

CHILD SAFETY POLICY

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

INTRODUCTION

Toy Libraries Australia is committed to promoting and protecting the interests and safety of children. We have zero tolerance for child abuse. Toy Libraries Australia is thereby committed to complying with the Child Safe Standards introduced by State and Territory Governments, including the Victorian Government where Toy Libraries Australia is incorporated, which set out the compulsory minimum standards for organisations that provide services for children and young people (or are used by children and young people), to help protect them from harm.

Everyone working at Toy Libraries Australia is responsible for the care and protection of children and reporting information about child abuse.

APPLICATION

This policy applies to all staff, contractors and volunteers and to the broad range of situations where interaction with children and young people may occur in the delivery of our services.

PURPOSE

The purpose of this policy is to:

1. ensure that all staff, contractors and volunteers engaged by Toy Libraries Australia are aware of the organisation's commitment to creating and maintaining a child safe environment that meets the required minimum standards
2. facilitate the prevention of child abuse within our organisation
3. establish the framework for an organisational culture of child safety
4. outline the responsibilities that various parties have for identifying possible occasions for child abuse, for establishing controls and procedures for preventing abuse, and for detecting abuse when it occurs
5. provide guidance to staff, contractors and volunteers as to action that should be taken where they suspect any abuse within or outside of the organisation
6. provide a clear statement to staff, contractors and volunteers forbidding any such abuse
7. provide assurance that all suspected abuse will be reported and fully investigated.

OUR COMMITMENT TO CHILD SAFETY

Toy Libraries Australia is committed to promoting and protecting the best interests of children involved in its service, and to providing a child-safe and child-friendly environment for all children and young people who engage with the organisation. Our organisation is committed to complying with the Child Safe Standards introduced by the Victorian Government, which set out the compulsory minimum standards for organisations that provide services for children and young people (or are used by children and young people), to help protect them from harm.

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

Everyone working at Toy Libraries Australia is responsible for the care and protection of the children using our services and reporting information about suspected child abuse.

Child protection is a shared responsibility between the Toy Libraries Australia and all staff, contractors, volunteers, associates, and members of our community.

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

We respect all children and young people and support them to be safe, happy, and empowered.

We are committed to the cultural safety of children, and pay particular attention to the safety and cultural safety of the following groups of children, in recognition of their increased vulnerability, and diverse and unique identities and experiences:

- Aboriginal and Torres Strait Islander children and young people
- children from culturally and linguistically diverse backgrounds
- children living with a disability
- children who identify as lesbian, gay, bisexual or trans
- children who are intersex, non-binary or gender diverse
- children in and out of home care and the youth justice system.

OUR APPROACH TO CHILD SAFETY

In continuing to implement and promote a child-safety system of work, we will:

- develop an environment in which children feel listened to and valued, and in which their concerns are acted upon, including encouraging and allowing children to participate in decisions important to them
- consult with staff, contractors and volunteers and other appropriate parties, including families and children
- assess and manage the risk of abuse to children who interact with our organisation, including through recruitment practices and online
- take a proactive approach to child safety, including fostering a culture of openness that encourages all staff, contractors and volunteers to report any concerns of child safety and supports them in this process
- report suspected abuse, neglect or mistreatment promptly to the appropriate authority, whether or not the law requires reporting
- ensure children know the options available to them if they are concerned or feeling unsafe, and foster an environment where children are safe to raise such concerns
- recruit staff, contractors and volunteers who are suitable to work with children and provide high quality training, supervision and professional development to staff, contractors and volunteers as appropriate.
- have policies, procedures and supports in place to reflect these commitments, and review these regularly.

AUTHORISATION

Aimee Mundt, Board Secretary
September 2023

CHILD SAFETY PROCEDURES

RESPONSIBILITIES

All staff, contractors and volunteers are responsible for the safety and wellbeing of children and young people who engage with our organisation. All staff, contractors and volunteers are expected to act in accordance with our Code of Conduct in their physical and online interactions with children and young people under the age of 18 years.

The committee of management has ultimate responsibility for the detection and prevention of child abuse and is responsible for ensuring that appropriate and effective internal control systems are in place. The committee of management is also responsible for ensuring that appropriate policies and procedures and a Code of Conduct are in place.

The Chief Executive Officer 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 our 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
- providing support to staff, contractors and volunteers in undertaking their child protection responsibilities.

All supervisors 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 those under their supervision whether they are staff, contractors or volunteers about the prevention and detection of child abuse
- facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

Supervisors 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 and contractors share responsibility for the prevention and detection of child abuse, and must:

- familiarise themselves with relevant laws, the Code of Conduct, and our policy and procedures in relation to child safety, 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 or the state child protection service)
- report any suspicion that a child’s safety may be at risk to their supervisor (or, if their supervisor is involved in the suspicion, to a responsible person in the organisation)
- provide an environment that is supportive of all children’s emotional and physical safety.

DEFINITIONS

Child means a child or young person who is under the age of 18 years.

Child protection means any responsibility, measure or activity undertaken to safeguard children from harm.

Child abuse means

- a sexual offence committed against, with or in the presence of a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded, or
- sexual misconduct committed against, with or in the presence of a child, or
- physical violence committed against, with or in the presence of a child, or
- any behaviour that causes significant emotional or psychological harm to a child or significant neglect of 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:

- the child is in need of protection, or
- the child has suffered or is likely to suffer significant harm as a result of physical injury, or
- 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 it is more than mere rumour or speculation.

A “reasonable belief” is formed if a reasonable person in the same position would form 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 (the child may be talking about themselves)
- c) someone who knows a child states that the child has been physically or sexually abused
- d) signs of abuse lead to a belief that the child has been physically or sexually abused.

Supervisor is a person overseeing the work of a staff member, volunteer or contractor.

RISK MANAGEMENT

Toy Libraries Australia will ensure that child safety is a part of its overall risk management approach.

RECRUITMENT OF STAFF

Toy Libraries Australia’s recruitment approach, including referee checks and preemployment screening, emphasises child safety and wellbeing in line with our commitment to promoting child safety. This process 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 our values and commitment to protecting children, and
- prevent a person from working at the toy library if they pose a risk to children.

We require all staff to pass through the organisation’s recruitment and screening process before commencing their engagement.

All relevant staff must have a current Working with Children Check or Blue Card and we undertake thorough reference checks.

Once engaged, staff must review and acknowledge their understanding of this policy and our Code of Conduct.

VOLUNTEER SCREENING

We require all Committee of Management members to have Working with Children Check or a Blue Card and agree to our Code of Conduct.

We require volunteers who are not Committee of Management members to have a Working with Children Check or a Blue Card and agree to our Code of Conduct where their volunteer duties give

them access to information about children, making decisions about children or where they have direct contact with children as part of their volunteer duties and role.

TRAINING

Toy Libraries Australia is committed to ensuring that staff, contractors and volunteers have access to appropriate induction and ongoing training in relation to their child safety responsibilities, including our child safety policies and procedures and the Code of Conduct.

Training will be available for staff and Committee of Management. This training will include how to identify, assess and minimise the risk of child abuse and detect potential signs of child abuse.

REPORTING

All staff, volunteers and contractors are responsible for reporting child safety concerns to their supervisor or the Chief Executive Officer as soon as possible after receiving such information or forming a belief that a child is at risk.

In situations where the supervisor or Chief Executive Officer 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 President.

Supervisors must report complaints of suspected abusive behaviour or misconduct to the Chief Executive Officer.

If any staff member, volunteer or contractor has a reasonable belief that reportable conduct may have occurred, then they must report the incident to the Chief Executive Officer directly and immediately. If the incident potentially involves a criminal offence, the incident must also be reported to the local police station or by calling 000 after consulting with the Chief Executive Officer if reasonably practicable.

Reportable conduct includes the following incidents:

- a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded
- sexual misconduct committed against, with or in the presence of a child
- physical violence committed against, with or in the presence of a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.

Where a law enforcement agency is seeking to investigate child safety concerns, staff members, contractors and volunteers must co-operate to the best of their ability.

Our Chief Executive Officer can be contacted by email at debbie@toylibraries.org.au or by phone on 0411 037 941.

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 Chief Executive Officer 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 Chief Executive Officer 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 including the right to be heard, the right to be treated without bias, and a decision being based on relevant evidence.

The Chief Executive Officer will make every effort to keep any such investigation confidential; however, from time-to-time other staff, contractors and volunteers may need to be consulted in relation to the investigation.

After an initial review and a determination that the suspected abuse warrants additional investigation, the Chief Executive Officer shall coordinate the investigation with the appropriate investigators and law enforcement officials. Internal or external legal representatives will be involved in the process as deemed appropriate.

RESPONDING

If it is alleged that staff member, contractor or volunteer may have committed an offence or breached the organisation's policies or its Code of Conduct, the person concerned may be stood down (with pay, where applicable) while an investigation is conducted.

Standing down of a staff member, contractor or volunteer during an investigation does not imply that the individual has committed an offence or breached the organisation's policies or its Code of Conduct and should not be considered as a disciplinary action.

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.

PRIVACY

Toy Libraries Australia will respect the privacy of the individuals involved unless there is a risk to someone's safety. We will have safeguards and practices in place to ensure that any personal information considered or recorded remains confidential. Information will be provided to relevant authorities in compliance with State, territory or federal law as required.

In accordance with privacy laws, everyone is entitled to know how the personal information will be recorded, what will or can be done with it, and who may 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.

RELATED DOCUMENTS

This policy must be read in conjunction with:

- The law of the Commonwealth or of the relevant state or territory
- [The National Principles for Child Safe Organisations](#)
- Toy Libraries Australia's Code of Conduct

Last reviewed: September 2023