

Introduction

Horner Recruitment (Horner) is committed to a culturally safe, child safe environment, organisation and community. Horner is committed to promoting and protecting the interests, safety, and wellbeing of children and young people. We have zero tolerance for child abuse, harm, racism and inequality. Everyone working at Horner (employees, contractors and volunteers) is responsible for the care and protection of children and reporting information about child abuse.

Purpose

This policy outlines Horner's commitment to promoting and protecting the interests and safety of children and young people within the Horner organisation and more broadly within the community we serve in the delivery of our services.

This policy reflects Horner's legislative responsibility in meeting the requirements of the Child Safe Standards and our commitment within our organisation and to the community we serve to create and promote an environment that keeps children safe from harm including child abuse.

The purpose of this policy is:

- To ensure everyone working at Horner (employees, contractors and volunteers) understands their responsibility to support Horner's commitment and obligation to create a child safe and culturally safe environment;
- To facilitate the prevention of child abuse occurring within the Horner organisation and the broader Horner community;
- To work towards an organisational culture of child safety;
- 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;
- To provide guidance to employees / volunteers / contractors as to action that should be taken where they suspect any abuse within or outside of the organisation;
- To provide a clear statement to employees / volunteers/ contractors forbidding any such abuse; and
- To provide assurance that all cases of suspected abuse will be reported and fully investigated.

Scope

This policy applies to all Horner employees, contractors and volunteers. This policy applies to all activities undertaken during the course of work, and includes work related social activities or contact outside of usual working hours. This policy applies to all aspects of employment including, but not limited to, recruitment and selection, and training and development.

Background

On 17 April 2012, the Victorian Government initiated the *Family and Community Development Committee's Inquiry into the Handling of Child Abuse by Religious and Other Organisations (Betrayal of Trust inquiry)*. The *Betrayal of Trust* report was tabled on 13 November 2013. It found that while the majority of children are safe in organisations, there are inadequate and inconsistent approaches to child safety in organisations across Victoria. It provided 15 recommendations, including the introduction of child safe standards in Victoria to ensure child safe environments in organisations that work with children.

On 26 November 2015, the Victorian Parliament passed the *Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (The Act)* to introduce Child Safe Standards. The seven Child Safe Standards aimed to support organisations that provide services to children to prevent child abuse, encourage reporting of abuse and increase the effectiveness of responses to allegations of child abuse.

Following a review, organisations covered by the Standards will need to comply with new Standards by July 2022. There are eleven new Child Safe Standards. The new Standards set out minimum requirements and outline the actions organisations must take to keep children and young people safe. They are more consistent with the Standards in the rest of Australia.

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Definitions

Term	Definition
The Act	<i>Child Safety and Wellbeing Act 2015</i>
Aboriginal child	A person under the age of 18 who: <ul style="list-style-type: none"> • is of Aboriginal or Torres Strait Islander descent; • identifies as Aboriginal or Torres Strait Islander, and • is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.
Child abuse	For the purposes of these standards, abuse constitutes any act committed against a child involving: <ul style="list-style-type: none"> • physical violence. • sexual offences. • serious emotional or psychological abuse. • serious neglect.
Children from culturally and/or linguistically diverse backgrounds	A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis.
Child	A person who is under the age of 18 years.
Child safety	In the context of the child safe standards, child safety means measures to protect children from abuse.
Child safe organisation	In the context of the child safe standards, a child safe organisation is one that meets the child safe standards by proactively taking measures to protect children from abuse.
Cultural competency	A set of congruent behaviours, attitudes and policies that come together in a system, agency or among professionals that enable them to work effectively in cross-cultural situations.
Cultural abuse	Actions and attitudes that deliberately ignore, denigrate or attack the culture of a person or community.
Cultural safety for Aboriginal children	The positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity. A culturally safe environment does not ignore, challenge or deny cultural identity. Cultural safety upholds the rights of Aboriginal children to: <ul style="list-style-type: none"> • identify as Aboriginal without fear of retribution or questioning • have an education that strengthens their culture and identity • maintain connections to their land and country • maintain their strong kinship ties and social obligations • be taught their cultural heritage by their Elders • receive information in a culturally sensitive, relevant and accessible manner • be involved in services that are culturally respectful.

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Definitions cont.

Term	Definition
Cultural safety for children from culturally and/or linguistically diverse backgrounds	An environment which is spiritually, socially and emotionally safe, as well as physically safe for children; where there is no assault, challenge or denial of their cultural or linguistic identity, of who they are and what they need. Efforts need to be made to ensure the culturally and/or linguistically diverse children and their families receive information in a culturally sensitive, relevant and accessible manner, including in relevant community languages.
Children with disability	A disability can be any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities. A disability can occur at any time in life. Children can be born with a disability or acquire a disability suddenly through an injury or illness. Some disabilities may be obvious while others are hidden.
Organisation	The <i>Child Safety and Wellbeing Act 2015</i> (the Act) will provide that the standards apply to 'applicable entities', which are defined in the Act as: <ul style="list-style-type: none">• an incorporated body or association• an unincorporated body or association (however structured)• an individual who carries on a business and engages contractors, employees or volunteers to assist in the business in providing services or facilities.

Policy

Horner is committed to promoting and protecting the best interests of children within the Horner organisation and more broadly within the community we serve.

This policy meets Horner's obligations under Standard 1 and Standard 2 of the Child Safety Standards; 'A child safe policy or statement of commitment to child safety' and provides Horner with the opportunity to work towards an organisational culture of safety by improving existing practices and processes.

Statement of Commitment to Child Safety

All children have a right to feel and be safe. Horner is committed to child safety and the wellbeing of children and young people. We aim to foster and maintain a child safe, culturally safe and child friendly organisation and community for all children and young people we have contact with, deliver services to, or are impacted by our work, where children feel safe, valued and protected. All Horner employees, contractors and volunteers are responsible for the care and protection of the children within our care and reporting information about suspected child abuse.

We have zero tolerance for child abuse, harm, racism and inequality. All allegations and safety concerns will be treated very seriously and consistently in a timely manner.

Child protection is a shared responsibility between Horner, all employees, contractors, volunteers and host employers.

Everyone working at Horner (employees, contractors and volunteers) is responsible for upholding these commitments and those in Horner's expanded **Statement of Commitment to Child Safety**.

Children's Rights to Safety and Participation

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Horner values the voices of children and recognises children as active citizens. We want children and young people to feel happy and empowered, their rights, relationships, identity, and culture to be recognised and respected, their voices to be heard, and their concerns to be acted upon.

Horner is committed to advocating for children's rights to safety, protection, and participation, as valued members of the community.

Valuing Diversity

Horner values diversity within the workforce and the broader community. 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.

Horner does not tolerate any discriminatory practices. To achieve this, we are committed to:

- the cultural safety, participation and empowerment of Aboriginal children and those from culturally and /or linguistically diverse backgrounds and their families
- ensuring the provision of a safe environment for children living with disability and will act to encourage inclusion and participation of children of all abilities.

If any person believes a child is in immediate risk of abuse, **telephone 000**.

Procedures

Responsibilities

Director

The Director 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 Director is also responsible for ensuring that appropriate policies and procedures and a Child Protection Code of Conduct are in place.

Chief Executive Officer (CEO)

The CEO is responsible for:

- Promoting child safety at all times;
- Dealing with and investigating reports of child abuse;
- Ensuring that all employees, contractors and volunteers are aware of relevant laws, organisational policies and procedures, particularly the organisation's Code of Conduct Child Safety, Child Safe and Wellbeing Policy, Statement of Commitment to Child Safety, Child Safety Incident Report Form and Child Safety Reporting Flowchart;
- Ensuring that all employees, contractors and volunteers are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures;
- Ensuring that all employees, contractors and volunteers are aware of their obligation to observe the Code of Conduct Child Safety, Child Safe and Wellbeing Policy, Statement of Commitment to Child Safety, Child Safety Incident Report Form and Child Safety Reporting Flowchart;
- Providing support for employees, contractors and volunteers in undertaking their child protection responsibilities.

Managers and Consultants

All Managers and Consultants must ensure that they:

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

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- Management and Consultants 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.

Employees

Employees, contractors and volunteers, share the responsibility for the prevention and detection of child abuse, and must:

- Familiarise themselves with the relevant laws, the Code of Conduct, and Horner's policy and procedures in relation to child protection including the Child Safe and Wellbeing Policy, Statement of Commitment to Child Safety, Child Safety Incident Report Form and Child Safety Reporting Flowchart 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.

Training

Horner is committed to ensuring that employees have access to appropriate learning and training opportunities to develop and maintain an understanding of child safety and prevention and harm. To support employees, relevant training programs including Horner's induction and / or Onboarding programs, should include appropriate content which outline Horner's expectations and commitment to child safety and wellbeing.

Training is a shared responsibility between Horner and host employers in regard to casual workers.

Recruitment

Horner undertakes a range of best practice screening and selection practices and applies these practices to the recruitment of employees, contractors and volunteers. Horner complies with all relevant legislative and regulatory requirements with regard to recruitment practices.

Practices include but are not limited to:

- Assessing the level of contact and responsibility the role will have in regard to children.
- National Police Checks and Working with Children Checks (WWCC) are required where roles have contact or responsibility for children and for roles that have influence or authority over children, such as leadership positions.
- Assessing the qualifications and prerequisites required to ensure that employees are appropriately skilled for the role.
- Completion of thorough reference checks for shortlisted candidates.

Advertising

- Positions will clearly state the responsibilities with regard to children.
- Prerequisite criteria will be listed for positions, for example: National Police Check, Working with Children Check, training and qualifications.

Selection

- Where a position includes responsibility for children or is a position of leadership, interview questions will address experience and previous engagement with children and will gauge the applicant's attitudes and values toward children.
- Before commencing in their role, successful applicants must review and acknowledge their understanding of this Policy, The Code of Conduct Child Safety and the Statement of Commitment to Child Safety.

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Risk Management

Horner recognises the importance of a risk management approach to:

- identifying, managing and promoting a safe and healthy environment for employees, contractors, volunteers and the community.
- minimising the potential for child abuse or harm to occur and use this to inform our policies, procedures and activity planning.
- Horner will ensure that child safety and wellbeing is a part of its overall risk management approach.
- Horner's OHS risk and compliance committee, will commit to review and develop risk management strategies in line with Child Safe Standards. Risk and compliance committee members will receive training in relation to child safety.

Reporting Procedures

Any employee, 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 / direct manager about their concern and complete Horner's Child Safety Incident Report Form.

In situations where the supervisor / direct manager 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.

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

- All reports of child abuse will be treated as serious, whether they are made by an adult or a child.
- When an allegation of child abuse is received, all mandatory reporting requirements must be met, including reporting to:
 - Police
 - Department of Health and Human Services
 - the Commission for Children and Young People under the reportable conduct scheme
 - other government departments or regulators as appropriate.

Investigation

If the appropriate child protection service or the police decide to investigate a report, all employees, contractors or volunteers must co-operate fully with the investigation.

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.

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

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.

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.

Responding

All allegations will be treated seriously and fairly.

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

If the investigation concludes that on the balance of probabilities an offence (or a breach of the organisation's policies or Code of Conduct Child Safety) 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.

Support

Where appropriate, following a child safety concern, allegation, investigation, Horner will assist alleged victims and their families to access counselling and support services and will provide support to affected employees through EAP.

Privacy

Horner is committed to protecting an individual's right to privacy. In accordance with Horner's Privacy Policy, all personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. Horner will have safeguards and practices in place to ensure any personal information is protected.

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.

Reviewing

Every two years, and following every reportable incident, a review shall be conducted to assess whether Horner's child protection policies or procedures require modification to better support a child safe culture, organisation and community.

Non compliance

Horner will enforce this policy and the Code of Conduct Child Safety. Following any non-compliance we will instigate a review that may result in restriction of duties, suspension or termination of employment or other corrective action including referral to Victoria Police.

Contact

Please contact the CEO in relation to the matters arising under this policy.

CEO

Kylie Heffernan

Phone: 03 9604 2800 or 0409 336 418

Email: childsafety@horner.com.au

Chief Executive Officer



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