

## **JOHN & ANITA HARRIS PTY LTD CHILD SAFETY AND WELLBEING POLICY**

This Child Safety and Wellbeing Policy was implemented with effect from 1 July 2022. It sets out the commitment of management and staff to child safety and wellbeing. It describes how our organisation keeps children safe from harm and child abuse in accordance with the Victorian Child Safe Standards.

*If there is concern for the immediate safety of a child, immediately call 000.*

### **Purpose**

This Policy outlines how this organisation prioritises the safety and wellbeing of children and what steps we will take to do this.

### **Statement of commitment to child safety**

All children have a right to be and feel safe. The welfare of the children we convey will always be our first priority and we do not tolerate child abuse and harm. We aim to create an environment where children feel safe being transported in our fleet.

### **Definitions**

child/ children means a person who is under the age of 18 years.

child abuse means:

- a sexual offence committed against a child
- an offence committed against a child under section 49M(1) of the Crimes Act 1958 (Vic), such as grooming
- physical violence against a child
- causing serious emotional or psychological harm to a child
- serious neglect of a child.

### complaint

A complaint is an expression of dissatisfaction related to one or more of the following:

- our services or dealings with individuals
- allegations of abuse or misconduct by a staff member or other individual associated with our organisation
- disclosures of abuse or harm made by a child or young person
- the conduct of a child or young person
- the inadequate handling of a prior concern
- general concerns about the safety of a group of children or activity.

### concern

A concern refers to any potential issue that could impact negatively on the safety and wellbeing of children.

harm is damage to the health, safety or wellbeing of a child, including as a result of child abuse by adults or the conduct of other children. It includes physical, emotional, sexual and psychological harm. Harm can arise from a single act or event and can also be cumulative, that is, arising as a result of a series of acts or events over a period of time.

### **The role of management**

Management will ensure that children's safety is prioritised and that action is taken when anyone raises concerns about children's safety.

Management will champion and model a child safe culture in this organisation. We encourage anyone involved with the organisation to report a child safety concern. Management will work to create a positive culture around reporting so that people feel comfortable to raise concerns.

Everyone involved in the organisation has a role in identifying and managing risks of child abuse and harm. Management will support staff to take action to manage risks, in accordance with this policy. We will also ensure that appropriate child safety training for staff is identified and completed.

All our child safe policies and practices will be reviewed at the times and in the manner referred to below under 'Review', including an annual review of staff compliance with these policies which will be reflected in the child safe standards review checklist and any resulting non-compliance report.

### **Children's empowerment and participation**

We respect the rights of children and provide them with information about their rights including the right to be safe on our services by providing a letter to the school with a notice for distribution to parents/guardians. By doing so, we communicate with children about what they can do if they feel unsafe.

We do not tolerate bullying or abusive or racist behaviour between children and take action if this occurs.

We seek to understand what makes children feel safe on our services by valuing children's opinions. We will act on safety concerns raised by children or their families either directly or via the school. Children are encouraged to tell their teacher, their principal or their driver about any complaints or safety concerns they have in relation to their bus service.

### **Families and communities**

Parents and others are invited to provide feedback with us at any time via the school email [tarwin.lower.ps@education.vic.gov.au](mailto:tarwin.lower.ps@education.vic.gov.au), or by phone: 0427 675 769

We provide information to families and serviced schools about our child safe policies and practices by:

- providing this Child Safety and Wellbeing Policy and Code of Conduct to our serviced school/s
- publishing this Child Safety and Wellbeing Policy and Code of Conduct on the school's website [www.tarwinlowerps.vic.edu.au](http://www.tarwinlowerps.vic.edu.au) on our behalf.

### **Creating culturally safe environments for Aboriginal children and their families**

- We are committed to creating an environment where Aboriginal children and families are welcomed and included. Strategies to embed cultural safety for Aboriginal children include providing training for staff on the strengths of Aboriginal culture and its importance to the wellbeing and safety of Aboriginal children.
- encouraging feedback from Aboriginal children and families on their experience of our service via the notice that we provide to parents/guardians, particularly how safe they feel expressing their identity including their culture.

### **Valuing diversity**

We value diversity and equity for all children. To achieve this we:

- provide training for management and staff on understanding diversity and equity, and how to support inclusion and cultural safety;
- welcome and support participation of all children, including children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, LGBTIQ+ children and Aboriginal children and their families;
- have zero tolerance of racism and other forms of discrimination and take action when discrimination or exclusion is identified.

### **Code of Conduct**

This organisation has a Child Safe Code of Conduct. Its requirements will be communicated to all management and staff, and they must comply with it. Breaches of the Code of Conduct may result in disciplinary action including termination of employment.

All third-party contractors are also expected to abide by the Child Safe Code of Conduct which will be provided to them before any work on site when children may be present is conducted.

### **Employee recruitment**

Child safety and wellbeing is central to recruitment, including in any advertisements, and screening processes for staff as outlined in the recruitment and screening policy. We only recruit staff who are appropriate to engage with children.

We require a Working with Children Check, Police Checks and referee checks for all staff who have a role with children or have access to children's personal information. We require staff to have appropriate qualifications for their roles and check to make sure these qualifications are valid. Regular checks are made during a person's employment to ensure they remain valid.

Members of management must also hold a valid Working with Children Check. (A National Police Check through Victoria Police is required as part of Victorian bus operator accreditation.)

### **Employee support**

All management and staff receive training on induction, and annually or as needed to ensure they understand their responsibilities in relation to child safety, including information and record keeping obligations, and to support their engagement with children.

Training will be recorded in the business's employee records system.

### **Concerns, complaints and reporting**

If a staff member has any concerns, the staff member will record the reason and report the information promptly and confidentially to the operator, who will notify the relevant person (for example, the school Principal). Should a driver believe that a matter requires police attention they will advise the operator (and if school services, the Principal) and report the matter to the police.

All reports of child abuse and child safety concerns will be treated seriously, whether they are made by an adult or a child and whether they are about the conduct of an adult or a child. All complaints and child safety concerns will be responded to promptly and thoroughly.

Our Complaint Handling Policy includes information about how a complaint or child safety concern will be responded to and the process to make a complaint, as well as the support available to those making a complaint and those involved in the complaint process.

If a complaint includes an allegation or incident of child abuse or harm, including racism, it must be reported in accordance with the complaint handling policy. All management and staff are required to prioritise children's safety in any response and to report all potentially criminal conduct to Victoria Police. Under the complaint handling and disciplinary policies, staff may be subject to actions to support child safety including:

- being stood down during an investigation or terminated following an investigation
- having their duties altered so they do not engage with children while at work
- not allowing unsupervised contact with children while at work
- removing their access to our IT system and facilities.

Complaints or concerns about child safety can be made at any time via the school email [tarwin.lower.ps@education.vic.gov.au](mailto:tarwin.lower.ps@education.vic.gov.au) on our behalf or by phone 0427 675 769.

### **Record keeping**

This organisation will make and keep full and accurate records about all child-related complaints or safety concerns which will be recorded in our MIS incident reporting system.

Records which may assist with the investigation of a complaint or safety concern will be identified and kept as part of the record of an investigation. Records will be kept even if an investigation does not substantiate a complaint.

We will record and keep the outcome of any investigations, and the resolution of any complaints. This includes findings made, reasons for decisions and actions taken.

Records will be stored securely and kept for a minimum of 6 years.

### **Information sharing**

This organisation may share relevant information to promote the safety and wellbeing of children, where it is lawful, appropriate and in their best interests. We will keep information about complaints confidential, except where it is necessary to share information to respond properly to a complaint or to prioritise child safety. We may also need to share information about incidents or complaints with external authorities to comply with the law or to prioritise safety. More information is available in our complaint handling policy.

### **Risk management**

We recognise the importance of identifying, preventing, and reducing risks of child harm and abuse in this organisation. We conduct regular risk assessments and have a risk register (risk management plan) to address the risk of child abuse and harm. The risk management plan has been developed in consultation with our staff. We will ensure that any risk controls put in place balance the need to manage harm with the requirements of contracted student transport. Management is responsible for approving the risk management plan. Staff are to comply with the risk management plan.

### **Non-compliance with this policy and the Code of Conduct**

We will enforce this policy, the Code of Conduct and related child safety and wellbeing policies (see policies and procedures listed below). Alleged breaches by anyone will be investigated and may result in restriction of duties, suspension or termination of employment or engagement or other corrective action.

### **Review**

We will review all child safe policies and practices at least annually as part of the annual internal audit required under our MIS, and if risks or circumstances change, and each policy will reflect that. Reviews will include consultation with staff and any relevant parties. We will also review relevant practices and policies in response to concerns, complaints, a child safety incident or 'near miss', and alleged significant breaches of policies or practices.

Findings from reviews will be set out in separate reports and reported to the people involved in our organisation and will also inform our approach to identifying/addressing flaws or failings in our policies and practices and the continuous improvement of our child safe practices.

### **Supporting documents – child safety and wellbeing system**

The following policies and procedures work together to support child safety and wellbeing across our operations:

- Child Safety and Wellbeing Policy
- Code of Conduct
- Complaint handling policy
- Recruitment and screening policy
- Disciplinary policy [Each organisation]
- Risk management plan
- Compliance Review checklist
- Child Safe Standards training plan
- DET School Bus Program, Policy and Procedures
- DET Students with Disabilities Transport Program, Policy and Procedures

### **Supporting legislation**

- *Child Wellbeing and Safety Act 2005 (Vic)* (including Child Safe Standards)
- *Children, Youth and Families Act 2005 (Vic)* (including reporting to Child Protection)
- *Crimes Act 1958 (Vic)* (including Failure to Protect and Failure to Disclose offences)
- *Wrongs Act 1958 (Vic)* (including Part XIII – Organisational liability for child abuse)
- *Bus Safety Act 2009*
- *Transport (Compliance and Miscellaneous) Act 1983*