

Falls Creek Alpine Resort Management Board ('the Board')

1. Purpose

This child protection policy shall be publicly available to help raise awareness about the importance of child safety for the Falls Creek Alpine Resort Management Board (FCARMB) and demonstrate the organisation's commitment to protecting children from abuse. This policy will be available on the FCARMB's website, in new employee, volunteer, contractor, consultant and Board member induction materials, and will be covered no less than annually in staff training activities.

2. Definitions and Abbreviations

DHHS – Department of Health and Human Services

FCARMB – Falls Creek Alpine Resort Management Board

Resort – Falls Creek Alpine Resort

Staff – includes Board members, employees and volunteers, and extended to include contractors and consultants engaged by FCARMB

3. Background

Our commitment to child safety

FCARMB is committed to child safety, and it is committed to:

- wanting all children to be safe, happy and empowered;
- having those involved in the organisation support and respect all children, as well as our staff;
- the safety, participation and empowerment of all children;
- having zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures;
- contacting authorities when we are worried about a child's safety, which we follow rigorously;
- preventing child abuse and identifying risks early, and removing and reducing these risks;
- having robust human resources, recruitment and engagement practices for all staff;
- regularly training and educating our staff and volunteers, on child abuse risks; and
- the cultural safety of Aboriginal children, the cultural safety of children from a culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.

We have specific policies, procedures, work practices and training in place that support our leadership team and other staff to achieve these commitments.

This policy recognises that where a person has a reasonable belief that a child has been sexually abused, that person has an obligation to report the matter to the Victorian police and /or Child Protection (DHHS).

If you believe a child is at immediate risk of abuse, phone 000.

Our children

This policy is intended to empower children who are vital and active participants in the resort. The organisation has a commitment to engage with children when making decisions, especially about matters that directly affect them. Decision makers shall listen to their views and respect what they have a say.

FCARMB promotes diversity and tolerance in the organisation, and people from all walks of life and cultural backgrounds are welcome. In particular, FCARMB will:

- 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

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- ensure that children with a disability are safe and can participate equally.

4. Scope

Our staff

This policy guides our staff on how to behave with children who come into contact with the resort and its personnel.

All staff must agree to abide by our code of conduct which specifies the standards of conduct required when working with children. Refer [Appendix A](#)

5. Policy

5.1 Training and supervision

Training and education is important to ensure that everyone understands that child safety is everyone's responsibility.

Our organisational culture aims for all staff (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. FCARMB is committed to train its staff to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

FCARMB also supports our staff through ongoing supervision to: develop their skills to protect children from abuse; and promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.

New staff will be supervised regularly to ensure they understand the 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 (please refer to this organisation's Working with Children Code of Conduct to understand appropriate behaviour further). Any inappropriate behaviour will be reported through appropriate channels, including DHHS and Victoria Police, depending on the severity and urgency of the matter.

5.2 Recruitment

FCARMB takes all reasonable steps to employ skilled people to work with children. We develop selection criteria and recruitment advertisements which clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities. Our organisation understands that when recruiting, we have ethical as well as legislative obligations.

All people engaged in child-related work, including volunteers, contractors and consultants are required to hold a current Working with Children Check and to provide evidence of this check. Please see the [Working with Children Check](http://www.workingwithchildren.vic.gov.au) website <www.workingwithchildren.vic.gov.au> for further information.

We carry out reference checks and police record checks to ensure that we are recruiting the right people. Criminal record details within police record checks are used only for the purposes of recruitment and are discarded after the recruitment process is complete. We shall retain our own records (but not the actual criminal record) if an applicant's criminal history affected our decision-making process.

If during the recruitment process a person's records indicate a criminal history, then the person will be given the opportunity to provide further information and context.

5.3 Fair procedures for personnel

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

FCARMB record all allegations of abuse and safety concerns using our incident reporting form ([link to form here](#)) including investigation updates. All records are securely stored.

If an allegation of abuse or a safety concern is raised, FCARMB will provide updates to children and families on progress and any actions we as an organisation take.

5.4 Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, parents or children, unless there is a risk to someone's safety. FCARMB has safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it.

5.5 Legislative responsibilities

FCARMB takes its legal responsibilities seriously, including:

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.¹
- **Failure to protect:** People of authority in FCAMRB will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.²
- Any personnel who are **mandatory reporters** must comply with their duties.³

5.6 Risk management

In Victoria, organisations are required to protect children when a risk is identified (see information about failure to protect above). In addition to general occupational health and safety risks, we proactively manage risks of abuse to children connected with FCAMRB.

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 (for example, any doors that can lock), and online environments (for example, no staff are to have contact with a child in organisations on social media).

5.7 Allegations, concerns and complaints

FCAMRB takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff are trained to deal appropriately with allegations.

FCARMB work to ensure all children, families and staff know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

All staff have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place (see information about failure to disclose above).

5.8 Reporting

If an adult has a **reasonable belief** that an incident has occurred then they must report the incident. Depending on the circumstances, the incident may require reporting immediately and directly to Victoria Police and/or Child Protection (DHHS) and mandatory reporting applies to certain professions and

¹ A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

Further information about the failure to disclose offence is available on the [Department of Justice and Community Safety website](https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence)
<https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence>

² Further information about the failure to protect offence is available on the [Department of Justice and Community Safety website](https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-protect-a-new-criminal-offence-to)
<https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-protect-a-new-criminal-offence-to>

³ Mandatory reporters (which include early childhood teachers,) must report to Victoria Police and/or Child Protection (DHHS) if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse. See the Department of Health and Human Services website for information about [how to make a report to child protection](https://providers.dhhs.vic.gov.au/making-report-child-protection)
<https://providers.dhhs.vic.gov.au/making-report-child-protection>

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services (eg. early childhood educators and teachers, approved providers of an education and care service, etc).

The reporting process within FCARMB is as follows:

- a) The initial report is to be made to either the Child Safety Officer (DCS), CEO or the Board Chair. The person receiving the report of allegation is to document the notification.
- b) The person receiving the report shall inform the Board of the allegation.
- c) The CEO shall implement an investigation into the allegation, and provide a report to the Board Chair as expeditiously as possible. The aim is to provide an initial report into the investigation within 7 days of the report.
- d) A final report is to be provided within an agreed (by the Board Chair) timeframe.
- e) The Board shall consider the final report and resolve to take action in connection with the report.
- f) The CEO shall notify the informant when the investigation gets underway, when the initial and final reports are completed, and the course of action that the Board determines is appropriate to undertake after consideration of the initial and final reports.

Factors contributing to reasonable belief may be:

- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves);
- behaviour consistent with that of an abuse victim is observed ⁴;
- someone else has raised a suspicion of abuse but is unwilling to report it; or
- observing suspicious behaviour.

6. Key legislation, regulations and standards

Child Wellbeing and Safety Act 2005

Children, Youth and Families Act 2005

Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015

Education and Care Services National Law Act 2010

7. Other references and related documents

Child Protection Crisis Line (13 12 78)

Commission for Children and Young People: <https://ccyp.vic.gov.au/>

Department of Education and Training - Early Childhood:

<https://www.education.vic.gov.au/childhood/Pages/default.aspx>

Department of Health and Human Services: <https://www.dhhs.vic.gov.au/child-protection>

Department of Justice and Community Safety: <https://www.justice.vic.gov.au/>

8. Regular review

This policy will be reviewed every two years and following significant incidents if they occur. We will ensure that families and children have the opportunity to contribute.

⁴ For indicators of child abuse, please see [Child Safe Standard 4: Indicators of child abuse](https://providers.dhhs.vic.gov.au/resource-4b-indicators-abuse-word): <https://providers.dhhs.vic.gov.au/resource-4b-indicators-abuse-word>

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Authorisations and Document Parameters

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Amendment summary:	<p>Version 3 (Aug 2020) – Extensive biennial review. Inclusion of definition section; contractors and consultants within policy and Working with Children Code of Conduct; Child Safety Officer (DCS); and specific separate requirements for Child Care staff. Update of mandatory reporting requirements, references, links and other minor amendments.</p> <p>Version 2 (Mar 2018) – Annual review. Minor amendments including updated formatting.</p> <p>Version 1 (Mar 2017) – New policy in response to the recommendations from various child abuse inquiries / Royal Commission and amendments to child safety, wellbeing and protection legislation. The policy and Working with Children Code of Conduct were based on the Victorian Child Safe Standards templates.</p>		

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APPENDIX A

Working with Children

Staff Code of Conduct

All staff (which includes employees, volunteers, contractors, consultants and Board members) of the Falls Creek Alpine Resort Management Board ("FCARMB") are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children, as noted below.

Specific code of conduct regulations, standards and guidelines apply to Falls Creek Child Care Service (FCCCS) staff and are detailed within Early Learning and Child Care legislation, the national Quality Standards, on the Department of Education and Training website and in FCCCS policies, procedures and work practices.

All staff are responsible for supporting the safety, participation, wellbeing and empowerment of children by:

- adhering to the FCARMB Child Protection policy at all times / upholding FCARMB's statement of commitment to child safety at all time
- taking all reasonable steps to protect children from abuse
- treating everyone with dignity and respect
- 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
- promoting the cultural safety, participation and empowerment of Aboriginal children (for example, by never questioning an Aboriginal child's self-identification)
- promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination)
- promoting the safety, participation and empowerment of children with a disability (for example, during personal care activities)
- ensuring as far as practicable that adults are not left alone with a child
- reporting any allegations of child abuse or child safety concerns to FCARMB's Child Safety Officer (DCS) and/or the CEO and ensure any allegation is reported to the police or child protection (DHHS)
- understanding and complying with all reporting and/or disclosure obligations, including mandatory reporting and reportable conduct
- if an allegation of child abuse is made, ensure as quickly as possible that the child(ren) are safe and protected from harm
- if you have a reasonable belief that a child has been sexually abused reporting this matter to the police (this is a legal requirement)
- encouraging children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them.

Staff must NOT:

- develop any 'special' relationships with children that could be seen as favouritism or amount to 'grooming' behaviour (for example, the offering of gifts, inappropriate attention or special treatment for specific children)
- exhibit behaviours with children which may be construed as unnecessarily physical (for example, inappropriate sitting on laps. Sitting on laps could be appropriate sometime, for example while reading a storybook to a small child in an open plan area)
- put children at risk of abuse (for example, by locking doors)

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- do things of a personal nature that a child can do for themselves, such as toileting or changing clothes
- engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities)
- 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 contact with a child or their family outside of our organisation without our child safety officer's knowledge and/or consent (for example, no babysitting). Accidental contact, such as seeing people in the street, is appropriate
- have any online contact with a child or their family (unless necessary, for example providing families with e-newsletters)
- ignore or disregard any suspected or disclosed child abuse.

By observing these standards you acknowledge your responsibility to immediately report any breach of this code to FCARMB's Child Safety Officer and/or the CEO.

If you believe a child is at immediate risk of abuse, phone 000.

Staff with Employment Hero access must accept this Child Protection policy and Working with Children: Staff Code of Conduct within that program.

For those without Employment Hero access, please complete the signature panel below:

I acknowledge that I have read, understood and agree to adhere to this Child Protection policy and Working with Children: Staff Code of Conduct.

Name:

Signature:

Date: