

# HTAV CHILD PROTECTION POLICY AND CODE OF CONDUCT

## Introduction

The History Teachers' Association of Victoria (HTAV) is committed to promoting and protecting the interests and safety of children. We have zero tolerance for child abuse. Everyone working at HTAV is responsible for the care and protection of children and reporting information about child abuse.

## Purpose

The purpose of this policy is:

1. To prevent child abuse occurring at HTAV events and programs.
2. To work towards an organisational culture of child safety.
3. 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.
4. 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.
5. To provide a clear statement to staff/volunteers/ contractors forbidding any such abuse.
6. To provide assurance that all cases of suspected abuse will be reported and fully investigated.

## Policy

HTAV is committed to promoting and protecting the best interests of children involved in its programs and events. 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.

Child protection is a responsibility shared between HTAV, all employees, workers, contractors, associates, and members of the HTAV community.

HTAV supports and respects all children, staff and volunteers. HTAV 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.

## Procedural Responsibilities

The Board of HTAV 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.

The Executive Officer of HTAV is responsible for:

- 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 HTAV 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
- ensure all staff have a relevant Working with Children check (WWC) or VIT registration.

All managers and staff 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 about the prevention and detection of child abuse
- facilitate the reporting of any inappropriate behaviour or suspected abusive activities
- ensure all Contractors and Volunteers have a relevant Working with Children Check (WWC) or VIT registration who work with or care for children on behalf of History Teachers' Association of Victoria.

The Board, management and staff 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.

All Board members/staff/volunteers/contractors share the responsibility for the prevention and detection of child abuse, and must:

- familiarise themselves with the relevant laws, the Code of Conduct, and HTAV'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)
- provide an environment that is supportive of all children's emotional and physical safety.

## CODE OF CONDUCT

### FOR EMPLOYEES, VOLUNTEERS AND CONTRACTORS WORKING WITH CHILDREN AND YOUNG PEOPLE

The Board, management, staff, volunteers, and contractors at HTAV are required to abide by this Code.

The Executive Officer will:

1. be responsible for the overall welfare and wellbeing of staff and volunteers
2. be accountable for managing and maintaining a duty of care towards staff and volunteers, and
3. 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 HTAV will:

1. be responsible for relevant administration of programs and activities in their area
2. maintain a duty of care towards others involved in these programs and activities
3. establish and maintain a child-safe environment in the course of their work
4. treat children and young people with respect and value their ideas and opinions
5. act as positive role models in their conduct with children and young people
6. maintain strict impartiality
7. comply with specific organisational guidelines on physical contact with children
8. respect the privacy of children, their families and teachers/carers, and only disclose information to people who have a need to know
9. maintain a child-safe environment for children and young people
10. operate within the policies and guidelines of HTAV, and
11. contact the police if a child is at immediate risk of abuse, phone 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
7. 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.

### **Definitions**

**Child** means a person below the age of 18 years unless otherwise stated under the law applicable to the child.

**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 (see below) 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,” or
- (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.

*Endorsed by the HTAV Board: 13<sup>th</sup> May 2020*

*Due for review: 2021*