

Ballina Region for Refugees Inc.

Child Safeguarding Policy

Purpose:

The NSW Government's *Keep them Safe* legislation [Children and Young Persons (Care and Protection) Act 1998 NSW] reinforces the principle that care and protection of children and young people is a **shared responsibility**. This responsibility rests firmly with parents, families, members of the community and those who work in any way with children, such as Ballina Region for Refugees (BR4R).

The goal of a shared approach to child wellbeing is for all children to be healthy, happy and safe and to be able to grow up belonging in families and communities where they have the opportunity to reach their full potential.

BR4R also recognises that the children of refugees and those of people seeking asylum can be more vulnerable due to their race, ethnic origin or socio-economic status. Natural disasters, disease, armed conflict and displacement expose such children to additional risks. Many of these risks can greatly impact children.

It is therefore important that BR4R provides support to families and to children to achieve positive outcomes. This *Child Safeguarding Policy* broadly outlines how BR4R provides that support and the steps we take to ensure we do no harm to children.

The BR4R *Child Safeguarding Procedures* (below) describe, in detail, the practical actions that we perform to apply this policy. Helpful definitions can be found in the section headed Supplementary information.

Policy Statement:

BR4R will support strengthening the protection, and promoting the rights, of all children with whom we work, or engage with, directly or indirectly.

We do this principally by ensuring that we cause no harm in the way we manage and run our activities.

BR4R will comply with all relevant laws in NSW, as well as those of any other states or territories that apply to safeguarding children.

BR4R respects, and will generally work to strengthen, the culture, traditions and practices of the communities with which it works. However, in instances where cultural practices are harmful to children's rights, we will advocate for their elimination and we will always speak out to safeguard children..

The best interests of the child will always be central to any decisions we make.

Scope:

Safeguarding children is the responsibility of all those who participate in any activity of BR4R. This includes:

- Committee members
- Staff
- Members
- Volunteers
- Students
- Any person representing the organisation at BR4R's request

Procedures

Roles and Responsibilities

The BR4R Committee will:

- Ensure child safe recruitment, including screening of all volunteers and staff who are expected to have any contact with children
- Ensure all volunteers in the Homestay Program have a current NSW Working with Children Check
- Providing clear information on child safeguarding in our induction of any volunteers, students and paid staff on expectations of BR4R on safeguarding of children
- Ensure all practice by volunteers, students or paid staff is within all BR4R policies, including the BR4R Code of Conduct
- Ensure any information held by BR4R about children complies with our Privacy Policy; and
- Ensure volunteers, students and any paid staff are aware of reporting to authorities, in a timely way, any suspected or known instances of harm or violence against children in line with the procedures attached to this policy and with the NSW law.

All Committee members, staff, volunteers, and students will:

- Comply with the BR4R Child Safeguarding policy, with all BR4R policies, including the BR4R Code of Conduct
- Follow the BR4R Child Safeguarding Procedures.
- Be alert to, and report child safeguarding risks and incidents in their work/volunteer role.

Recruitment

BR4R will take all reasonable precautions to ensure that our staff, volunteers and students do not pose an unacceptable risk to children.

BR4R will consistently apply recruitment procedures for all staff, volunteers and students who have any contact with children that include:

- Working with Children Check for all staff, students and volunteers in the Homestay Program and in other programmes where relevant
- At least two verbal referee checks for any staff and volunteer Homestay recruitment.

Orientation

Before commencement of work or volunteering with children, BR4R will provide all new staff, students and volunteers with a child safeguarding briefing in which they will be introduced to the BR4R *Child Safeguarding Policy, Code of Conduct* and other BR4R policies, and to the *Child Safeguarding Procedures*. Refresher training on the policy and procedures will be provided every two years.

Additionally, BR4R will arrange focused job-specific training for any paid staff on issues related to child protection.

Managing Risk

BR4R acknowledges that some of the work we do may be associated with child protection risks. We are committed to doing everything in our power to identify and minimise preventable risk and mitigate the impacts of incidents when they occur.

Communication

BR4R follows the below principles when sharing information about children

- Not disclosing information that could identify the location of a child.
- Not taking or sharing images of children without the permission of the children **and** the written permission of their parents/carers; and
- Ensuring the way children are portrayed in images and reporting is respectful and dignified.

Responding to disclosure: expected practice by all involved with BR4R

If a child discloses to you:

1. Listen to the child
2. Look at them directly and do not promise to keep any secrets before you know what they are. Always let the child know if, and why, you are going to tell anyone
3. Take whatever is said to you seriously and help the child to trust his/her own feelings. Take notes of exactly what is said to you. Avoid assumptions and speculation
4. Make notes soon after the event. Try to write down exactly what the young person or child said. Avoid assumptions or conjecture
5. It is NOT the role of BR4R or anyone representing BR4R to investigate any allegations (this could contaminate evidence if a situation went to court). Any disclosure by a child must be reported to the NSW Department of Community and Justice through the NSW Child Protection Helpline 132 111.
6. Contact the BR4R President or Vice President who will guide you through the BR4R Incident Management procedures.

Note: The Child Protection Helpline can also be used for advice and guidance.

What we in BR4R should *NOT* do

1. We should NOT begin investigating the matter ourselves.
2. We should NOT discuss the matter with anyone **except** with Helpline staff, anyone directed by the Helpline staff, and the President and/or Vice President of BR4R
3. We should NOT form our own opinions. We should not decide to do nothing.

Suggestions of what to say or do to a child if they disclose:

- 'What you are telling me is very important'
- 'This is not your fault'
- 'I am sorry that this has happened/is happening'
- 'You were right to tell someone'
- 'What you are telling me should not be happening to you. I will find out the best way to help you'

Things *NOT* to say or do:

- Do not ask leading questions – Why? How? What?
- Do not say 'Are you sure?'
- Do not show your own emotions e.g. shock/disbelief
- Do not make any false promises e.g. 'You're going to be safe now'.

- Do not blame the suspected perpetrator e.g. do not say 'Your dad/name of person should not have done that'. Instead you could say something like 'Adults should not hurt children'.

Talking to Parents

- It is not the role of BR4R to confront the parent/s where there are concerns about the welfare of the child. Where such concerns exist, follow the procedures suggested and a decision will be made by the Committee in consultation with Helpline staff as to whether any communication is initiated with the parent/s.
- The safety, welfare and wellbeing of the child must always be the first consideration.

Incident reporting and raising concerns

This policy and these procedures are relevant to Committee members, staff, volunteers, students, members and any other person who is raising concerns about the safety and care of children within BR4R activities.

Concerns and Incidents that must be raised include:

- An observation or disclosure of harm (by an adult or child) of actual harm or violence towards a child, including by the parents of the child.
- A suggestion or indication of potential harm or violence towards a child.
- Child pornography that is received through BR4R electronic equipment or emails/website.
- You are aware that an individual involved with BR4R has abused a child.
- A child unconnected to BR4R approaches a BR4R member, volunteer or student for help with an issue of abuse or exploitation.

Reporting

Within 24 hours of becoming aware of a concern or incident you must inform **both** of the following:

- The Child Protection Helpline – **PHONE: 132111**
- The President or Vice-President of the BR4R Committee

Note: whilst members or volunteers, concerned for the safety and welfare of any child involved in BR4R activities, can of course seek guidance from President or Vice-President of the BR4R Committee **reporting** of serious concerns to the Helpline **is always best done by the person who witnessed/ was given direct information about the incident/s.**

Helpline reporting

You can inform the Helpline by phone or email. You will be guided by the Helpline staff if you will be required to provide any written notification.

Any report of significant harm will be investigated by FACS staff.

Note: that BR4R will not investigate violence towards children that is reported to the Helpline. BR4R will however investigate its procedures and processes that may have contributed and take any action it sees fit to reduce the risk of a similar event happening.

BR4R reporting

Committee members, staff, volunteers, students and members must inform BR4R when any of the concerns and incidents in the above list occur. BR4R must also be informed when staff, volunteers, students and members are aware or made aware of a breach of the BR4R Child Safeguarding Policy or Procedures and/or the BR4R Code of Conduct

BR4R has an Incident Management Policy available to all through the BR4R website. This should be used to internally formally report an incident within BR4R.

BR4R assures that no action will be taken against those who inform of incidents or risks in good faith.

Approved by the BR4R Committee	Reviewed by the BR4R Committee	Amendments accepted by the BR4R Committee
Date:11/11/2020	Date:	Date:

Supplementary Information

Definitions:

Child: In NSW, a 'child' is a person who is under the age of 16 years; a 'young person' is a person aged 16 years or above, but under the age of 18 years. We use the term 'child' to mean any individual under the age of 18 years for ease of understanding in this policy and procedure.

Parent or (Foster) Carer: a person having the parental responsibility for the child. This may therefore apply to persons other than the biological parent.

Harm: Physical and/or psychological damage or injury experienced by a child as a consequence of one or more of physical, psychological or sexual abuse, ill-treatment or neglect.

Risk of Significant Harm: What is meant by "significant" is that which is sufficiently serious to warrant a response by a statutory authority such as FACS in NSW, irrespective of a parent or carer's consent.

Significant harm is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child's or young person's safety, welfare or wellbeing.

In the case of an unborn child, what is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child.

Violence against children (sometimes known as abuse): Violence against children is an act (or failure to act) by parents, carers, other adults or older adolescents that endangers a child's physical or emotional health, development or dignity. Both boys and girls can suffer all types of violence. It is important to know that children often experience more than one type simultaneously:

- **Physical violence** – the use of physical force against a child that results in harm to the child. Physically violent behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling or poisoning;
- **Emotional violence** – a continuing pattern of inappropriate verbal or symbolic acts toward a child or failure over time to provide a child with adequate nurturing and emotional availability. Emotionally violent behaviour includes threats, rejection, isolation, belittling, and name calling. Emotional violence includes the exposure of children to domestic violence, whether or not they are physically harmed.
- **Sexual violence** – the use of power or authority to involve a child in sexual activity by an adult or significantly older child or adolescent. Sexually violent behaviours can include touching genitals or breasts, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, and exposing the child to sex or pornography.
- **Neglect** – the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for the child's physical and emotional development and well-being.
- **Child Exploitation** - the use of a child in work or other activities for the benefit of others that is unacceptable because it deprives them of their childhood, education, development or dignity. It includes unacceptable child labour, child prostitution or trafficking, and child pornography.
- **Child Labour** - Work that deprives children of their childhood, their potential and their dignity, interferes with their schooling, or that is harmful to physical and mental development.
- **Child Pornography** - any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

- **Grooming** - behaviour that makes it easier for an offender to procure a child for sexual activity. This can occur in person or through electronic equipment. For example, an offender might build a relationship of trust with the child, or the child's carers, and then seek to sexualise that relationship by encouraging romantic feelings or exposing the child to sexual concepts through pornography.
- **Mandatory reporter** – an individual required by law to report to NSW Department of Family and Community Services (FACS) when they have reasonable grounds to suspect that a child, is at risk of significant harm from abuse or neglect and that those grounds are identified during the course of a person's work (paid or voluntary).

NOTE: Members of BR4R are NOT mandatory reporters.

Anyone in the community with serious concerns about the welfare of children should be guided by their judgement and are able to access the following for assistance:

Child Protection Helpline. Phone 132 111 to report any concerns about significant risk of harm, or suspected risk of harm

Keep Them Safe Website: <http://www.KeepThemSafe.nsw.gov.au/> for general information

Violence towards children may be perpetrated by anyone, including the parents of the child.