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Purpose:	The purpose of this policy is to provide transparency for how ACE Training manages child safety and wellbeing.
Scope:	This Policy applies to all ACE Training staff, contractors, any relevant third parties and students (learners).
Responsibilities:	The Compliance Officer, CTO and CEO are ultimately accountable for adherence to this policy.
Standards:	Standards for Registered Training Organisations 2015 All State and Territory Funding Contracts Working with Vulnerable People (Background Checking) Act 2011 Child Wellbeing and Safety Act 2005 (Vic) Working with Children’s Act 2005 (Vic) Child Safe Standards
Tools:	This policy is supported by the <i>Compliance and Governance Policy, Fair Treatment and Equal Opportunities Policy, Student Handbook, Employee Code of Conduct and Disciplinary Action Policy &amp; Procedure, Complaints and Appeals Policy, Complaints &amp; Appeals Procedures, Complaints &amp; Appeals Form</i>

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## Overview

ACE Training is committed to the safety and wellbeing of all children who interact with ACE Training staff. ACE Training does not tolerate any behaviour which is inconsistent with this commitment by any staff member, students or the public on an ACE Training site.

The achievement of a safe environment for children requires the commitment of all members of the ACE Training community.

Activities and behaviour of all ACE Training staff, whether on ACE Training sites or elsewhere, must contribute to the safety and wellbeing of children and not expose them to harm. Harm can be caused by action or inaction. Therefore, all ACE Training staff share responsibility for the safety and wellbeing of children by complying with this Policy and other components of the ACE Training commitment to protecting children.

ACE Training staff that might interact with students and prospective students include, but is not limited to:

- Trainers and Assessors;
- Administration Staff;
- Regional Managers;
- Sales and Marketing Staff;
- Compliance Staff;
- CEO and Chief Training Officer (CTO)

Victoria’s Child Safe Standards are a set of mandatory requirements to protect children and young people from harm and abuse. The new Child Safe Standards came into force on 1 July 2022 and ACE Training has implemented policies and procedures to comply with these new Standards.

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## Our Commitment to Child Safety

ACE Training is committed to child safety.

All students under eighteen (18) years of age who are supported by ACE Training have a right to feel and be safe. We want children to be safe, happy and empowered. We support and respect all children.

We are committed to the safety, participation and empowerment of all children.

We promote diversity and tolerance, and people from all walks of life and cultural backgrounds are welcome.

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.

We have zero tolerance of child abuse, harm and racism. All allegations and safety concerns are treated very seriously and consistently with our robust policies and procedures. We have legal and moral obligations to contact authorities when we are worried about a child's safety and wellbeing, which we follow rigorously.

ACE Training is committed to preventing child abuse and identifying risks early and removing and reducing these risks. We have robust recruitment practices for all personnel and is committed to regularly training and education our personnel on child abuse risks.

This policy applies to all activities undertaken by ACE Training which involve, result in or relate to contact with children, and is communicated widely and accessibly including in this Policy, our Student Handbook and via publishing on our website.

This policy applies to all individuals who conduct work for ACE Training in a paid or unpaid capacity, including board directors, all RTO staff, volunteers, contractors and consultants.

As a child safe organisation, ACE Training:

- Has established a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
- Has embedded child safety and wellbeing in organisational leadership, governance and culture.
- Informs and empowers children and young people about their rights, supporting participation in decisions affecting them.
- Informs and involves families and communities in promoting child safety and wellbeing.
- Upholds equity and respects diverse needs in policy and practice.
- Has inclusive approaches for children with a disability, Aboriginal children and children from culturally and/or linguistically diverse backgrounds.
- Ensures people working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
- Maintains child-focused processes for services delivery and the management of complaints and concerns.
- Ensures staff are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
- Has actively considered risks of abuse within the organisation.
- Ensures physical environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- Has well-articulated policies and procedures documenting how ACE Training has implemented and maintains its child safe approach.
- Regularly reviews and improves processes used for the implementation of Child Safe Standards.

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## Legislative Framework

ACE Training has implemented a Child Safe framework aligned to Victorian Legislative requirements including, but is not limited to:

- Working with Children Act 2005 (VIC);
- Child Wellbeing and Safety Act 2005 (VIC) (including Child Safe Standards);
- Children, Youth and Families Act 2005 (VIC);
- Crimes Act 1958 (VIC);
- Wrongs Act 1958 (VIC);

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

- Child Safe Standards (VIC).

## Children's Empowerment and Participation

ACE Training actively seek to include children's views and ideas in our organisational planning and delivery of services. We encourage children to be supportive of each other. We do not tolerate bullying or abusive behaviour between children and take action if this occurs.

We respect the rights of children and provide them with information about their rights including the right to be safe at ACE Training. We regularly communicate with children about what they can do if they feel unsafe.

ACE Training pays particular attention to the needs of children and young people with disability, children and young people from culturally and linguistically diverse backgrounds, those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people.

ACE Training values the voices of children and will act on safety concerns raised by children or their families. We support children's participation and provide information to children and families about ACE Training operations and staffing in relation to child safety and wellbeing topics.

## Families and Communities

ACE Training recognises the important role of families and involves parents and carers when making significant decisions about their child. Parents, families and communities are welcome to provide feedback at any time through our contact email address and are encouraged to raise any concerns they have with us.

ACE Training provides information to families and the community about our child safe policies and practices including through publishing this Child Safety and Wellbeing Policy and Code of Conduct on our website, including information about our child safety approach and effectively addressing support for children in our operational processes

From application for enrolment processes onwards, ACE Training ensures that families participate in services delivery decisions affecting their child.

## Valuing Diversity

We value diversity and equity for all children. To achieve this, we provide training for all Management members and staff on understanding diversity and how to support inclusion and cultural safety. Please refer to our *Fair Treatment and Equal Opportunities Policy* for more information.

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## Vulnerable Children

It is also important to recognise that a child may also be vulnerable not only because they are a child, but because they may also fall into a category that may define an adult as vulnerable or potentially vulnerable. It is important to recognise that this may make some children more vulnerable than others and at a higher risk of being taken advantage of.

This includes, but is not limited to children who fit into one or more of the following categories:

- Physical or mental disability.
- Certain medical or health conditions.
- Social or financial hardship.
- Difficulty communicating in English or low language, literacy and / or numeracy skills.
- Low or no formal education.
- Homeless.
- Victims of crime, natural disaster or other event which may make them vulnerable.
- Migrants, refugees, and asylum seekers.
- Children with addiction issues or are in family situations with addiction issues.
- Pregnant or early parent.
- Indigenous persons.
- Belonging to a remote community.
- Identify as LGBTI (Lesbian, gay, bisexual, transgender, and intersex).
- Other minority or cultural groups.
- Apprentices / trainees.
- Children who are suffering grief or loss.
- Children who are in family violence situations.
- Low self-esteem and body image.
- Eating disorders.

## Youth and Young Adults

Frequently, the terms 'youth' and / or 'young adults' are used to define children that are older teenagers.

The majority of children that ACE Training staff will be dealing with will be young adults.

In many cases, a young adult may appear as an adult. For example, a 16-year-old male is still considered a child even if he has facial hair and is over six foot tall.

It is important to keep in mind that children do not have the same life experiences as adults and may make poor decisions as a result.

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## Child Abuse

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, such as grooming.
- Physical violence against a child.
- Causing serious emotional or psychological harm to a child.
- Serious neglect of a child.

Harm is damage to the health, safety or wellbeing of a child or young person, 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.

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.

## Concerns and Complaints

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

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, a volunteer or another individual associated with ACE Training.
- Disclosures of abuse or harm made by a child or young person.
- The conduct of a child or young person at ACE Training.
- The inadequate handling of a prior concern.
- General concerns about the safety of a group of children or activity.

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

All ACE 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.

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## What is a 'Reasonable Belief'?

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 leads to a belief that the child has been sexually abused.

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 this to the Police.**

ACE 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:

- Victoria Child Protection Crisis Line - **13 12 78**

## Examples of Harm to Children

The following are examples of harm that all ACE Training staff must be alert to:

- Bullying or harassment in a workplace by manager, supervisor, or other colleagues.
- Bullying or harassment in a classroom by other students.
- Cyber bullying.
- Taking financial disadvantage.
- Workplace initiation or hazing where a new staff member is made to do humiliating, inappropriate or dangerous tasks.
- Sexual harassment.
- Sexual violence.
- Sexual grooming.
- Physical or verbal attack.
- Threatening violence (including with equipment, knives, guns, clubs or other object that can be turned into a weapon).
- Unsupervised work of apprentices and trainees.
- Racial profiling.
- Racial discrimination or profiling.
- Gender discrimination.
- Participating in activities that are only legal for adults, including: Gambling, alcohol, smoking tobacco etc.
- Taking illegal substances.
- Other students copying the work of vulnerable students or pressuring vulnerable students to complete their assessments.
- Other students preventing vulnerable students from participating fully in learning.
- Other unlawful acts.

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## General Workplace Safety Considerations for Children

Children must be supervised at all times. Extra care must be taken when children are using dangerous tools, machines, chemicals, or other substances.

It is important to note that young adults are statistically the most likely to be injured on a work site in Australia.

General studies indicate that this is because young adults do not have the same life and work experience as adults. In addition, they are usually still developing physically and mentally. This means that they may lack the experience, knowledge, and skills to understand and accurately evaluate the risks involved in the tasks that they are doing. As such, they are more likely to:

- Disregard general safety instructions.
- Enter into hijinks and practical jokes using dangerous tools, machines, chemicals, or other substances.
- Overestimate their current capabilities.
- Not take appropriate steps to protect themselves and their workmates from injury.

In addition, they may not be aware of their rights and responsibilities in terms of workplace health and safety and may not ask questions or speak out if there is a problem for fear of looking incapable or losing their job. And they may also be eager to impress and not take the necessary steps to ensure safety of themselves or others.

## Code of Conduct – Child Safety & Wellbeing

All ACE 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 ACE Training’s child safe policy at all times upholding ACE Training’s statement of commitment to child safety and wellbeing at all times.
- Participating in all compulsory training and professional development including training on child safety and wellbeing
- Treating all children and young people with respect, regardless of race, sex, gender identity, sexual orientation, language, religion, political or other opinion, nationality, cultural background, financial situation, disability or other characteristics.
- 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 Regional Manager or Senior Management Team and ensure any allegation is reported to the police or child protection.
- Reporting any child safety concerns to the Regional Manager or Senior Management Team.
- If an allegation of child abuse is made, ensure as quickly as possible that the child(ren) is safe.
- Encouraging children to ‘have a say’ and participate in all relevant organisational activities where possible, especially on issues that are important to them.
- Promoting friendships and encourage children and young people to support their peers.
- Reporting any conflicts of interest I have (such as an outside relationship with a child) that may affect my ability to perform my role.
- Respecting the privacy of children and their families, including keeping all personal information confidential unless required by law to share it.

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- Informing parents and carers if there are situations that need to be safely managed but are outside the boundaries of this Code of Conduct (such as undertaking one-on-one training sessions).
- Upholding the rights of the child and always prioritising their needs.

Staff 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, hurtful or offensive behaviour or 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.
- Condone or participate in illegal, unsafe, abusive or harmful behaviour towards children – this includes physical violence, sexual abuse, emotional or psychological abuse, grooming, neglect or sexual misconduct.
- Ignore or disregard any concerns, suspicions or disclosures of child abuse or harm.
- Exaggerate or trivialise child abuse issues.
- Fail to report information to police if I know a child has been abused.
- Touch children in a way that is unnecessary or unsuitable and falls outside what is reasonable for ACE Training services delivery purposes.
- Persistently criticise and/or denigrate a child.
- Deliberately prevent a child from forming friendships.
- Verbally assault a child or create a climate of fear.
- Offer children and young people alcohol, cigarettes or other drugs.
- Show children pornographic images, share details of sexual experiences with a child or use sexual language or gestures in the presence of children.
- Have unauthorised contact with children and young people online, on social media or by phone.
- Take photographs, screenshots or share images of children involved in activities that are not authorised or required for ACE Training service delivery activities.
- Be alone with a child when there is no professional reason for doing so.

By observing these standards all personnel acknowledge individual responsibility to immediately report any breach of this code to the Child Safety Officer & ACE Training management.

All third-party contractors are also expected to abide by the Child Safe Code of Conduct, and where they are engaging with children will have to sign an agreement to comply with the code, prior to delivering any services.

ACE Training enforces this Policy, the Code of Conduct and the Fair Treatment and Equal Opportunities Policy and Procedure. Potential breaches by anyone will be investigated and may result in restriction of duties, suspension or termination of employment or engagement or other corrective action. More information can be found in our Employee Code Of Conduct and Disciplinary Action Policy.

Some breaches of this Code of Conduct may need to be reported to the Police, or to the relevant Commission for Children and Young People. Our complaint handling processes below provide more information about our reporting obligations to external authorities as well as describing protections and confidentiality provisions for anyone making a report.

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If any person in a position of authority within our organisation becomes aware of a substantial risk that a child may become the victim of a sexual offence committed by an adult associated with the organisation (for example, an employee, contractor or volunteer), and they have the power or responsibility to reduce or remove the risk, then they must take all reasonable steps to do so. A person in authority who negligently fails to take appropriate action to address the risk may be charged with the criminal offence of 'failing to protect' and may face a term of imprisonment. If an adult reasonably believes a sexual offence has been committed by an adult against a child under the age of 16, they must report it to Police by calling 000 or going to their local police station. Failure to disclose the information may be a criminal offence.

## Sexual Harassment, Grooming and Violence

### Sexual Harassment

Sexual harassment is a broad term to describe inappropriate words, acts, behaviours, and images that are of a sexual nature.

The following is a list that is not comprehensive but can be used as a guide:

- Commentary directed at student of a sexual nature.
- Other persons commenting on body parts in a sexual manner.
- Groping and inappropriate touching.
- Jokes of a sexual nature (including jokes about virginity).
- Jokes about sexual orientation.
- Pressure to have sex with the Trainer, another student or colleague.
- Commentary about a student or colleague's sexual attractiveness.
- Sharing and distributing images that are pornographic or sexual in nature (this includes posters and calendars in workplaces).

In relation to children, it must also be noted that the following is considered to be inappropriate and, in most states, and territory illegal:

- Adults discussing sex acts in front of children.
- Pressuring young adults to have sex.
- Discussions about how to lose one's virginity.
- Pressure for young adults to discuss their sexual experiences.
- Obtaining, taking, or sharing images of child pornography.
- Having sex with a child (with or without consent).
- Performing or simulating sexual acts in front of a child.

### Sexual Grooming (also known as 'Child Grooming')

Sexual grooming is befriending and establishing an emotional connection with a child, and sometimes the family, to lower the child's inhibitions for child sexual abuse. [https://en.wikipedia.org/wiki/Child\\_grooming\\_-\\_cite\\_note-1](https://en.wikipedia.org/wiki/Child_grooming_-_cite_note-1) It lures minors into trafficking of children, illicit businesses such as child prostitution, or the production of child pornography.

Grooming behaviours may include the provision of, or attention paid to the child, including exposing the child to sexualised talk or pornography; providing drugs, alcohol, money, or mobile phones; or manipulating the child through threats or the misuse of authority.

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## Sexual Assault

Sexual assault takes many forms including attacks such as rape or attempted rape, as well as any unwanted sexual contact or threats. Usually, a sexual assault occurs when someone touches any part of another person's body in a sexual way, even through clothes, without that person's consent.

Sexual assault is illegal in all states and territories.

## Age of Consent

Each state and territory specify an age of consent. Age of consent laws are designed to protect children and young people from sexual exploitation and abuse. Such laws effectively determine that children and young people below the age of consent do not have the emotional maturity to consent to sexual activities.

In relation to sexual abuse charges in each state and territory, the key difference between child sexual assault and adult sexual assault is that adult sexual assault is based on the absence of sexual consent, whereas in child sexual assault, the issue of consent is superseded by age of consent laws.

An important distinction should be made between 'willingness' and 'consent.' A child may be willing to engage in sexual behaviour; however, as they do not have the psychological capacity to give consent according to law, all sexual interactions between an adult and a person under the age of consent are considered abusive.

The legal age for consensual sex varies across Australian state and territory jurisdictions as follows:

Age	State / Territory
16	ACT, NSW, NT, QLD, WA, VIC
17	TAS, SA

## Persons in Supervisory Roles

Although the legal age of consent throughout Australia is either 16 or 17 years of age, legislation in Victoria, makes it an offence for a person in a supervisory role to sexually engage with a person under their special care who is aged 16 or 17 years.

A person in a supervisory role providing 'special care' may include: a teacher, Trainer, foster parent, religious official or spiritual leader, a medical practitioner, an employer of the child or a custodial official.

For the purposes of this document, it is against ACE Training's policy for any staff member to have sex (consensual or not) with a person who is under the age of 18.

## Consent between Minors and Similar Aged Persons

It is a common and normal part of sexual development for young people to explore and experiment in sexual interactions with their peers.

Appropriate sexual exploration is when there is mutual agreement between same- or similar-aged peers, it is non-coercive and all participants have the control to participate, continue or stop the behaviour.

In situations where there is a clear age difference - for example, a teenager and a young child - any sexual interaction is sexual abuse, as there is a definite power imbalance. However, when both parties are close in age, identifying whether the sexual activity is abusive is more complex. Three factors that must be considered in order to evaluate sexual interactions between two or more children are: consent, equality, and coercion. Reflecting on these three factors can help to clarify when behaviour is abusive.

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Some states allow a balance that protects children and young people from adult sexual exploitation in a way that does not criminalise them for having sexual relationships with their peers who are of similar age if they are under the legal consent age.

The following table outlines legal age differences between two consenting children or between a consenting child and an adult for Victoria:

State	Age difference (both partners have consented)
VIC	If one partner is 12-15 years old, the other partner cannot be more than two years older.

For example, in Victoria, a fifteen-year-old can legally consent to sex with a seventeen-year-old; however, a fifteen-year-old is not legally able to consent to have sex with an eighteen-year-old.

## Risk Management

ACE 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.

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, without compromising a child's right to privacy, access to information and social connections.

## Recruiting Staff and Volunteers

ACE Training puts child safety and wellbeing at the centre of recruitment and screening processes for staff and volunteers. We only recruit staff and volunteers who are appropriate to engage with children.

We require a Working with Children Check, National Criminal 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.

## Training and Supervision

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

ACE Training has specific policies, procedures and training in place that support our 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.

All management and staff are required to complete annual child safety training. Training undertaken is recorded in the Professional Development records

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## Record Keeping

ACE Training is committed to making and keeping full and accurate records about all child-related complaints or safety concerns. All child safety complaints, concerns, incidents and near misses are recorded in the incident reporting system.

Records that assist with the investigation of a complaint or safety concern are identified and kept as part of the record of an investigation. Records are kept even if an investigation does not substantiate a complaint. We 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 are stored securely and kept by ACE Training for at least 30 years. Please refer to the *Records Management Policy* for more information.

## Regular Review

ACE Training reviews this policy regularly and following any significant incidents should it occur. Reviews inform our approach to continuous improvement of our child safety practices.

Complaints, concerns and safety incidents are analysed to identify causes and systemic failures to inform continuous improvement.

Reviews are overseen by the Management Team and are informed by consultation with children, families and staff. Reports on the findings of relevant reviews are accessible to staff and volunteers, community and families and children and young people.

## Allegations, Concerns & Complaint Handling Processes

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

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.

## Fair procedures for personnel

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

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

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.

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## Privacy

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. ACE Training has safeguards and practices in place to ensure any personal information is protected.

If a child discloses an incident of abuse

- Try and separate them from the other students 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 Regional Manager or Senior Management Team as well as police or child protection as relevant.
- Ensure the disclosure is recorded accurately, and that the record is stored securely.

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

- Explain that ACE 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 Regional Manager, Senior Management, 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.

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

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

## YOU MUST TAKE ACTION

Personnel play a critical role in protecting children in our care.

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.

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).

You must use an incident reporting form to keep clear and comprehensive notes.

### ACTION 1: Responding to an Emergency

If there is no risk of immediate harm go to ACTION 2.

If a child is at immediate risk of harm you must ensure their safety by:

- 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.

Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.

### ACTION 2: Reporting to Authorities

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.

You must report all instances of suspected child abuse or suspected sexual abuse (including grooming) to Police.

You must also report internally to the Regional Manager and ACE Training Senior Management Team.

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.

This includes if a child is considered to be:

- 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.

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### Action 3: Contacting Parents / Carers

The Regional Manager and Senior Management Team must consult with Child Protection and or Police to determine what information can be shared with parents/carers. They may advise:

- 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).

### Action 4: Providing Ongoing Support

ACE 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.

Strategies may include development of a safety plan, direct support and referral to wellbeing professionals.

## Working with Children Checks (WWCC)

Each state has different checking mechanisms for working with children. The state of Victoria requires that you obtain a Working with Children's Check (WWCC). All new ACE Training staff members must provide evidence that they have obtained a WWCC. It is important to note that a WWCC is not transferable between states and territories.

Staff who are required to hold a WWCC must carry this on them at all times. It is also important to note that in some states a worksite safety inspector may request evidence WWCC card.

It is the responsibility of each individual to register for and obtain the required check(s) and maintain their registration. ACE Training obtains a copy of WWCC and the Compliance Officer monitors expiry dates and provides all staff with a reminder two months prior to expiry.

## National Criminal Check

All ACE Training personnel are required to undertake, as a component of the recruitment process, a National Criminal Check to ensure suitability in meeting ACE Training's contractual obligations. National criminal checks are valid for and must be renewed every three years.

<https://www.nationalcrimecheck.com.au/>

## Victorian Reportable Conduct Scheme

A Reportable Conduct Scheme has been implemented in the Victorian region, designed to ensure that the Commission for Children and Young People will be aware of every allegation of certain types of employee misconduct.

Commission for Children & Young People  
[www.ccyp.vic.gov.au](http://www.ccyp.vic.gov.au) [childsafestandards@ccyp.vic.gov.au](mailto:childsafestandards@ccyp.vic.gov.au)  
03 8601 5281

Importantly, a finding that a person has engaged in reportable conduct can trigger an assessment of whether that person is suitable to continue to work or volunteer with children, including a revocation of a person's Working with Children Check card.

Note: The Reportable Conduct Scheme does not replace the need to report allegations of child abuse to Victoria Police.

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## What types of conduct are reportable?

There are five types of 'reportable conduct' listed in the Child Wellbeing and Safety Act 2005:

- Sexual offences (against, with or in the presence of, a child);
- Sexual misconduct (against, with or in the presence of, a child);
- Physical violence (against, with or in the presence of, a child);
- Behaviour that is likely to cause significant emotional or psychological harm; and
- Significant neglect.

A reportable allegation can be made about any person over 18 years of age who is an employee or volunteer of ACE Training. Allegations can be made about the conduct of people even if:

- They do not have direct contact with children; or
- The conduct occurred outside of their work.

## Requirements of heads of organisations

The ACE Training Chief Executive Officer (CEO) is the determined 'Head of Organisation' under the scheme. In the implementation of this Child Safety and Wellbeing Policy and Procedure, it is ultimately their responsibility to ensure the Commission is notified of any reportable allegations they become aware of.

This includes requirements to:

- Have in place systems to prevent child abuse and, if child abuse is alleged, to ensure allegations can be brought to the attention of appropriate persons for investigation and response; and
- Ensure that the Commission is notified and given updates on the organisation's response to an allegation.

Key responsibilities include:

- Notifying the Commission within 3 business days of becoming aware of a reportable allegation;
- Investigating an allegation subject to police clearance on criminal matters;
- Advising the Commission who is undertaking the investigation;
- Managing the risks to children;
- Within 30 calendar days, providing the Commission detailed information about the reportable allegation and any action you have taken; and
- Notifying the Commission of the investigation findings and any disciplinary action the entity has taken (or the reasons no action was taken).

The Commission carefully considers each allegation that it receives under the Reportable Conduct Scheme. The Commission may decide to:

- Give ACE Training support and guidance on the matter;
- Check ACE Training is handling the allegation in a timely manner; and
- Refer a substantiated allegation to Working with Children Check or a professional accreditation body

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## The 11 Child Safe Standards

Victoria's Child Safe Standards are a set of mandatory requirements to protect children and young people from harm and abuse. Click on the links below to see the minimum requirements and compliance indicators for each Standard.

### Standard 1

Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.

[Click here for details about Child Safe Standard 1](#)

### Standard 2

Child safety and wellbeing is embedded in organisational leadership, governance and culture.

[Click here for details about Child Safe Standard 2](#)

### Standard 3

Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.

[Click here for details about Child Safe Standard 3](#)

### Standard 4

Families and communities are informed and involved in promoting child safety and wellbeing.

[Click here for details about Child Safe Standard 4](#)

### Standard 5

Equity is upheld and diverse needs respected in policy and practice.

[Click here for details about Child Safe Standard 5](#)

### Standard 6

People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

[Click here for details about Child Safe Standard 6](#)

### Standard 7

Processes for complaints and concerns are child-focused

[Click here for details about Child Safe Standard 7](#)

### Standard 8

Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

[Click here for details about Child Safe Standard](#)

### Standard 9

Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.

[Click here for details about Child Safe Standard 9](#)

### Standard 10

Implementation of the Child Safe Standards is regularly reviewed and improved.

[Click here for details about Child Safe Standard 10](#)

### Standard 11

Policies and procedures document how the organisation is safe for children and young people.

[Click here for details about Child Safe Standard](#)

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## 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 & Wellbeing	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 and Wellbeing Policy Code of Conduct for child safety and wellbeing 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 and wellbeing 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		

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