

This Policy should be read in conjunction with the Child Safe Standards, Recruitment and Selection, Risk Management, Supervision, Privacy, Code of Conduct and Induction policies.

## Introduction

**Peninsula Leisure (PL) Pty Ltd** has zero tolerance for child abuse or endangerment and is committed to the ongoing safety of all children and young people, recognising that children and young people have the right to feel safe and to always be safe. As a child safe organisation Peninsula Leisure will take deliberate steps to protect children and young people from physical, sexual, emotional, psychological and cultural abuse, as well as neglect. The commitment to protecting children will be embedded in Peninsula Leisure's culture, values, policies and procedures.

## Statement of Commitment to Child Safety

Peninsula Leisure is committed to the safety of children and young people. PL will embed all relevant aspects of this policy into all the organisations operations, ensuring compliance with relevant legislation and best practice.

All children and young people that engage in services, programs, events or facilities (including online environments) that are owned or managed by PL have the right to be heard and feel safe regardless of their, or their families' age, gender, race, ability, religious beliefs, sexual orientation or social background. PL will encourage and support Aboriginal children and young people to express their culture and commit to creating culturally safe environments.

Peninsula Leisure empowers all employees, volunteers, board members and contractors to create and maintain a safe culture for children and young people.

Peninsula Leisure is committed to reducing the risks of abuse and harm to children and young people and will ensure all employees understand and adhere to this policy, Child Safe Standards, Reportable Conduct Scheme (if applicable), Child Safety and Wellbeing procedure and relevant legislation and statutory requirements. PL will treat all reports of child safety concerns seriously and will actively encourage children to raise issues.

## Purpose

This policy aims to:

- Demonstrate the strong commitment from PL to create and maintain a child safe organisation.
- Protect children and young people.
- Prevent child abuse.
- Ensure Child Safe Standards are implemented, and associated reporting obligations are met.
- Create a culture of child safety recognising that child safety and wellbeing is a companywide responsibility.
- Promoting cultural safety and wellbeing for Aboriginal and Torres Strait Islander children and young people; as well as those from culturally and/or linguistically diverse backgrounds and those that have a disability.
- Set a practice of continual revision and improvement.
- Meet all obligations outlined in the Child Safe Standards, Reportable Conduct Scheme (part 5A of the Child and Wellbeing Act 2005) and other related legislative requirements.

## Scope

This policy applies to all directors of Peninsula Leisure, employees, contractors, members, guests and volunteers of facilities that are owned or operated by Peninsula Leisure.

## Policy

### Child Safe Standards

The Standards evolved as a response from the 2013 Victorian Parliamentary Inquiry into the Handling of Child Abuse by Religious and Other Non-Governmental Organisations, also known as the Betrayal of Trust Inquiry.

The Child Safe Standards form part of the *Child Safety and Wellbeing Act 2005* (Vic), all organisations which provide services for children are required to comply with the standards. In July 2021, a new set of eleven standards were legislated to commence from July 2022.

#### **Child Safe 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.

#### **Child Safe Standard 2**

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

#### **Child Safe Standard 3**

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

#### **Child Safe Standard 4**

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

#### **Child Safe Standard 5**

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

#### **Child Safe Standard 6**

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

#### **Child Safe Standard 7**

Processes for complaints and concerns are child focused.

#### **Child Safe Standard 8**

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

#### **Child Safe Standard 9**

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

#### **Child Safe Standard 10**

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

#### **Child Safe Standard 11**

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

## Diversity, Inclusion and Cultural Safety

Peninsula Leisure will ensure accessible, equitable, inclusive and culturally safe environments within PL facilities for children and young people through the following actions:

- Welcoming and supporting children and young people from all areas of the community, including but not limited to those with a disability, children from culturally and linguistically diverse backgrounds, children that are unable to live at home, LGBTIQ+ children and Aboriginal and/or Torres Strait Islander children.
- Zero tolerance for any form of discrimination such as racism and taking action when discrimination is identified.
- Recruitment and selection processes that enable hiring of people that represent the diversity of the communities in which PL operates. This includes employees that are young people, from diverse backgrounds and those with a disability.
- Online environments that are culturally safe and celebrate diversity.
- Provision of information, support and complaints processes that are child-friendly, culturally safe and easy to understand.
- Provision of services for children and their families that accommodate their needs and therefore allow participation.
- Creating culturally safe environments for Aboriginal and Torres Strait Islander children by:
  - No denial or challenge to their identity and experience.
  - Actively support participation for Aboriginal and Torres Strait Islander children.
  - Acknowledging, appreciating and celebrating the unique experiences, perspectives and strengths of Aboriginal and Torres Strait Islander children.
  - Opportunities to provide feedback that are culturally appropriate.

## Recruitment and Pre-Employment Screening

Peninsula Leisure will ensure robust recruitment and screening practices are in place to support the Child Safety and Wellbeing policy. The recruitment process includes PL's statement of commitment to child safety in advertisements, candidate interview guides and referee checks. As such, all recruitment must adhere to PL's Equal Employment Opportunity (EEO) and Discrimination Policy and Recruitment and Selection Guideline. This includes, but is not limited to:

- Prior to being offered employment all prospective candidates are to complete a fit to work (or similar) national police records check.
- All prospective candidates that have worked or lived overseas within the last 5 years are to complete an international police records check.
- All employees are to hold a current working with children check that has been updated to include Peninsula Leisure as an employer.

Additionally, contractors engaged to work at PL facilities are required to have a current Working with Children Check (WWCC) in place prior to commencement of work. PL will ensure that licences and checks, including WWCC are maintained by relevant employees and contractors.

## Training and Induction

Peninsula Leisure will develop a training and induction program that will ensure all employees understand their responsibilities and how they can contribute to a child safe culture. This will include a variety of resources including online learning platform, facilitated sessions, information videos and other learning resources.

Expected and appropriate behaviour by employees in relation to child safety is clearly defined within the PL Code of Conduct policy which all employees are required to agree and adhere to. Any breaches of the Code of Conduct may result in disciplinary action and in serious cases may include termination of employment.

## [Involving Parents / Guardians, Children and Young People](#)

Peninsula Leisure is committed to educating children, young people and parents/guardians about self-protection, and the promotion of resilience and empowerment strategies within services and programming. PL will ensure parents/guardians, children and young people can access appropriate information, resources and educational initiatives in relation to the safeguarding of children and young people in the community either directly through PL or in partnership with PL's shareholder, Frankston City Council (FCC).

## [Reporting, Allegations and Complaints](#)

Peninsula Leisure is committed to hearing and acknowledging the voices of children, young people and their families. PL commit to developing procedures and processes aimed at managing feedback and complaints that involve children and young people related to their safety. The information will include how feedback and complaints are managed, easy to understand and accessible resources and an outline of the feedback and complaint process. If a complaint includes an allegation or incident of child abuse, all employees must act and report in accordance with this policy and the Child Safety and Wellbeing procedure prioritising children's safety in response. If there is a concern for the immediate safety of a child, call 000.

Peninsula Leisure employees must report all suspected child abuse and allegations, as per the reporting guidelines outlined in the Child Safety and Wellbeing procedure and relevant legislation (Reportable Conduct Scheme). All reports and allegations will be managed in line with the requirements of the:

- Child Safe Standards.
- Reportable Conduct Scheme.
- Discipline and Termination Policy.
- Legislative requirements and mandatory reporting obligations.
- Peninsula Leisure's Incident reporting and investigation procedure.

## [Privacy, information sharing and record keeping](#)

Peninsula Leisure is committed to protecting a person's right to privacy. PL takes your privacy seriously, and strictly adheres to the Australian Privacy Principles contained in the *Privacy Act 1988* (Cth), the *Health Records Act 2001* (Vic), *Child Wellbeing and Safety Act 2005* (Vic) and other laws relating to privacy, and the collection, use and disclosure of personal and sensitive information. The use of information and any disclosure will only be as necessary to meet the purposes of this policy and as authorised by law.

Peninsula Leisure will securely maintain confidential records related to Reportable Allegations. Records and information that may assist with an investigation of a complaint or a safety concern will be identified and retained as part of the investigation file. Record and information retention for these investigations will be maintained even if the investigation does not substantiate the complaint.

## [Risk Management](#)

Peninsula Leisure will identify risks, assess and evaluate, control risks and monitor and review risks. This iterative improvement process ensures risks are continually monitored and reviewed, with a risk assessment and resulting treatment required to be updated on a regular basis (review interval may vary depending on the risk).

Peninsula Leisure has undertaken a Children and Young Person Safety risk assessment and control plan that covers a range of risks including:

- Unintentional or accidental harm.
- Psychological abuse.
- Sexual abuse.
- Grooming.
- Unsubstantiated claims against employees.
- Physical abuse.
- Cultural abuse.
- Neglect.
- Cyber (online environment).
- Abuse of employees by other employees.

Additionally, child safety and wellbeing risks are considered as part of other risk assessments and risk management plans including supervision, creche operational activities, PARC Swim (learn to swim program), active youth programs and memberships, event management and activations. Risks to child safety identified through investigations, complaints, reports and/or allegations of abuse will be reviewed and incorporated into the Master Risk Register (MRR).

## Roles and Responsibilities

The **Board of Directors**: Oversee the effectiveness of the Child Safety and Wellbeing policy, maintaining a commitment to ensuring this policy is always enacted. The Board is responsible for providing leadership for the governance of PL, growing and developing an organisational culture that has zero tolerance for child abuse.

The **Chief Executive Officer (CEO)**: To ensure adequate resources and support systems are provided to enable compliance with this policy and to be accountable for management and employee compliance. As the head of the organisation there are specific responsibilities under the Reportable Conduct Scheme, these are summarised below:

Three business day notification	30 calendar day update	Advice on investigation	Outcomes of investigation	Additional documents
<ul style="list-style-type: none"> <li>Name of the worker or volunteer</li> <li>Date of birth</li> <li>Police report</li> <li>Organisation contact details</li> <li>Head of organisation's name</li> <li>Initial advice on the nature of the allegation</li> </ul>	<ul style="list-style-type: none"> <li>Details of the allegation</li> <li>Details of your response to the allegation</li> <li>Details about any disciplinary or other action proposed</li> <li>Any written response from the worker or volunteer about the allegation and the proposed disciplinary or other</li> </ul>	<ul style="list-style-type: none"> <li>Name of investigator</li> <li>Contact details</li> <li>As soon as practicable</li> </ul>	<ul style="list-style-type: none"> <li>Copy of findings and reasons for the findings</li> <li>Details about any disciplinary or other action proposed</li> <li>Reasons for taking or not taking action</li> <li>As soon as practicable</li> </ul>	<ul style="list-style-type: none"> <li>The Commission may request further documents from the head of the organisation</li> </ul>

**Figure 1.** Reporting to the Commission – what the commission needs, Commission for Children & Young People, 2017.

The CEO is responsible for driving culture that ensures PL has a zero tolerance for child abuse and a culture where protecting children and young people from risks of child abuse or harm to a child is embedded in everyday thinking and practice of all employees across the organisation. The CEO (or delegate) will ensure:

- Child safety is considered and addressed at the strategic level of the organisation, including engagement, development, implementation and review of child safe strategies.
- Relevant organisation policies consider child safety, are understood and regularly reviewed.
- Leadership by championing child safe practices.
- Employees and contractors understand their obligations related to child safety and wellbeing, including awareness of relevant laws, this policy, code of conduct and procedures.
- Investigations are carried out into Reportable Allegations in accordance with the *Child Wellbeing and Safety Act 2005* (Vic), see figure 1.
- The Commission for Children and Young People (CCYP) are notified and kept informed of Reportable Allegations, investigations and findings involving employees and contractors, see figure 1.

The **Executive Management Team (EMT)/Manager/Leaders:** Supporting the CEO in creating, promoting and embedding a child safe culture of zero tolerance for child abuse. Work and lead by example at all times and participate in the ongoing implementation and review of the Child Safe Standards. EMT, managers and leaders will:

- Support training for employees to enable them to undertake their role in preventing, recognising and reporting child abuse or harm to children and young people.
- Reportable Allegation investigations are supported as required by the CEO or EMT.
- Promoting to employees and contractors, the importance of acknowledging and appreciating the strengths of Aboriginal culture and its importance to the wellbeing and safety of Aboriginal children and young people.

The **General Manager Talent & Culture:** Develop and implement a range of resources for employees that highlight PL's commitment to Safeguarding Children and Young People, including induction resources and ongoing training and education.

**All employees:** Adhere to the requirements of this policy and follow all procedures relating to this policy. All employees meet established behavioural expectations when working with children and young people, even if that work is not directly with a child or young person. Other responsibilities for employees include:

- Promotion of child safety always.
- Assist with the identification and assessment of risk of child abuse in their area.
- Ensure as far as is reasonably practicable that employees that reasonable steps to detect and prevent child abuse.
- Report any inappropriate behaviour or suspected abusive activities.
- Promotion of the cultural safety, participation and empowerment of Aboriginal children and Young People.
- Familiarise themselves with relevant laws, codes of conducts, this policy and procedures in relation to child safety.
- Comply with any additional reporting requirements that may be specific to their role, for example, mandatory reporting.

**Members and guests:** Act in a manner that aligns with the Child Safe Standards taking all reasonable steps to protect children from abuse.

## Monitoring, Evaluation and Review of Policy

Peninsula Leisure has had a Child Safety and Wellbeing policy in place since 2016. On 1 July 2022 the Victorian Government introduced eleven (11) new child safe standards. As PL works towards implementing each of the standards the policy review may be more frequent than annually, with the next review proposed in six months.

Consultation and feedback from children, parents, carers, employees and volunteers that may interact with PL facilities or products and services will be sought to better understand PL's clarity of child safety commitment, what PL is responsible for when it comes to keeping children safe and if there is anything PL has not included that will help keep children safe.

## Definitions

Term	Meaning
The Commission for Children and Young People	➤ Is responsible for assisting organisations play their part and implement the Child Safe Standards.
Child / Young Person	➤ The words 'child' and 'children' refers to children and young people up to the age of 18 years.

Term	Meaning
Child Related Work	<ul style="list-style-type: none"> <li>➤ Child-related work has a specific definition in the Working With Children (WWC) legislation. "Work" is child related if the usual duties of the work involve or are likely to involve contact with a child in connection with at least one of the 19 categories of child-related work. For the purposes of the WWC legislation volunteers under 18 years of age are exempt from the legislation and not in child-related work.</li> </ul>
Age of Consent	<ul style="list-style-type: none"> <li>➤ The age of consent for sexual activity is 16 years old. Concepts to consider when determining if sexual activity between adolescent 'peers' is consensual:               <ul style="list-style-type: none"> <li>- Equality – are the parties equal or does one party have undue power over the other?</li> <li>- Consent – has consent been given freely?</li> <li>- Threats – by one party to harm themselves or others if the other party tries to end the relationship.</li> </ul> </li> </ul>
Harm and abuse	<ul style="list-style-type: none"> <li>➤ The use of the word 'harm' is often used to describe an event that is seen as possibly less detrimental than 'abuse' but is clearly not in the child's best interest or promoting their safety and wellbeing. Abuse is an act by a parent, caregiver, other adult or older adolescent that endangers a child or young person's physical or emotional health or development. Abuse can be a single incident, but usually takes place over time. Abuse can happen in several different ways, and can be physical, emotional and/or sexual. Abuse can also encompass neglect and harassing behaviour, such as bullying.</li> </ul>
Aboriginal and/or Torres Strait Islander	<ul style="list-style-type: none"> <li>➤ The term 'Aboriginal' is inclusive of Aboriginal and Torres Strait Islander peoples.</li> </ul>
Physical	<ul style="list-style-type: none"> <li>➤ This means intentionally causing, or threatening to cause, physical injury to a child, or inadvertently causing injury because of physical punishment or physically aggressive treatment of a child. The injury may take the form of bruises, cuts, burns or fractures.</li> </ul>
Sexual	<ul style="list-style-type: none"> <li>➤ A child is sexually abused when any person uses their authority over the child to involve the child in sexual activity. Sexual exploitation is considered a specific form of sexual abuse because children, by virtue of their age and development, are unable to give informed consent.</li> </ul>
Emotional and psychological	<ul style="list-style-type: none"> <li>➤ Occurs when a person engages inappropriate behaviors, such as reacting, ignoring, humiliating, isolating, threatening or verbally abusing a child, or allowing others to do so as this kind of abuse does not leave physical injuries, it is often hidden and underestimated.</li> </ul>
Neglect	<ul style="list-style-type: none"> <li>➤ Failing to meet a child's basic needs, such as providing adequate food, drink, shelter, clothing, supervision, hygiene and medical attention.</li> </ul>
Racial, cultural, religious	<ul style="list-style-type: none"> <li>➤ Conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture, or religion. It may be overt, such as racial vilification or discrimination, or covert, such as demonstrating a lack of cultural respect (attitude and values) and awareness (knowledge and understanding) or failing to provide positive images about another culture.</li> </ul>
Grooming	<ul style="list-style-type: none"> <li>➤ Grooming is a term used to describe what happens when a perpetrator of abuse builds a relationship and rapport with a child with a view to abusing them at</li> </ul>

Term	Meaning
	some stage in the future. Grooming can also be used to describe the process that a perpetrator goes through when building rapport and a relationship with guardians of children, or people with the responsibility for the care of children and young people. Grooming can occur over any length of time, in a variety of settings where a relationship can be formed, such as leisure facilities, childcare, music, religious and sporting activities, internet chatrooms and social media, or by SMS.
Safe Culture	➤ The ongoing and genuine provision of organisational beliefs and processes that support Peninsula Leisure facilities as a workplace and community facility where all people are able to engage freely without the threat or potential threat of physical or psychological harm.
Peninsula Leisure Employees	➤ All Peninsula Leisure Managers, Leaders, Coordinators, Employees, Volunteers, Board Members and Contractors.
Reportable Conduct Scheme (the scheme)	➤ A scheme administered by the Commission for Children and Young people that requires organisations to report to the commission within three business days, certain allegations of child abuse or misconduct towards children made against an employee, including volunteers. Reportable conduct covers: <ul style="list-style-type: none"> <li>- Sexual misconduct or physical violence committed against, with or in the presence of a child.</li> <li>- Behaviour causing significant emotional or psychological harm.</li> <li>- Significant neglect of a child.</li> <li>- Sexual offences.</li> </ul>
Child Safe Standards	➤ The standards established under the <i>Child Wellbeing and Safety Act 2005</i> (Vic).
Child Safe Organisation	➤ An organisation that takes proactive steps to protect children and young people from child abuse. A commitment to protecting children is embedded in an organisation's culture and policies.
Culturally and/or Linguistically Diverse Backgrounds	➤ Children and young people who identify as having a particular cultural or linguistic affiliation by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or because of their parents' identification of a similar basis.
Disability	➤ Any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities.
Cultural Safety for Aboriginal and Torres Strait Islander Children	➤ Aboriginal and Torres Strait Islander children given the opportunity to be connected to their culture and provided with a safe, nurturing and positive environment where they are comfortable with being themselves, expressing their culture, their spirituality and belief systems.
LGBTIAQ+	➤ Children up to the age of 18 years who identify as lesbian, gay bisexual, transgender, intersex, queer/questioning, asexual and other terms that people use to describe their experiences of their gender, sexuality and psychological sex characteristics.

## Related Documents and References

### Peninsula Leisure Related Resources

- Code of Conduct policy.
- Supervision policy.
- Privacy policy.



- Recruitment and Selection policy.
- Induction policy.
- Risk Management policy.
- Child Safety and Wellbeing procedure.
- Child Safety and Wellbeing Risk Assessment and Control Plan.

## Legislative References

- Privacy Act 1988 (Cth).
- Health Records Act 2001 (Vic).
- Child Safety and Wellbeing Act 2005 (Vic).
- Worker Screening Act 2020 (Vic).

## Other References

- Frankston City Council Interim Child Safe policy.
- Creating a Child Safety and Wellbeing policy – Commission for Children and Young People.
- Child Safe Standards Information Sheet - Commission for Children and Young People.
- A Guide for Creating a Child Safe Organisation - Commission for Children and Young People.

## Revision History

Revision	Date	Author	Summary of changes
1.0	28/11/2016	Dan Andrews	Establishment of policy.
1.1	06/12/2017	Marc Mackellin	No change. Review only.
1.2	06/12/2018	Stuart West	Annual review of the policy and additional content added in relation to the Reportable Conduct Scheme.
1.3	29/05/2019	Simon Beqir	Review of policy and additional content in relation to staff training and education
1.4	15/09/2020	Stuart West	Review of policy (minor content change).
1.5	20/09/2021	Stuart West	Review of policy and content change (review of policy, CEO reporting responsibilities and update of legislative references)
1.6	26/10/2022	Stuart West	Review of policy and significant content change (11 new child safe standards, update of legislative references, accessibility of policy and organisational approach to implementing standards).

## Authorisation/Endorsement

Name: Kath Thom

Signature: 

Position: Chief Executive Officer  
Peninsula Leisure

Date: 17/11/2022