

# Child Protection Policy

## 1. Purpose of Policy

Under the requirements of the Victorian Child Safety and Wellbeing Act (2005) and the Child Wellbeing and Safety Amendment Act (2021)

The objective of this policy is to protect the wellbeing of children and young people. This policy outlines our commitment to the rights of children and young people participating in the activities of Motorcycling Victoria, through the prevention of child abuse, ensuring effective processes are in place to respond to and report allegations of child abuse and to promote the safety of children, including the cultural safety of aboriginal children, children from culturally and linguistically diverse backgrounds and the safety of children and young people with a disability.

## 2. Our Commitment

- 2.1. Motorcycling Victoria is strongly committed to the safety and wellbeing of children and young people. This policy applies to staff, board members, volunteers, visitors and anybody else with whom we come into contact.
- 2.2. Motorcycling Victoria is committed to child safety and has zero tolerance for child abuse. Everyone working, volunteering or contractors for Motorcycling Victoria is responsible for the care and protection of the children and young people within our care and reporting information about suspected child abuse.
- 2.3. All allegations and concerns for the safety of children and young people are treated seriously. We are committed to preventing child abuse, identifying risks as soon as possible, and removing and reducing all risks.
- 2.4. Motorcycling Victoria will consider the opinions of children and young people and use their opinions to develop child protection policies.
- 2.5. Motorcycling Victoria supports and respects all children, young people, staff and volunteers. Motorcycling Victoria 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.

## 3. Our Responsibilities

- 3.1. It is the responsibility of Motorcycling Victoria to implement and ensure full compliance with this policy
- 3.2. We will promote this policy to everyone involved with Motorcycling Victoria
- 3.3. We will respond to complaints or breaches of this policy as a matter of priority.

## 4. Child Safety Standards

We will comply with the eleven Safety standards by:

- 4.1. Establishing a culturally safe environment in which the diverse and unique identifies and experiences of Aboriginal children and young people are respected and valued.
- 4.2. Embedding child safety and wellbeing in our organisational leadership, governance and culture.
- 4.3. Empowering children and young people about their rights, to participate in decisions affecting them, and to be taken seriously.
- 4.4. Informing and involving families and communities in promoting child safety and wellbeing.
- 4.5. Upholding equity and respecting diverse needs in policy and practice.
- 4.6. Ensuring people working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
- 4.7. Ensuring processes for complaints and concerns are child-focused.
- 4.8. Equipping staff and volunteers with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
- 4.9. Ensuring physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- 4.10. Regularly reviewing and improving the implementation of the Child Safe Standards.
- 4.11. Documenting policies and procedures that show how the organisation is safe for children and young people.

## **5. Employment of Personnel**

- 5.1. Motorcycling Victoria undertakes a comprehensive recruitment and screening process for all workers and volunteers which aims to:
  - 5.1.1. Promote and protect the safety of all children under the care of our organisation
  - 5.1.2. Identify the safest and most suitable people who share Motorcycling Victoria's values and commitment to protect children, and
  - 5.1.3. Prevent a person from working at Motorcycling Victoria if they pose a risk to children.
- 5.2. Motorcycling Victoria requires all staff and volunteers to pass through the organisation's recruitment and screening processes prior to commencing their engagement with Motorcycling Victoria.
  - 5.2.1. This involves an up to date Working with Children Check and a National Police Check

## **6. Risk Management**

- 6.1. Motorcycling Victoria will ensure that child safety is a part of its overall risk management approach.

- 6.2. Motorcycling Victoria will have a dedicated staff member committed to identifying and management risks at Motorcycling Victoria. This person will receive regular training in relation to child safety.

## **7. Privacy**

- 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. Motorcycling Victoria will have safeguards and practices in place to ensure any personal information is protected.
- 7.2. Everyone is entitled to know how their personal information is recorded, what will be done with it, and who will be able to access it.

## **8. Review**

- 8.1. A review shall be conducted every two years, and following every reportable incident, to assess whether the organization's child protection policies or procedures require modification to better protect the children under the organisation's care.

## Child Protection Procedure

1. The **Board** of Motorcycling Victoria 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 Board is also responsible for ensuring that appropriate policies and procedures and a Child Protection Code of Conduct are in place.
2. The **CEO** of Motorcycling Victoria is responsible for:
  - 2.1. Reporting on any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police and/or the Department of Health and Human Services (Child Protection Victoria) and fulfil their obligations as mandatory reporters
  - 2.2. Ensuring that all staff, contractors and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct.
  - 2.3. Ensuring that all adults within the Motorcycling Victoria community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures
  - 2.4. 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)
  - 2.5. Providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.
3. All **managers** must ensure that they:
  - 3.1. Promote child safety at all times
  - 3.2. Assess the risk of child abuse within their area of control and eradicate/minimise any risks to the extent possible
  - 3.3. Educate employees about the prevention and detection of child abuse, and
  - 3.4. Facilitate the reporting of any inappropriate behaviour or suspected abusive activities.
4. 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.
5. All **staff/volunteers/contractors** share in the responsibility for the prevention and detection of child abuse, and must:
  - 5.1. Familiarise themselves with the relevant laws, the Code of Conduct, and Motorcycling Victoria's policy and procedures in relation to child protection, and comply with all requirements:
    - 5.1.1. Report any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police and/or the Department of Health and Human Services (Child Protection Victoria) and fulfil their obligations as mandatory reporters

- 5.1.2. 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
- 5.1.3. Provide an environment that is supportive of all children's emotional and physical safety

# Responding to build Abuse Reports and Allegations Policy

## 1. Reporting

- 1.1. Motorcycling Victoria is committed to protecting children and young people who are involved in our programs, activities and events.
- 1.1. Any staff member, volunteer or contractor who has 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.
- 1.2. 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.
- 1.3. Supervisors must report complaints of suspected abusive behaviour or misconduct to the CEO and to any external regulatory body such as the police. In Victoria the regulatory body is the Department of Health and Human Services

## 2. Investigating

- 2.1. 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.
- 2.2. 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.
- 2.3. Any such investigation will be conducted according to the rules of natural justice.
- 2.4. 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.
- 2.5. 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.

### **3. Responding**

- 3.1. If it is alleged that a member of staff, contractor 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 (with pay, where applicable) while an investigation is conducted.
- 3.2. 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 suspension of involvement with the organisation. The findings of the investigation will also be reported to any external body as required.

Related Documents

# **Code of Conduct for Employees, Volunteers and Contractors Working with Children and Young People**

Management, staff, volunteers and contractors Motorcycling Victoria are required to abide by this Code.

Under the CEO, management will:

- Be responsible for the overall welfare and wellbeing of staff and volunteers;
- Be accountable for managing and maintaining a duty of care towards staff and volunteers; and
- Nominate a Child Protection Officer to provide information and support to all staff, volunteers, children, young people and their carers regarding child protection matters.

All people involved in the care of children on behalf of Motorcycling Victoria will:

1. Work towards the achievement of the aims and purposes of the organisation;
2. Be responsible for relevant administration of programs and activities in their area;
3. Maintain a duty of care towards others involved in these programs and activities;
4. Establish and maintain a child-safe environment in the course of their work;
5. Be fair, considerate and honest with others;
6. Treat children and young people with respect and value their ideas and opinions;
7. Act as positive role models in their conduct with children and young people;
8. Be professional in their actions;
9. Maintain strict impartiality;
10. Comply with specific organisational guidelines on physical contact with children;
11. Respect the privacy of children, their families and teachers/carers, and only disclose information to people who have a need to know;
12. Maintain a child-safe environment for children and young people;
13. Operate within the policies and guidelines of Motorcycling Victoria; and
14. Contact the police if a child is at immediate risk of abuse (telephone 000).

No person shall:

1. Shame, humiliate, oppress, belittle or degrade children or young people;
2. Unlawfully discriminate against any child;



3. Engage in any activity with a child or young person that is likely to physically or emotionally harm them;
4. Initiate unnecessary physical contact with a child or young person, or do things of a personal nature for them that they can do for themselves;
5. Be alone with a child or young person unnecessarily and for more than a very short time;
6. Develop a 'special' relationship with a specific child or young person for their own needs;
6. Show favouritism through the provision of gifts or inappropriate attention;
8. Arrange contact, including online contact, with children or young people outside of the organisation's programs and activities;
9. Photograph or video a child or young person without the consent of the child and his/her parents or guardians;
10. Work with children or young people while under the influence of alcohol or illegal drugs;
11. Engage in open discussions of a mature or adult nature in the presence of children;
12. Use inappropriate language in the presence of children; or
13. Do anything in contravention of the organisation's policies, procedures or this Code of Conduct.

## **What happens if you breach this Code of Conduct?**

If you breach this Code of Conduct you will face disciplinary action, including and up to termination of employment or cessation of engagement with the organisation.

## Related Documents

- Confidentiality Policy
- Legislative Compliance Policy
- Risk Management Policy
- Staff Recruitment Policy
- Whistle blower Policy
- This Policy must be read in conjunction with:
  - The law of the Commonwealth or of the relevant state or territory
  - The organisation's Code of Conduct
  - Termination of Employment Policy and Misconduct Procedures

## Child Abuse

Child Abuse includes:

- 1) Any act committed against a child involving:
  - a) A sexual offence
  - b) An offence under section 49B (2) of the Crimes Act 1958
- 2) The infliction on a child, of:
  - a) Physical violence
  - b) Serious emotional or psychological harm
- 3) Serious neglect of a child (Ministerial Order No 870)