

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

#### 1. Purpose

Falls Creek Alpine Resort Management Board's (FCARMB) Child Protection Policy demonstrates our commitment to creating and maintaining a child safe and child-friendly organisation, where children and young people are safe and feel safe.

It informs everyone's obligations to act safely and appropriately towards children and guides our processes and practices for the safety and wellbeing of children across all areas of our work.

#### 2. Definitions and Abbreviations

**Child-** a child or young person who is under the age of 18 years.

**Child safety-** includes matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to suspicions, incidents, disclosures or allegations of child abuse.

**Child abuse-** any act committed against or infliction on a child involving:

1. a sexual offence
2. grooming offences under section 49M(1) of the Crimes Act 1958
3. physical violence
4. serious emotional or psychological harm
5. serious neglect, including exposure to family violence and its effects.

**DFFH** – Department of Families Fairness and Housing

**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

Victorian organisations that provide services or facilities to children are required by law to comply with Child Safe Standards. This applies to FCARMB's public functions in accordance with the definition provided under Schedule 1, Category 1 entities: *Child Health and Wellbeing Safety Act 2005*. This child protection policy also aligns with the National Principles for Child Safe Organisations,.

This policy shall be publicly available to help raise awareness about the importance of child safety at FCARMB and demonstrate the organisation's commitment to protecting children from abuse. This policy will be available on FCARMB's website, in new employee, volunteer, contractor, consultant and Board member induction materials, and will be covered in staff training activities.

#### Our commitment to child safety

FCARMB is a child safe organisation which welcomes all children, young people and their families.

We are committed to providing environments where our children are safe and feel safe, where their participation is valued, their views respected, and their voices are heard about decisions that affect their lives. Our child safe policies, strategies and practices are inclusive of the needs of all children.

We have no tolerance for child abuse and take proactive steps to identify and manage any risks of harm to children entering the Resort.

We promote positive relationships with children, based on trust and respect.

We take proactive steps to identify and manage any risk of harm to children environment. When child safety concerns are raised or identified, we treat these seriously and respond promptly and thoroughly.

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Particular attention is given to the child safety needs of Aboriginal children, those from culturally and linguistically diverse backgrounds, those with disabilities, children and young people who identify as lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+) and other children experiencing risk or vulnerability. Inappropriate or harmful behaviour targeting children based on these or other characteristics, such as racism or homophobia, are not tolerated at our organisation and any instances identified will be addressed with appropriate consequences.

Child safety is a shared responsibility. Every person involved in our organisation has an important role in promoting child safety and wellbeing and promptly raising any issues or concerns about a child's safety.

We are committed to regularly reviewing our child safe practices, and seeking input from children, families, staff, and volunteers to inform our ongoing strategies.

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 (DFFH <https://services.dffh.vic.gov.au/child-protection>).

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

### Scope

This policy:

- applies to all FCARMB staff, volunteers and contractors whether or not they work in direct contact with children.
- applies in all of FCARMB's physical and online environments used by staff.
- should be read together with our Code of Conduct. 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](#).

## 4. Roles and Responsibilities

### Leadership team

FCARMB's leadership team (comprising the Chief Executive Officer (CEO), Chief Financial Officer (CFO), Directors and Managers) is responsible for ensuring that a strong child safe culture is created and maintained, and that policies and practices are effectively developed and implemented in accordance with Ministerial Orders.

The Leadership Team will:

- ensure effective child safety and wellbeing governance, policies, procedures, codes and practices are in place and followed
- model a child safe culture that facilitates the active participation of students, families and staff in promoting and improving child safety, cultural safety and wellbeing
- enable inclusive practices where the diverse needs of all children are considered
- reinforce high standards of respectful behaviour between children and adults.
- promote regular open discussion on child safety issues within the organisation including at leadership team meetings, staff meetings and stakeholder meetings.
- facilitate regular professional learning for staff and volunteers (where appropriate) to build deeper understandings of child safety, cultural safety, wellbeing and prevention of responding to abuse
- create an environment where child safety complaints and concerns are readily raised, and no one is discouraged from reporting an allegation of child abuse to relevant authorities.
- Ensuring the Child Safety is considered as part of FCARMB's overall risk profile.

The CEO has responsibility for external reporting of any child protection issues.

### Staff and volunteers

All staff and volunteers will:

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- participate in child safety and wellbeing induction and training (when relevant) provided by the organisation and always follow the child protection policy in accordance with the FCARMB Code of Conduct.
- identify and raise concerns about child safety issues in accordance with this policy.
- ensure children's views are taken seriously and their voices are heard about decisions that affect their lives
- implement inclusive practices that respond to the diverse needs of children.

### Child Safety Officer

The child safety officer is the first point of contact for child safety concerns or queries and for coordinating responses to child safety incidents.

The child safety officer will:

- monitor FCARMB's compliance with the Child Protection Policy. Anyone in our organisation should approach the child safety officer if they have any concerns about FCARMB's compliance with the Child Protection Policy.
- Inform FCARMB staff and community about this policy, and making it publicly available
- This role is maintained by the Manager of Corporate Services or delegate.

## 5. Policy

### 5.1 Establishing a cultural safe environment

At FCARMB we are committed to establishing an inclusive and culturally safe environment where the strengths of Aboriginal culture, values and practices are respected.

We think about how every person entering the resort can have a positive experience in a safe environment.

We recognise the link between Aboriginal culture, identity and safety and welcome opportunities for the Aboriginal community to have a voice and presence in our planning, policies, and activities.

### 5.2 Diversity and Equity

As a child safe organisation, we celebrate the rich diversity of our staff, visitors, families and community and promote respectful environments that are free from discrimination. Our focus is on wellbeing and growth for all.

We recognise that every child has unique skills, strengths and experiences to draw on.

We pay particular attention to individuals and groups of children and young people in our community with additional and specific needs.

We will recognise our limitations, restrict activities or engage external expertise when we recognise that as an organisation, we do not have the skills to be able ensure the equity and safety of children with specific or additional needs.

### 5.3 Empowerment

To protect children, we work to create an inclusive and supportive environment that encourages children and families to contribute to our child safety approach and understand their rights and their responsibilities. Respectful relationships are encouraged and this is identified in all staff acknowledging the FCARMB's Code of Conduct.

Staff, children and families can also access information on how to report concerns by contacting FCARMB's Child safety officer (Manager of Corporate Services).

When FCARMB is gathering information in relation to a complaint about alleged misconduct or abuse of a child, we will listen to the complainant's account and take them seriously, check our understanding of the complaint, support the child and/or staff member and keep them (and their parents and carers, as appropriate) informed about progress.

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### 5.4 Engagement

Where possible, FCARMB will create opportunities for families and children to be engaged in processes and policies that impact children.

### 5.5 Training and supervision

Training and education are 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, when relevant, 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: where applicable, 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 Code of Conduct to understand appropriate behaviour further). Any inappropriate behaviour will be reported through appropriate channels, including DFFH and Victoria Police, depending on the severity and urgency of the matter.

### 5.6 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](http://www.workingwithchildren.vic.gov.au) for further information.

We carry out proof of identity, proof of qualifications, 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.

### 5.7 Staff induction

All newly appointed staff will be expected to participate in our child protection induction program. The program will include a focus on:

- the Child Protection Policy (this document)
- the Code of Conduct
- the Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures and (if relevant to their role)
- any other child safety and wellbeing information that leadership considers appropriate to the nature of the role.

All contractors and volunteers are required to comply with the Child Protection Policy, this will be outlined in the contractor and volunteer induction documentation.

### 5.8 Child safety knowledge, skills and awareness

FCARMB acknowledges that ongoing training and education are essential to ensuring that staff understand their roles and responsibilities and develop their capacity to effectively address child safety and wellbeing matters. Professional learning and training on child safety and wellbeing, for example, training for our volunteers, will be tailored to specific roles and responsibilities and any identified or emerging needs or issues.

### 5.9 Ongoing management and supervision of staff

Staff will be monitored and assessed to ensure their continuing suitability for child-connected work. This will be done through supervision and annual performance reviews.

Inappropriate behaviour towards children and young people will be managed swiftly and in accordance with our Code of Conduct, performance management work practice and our legal obligations.

### 5.10 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 online Human Resource Management system. 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.

### 5.11 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.

### 5.12 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.<sup>1</sup>
- **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.<sup>2</sup>

<sup>1</sup> 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>

<sup>2</sup> 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>

- Any personnel who are **mandatory reporters** must comply with their duties.<sup>3</sup>

### 5.13 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).

Child safety is considered in risk management profile assessments.

This policy and our commitment to child safety will be made available to the public on our website and in other public areas.

### 5.14 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.

This policy and supporting processes 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).

### 5.15 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 (DFFH) and mandatory reporting applies to certain professions and 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 (MCS), 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:

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<sup>3</sup> 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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- 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 <sup>4</sup>;
- someone else has raised a suspicion of abuse but is unwilling to report it; or
- observing suspicious behaviour.

Advice may be sought from the Victoria Police, DFFH <https://providers.dffh.vic.gov.au/child-protection> or the Commission for children and young people <https://ccyp.vic.gov.au/>

### 5.16 Providing support to staff members

Allegations and instances of child abuse or sexual offending can cause trauma and significantly impact the mental health and wellbeing of those involved.

If you need to talk to someone, it is recommended that you speak to your manager or a member of the leadership team. You can also talk to a general practitioner or another allied health professional.

Staff can also contact the Employee Assistance Program

## 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

Child Safe Standards

Other references and related documents:

Human resources Policy

Grievance and Dispute Resolution Work Practice

Performance Management Work Practice

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 Families, Fairness and Housing: <https://providers.dffh.vic.gov.au/child-protection>

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

## 7. 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 where practicable.

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<sup>4</sup> 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

<b>Document Ref No &amp; Title:</b>	BP 1.12 Child Protection (Aug 2020)		
<b>Document File Path:</b>	T:\14. Policies & Work Practices\14.02 Board Policies\14.02.01 Approved\BP 1.12 Child Protection (Aug 2020).docx		
<b>Author:</b>	MCS	<b>Owner (Title):</b>	FCARMB
<b>Contributors:</b>	CEO, EA & HR Admin	<b>Authorised By:</b>	FCARMB
<b>First Adopted:</b>	10 March 2017	<b>Status: Draft/FINAL</b>	FINAL
<b>Last Amended:</b>	8 August 2022	<b>Next Review Date:</b>	24 August 2024
<b>Last Amendment approved by:</b>	FCARMB	<b>To be approved by:</b>	FCARMB
<b>Revision No:</b>	4	<b>Replaces:</b>	3
<b>Amendment summary:</b>	<p>Version 5- Updated to reflect the revised Child Safe Standards implemented as of July 1 2022</p> <p>Version 4 – updated to make links live</p> <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>		



### 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 (MCS) and/or the CEO and ensure any allegation is reported to the police or child protection (DFFH)
- 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)
- do things of a personal nature that a child can do for themselves, such as toileting or changing clothes

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- 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
- associate FCARMB with any contact had with a child or their family outside of rostered/agreed working hours for the purpose of babysitting. If undertaking private babysitting, staff should declare that this task will be carried out with no association with FCARMB.
- 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: .....