



## Family Life Children and Young People Policy

### 1. Family Life Statement of Commitment to Child and Youth Safety:

- 1.1. Family Life is a youth and child safe organisation. We value, respect, and listen to children and young people. We are committed to the safety of all children and young people including the cultural safety of Aboriginal children and young people, culturally and/or linguistically diverse children and young people, gender and sexually diverse children and young people and children and young people with a disability.
- 1.2. Family Life supports children to meet their potential and thrive. We do not tolerate neglect, mistreatment or abuse of any kind.
- 1.3. We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously. Safety concerns will be treated very seriously. Where appropriate and safe to do so concerns will be discussed with parents / carers to empower planned and joint action, consistent with our quality endorsed policies and procedures.
- 1.4. If you believe a child is at immediate risk of abuse phone 000.

### 2. Definitions

#### 2.1. Child or Young Person

2.1.1. A **child** is defined under the UN Convention on the Rights of the Child as every human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier.

2.1.2. Under the Children, Youth and Families Act 2005 (Vic), a **child** means:

(a) in the case of a person who is alleged to have committed an offence, a person who at the time of the alleged commission of the offence was under the age of 18 years but of or above the age of 10 years but does not include any person who is of or above the age of 19 years when a proceeding for the offence is commenced in the Court; and

(aa) in the case of a proceeding under the Family Violence Protection Act 2008, a person who is under the age of 18 years when an application is made under that Act; and

(ab) in the case of a proceeding under the Personal Safety Intervention Orders Act 2010, a person who is under the age of 18 years when an application is made under that Act; and



(b) in any other case, a person who is under the age of 17 years or, if a protection order, a child protection order within the meaning of Schedule 1 or an interim order within the meaning of that Schedule continues in force in respect of him or her, a person who is under the age of 18 years;

2.1.3. A **child or young person is defined for the purposes of this policy** as any person under the age of 18. Where relevant legislation stipulates an alternative definition, to the extent of any inconsistency in the application of this policy, the applicable legislative definition will prevail.

## 2.2. **Child abuse or maltreatment**

2.2.1. **Child abuse or maltreatment** is any form of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment, or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity.

2.2.2. The child safe standards aim to protect children from abuse in organisations, including physical violence, sexual offences, serious emotional or psychological abuse and serious neglect. For further explanation of the different types of child abuse, please see [An Overview of the Victorian Child Safe Standards](#).

## 3. **Scope of Policy**

3.1. This policy applies to all staff, contractors and volunteers of Family Life.

3.2. All Family Life staff, volunteers and contractors must sign their agreement to abide by the Family Life Code of Conduct, which specifies the standards of conduct required when working with children.

## 4. **Mission Context**

4.1. Through effective services, support and connections, enable children, young people and families to thrive in caring communities.

## 5. **Policy Principles**

5.1. Children and young people who are at risk are our highest priority and the rights and protection of children remains paramount at all times in the course of our work.

5.2. Children and young people must be understood in the context of their family and community.

5.3. Where a child or young person is identified at risk and a report by Family Life is required to Child Protection or to other statutory bodies, intervention is focused on:



- 5.3.1. Securing the immediate safety of children and young people;
- 5.3.2. Clarifying the need for/role of statutory intervention;
- 5.3.3. Collaborative planning for the ongoing work to promote wellbeing and family strengthening.
- 5.4. Family Life maximises participation and decision making of parents and caregivers during referrals from and reports to Child Protection (appropriate to the safety and wellbeing of the child/young person).

## 6. Philosophy

- 6.1. Family Life implements the [UN Convention on the Rights of the Child](#) which states:
  - 6.1.1. In all actions concerning children and young people, the best interests of the child/young person shall be a primary consideration.
  - 6.1.2. Every child/young person has the right to be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child/young person.
  - 6.1.3. Every child/young person has the right to a standard of living adequate for the child/young person's physical, mental, spiritual, moral and social development particularly with regard to nutrition, clothing and housing.
- 6.2. In addition at Family Life we aim to:
  - 6.2.1. Work with the community to ensure a safe environment for children and young people.
  - 6.2.2. Understand that family (in all its diverse forms) is the foundational unit in our society for raising a child and meeting their physical and emotional development.

## 7. Legislative responsibilities and operational guidelines

- 7.1. Our organisation takes our legal responsibilities and operational guidelines seriously, including:
  - 7.1.1. **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an



adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police<sup>1</sup>.

7.1.2. **Failure to protect:** People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so<sup>2</sup>.

- 7.2. Any personnel who are **mandatory reporters** must comply with their duties<sup>3</sup>.
- 7.3. All staff are required to comply with the Family Life Duty of Care Practice Statement which has been informed by the Law of Negligence, as well as the Family Life Code of Conduct.
- 7.4. Family Life operates in accordance with the Family Law Act (amended 2005) and the Children Youth and Families Act 2005 (Vic). Work with children is informed by the philosophy of 'Child's Best Interest' contained within the Children Youth and Families Act 2005 (Vic).
- 7.5. Child protection reporting protocols are observed with organisational guidelines outlined in the Family Life Practice Statement: Reporting Protocols to Statutory Bodies Including Child Protection.
- 7.6. Family Life policies are informed by the Victorian [Child Safe Standards](#).

## 8. Reducing risks to children and young people

- 8.1. Family Life provides an environment where children and young people feel safe. All staff and workers are required to implement the Family Life Practice Statement: Child Friendly Practices.
- 8.2. Family Life promotes a youth and child safe message, incorporated into appropriate service information literature, staff and volunteer position descriptions. Recruitment information sent to prospective volunteers and staff members and information displayed at agency facilities provides the Family Life Statement of Commitment to Child & Youth Safety.

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<sup>1</sup> A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed. Further information about the failure to disclose offence is available on the [Department of Justice and Regulation website](#).

<sup>2</sup> Further information about the failure to protect offence is available on the [Department of Justice and Regulation website](#).

<sup>3</sup> Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.



- 8.3. Protections for children and young people are further reinforced through the Family Life practice statement: Preventing and Responding to Work Related Violence, and the requirements of the Family Life Code of Conduct.
- 8.4. All Family Life activities will be assessed for risk of causing harm to children in accordance with the Family Life practice statements: Risk Assessment and Control, and Client Risk Assessment Including Suicide Risk.
- 8.5. Whenever a person below the age of 18 is to participate in an event, the Family Life Children & Young Person Participant Release Form must be signed by their parents or guardian. In addition for community based and group programs where a parent is not attending with the child, the Family Life Confidential Child Enrolment Form must be completed and signed by the parents or guardian. When taking children on an outing away from the usual venue the Family Life Permission to Attend Activity must be signed by the parents or guardian.
- 8.6. It is not recommended that children under school age attend a community or group program without parental or guardian supervision. Where there may be exceptions to this, this will need to be discussed and approved by the relevant Program Manager. Refer also to the Family Life Practice Statement: CCC Creating Capable Communities Programs.

## **9. Recruitment**

- 9.1. Family Life's recruitment practice emphasises a strong attraction and selection process that demonstrates our commitment to child safety, awareness of social responsibility and compliance with legislative responsibilities.
- 9.2. All recruiting managers are required to recruit in accordance with the Family Life Practice Statement: Recruitment Practice and Procedure. Recruitment practices include reference checks, safety screening in accordance with the Family Life Practice Statement: Police Check and a requirement that all staff and volunteers hold and provide evidence of a current Working with Children Check in accordance with the Family Life Practice Statement: Working with Children Check.

## **10. Training and supervision**

- 10.1. Training and education is important to ensure that everyone in our organisation understands that child safety is everyone's responsibility.
- 10.2. Our organisational culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in identifying and discussing any allegations of child abuse or child safety concerns.
- 10.3. Our organisational culture and supervision procedures support staff and volunteers to minimise risks of child abuse and to detect potential signs of child abuse. Reference may be made to supervision guidelines contained in the



## Family Life Practice Statements: Professional Development and IFS Supervision.

- 10.4. We also support our staff and volunteers through ongoing supervision to promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.
- 10.5. Employees and volunteers will be supervised regularly 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 as per the Family Life Code of Conduct
- 10.6. Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter.

## **11. Child Participation and Empowerment**

- 11.1. Children and young people who are encouraged to express their views are less vulnerable to abuse and better able to contribute towards their own protection. Family Life helps children and young people speak up by:
  - 11.1.1. Providing services for children with opportunities for participant feedback;
  - 11.1.2. A child/young person friendly reporting process;
  - 11.1.3. Recruiting professionally trained and client focused staff;
  - 11.1.4. Including young people in discussions about and planning for services.
- 11.2. We promote diversity and inclusion in our organisation, and people from all walks of life and cultural backgrounds are welcome. In particular we:
  - 11.2.1. Promote the cultural safety, participation and empowerment of Aboriginal children;
  - 11.2.2. Promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds;
  - 11.2.3. Ensure that children with a disability are safe and can participate equally;
  - 11.2.4. Promote the safety, participation and empowerment of children and young people who identify as same-sex attracted and gender diverse.



## 12. Responding to child safety concerns

- 12.1. Every staff member and volunteer has a duty of care towards children/young people on Family Life premises or participating in Family Life activities. This means that every staff member or volunteer must:
  - 12.1.1. Understand what a duty of care towards children/young people means. Reference may be made to the Family Life Practice Statement: Duty of Care;
  - 12.1.2. Monitor situations or practices that may result in a child or young person coming to harm;
  - 12.1.3. Consult with a supervisor or senior member of staff around any concerns of neglect, mistreatment or abuse of any kind;
  - 12.1.4. When safety is a concern, conduct safety planning and duty of care reporting in consultation with the client (unless this places another party's safety at risk) and supervisor;
  - 12.1.5. Perform ongoing review of reporting and safety planning mechanisms that have been put in place.
- 12.2. We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place (see information about failure to disclose above).
  - 12.2.1. If an adult has a reasonable belief that an incident has occurred then they must report the incident. Factors contributing to reasonable belief may be:
    - 12.2.1.1. A child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves);
    - 12.2.1.2. Behaviour consistent with that of an abuse victim is observed;<sup>4</sup>
    - 12.2.1.3. Someone else has raised a suspicion of abuse but is unwilling to report it;
    - 12.2.1.4. Observing suspicious behaviour.

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<sup>4</sup> For example behaviour, please see [An Overview of the Victorian child safe standards](#)



### **13. Fair procedures for personnel**

- 13.1. Any allegation against a member of staff or volunteer must be treated with the utmost seriousness, and responded to according to the Family Life Practice Statement: Allegation Against Staff or Volunteer.
- 13.2. The safety and wellbeing of children is our primary concern. We are also fair and just to personnel. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.
- 13.3. If an allegation of abuse or a safety concern is raised, we provide updates to children and families on progress and any actions we as an organisation take.

### **14. Privacy**

- 14.1. All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety. We have safeguards and practises in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it. Our privacy policy is accessible on our website.

### **15. Regular review**

- 15.1. This policy will be reviewed every two years and following significant incidents if they occur. Where appropriate, consultation with community will be sought.