club 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 Child Safety Officer of BCG is responsible for:

- Dealing with and investigating reports of child abuse;
- Ensuring that all staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct;
- Ensuring that all adults within the BCG community 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 are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety);
- Providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.

All staff and volunteers must ensure that they:

- Promote child safety at all times;
- Assess the risk of child abuse within their area of control and eradicate or minimise any risk to the extent possible;

- Educate employees and volunteers about the prevention and detection of child abuse; and
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities.
- The Committee 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 staff/volunteers/contractors of BCG share the responsibility for the prevention and detection of child abuse, and must:
- Familiarise themselves with the relevant laws, the Code of Conduct, and BCG's 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 the Child Safety Officer (CSO) (or, if their CSO is involved in the suspicion, to a responsible person in the organisation); and
- Provide an environment that is supportive of all children's emotional and physical safety.

## Definitions

**Child** means a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

**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.

## **New Personnel**

BCG undertakes a screening process for all volunteers that 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 BCG’s values and commitment to protect children; and
- prevent a person from working at BCG if they pose a risk to children.
- BCG requires all workers/volunteers to pass through the organisation’s screening processes prior to commencing their engagement with BCG.
- BCG requires applicants to provide a current working with children’s check in accordance with the law and as appropriate, before they commence their engagement with BCG and during their time with BCG at regular intervals.
- Once engaged, workers/volunteers must review and acknowledge their understanding of this Policy.

## **Risk Management**

BCG will ensure that child safety is a part of its overall risk management approach.

BCG will address risk at every committee meeting and committee members will receive regular training in relation to child safety.

## **Specific Risk Management Practises**

1. Group sizes for the Junior Ride Program (JRP) must include two adults and at least three children (2:3 ratio). If the group ratio falls below this then the group is to merge with another group for that session
2. 1:1 (adult : child) ratio for the JRP is to be avoided wherever possible, and in case of a potential 1:1 ratio, an additional child/ren should be asked to stay with adult & child. In addition, carpark attendant/ other coaches should be notified of situation and estimate given of time to return to carpark/ time of arrival of additional support adult/s.
3. Coaches in the junior ride program will rotate through 'lead' and 'sweep' roles at least on a weekly basis. Slower riders can become isolated at the rear of the group in remote locations with the adult sweep rider.
4. If first aid is required for a JRP participant it is preferable that the group stops while the injured rider is being treated and moves on together. At times it will be unsafe or the group will have ridden to the next meeting point, communication in these instances should proceed via phone and additional child/ren asked to remain with injured child.  
For more specific injury management guidelines, refer to BCG Junior Ride Program Injury Management Policy.

## Reporting

Any volunteer or club member who has grounds to suspect abusive activity must immediately notify the appropriate child protection service or the police. They should also advise their CSO about their concern.

In situations where the CSO 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.

The CSO must report complaints of suspected abusive behaviour or misconduct to the President and also to any external regulatory body such as the police.

The Victorian Legislation: Children, Youth and Families Act 2005 (Vic) states:

Mandated Reporters are: Registered medical practitioners, midwives and registered nurses, Teachers registered or granted permission to teach under the Education, Training and Reform Act 2006, Principals, Police

A mandated reporter must make a report if: They form a belief on reasonable grounds that a child is in need of protection from physical injury or sexual abuse; The parents cannot or will not protect the child; and the belief is formed in the course of practising his/her position of employment. NB: exceptions may apply

Investigating If the appropriate child protection service or the police decide to investigate a report, all employees, contractors or volunteers must co-operate fully with the investigation.

Whether or not the authorities decide to conduct an investigation, the President 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

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President 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 rules of natural justice.

The President will make every effort to keep any such investigation confidential; however, from time to time other members of the committee 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 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.

## **Responding**

If it is alleged that a club member or a volunteer may have committed an offence or have breached the organisation's policies or its Code of Conduct the person concerned may be stood down while an investigation is conducted.

If the investigation concludes that on the balance of probabilities an offence (or a breach of the organisation's policies or Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the organisation. The findings of the investigation will also be reported to any external body as required.

## **Privacy**

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

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.

Reviewing Every two years, and following every reportable incident, a review shall be conducted to assess whether the organisation's child protection policies or procedures require modification to better protect the children under the organisation's care. This policy must be read in conjunction with:

The law of the Commonwealth or of the relevant state or territory;

The Beechworth Chain Gang's Code of Conduct.