



# CHILD PROTECTION POLICY

## POLICY STATEMENT

Karratha Community House Inc. (KCH) is committed to providing a safe and secure environment for all its staff members, volunteers and particularly to children.

KCH believes it has a responsibility to all children attending KCH events and venues to defend their right to care and protection. To support this right, KCH will follow the procedures recommended by the Department for Communities, Child Protection and Family Support, when dealing with any allegations of abuse or neglect of children, to ensure the protection of all children.

KCH believes it also has a responsibility to its employees and volunteers to defend their right to confidentiality unless allegations of abuse against them are substantiated.

## POLICY PURPOSE

This KCH Policy aims to reduce the risk of abuse occurring, and to ensure that a caring and appropriate response is taken should abuse occur.

This KCH policy aims to ensure that all employees, members, volunteers are aware of their rights, obligations and processes in place should a disclosure of abuse occur.

## DEFINITIONS

**Child:** Any person under the age of 18.

**Abuse:** Can consist of one or more of but is not restricted to the following:

**Physical abuse:** Any non-accidental physical injury resulting from practices such as hitting, punching, kicking (marks from belt buckles, fingers), shaking (particularly babies), burning (irons, cigarettes), biting, pulling out hair, or the administration of alcohol or other drugs.

**Sexual abuse:** Any sexual act or threat to perform such upon another person. It occurs when a person uses their power and authority to take advantage of another's trust to involve them in sexual activity. It does not necessarily involve genital contact but is any act which erodes the sexual boundary between two persons. It may appear consensual but the validity of consent is negated by the power differential.

**Emotional Abuse:** The chronic attitude or behavior of one person which is directed at another person or, the creation of an emotional environment which erodes a child's development, self-esteem and social confidence over time. Behaviours may include devaluing, ignoring, rejecting, corrupting, isolating, terrorising or chronic and extreme domestic violence in the child's presence.

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**Neglect:** Characterised by the failure to provide for the child’s basic needs. Any serious omission or commission which jeopardises or impairs a person’s development.

**Organisation:** Karratha Community House Inc, 51 Gardugarli Drive, Baynton West.

**Volunteer:** Any unpaid person over the age of 16 .

**Leader:** Any person (paid or unpaid) over the age of 18 who is responsible for the control and safety of members placed in their care whilst holding a formal position in a named Organisation. A leader could include but is not limited to Facilitators, office staff, board and other volunteers.

**Members:** Any person, including children, who attends or participates in KCH activities, objectives or strategic plan.

## OBLIGATIONS

**Responsibility:** The core expectations of any responsible Organisation require us to treat all people with fairness and dignity and to care for those who are less powerful and in need of nurture and protection.

**Legal:** All relevant organisations within Australia are bound by Federal and State Child Protection legislation and principles established through common law.

**Ethical:** Some actions may not be regarded as abuse, but are considered unacceptable behaviour for and by KCH. These include:

- Inappropriate conversation of a sexual nature;
- Coarse language, especially that of a sexual nature;
- Suggestive gestures or remarks;
- Jokes of a sexual nature;
- Inappropriate touching;
- Inappropriate literature (e.g. PG, M, MA, R or X rated material used with young Children);
- Recording or filming without prior consent; and
- Acts of violence committed by an employee, volunteer or other visiting adult in the course of an activity.

The age of individuals is recognised as one of the determinants in deciding what acceptable and unacceptable behaviour is.

## SELECTION AND SCREENING

Employees who are involved in the delivery of child related activities or programs must be carefully selected and screened. In accordance with the KCH *Recruitment Procedure*, prior to employees commencing child-related activities or programs, precautions including but not limited to interviewing, reference checking, and the Working with Children Check.

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**Where the organisation has identified that an applicant has previously committed a violent or sexually related offence, they cannot under any circumstances, be considered for child related activities or programs.**

These offences do not preclude the applicant from serving in other capacities within the Organisation and after careful consideration, might welcome the applicant's contribution in more appropriate areas.

## TRAINING

All employees will be issued with a copy of this policy and instruction in:

- The content and application of the KCH Child Protection Policy; and
- Reporting procedures and the associated legal requirements.

## SAFE ENVIRONMENT

Incidents of abuse are unlikely to take place in front of another person and the presence of a witness can assist in clarifying questionable allegations. For these reasons, two employees will always be present when working with or supervising children, for all drop-and-go programs.

Employees will not visit children in their homes unless a parent is present or another employee accompanies them.

When transporting children, employees should never be alone with a child in a car. Where this is not practical, employees will take children directly to and from arranged venues and will not spontaneously detour or make additional arrangements. Employees must ensure that they abide by the Australian Standards AS/NZS 1754 for child car restraints and will not transport a child unless an adequate restraint is fitted.

Employees will respect a member's feelings and privacy when engaging in physical contact of any kind.

Adults and children are expected to respect each other's privacy during activities that require undressing, dressing or changing clothes. Employees will set an example by protecting their own privacy in similar situations. No employee will be alone in a room with a child while either is changing.

Initiations and secret ceremonies are prohibited. All aspects of every child-related program will be open to observation by parents/guardians.

Employees have the right to ask people who do not have a valid reason to be present at child-related activities to leave. Police may be contacted if such persons refuse to comply with any reasonable request to leave.

## DISCIPLINING CHILDREN

It is not the responsibility of KCH or its employees to discipline a child. If a child does not abide by the rules set down by the employee, or is an obstruction to the care of other children or may cause harm to other children, the child will be removed and referred back to their parent or guardian. At no time will an employee administer any form of physical, emotional or mental discipline.

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## REPORTING PROCEDURES

In the event of any allegations that arise, an independent person will be appointed by KCH with the specific duty of dealing with the allegation. The name, address and contact telephone number will be freely available to all employees.

If anyone is unsure about whether or not to report an incident or information they have they must refer to the *Mandatory reporting of child abuse and neglect law* or a confidential discussion to clarify.

Contacts under Section 160 of the *Western Australia Family Court Act 1997 (WA)* include, Court personnel; family counsellors; family dispute resolution practitioners, arbitrators or legal practitioners representing the child's interests.

If there are reasonable grounds to suspect a child has been or is suffering abuse, the Police and the Organisation's Insurer will be contacted immediately.

Reasonable grounds can be assumed when:

- A child discloses that he or she has been abused; and/or
- Someone close to a child (e.g. sibling, relative, close friend) discloses on behalf of that child.

The Police will also be notified if a child discloses an incident of abuse that has occurred somewhere other than KCH premises (e.g. home or school).

If a disclosure of abuse is made, the person who receives the disclosure will maintain appropriate pastoral care to the one making the disclosure. This will include:

- Treating each allegation seriously and not attempting to deny the allegation or minimise its impact on the alleged victim. The matter should not be dismissed without further investigation and/or referral;
- Not pushing the child to disclose details of the alleged assault or attempting to investigate the allegation;
- Assuring the child that they are understood: that their disclosure is being taken seriously; that what has happened is not their fault, and that they are correct in disclosing the incident;
- Reporting the abuse to the police and KCH insurer;
- Not making contact with the alleged perpetrator;
- If the alleged assault has taken place recently, clothing worn by the child should be retained and handed to the police for forensic examination; and
- Maintaining confidentiality.

Any disclosures by a child, reports of suspected abuse and all details of the subsequent investigation will be documented promptly and the documents will be held in a secure location where a breach of privacy cannot occur.

KCH reserves the right to carry out disciplinary procedures in accordance with the constitution of the Organisation.

Where an allegation is made the accused employee will be removed from all children's activities and programs pending the outcome of all investigations.

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## ALCOHOL AND DRUGS

The consumption of alcohol or illegal drugs on KCH grounds or during an activity is not to be allowed or condoned by any employee. If a child is found to be under the influence of alcohol or illegal drugs, the parents/guardians contacted so the child can be returned home immediately.

Any child required to take prescription medication will provide a letter from their parents/guardians to KCH, and the KCH *Incident, Injury and Illness Reporting Procedure* shall be followed.

## MANDATORY REPORTING

In Western Australia the legislation covering mandatory reporting of child sexual abuse is the *Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008*.

It is a legal requirement in Western Australia for doctors, nurses, midwives, teachers, police officers and boarding supervisors to report all reasonable beliefs of child sexual abuse to the Department of Communities - Child Protection and Family Support. This legislation focuses on child sexual abuse. Other forms of abuse (physical, emotional and neglect) should continue to be reported, but there is no penalty if the report doesn't occur.

The legislation requires mandatory reporters to report suspected child sexual abuse if they form this belief, based on reasonable grounds, in the course of their paid or unpaid work.

Written reports must be made to the Department for Child Protection's Mandatory Reporting Service on 1800 708 704 or online at [www.mandatoryreporting.dcp.wa.gov.au](http://www.mandatoryreporting.dcp.wa.gov.au)

A verbal report can be made, but this must be followed by a written report as soon as is practicable, preferably within 24 hours.

## REFERENCES

- Working with Children Check
- Department of Communities, Child Protection and Family Support
- The Criminal Code Act 1899
- The Commission for Children & Young People Act 2004
- Protection Clearinghouse <http://www.aifs.gov.au/nch/index.html>

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Version	Reviewed by	Changes Made	Review Date	Approved By	Next Review Date
1.0	Cara Baker	Format, grammar and spelling. Replaced "leader" with "employee". Removed WWCC detail and replaced with reference to source information. Updated government departments. Removed reporting failure sentences.	29/6/2022	Chairperson	29/6/2022

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		Removed references to KCH employees providing counselling to children/families.			

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