

## INTRODUCTION

Access Training & Logistics Pty Ltd (ATL) is committed to promoting and protecting the interests and safety of children. We have zero tolerance for child abuse will take all allegations of reportable conduct and safety concerns very seriously, ensuring such conduct is dealt with in accordance with ATL policies, procedures and the law

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

We are committed to establishing and maintaining child safe environments

### 1.0 PURPOSE

- 1.1 To facilitate the prevention of child abuse occurring within ATL.
- 1.2 To work towards an organisational culture of child safety.
- 1.3 To prevent child abuse within ATL.
- 1.4 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.
- 1.5 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.
- 1.6 To provide a clear statement to staff/volunteers/contractors forbidding any such abuse.
- 1.7 To provide assurance that any and all suspected abuse will be reported and fully investigated

### 2.0 SCOPE

- 2.1 This policy and procedure applies across all ATL operations

### 3.0 RESPONSIBILITIES

- 3.1 The **CEO** of ATL 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 CEO is also responsible for
  - Ensuring that appropriate policies and procedures and a Child Protection Code of Conduct are in place.
  - 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 ATL 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.

### 3.2 All **managers** must ensure that they:

- Promote child safety at all times;
- Assess the risk of child abuse within their area of control and eradicate / minimise any risk to the extent possible;
- Educate employees about the prevention and detection of child abuse; and
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

Management 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.

### 3.3 All **staff/volunteers/contractors** share in the responsibility for the prevention and detection of child abuse, and must:

- Familiarise themselves with the relevant laws, the Code of Conduct, and ATL'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 their supervisor (or, if their supervisor 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.

## 4.0 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 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",
- (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.

## **5.0 POLICY**

- 5.1 ATL is committed to promoting and protecting at all times the best interests of children involved in its programs.
- 5.2 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.
- 5.3 ATL has zero tolerance for child abuse. Everyone working at ATL is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.
- 5.4 Child protection is a shared responsibility between ATL, all employees, workers, contractors, associates, and members of the ATL community.

- 5.5 ATL will consider the opinions of children and use their opinions to develop child protection policies.
- 5.6 ATL supports and respects all children, staff and volunteers. ATL 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.***

## 6.0 PROCEDURES

### 6.1 *Employment of New Personnel*

- 6.1.1 ATL undertakes a comprehensive recruitment and screening process for all workers and volunteers which aims to:
- promote and protect the safety of all children under the care of the organisation
  - identify the safest and most suitable people who share ATL's vision and commitment to protect children; and
  - prevent a person working at ATL if they pose a risk to children
- 6.1.2 ATL requires all workers/volunteers to pass through the organisation's recruitment and screening processes prior to commencing their engagement with ATL
- 6.1.3 ATL requires all applicants to provide a police check in accordance with the law and as appropriate, before they commence working at ATL and during their time with ATL at regular intervals.
- 6.1.4 ATL requires all applicants whose work may bring them into contact with children to undertake the following state jurisdictional checks (only states in which ATL operates are listed). Personnel must have completed and provided an appropriate check prior to commencing employment or engagement:

Jurisdiction	Requirements
Australian Capital Territory	All personnel providing services in the Australian Capital Territory must undertake registration with the Statutory Screening Unit in line with the <i>Children and Young People Act 2008 (ACT)</i> . Checks are valid for three years.  <a href="https://www.accesscanberra.act.gov.au/s/article/working-with-vulnerable-people-wwvp-registration-tab-overview">https://www.accesscanberra.act.gov.au/s/article/working-with-vulnerable-people-wwvp-registration-tab-overview</a>
New South Wales	All personnel providing services in New South Wales must undertake screening in accordance with the requirements of the <i>Child Protection (Working with Children) Act 2012 (NSW)</i> . Checks are valid for five years.  <a href="https://ocg.nsw.gov.au/working-children-check">https://ocg.nsw.gov.au/working-children-check</a>
Queensland	All personnel providing services in Queensland must obtain a Suitability Card or blue card in accordance with the requirements of the

	Commission for Children and Young People and <i>Child Guardian Act 2000 (QLD)</i> . Checks are valid for two years.  <a href="http://www.bluecard.qld.gov.au/">http://www.bluecard.qld.gov.au/</a>
Victoria	All personnel providing services in Victoria must undertake a Victorian "Working with Children" check as a component of the recruitment process, in line with the <i>Working with Children Act 2005 (VIC)</i> . Checks are valid for five years.  <a href="http://www.workingwithchildren.vic.gov.au/">http://www.workingwithchildren.vic.gov.au/</a>

6.1.5 It is the responsibility of each applicant to register for and obtain the required check(s). Potential personnel with adverse findings in these checks undertaken at the time of recruitment will not be employed by or contracted in a role involving student contact.

6.1.6 ATL will undertake thorough reference checks as per the approved internal procedure.

6.1.7 Once engaged, workers/volunteers must review and acknowledge their understanding of this Policy.

## **6.2 Risk Management**

6.2.1 ATL ensures the protection of children when a risk is identified. In addition to general occupational health and safety risks, we proactively manage risks of abuse to children.

6.2.2 We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments and online environments.

## **6.3 Training and supervision**

6.3.1 ATL's culture aims for all individuals to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

6.3.2 ATL has specific policies, procedures and training in place that supports our leadership team and personnel to achieve these commitments. We support personnel through ongoing supervision to ensure they understand our organisation's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate

## **6.4 Reporting**

6.4.1 Any staff member, volunteer or contractor who has reasonable grounds to suspect abusive activity must immediately notify the appropriate child protection service or the police. They should also advise their supervisor about their concern.

6.4.2 In situations where the supervisor 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.

6.4.3 Supervisors must report complaints of suspected abusive behaviour or misconduct to the CEO and also to any external regulatory body such as the police.

6.4.4 ATL will not tolerate incidents of child abuse. All personnel will notify relevant authorities as soon as practicable if they have a reasonable suspicion that a minor has been, or is being, abused or neglected by a member of their family or any other individual:

- Australian Capital Territory Child Protection Line – 1300 556 728
- New South Wales Child Protection Line - 13 21 11
- Queensland Child Safety Line - 1800 177 135
- Victoria Child Protection Crisis Line – 13 12 78

## **6.5 Investigating**

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

6.5.2 Whether or not the authorities decide to conduct an investigation, the CEO 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 CEO may decide to conduct such an investigation. All employees, contractors and volunteers must co-operate fully with the investigation.

6.5.3 Any such investigation will be conducted according to the rules of natural justice.

6.5.4 The CEO will make every effort to keep any such investigation confidential; however, from time-to-time other members of staff may need to be consulted in conjunction with the investigation.

6.5.5 After an initial review and a determination that the suspected abuse warrants additional investigation, the CEO 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.

## **6.6 Responding**

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

6.6.2 If the investigation concludes that on the balance of probabilities an offence (or a breach of the ATL'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.

### **6.7 Privacy**

6.7.1 All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. ATL will have safeguards and practices in place to ensure any personal information is protected.

6.7.2 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.

### **6.8 Reviewing**

Every two years, and following every reportable incident, a review shall be conducted to assess the organisation's child protection policies or procedures require modification to better protect the children under ATL's care

## **7.0 RELATED POLICIES & PROCEDURES**

- Privacy Policy & Procedure
- Legislative Compliance Policy
- Risk Management Policy
- Staff Recruitment Policy

## **8.0 RELATED LEGISLATION**

Education and Training Reform Act 2006  
 Standards for Registered Training Organisations 2015  
 Children and Young People Act 2008 (ACT)  
 Child Protection (Working with Children) Act 2012 (NSW)  
 Commission for Children and Young People and Child Guardian Act 2000 (QLD)  
 Working with Children Act 2005 (VIC)  
 Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (VIC)

## **9.0 REVISION HISTORY**

Rev #	Date	Detail of modifications
1	24/02/2022	Minor changes
2		