

Derwent Valley Youth Future Action Team Safeguarding Children and Young People Policy

Purpose

Derwent Valley Youth Future Action Team (D'FAT) is a youth led not for profit organisation committed to high standards of conduct.

D'FAT has adopted the National Principles for Child Safe Organisations:

- ❖ Child safety and wellbeing is embedded in organisational leadership, governance and culture
- ❖ Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously
- ❖ Families and communities are informed and involved in promoting child safety and wellbeing
- ❖ Equity is upheld and diverse needs respected in policy and practice
- ❖ People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice
- ❖ Processes to respond to complaints and concerns are child focused
- ❖ Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training
- ❖ Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed
- ❖ Implementation of the national child safe principles is regularly reviewed and improved
- ❖ Policies and procedures document how the organisation is safe for children and young people

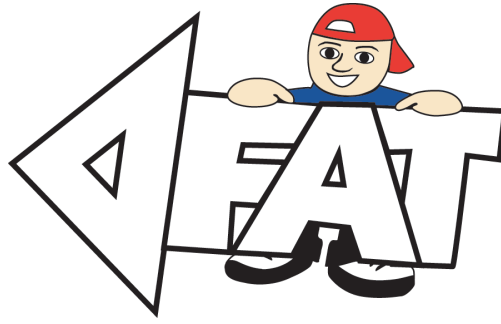
The D'FAT Facilitator is a Mandatory Reporter as outlined in the *Children, Young Persons and Their Families Act 1997* who is legally required to report any suspected or known abuse of a child (a person under the age of 18 years).

Per the Reportable Conduct Scheme outlined in the *Child and Youth Safe Organisations Act 2023*, the D'FAT Facilitator is also legally required to report and investigate concerns regarding conduct related to child abuse involving a worker of the organisation to an independent regulator.

The purpose of this policy is to guide D'FAT in safeguarding children and young people involved in activities and projects of the organisation.

Policy

This policy ensures that D'FAT complies with the obligations of the *Children, Young Persons and Their Families Act 1997*, *Registration to Work with Vulnerable People Act 2013*, *Child and Youth Safe Organisations Act 2023* and other associated Legislation and Regulations.



Procedures

D'FAT shall:

- ❖ Conduct themselves with integrity, honesty and transparency at all times
- ❖ Treat all people with respect, dignity, fairness and courtesy
- ❖ Respect the opinions, ideas and beliefs of all people
- ❖ Encourage all people to have their say and actively participate in meetings, activities and projects

D'FAT has a zero tolerance of any form of abuse, harm, bullying or harassment.

Police will be contacted in cases of possible criminal behavior (as per Code of Conduct Policy).

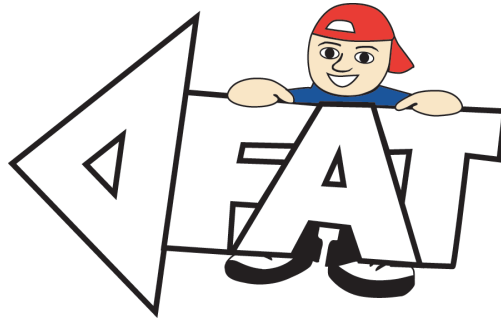
D'FAT is committed to creating a 'child safe culture'. D'FAT is committed to acting in the best interests of children and young people. D'FAT is committed to promoting and protecting the safety and wellbeing of children and young people who access activities, projects or services of the organisation through undertaking the following commitments:

- ❖ Involving children, young people and their parents/guardians
- ❖ Reporting child abuse
- ❖ Expected behaviour
- ❖ Minimising the likelihood of engaging an external service provider that is unsuitable
- ❖ Induction and training
- ❖ Maintain and improve policies and procedures

Commitment to involving children, young people and their parents/guardians:

D'FAT shall:

- ❖ Involve and communicate with children and young people, and their families in developing a safe, inclusive and supportive online and physical environment. Provide information and support to children and young people and their families, including;
 - the organisation's complaints process (as per Grievance and Complaints Resolution Policy)
 - the organisation's commitment to safeguarding children and young people and their rights
 - the behaviour that is expected of individuals involved in D'FAT
 - the organisation's commitment to responding to child abuse
- ❖ Have processes for encouraging two-way communication with children and young people and their families. Seek their feedback and have a process for responding including;
 - electronic communications (eg. e-mail, text message, instant messaging) sent to a child or young person by the D'FAT Facilitator are to be copied to their legal guardian or parent



- ❖ Promote equity and respect diversity through actively anticipating child and young person's diverse circumstances and responding effectively to those with additional vulnerabilities. Paying particular attention to the needs of;
 - children and young people with disabilities
 - children and young people with culturally and linguistically diverse backgrounds
 - Aboriginal and Torres Strait Islander children and young people
 - children and young people who are unable to live at home
 - lesbian, gay, bisexual, transgender, intersex, queer, asexual (LGBTIQA+) and other sexually or gender diverse children and young people

Commitment to reporting child abuse:

D'FAT shall:

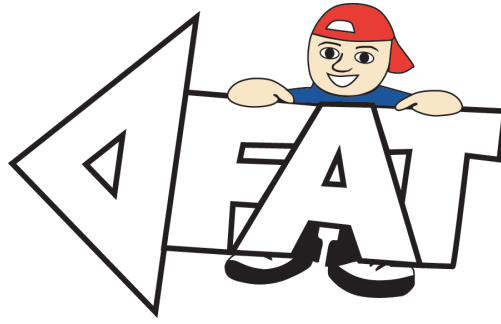
- ❖ Report any abuse and concerns with policies, procedures or behaviour of individuals involved in D'FAT.
- ❖ Abide by Mandatory Reporter requirements outlined in the *Children, Young Persons and Their Families Act 1997*.
- ❖ Abide by Reportable Conduct Scheme requirements outlined in the *Child and Youth Safe Organisations Act 2023*.
- ❖ Follow a specified process when reporting and investigating abuse involving workers of the organisation, including;
 - within 3-business days, the leader of the organisation shall notify the independent regulator of a reportable allegation or conviction of a worker of the organisation
 - as soon as possible, the leader of the organisation shall commence an investigation (or engage an independent investigator)
 - within 30-days, the leader of the organisation shall provide updated information to the independent regulator regarding the investigation
 - at the end of the investigation, the leader of the organisation shall notify the independent regular of the findings and actions taken as a result of the investigation

Failing to report is a serious misconduct.

Commitment to expected behaviour:

D'FAT shall:

- ❖ Respect the opinions, ideas and beliefs of children and young people.
- ❖ Abide by the organisation's Constitution, which includes adopted National Principles for Child Safe Organisations.
- ❖ Have clear Board position descriptions that outline responsibilities with safeguarding children and young people.
- ❖ Abide by a Code of Conduct Policy that has been approved by the Board, which outlines expected behaviour.
- ❖ Encourage and guide children and young people to behave and interact with respect,



honesty, fairness and courtesy at activities or projects of the organisation.

- ❖ Encourage children and young people to have their say and actively participate in activities and projects of the organisation.
- ❖ Inform children and young people that they have the right to contact their legal guardian or parent or others if they feel unsafe, uncomfortable, or distressed at any time during activities or projects of the organisation.
- ❖ Abide by required ratios and supervision for children and young people at activities or projects of the organisation. Including limiting 1:1 unsupervised interactions with children.
- ❖ Obtain consent for any images and recordings of children and young people at activities or projects of the organisation. Children and young people are to be appropriately dressed and posed in all images and recordings.

Commitment to minimising the likelihood of engaging an external service provider that is unsuitable:

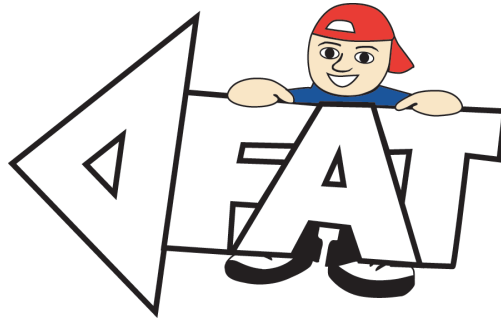
D'FAT shall:

- ❖ Communicate the organisation's commitment to safeguarding children and young people to potential service provider that will be engaged to assist with or provide a service on behalf of the organisation.
- ❖ Hold face-to-face meetings with service provider and ask safeguarding related questions.
- ❖ Request and gain a minimum of two references from other organisations that have worked with service provider.
- ❖ Request and gain a copy of Working with Vulnerable People certification from service provider.
- ❖ Request and gain a copy of risk assessment for any potential child and young person related activity to be held by service provider.

Commitment to induction and training:

D'FAT shall:

- ❖ Ensure that appropriate and ongoing support, supervision and relevant training is provided to D'FAT, including;
 - Safeguarding children training
- ❖ Ensure that the following is provided during any induction process;
 - safeguarding children and young people policy
 - code of conduct policy
 - conflict of interest policy
 - confidentiality and privacy policy
 - grievance and complaints resolution policy
 - social media and website policy
 - media Policy
 - overnight stays policy
 - transportation policy



- workplace health and safety policy and risk management policy

Commitment to maintaining and improving policies and procedures:

D'FAT shall:

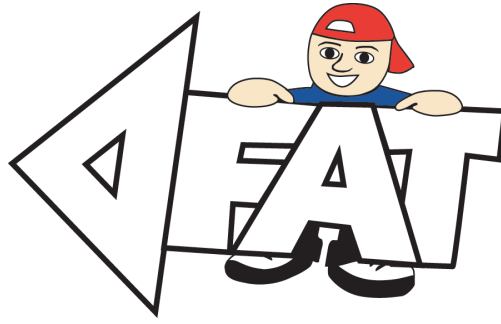
- ❖ Ensure that organisation's policies and procedures are abided by.
- ❖ Ensure that organisation's policies and procedures are actively reviewed, and revised if required.
- ❖ Ensure that children and young people friendly versions of policies and procedures are accessible, where appropriate.
- ❖ Identify hazards, assess risks and eliminate or control risks to the health and safety of children and young people (as per Workplace Health and Safety Policy and Risk Management Policy).
- ❖ Disclose any convictions or charges affecting suitability to work with children and young people.
- ❖ Provide and review Working with Vulnerable People certification.
- ❖ Work with other service providers to continue improving the organisation's policies and procedures.
- ❖ Learn from state, national and international best policies and procedures.

The D'FAT Facilitator has the responsibility for maintaining and improving D'FAT policies and procedures.

The D'FAT Facilitator has the responsibility of obtaining and reviewing Working with Vulnerable People certification, and maintaining register of certification.

As a Mandatory Reporter, the D'FAT Facilitator shall report and document any allegation, disclosure or concern regarding child abuse and monitor responses to all allegations, disclosures or concerns.

Per the Reportable Conduct Scheme, the D'FAT Facilitator shall report and investigate concerns regarding conduct related to child abuse involving a worker of the organisation to an independent regulator.



Definitions

Leader of the organisation (also known as head of an entity) is the D’FAT Facilitator, who per rule 41 of D’FAT’s Constitution will be;

- responsible for the day to day operations of the Association and receive all delegated powers and responsibilities set out in any document approved by the Board

Worker means an individual (a person of the age of 18 years and over) involved in the organisation who is;

- an employee or an external service provider engaged to assist with or provide a service on behalf of the organisation
- a volunteer, member or Board member of the organisation

Reportable conduct or allegation means suspected or known child abuse.

Child Abuse means the abuse of children’s rights and all forms of violence against them, which includes;

- **unborn child abuse** – when an unborn child’s continued survival is at risk or will be placed at risk once born.
- **physical abuse** – non-accidental physical harm (or risk of serious physical harm) to a child by an adult.
- **sexual abuse** – exposure to or involvement of a child in any sexual activity by an adult.
- **exploitation** – committing or coercing another person to commit an act of abuse against a child.
- **emotional/psychological abuse** – when a child does not receive the love, affection or attention they need for healthy emotional, psychological and social development.
- **neglect** – persistent failure or deliberate denial to provide a child with the basic necessities of life.
- **spiritual abuse** – the denial or use of spiritual or religious beliefs and practices to control and dominate a person.
- **danger to self or others** – where a child poses a serious risk to themselves or those around them and is beyond the ability of the parent or legal guardian to manage that risk or behaviour.
- **carer concerns** – when a parent or legal guardian is exposing a child to serious harm.
- **image-based abuse** – when someone creates, possesses or shares intimate imagery of a child.
- **grooming** – when a perpetrator of abuse builds a relationship with a child with a view to abusing them at some stage.
- **bullying**

Bullying is persistent bad treatment of a person by one or more other people, which poses a serious risk to health (physical/psychological) and safety. It includes behaviour that offends, humiliates, intimidates, insults or ridicules a person.

Bullying does not include;

- differences of opinion and disagreements

Forms of bullying include;

- **physical bullying** – hitting, punching, kicking, scratching, tripping, spiting.
- **verbal bullying** – name calling, put downs, threats.
- **social bullying** – ignoring, excluding, ostracising or alienating.
- **psychological bullying** – spreading rumours, stalking, dirty looks, hiding or damaging possessions



- **cyber bullying** – using technology to hurt someone by sending hurtful messages, pictures or comments.

Harassment is the behaviour of a person that offends, humiliates, intimidates, insults or ridicules another person on the basis of age, race, disability, sexual orientation, gender, gender identity, religious belief and relationship status.

Sexual Harassment is sexualised behaviour that makes a person feel offended, humiliated, intimidated, insulted or ridiculed. Sexual harassment includes;

- physical contact of a sexual nature
- sexual advances
- requests for sexual favours
- sexual remarks, including 'jokes'
- gestures, actions or comments of a sexual nature
- displaying sexual material
- conduct of a sexual nature

Vilification is behaviour that incites hatred, serious contempt for, or severe ridicule towards a person or group of people on the basis of race, sexuality, disability or religion.

Forms of vilification include;

- hate speech
- publishing and distributing forms of offensive literature and media

Victimisation is when a person is treated badly for making a complaint or participating in the complaint process.

Discrimination is where a person treats another person unfavourably on the basis of;

- age
- race
- disability
- sexual orientation
- gender
- gender identity
- religious belief
- relationship status

Useful Contacts

Commissioner for Children and Young People Tasmania

The Commissioner provides impartial, independent, and apolitical oversight and advice which promotes the rights and wellbeing of children and young people in Tasmania.

<https://www.childcomm.tas.gov.au/>

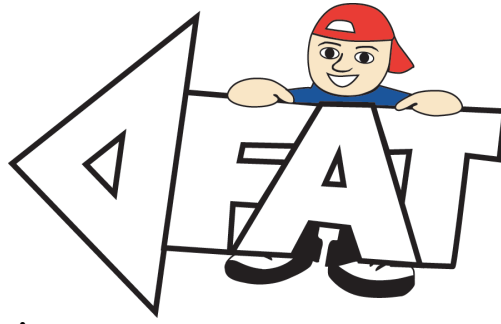
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Strong Families, Safe Kids Advice & Referral Line

If you are worried about the safety or wellbeing of a child or young person you can call the Strong Families, Safe Kids Advice & Referral line.

<https://www.strongfamiliesafekids.tas.gov.au>

1800 000 123

**Equal Opportunity Tasmania**

For concerns or complaints about discrimination, prejudice, bias and prohibited conduct.

<http://www.equalopportunity.tas.gov.au>

1300 305 062

eSafety Commissioner

The Office of the Children's eSafety Commissioner protects Australian children when they experience cyberbullying by administering a complaints scheme and deals with complaints about prohibited online content.

<https://www.esafety.gov.au/>

Legal Aid Commission of Tasmania

Free and confidential legal advice by phone, in person, or online via Legal Talk.

<https://www.legalaid.tas.gov.au>

1300 366 611

Tasmanian Aboriginal Community Legal Service

Legal services in criminal and family law, family violence and some civil law.

<https://tacls.org.au>

1800 064 865

Ombudsman Tasmania

The Ombudsman assists to resolve complaints and concerns about government agencies.

<http://www.ombudsman.tas.gov.au>

1800 001 170

Youth Law Australia

Provides free legal advice and assistance to children and young people in Tasmania.

<https://yla.org.au/tas/topics/>

Findhelp Tas

An online community services directory of Tasmania's social services. It includes lots of information about services for children, young people and their families.

<https://www.findhelptas.com.au>

Worksafe Tasmania

Administers the laws that regulate work health and safety, workers compensation, occupational licensing, asbestos compensation, and dangerous goods in Tasmania. It's primary role is to improve workplace safety, health and return to work.

WorkSafe Tasmania also investigates workplace incidents, audits workplaces for compliance with legislation, promotes safer and healthier workplaces, and promotes prompt and effective return to work.

<http://www.worksafe.tas.gov.au>

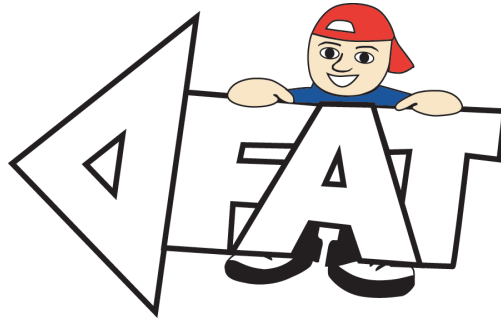
1300 366 322

Fair Work Ombudsman

The Fair Work Ombudsman assists to resolve complaints and concerns about employer and employment conditions.

<https://www.fairwork.gov.au/>

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**Kids Helpline**

Private and confidential 24/7 phone and online counselling service for young people aged 5 to 25. Any time. Any reason.

<http://www.kidshelp.com.au>

1800 55 1800

Headspace

National Youth Mental Health Foundation. They help young people who are going through a tough time.

<https://eheadspace.org.au>

1800 650 890

Working It Out

Tasmania's gender, sexuality and intersex status support and education service.

<http://www.workingitout.org.au>

(03) 6231 1200



Our promises to you...

Respect

We will treat everyone equally no matter where they are from or who they are. We will make sure everyone feels included and welcome.

Inform

We will give you information about your physical, emotional and online safety, and what to do if you feel unsafe.

Give you a voice

We will make sure there are lots of ways for you to have a say and be involved.

Help

We will listen and act on what you tell us. We will help you with your hopes and dreams as well as your worries and fears.

Trust

You can trust that we will care about your needs and feelings and will support you. We will continue to get better at what we do.

Safety

We will make our place happy and comfortable for you.

