

Purpose

The purpose of this policy and procedure is to outline the steps in which AGB Training takes to ensure the protection of children whilst enrolled with AGB Training or have contact with an AGB Training Representative.

This policy and procedure also covers where students are required to complete work placement activities where children are in attendance.

Policy

1. AGB Training's Commitment to Child Safety

- 1.1.** AGB Training has a strong commitment to the protection and safety of children. AGB Training is committed to acting in the children's best interests, ensuring the safety, participation and empowerment of all children.
- 1.2.** AGB Training endeavours to comply with the Child Safe Standards at all times which includes the following standards:
 - Standard 1: Strategies to embed an organisational culture of child safety, including through effective leadership arrangements.
 - Standard 2: A child safe policy or statement of commitment to child safety.
 - Standard 3: A code of conduct that establishes clear expectations for appropriate behaviour with children.
 - Standard 4: Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel.
 - Standard 5: Processes for responding to and reporting suspected child abuse.
 - Standard 6: Strategies to identify and reduce or remove risks of child abuse.
 - Standard 7: Strategies to promote the participation and empowerment of children.
- 1.3.** AGB Training promote diversity and tolerance, and people from all walks of life and cultural backgrounds are welcome. In particular we:
 - Promote the cultural safety, participation and empowerment of Aboriginal children;
 - Promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds; and
 - Ensure that children with a disability are safe and can participate equally.
- 1.4.** AGB Training has a zero tolerance of child abuse, and all allegations and safety concerns will be treated seriously and consistently with our robust policies and procedures. AGB Training have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.
- 1.5.** AGB Training is committed to preventing child abuse and identifying risks early, and removing and reducing these risks. AGB Training have robust human resources and recruitment practices for all personnel and committed to regularly training and education our personnel on child abuse risks.

2. Legislative Framework

2.1. Providing services nationally, AGB Training has implemented a Child Safe framework aligned to national legislative requirements including, but is not limited to:

- Children and Young People Act 2008 (ACT);
- Child Protection (Working with Children) Act 2012 (NSW);
- Care and Protection of Children Act 2014 (NT);
- Commission for Children and Young People and Child Guardian Act 2000 (QLD);
- Children's Protection Act 1993 (SA);
- Working with Children Act 2005 (VIC);
- Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (VIC);
- Registration to Work with Vulnerable People Act 2013 (TAS); and
- Working with Children (Criminal Record Checking) Act 2004 (WA).

2.2. AGB Training is committed to establishing and maintaining child safe environments and has designed services with a particular focus on:

- The Keep Them Safe: A Shared Approach to Child Wellbeing framework (NSW); and
- Child Safe Standards (VIC).

2.3. As a child safe organisation, AGB Training:

- Has a visible culture of child safety that is part of everyday practice;
- Has strong leadership driving a culture of child safety;
- Has the safety of children as its prime consideration;
- Has well-articulated policies and procedures to implement its child safe approach;
- Actively encourages participation, empowerment and serves to protect children;
- Has actively considered risks of abuse within the organisation;
- Engages with children to create a child safe environment and empowers children to speak up if something is wrong; and
- Has inclusive approaches for children with a disability, Aboriginal children and children from culturally and/or linguistically diverse backgrounds.

3. Child Abuse

3.1. Reporting child abuse is a community-wide responsibility. Child abuse includes any act committed against a child involving:

- Physical violence;
- Sexual offences;
- Serious emotional or psychological abuse; and
- Serious neglect.

Call the police on 000 if you have immediate concerns for a child's safety.

- 3.2.** All AGB Training personnel are required to report to police if they know or reasonably believe that a sexual offence has been committed by an adult against a child under the age of 16. It is a criminal offence (failure to disclose) to fail to comply with this obligation across jurisdictions.
- 3.3.** A 'reasonable belief' is not the same as having proof. 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 when:
- A child states that they have been sexually abused;
 - A child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves);
 - Someone who knows a child states that the child has been sexually abused;
 - Observations of the child's behaviour or development leads to a belief that the child has been sexually abused; or
 - Signs of sexual abuse lead to a belief that the child has been sexually abused.
- 3.4.** A reasonable belief is a deliberately low threshold. This enables authorities to investigate and take action. If a person 16 years or older provided you with the information and they do not have an intellectual disability and they do not want the information reported to the police, an individual is then not required to report to police.
- 3.5.** AGB Training will not tolerate incidents of child abuse. All personnel understand their obligation to notify relevant authorities as soon as practicable if they have a reasonable suspicion that a minor has been, or is being, abused or neglected by a member of their family or any other individual:
- Australian Capital Territory Child Protection Line – 1300 556 728
 - New South Wales Child Protection Line - 13 21 11
 - Northern Territory Child Protection Line – 1800 700 250
 - Queensland Child Safety Line - 1800 177 135
 - South Australia Child Abuse Report Line - 13 14 78
 - Tasmania Child Protection Line – 1300 737 639
 - Victoria Child Protection Crisis Line – 13 12 78
 - Western Australia Child Protection Line – 13 14 44

4. Child Safety Officer

- 4.1.** AGB Training has appointed a child safety officer for its RTO operations, being the designated person to hear or be informed about all allegations or concerns, and providing support to other personnel.
- Child Safety Officer – AGB Training
 - Adam Alsop – Human Resources Manager
 - Phone: 1300 123 242
 - Email: apalsop@agb.edu.au
- 4.2.** Our designated child safety officer provides a single contact for children, parents and personnel to seek advice and support regarding the safety and wellbeing of children.

5. Code of Conduct

- 5.1.** For the purpose of this policy and procedure 'AGB Personnel' include all staff, contractors and sessional trainer/assessors.
- 5.2.** All AGB Training personnel are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children and are responsible for supporting the safety, participation, wellbeing and empowerment of children by:
- Adhering to AGB Training's child safe policy at all times/upholding AGB Training's statement of commitment to child safety at all times.
 - Taking all reasonable steps to protect children from abuse.
 - Listening and responding to the views and concerns of children, particularly if they are telling you that they or another child has been abused and/or are worried about their safety or the safety of another child.
 - Promoting the cultural safety, participation and empowerment of Aboriginal children.
 - Promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds.
 - Promoting the safety, participation and empowerment of children with a disability.
 - Ensuring as far as practicable that adults are not left alone with a child.
 - Reporting any allegations of child abuse to the Child Safety Officer and AGB Training management, and ensure any allegation to reported to the police or child protection.
 - Reporting any child safety concerns to the Child Safety Officer AGB Training management.
 - If an allegation of child abuse is made, ensure as quickly as possible that the child(ren) are safe.
 - Encouraging children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them.
- 5.3.** Personnel must not:
- Develop any 'special' relationships with children that could be seen as favouritism.
 - Exhibit behaviours with children which may be construed as unnecessarily physical.
 - Put children at risk of abuse.
 - Do things of a personal nature that a child can do for themselves.
 - Engage in open discussions of a mature or adult nature in the presence of children.
 - Use inappropriate language in the presence of children.
 - Express personal views on cultures, race or sexuality in the presence of children.
 - Discriminate against any child, including because of culture, race, ethnicity or disability.
 - Have organised contact with a child or their family outside of our organisation without our child safety officer's knowledge and/or consent.
 - Have any inappropriate online contact with a child or their family.
 - Ignore or disregard any suspected or disclosed child abuse.
- 5.4.** By observing these standards all personnel acknowledge individual responsibility to immediately report any breach of this code to the Child Safety Officer and AGB Training management.

6. Risk Management

6.1. AGB Training ensures the protection of children when a risk is identified. In addition to general occupational health and safety risks, we proactively manage risks of abuse to children.

6.2. We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments and online environments.

6.3. Training and Supervision:

6.3.1. AGB Training culture aims for all individuals to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

6.3.2. Where a child enrolls with AGB Training it is the Child Safety Officer's Responsibility to ensure that the student feels safe and will not be left alone with an adult at any time during their enrolment with AGB Training.

6.3.3. AGB Training has specific policies, procedures and training in place that support our leadership team and personnel to achieve these commitments. We support personnel through ongoing supervision 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.

6.4. Regular Review:

6.4.1. AGB Training reviews this policy regularly and following any significant incidents should it occur. Where possible we do our best to work with families, children, local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

7. Procedures – Allegations, Concerns and Complaints

7.1. AGB Training takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Personnel are trained to deal appropriately with allegations.

7.2. We work to ensure all children, families and personnel know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour. We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place.

7.3. Fair Procedures for Personnel:

7.3.1. The safety and wellbeing of children is our primary concern. We are also fair and just to personnel. The decisions made by AGB Training when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

7.3.2. We record all allegations of abuse and safety concerns using our incident reporting form, including investigation updates. All records are securely stored.

7.3.3. 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.

8. Privacy

8.1. All personal information considered or recorded will respect the privacy of the individuals involved, whether they be personnel, parents or children, unless there is a risk to someone's safety. AGB Training has safeguards and practices in place to ensure any personal information is protected.

8.2. If a child discloses an incident of abuse:

- Try and separate them from the other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.
- Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.
- Explain to them that this information may need to be shared others, such as with their parent/carer, specific people in your organisation, or the police.
- Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
- Provide them with an incident report form to complete, or complete it together, if you think the child is able to do this.
- As soon as possible after the disclosure, record the information using the child's words and report the disclosure to the Child Safety Officer and AGB Training management as well as police or child protection as relevant.
- Ensure the disclosure is recorded accurately, and that the record is stored securely.

8.3. If a parent/carer says their child has been abused or raises a concern:

- Explain that AGB Training has processes to ensure all abuse allegations are taken very seriously.
- Ask about the wellbeing of the child.
- Allow the parent/carer to talk through the incident in their own words.
- Advise the parent/carer that you will take notes during the discussion to capture all details.
- Explain to them the information may need to be repeated to authorities or others, such as the AGB Training management or Child Safety Officer, the police or child protection.
- Do not make promises at this early stage, except that you will do your best to keep the child safe.
- Provide them with an incident report form to complete, or complete it together.
- Ask them what action they would like to take and advise them of what the immediate next steps will be.
- Ensure the report is recorded accurately, and that the record is stored securely.
- Be aware that:
 - Individuals from Aboriginal, culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse.
 - Individuals with a disability may experience barriers disclosing an incident.
- You need to be sensitive to these issues and meet individuals' needs where possible.

8.4. Personnel must follow the Critical Actions Procedure every time you become aware of a further instance or risk of abuse. This includes reporting new information to authorities.

8.5. If personnel believe that a child is not subject to abuse, but still hold significant concerns for their wellbeing they must still act.

8.6. Additional support – mandatory reporting:

8.6.1. AGB Training management uses appropriate tools to inform decision making, such as the online Mandatory Reporter Guide, professional judgment or specialist advice, where there are concerns about risk of harm.

8.6.2. The mandatory reporter guide is available at: <https://reporter.childstory.nsw.gov.au/s/>

9. Recruitment Process

9.1. All AGB Training personnel will be required to complete internal training on this policy and procedure at the time of induction.

9.2. All AGB Training personnel are required to undertake, as a component of the recruitment process, a National Criminal Check to ensure suitability in meeting AGB Training’s legislative and contractual obligations. National criminal checks are valid for, and must be renewed every three years. www.nationalcrimecheck.com.au

9.3. State and Territory Requirements:

9.3.1. In addition to the above national check, the following state jurisdictional checks also apply to AGB Training personnel provided services in these jurisdictions. Personnel must have completed and provided an appropriate check prior to commencing employment or engagement:

Jurisdiction	Requirements
Australian Capital Territory	All personnel providing services in the Australian Capital Territory must undertake registration with the Statutory Screening Unit in line with the <i>Children and Young People Act 2008 (ACT)</i> . Checks are valid for three years. https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1804/kw/working%20with%20children%20check&#l#tabs-1
New South Wales	All personnel providing services in New South Wales must undertake screening in accordance with the requirements of the <i>Child Protection (Working with Children) Act 2012 (NSW)</i> . Checks are valid for five years. http://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check
Northern Territory	All personnel providing services in Northern Territory must undertake a Working with Children Check know as a ‘Clearance Notice’ as per the <i>Care and Protection of Children Act 2014 (NT)</i> . Checks are valid for two years. https://nt.gov.au/emergency/community-safety/apply-for-a-working-with-children-clearance
Queensland	All personnel providing services in Queensland must obtain a Suitability Card or blue card in accordance with the requirements of the <i>Commission for Children and Young People and Child Guardian Act 2000 (QLD)</i> . Checks are valid for two years. http://www.bluecard.qld.gov.au/
South Australia	All personnel providing services in South Australia must undertake screening in accordance with the requirements of the <i>Children's Protection Act 1993 (SA)</i> . Checks are valid for three years. http://screening.dcsi.sa.gov.au/
Tasmania	All personnel providing services in Tasmania must undertake screening in accordance with the requirements of the <i>Registration to Work with Vulnerable People Act 2013 (TAS)</i> . Checks are valid for three years. http://www.justice.tas.gov.au/working_with_children
Victoria	All personnel providing services in Victoria must undertake a Victorian "Working with Children" check as a component of the recruitment process, in line with the <i>Working with Children Act 2005 (VIC)</i> . Checks are valid for five years. http://www.workingwithchildren.vic.gov.au/
Western Australia	All personnel providing services in Western Australia must undertake a Working with Children Check by the Working with Children Screening Unit of the Western Australian Department of Community Development in accordance with the <i>Working with Children (Criminal Record Checking) Act 2004 (WA)</i> . Checks are valid for three years. https://workingwithchildren.wa.gov.au/

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- 9.3.2. It is the responsibility of each individual to register for and obtain the required check(s). Potential personnel with adverse findings in these checks undertaken at the time of recruitment will not be employed by within a Student service role.
- 9.3.3. All personnel are required to log on to the Working with Children website and include AGB Training as an employer.
- 9.3.4. Working with Children Checks must be current and valid for the relevant state in which employed.
 - 9.3.4.1. Where AGB Personnel work in multiple states or holds a Working with Children Card for a state other than the one they intend to conduct activities on behalf of AGB Training, they must obtain the relevant state Working with Children Check.

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10. Example Risk Management Planning Items

Business Activity	Output	Effect of Output	Risk (H-M-L)	Impact (H-M-L)	Mitigating Tools	Last Review	Reviewer
Child Safety	Protection of minors Reinforcement / protection of brand	Organisational culture of safety for children and young people under the age of 18 – leadership, public commitment and frequent messaging	H	H	Child Safety Policy Code of conduct for child safety Strategies to embed organisational culture of child safety implemented Statement of commitment to safety for children and young people under the age of 18 is publicly available		
	Trust of personnel	Trust of personnel & culture of child safety	M	M	Code of conduct for child safety Strategies implemented to embed a culture of safety for children and young people under the age of 18 Clear child safety reporting procedures		
	Recruitment of appropriate personnel	Trust of personnel & culture of child safety	M	H	Recruitment & Induction Policy & processes Processes in place for Criminal history search (NCC), child safety (WWCC) and pre-employment reference checks		
	Engagement with children and young people under the age of 18 online	Avoidance of or appropriate engagement with children and young people under the age of 18 online	M	H	Code of conduct for child safety Strategies implemented to embed culture of child safety including online aspects		

Procedure

1. Critical Actions

Steps	Details
1.1	<p style="text-align: center;">YOU MUST TAKE ACTION</p> <p>Personnel play a critical role in protecting children in our care.</p> <p>You must act, by following the Four Critical Actions below, as soon as you witness an incident, receive a disclosure or form a reasonable belief that a child has, or is at risk of being abused.</p> <p>You must act if you form a suspicion/reasonable belief, even if you are unsure and have not directly observed child abuse (e.g. if the victim or another person tells you about the abuse).</p> <p>You must use an incident reporting form to keep clear and comprehensive notes.</p>
1.2	<p>ACTION 1: Responding to an emergency</p> <p>If there is no risk of immediate harm go to ACTION 2.</p> <p>If a child is at immediate risk of harm you must ensure their safety by:</p> <ul style="list-style-type: none"> • Separating alleged victims and others involved. • Administering first aid. • Calling 000 for urgent medical and/or police assistance to respond to immediate health or safety concerns. • Identifying a contact person in your organisation for future liaison with Police. <p>Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.</p>
1.3	<p>Action 2: Reporting to authorities</p> <p>As soon as immediate health and safety concerns are addressed you must report all incidents, suspicions and disclosures of child abuse as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.</p> <p>You must report all instances of suspected child abuse or suspected sexual abuse (including grooming) to Police. You must also report internally to the Child Safety Officer and AGB Training management.</p> <p>If the source of suspected abuse is from within the family or community, you must report the suspected abuse to the relevant Child Protection Authority in the State or Territory jurisdiction.</p> <p>This includes if a child is considered to be:</p> <ul style="list-style-type: none"> • In need of protection from child abuse • At risk of being harmed (or has been harmed) and the harm has had, or is likely to have, a serious impact on the child’s safety, stability or development.

1.4	<p>Action 3: Contacting parents / carers</p> <p>The Child Safety Officer and AGB Training management must consult with Child Protection and / or relevant state Police to determine what information can be shared with parents/carers. They may advise:</p> <ul style="list-style-type: none"> • Not to contact the parents/carers (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parents/carers to be contacted); or • To contact the parents/carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion).
1.5	<p>Action 4: Providing ongoing support</p> <p>AGB Training must provide support for children impacted by abuse. This includes the development of a Student Support Plan developed in consultation with wellbeing professional and/or counselling staff.</p> <p>Strategies may include development of a safety plan, direct support and referral to wellbeing professionals.</p>

Definitions

Child	A person who is under the age of 18 years.
Physical Violence	Physical violence occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person. Physical violence can be inflicted in many ways, including beating, shaking, burning or use of weapons (such as, belts and paddles). <small>Source: http://providers.dhhs.vic.gov.au/overview-victorian-child-safe-standards-word</small>
Serious Emotional or Physical Abuse	Serious emotional or psychological abuse occurs when harm is inflicted on a child through repeated rejection, isolation, or by threats or violence. It can include derogatory name-calling and put-downs, or persistent and deliberate coldness from a person, to the extent where the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Serious emotional or psychological abuse could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours. <small>Source: http://providers.dhhs.vic.gov.au/overview-victorian-child-safe-standards-word</small>
Serious Neglect	Serious neglect is the continued failure to provide a child with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or is likely to be, jeopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life threatening situations. <small>Source: http://providers.dhhs.vic.gov.au/overview-victorian-child-safe-standards-word</small>
Sexual Offences	Sexual offences occur when a person involves the child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to his/her age and development. Child sexual abuse can involve a range of sexual activity including fondling, masturbation, penetration, voyeurism and exhibitionism. It can also include exposure to or exploitation through pornography or prostitution, as well as grooming behaviour. <small>Source: http://providers.dhhs.vic.gov.au/overview-victorian-child-safe-standards-word</small>

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Referencing Documents:

- Standards for Registered Training Organisations (RTOs) 2015, Fact Sheets and General Directions
- Education Services for Overseas Students Act 2000
- Victorian VET Funding Contract, Guidelines and Contract Notifications

Responsible Department:	Human Resources Department.	Approved By:	Chief Executive Officer.
Policy Mapping:	<p>ASQA Standards Clauses: 8.5, 8.6</p> <p>Victorian Funding Contract: 4.2</p> <p>Legislation:</p> <ul style="list-style-type: none"> • Child Wellbeing and Safety Act 2005 (VIC) • Working with Children Act 2005 (VIC) • Child Protection (Working with Children) Act 2012 (NSW) • Children and Young People Act 2008 (ACT) • Care and Protection of Children Act 2014 (NT) • Commission for Children and Young People and Child Guardian Act 2000 (QLD) • Children's Protection Act 1993 (SA) • Registration to Work with Vulnerable People Act 2013 • Working with Children (Criminal Record Checking) Act 2004 (WA) 		