



AJO CONSULTANTS
CHILD SAFEGUARDING POLICY
2018



CONTENTS

Introduction.....	4
Purpose AND SCOPE of the Policy	4
Principles	4
Definitions used in this Policy.....	5
Policy Commitment	6
Our commitment to children and young people	6
Our commitment to parents and carers	6
Our commitment to our staff, volunteers and contractors.....	6
Responsibilities and Organisational Arrangements.....	7
Guide to Leadership Responsibilities.....	7
Expectations of our staff - Child Safety Code of Conduct.....	7
Child Participation and Empowerment	8
Reporting and Responding	8
Human Resources-Screening, Selecting, Supervising and Training	8
Child Safety Training.....	9
Risk Management.....	9
Relevant Legislation.....	9
Failure To Follow The Policy	10
Review of this Child Safety Policy.....	10
Introduction and Scope	11
Rationale.....	11
Underlying Principles.....	11
Responsibilities.....	12
Receiving Complaints	12
Investigations	12
Please categorise the incident.....	14
Description Provided by or to Reporter	14
Parent/carer/child use.....	15

Has the incident been reported?.....	15
Does the reporter wish to remain anonymous if that is possible?	15
Responding to Disclosure by a child.....	16
Purpose.....	17
Acceptable Behaviours	17
Unacceptable Behaviours.....	17
Staff and Volunteer Commitment	18
References.....	19

INTRODUCTION

AJO Consultants are a group of specialists with many years of experience working with children and vulnerable adults. Most of the roles undertaken by AJO Consultants involves working with organisations and the adults who lead, work or volunteer within organisations. Therefore, our roles rarely involve working with children and young people. However, AJO Consultants have zero tolerance to child abuse of any kind and are committed to global and local societies that are free from abuse. If any consultancy role involves direct contact with children or young people, the Child Safeguarding Policy will inform the process and practice. AJO Consultants are committed to upholding the highest standards of organisational abuse prevention. Each consultant will continue to ensure that their practice maintains contemporary best practice and accountability. Best practice will inform AJO Consultants standards of child abuse prevention through it's work with organisations and on the infrequent occasions of direct contact with children.

PURPOSE AND SCOPE OF THE POLICY

The purpose of this policy is to demonstrate the strong commitment of AJO Consultants to the safety and wellbeing of all children and youth. It provides an outline of the policies, procedures and strategies developed to keep them safe from harm, including all forms of abuse in our environment including online and all locations where children may be present.

This policy takes all relevant legislative requirements within the state of Victoria, including the specific requirements of the Victorian Child Safe Standards as set in the Child and Well being Act 2005 and all other relevant legislation as outlined in the policy.

This policy applies to all consultants.

PRINCIPLES

AJO Consultants has a moral, legal and mission-driven responsibility to create a safe environment where children and young people are respected and their voices are heard so that they feel safe.

The following principles underpin our commitment to child safety:

- All children and young people deserve, as a fundamental right, safety and protection from all forms of abuse and neglect.
- Our organisation works in partnership with professionals and the community to ensure that they are engaged in decision-making processes, particularly those that have an impact on child safety and protection.
- All consultants have a responsibility to care for children and young people, to positively promote their wellbeing and to protect them from any kind of harm or abuse.
- The policies, guidelines and codes of conduct for the care, wellbeing and protection of children are based on honest, respectful and trusting relationships between adults and children and young people.
- Policies and practices demonstrate compliance with legislative requirements and cooperation with governments, the police and human services agencies and are informed by best practice
- All people involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect.

- Key stakeholders, parents and children should feel free to raise concerns about child safety, knowing these will be taken seriously by AJO Consultants.
- Appropriate confidentiality will be maintained, with information being provided to those who have a right or a need to be informed, either legally or ethically.

DEFINITIONS USED IN THIS POLICY

Child: A child or a young person under the age of 18 years old

Child abuse includes:

- a. any act committed against a child involving:
 - i. a sexual offence
 - ii. an offence under section 49B(2) of the **Crimes Act 1958** (grooming)
- b. the infliction, on a child, of:
 - i. physical violence
 - ii. serious emotional or psychological harm
 - iii. family violence
- c. serious neglect of a child.
- d. Cultural abuse- including discrimination, harassment or exclusion

Child safety encompasses 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 incidents or allegations of child abuse.

Child neglect: The failure by a parent or caregiver to provide a child

Child physical abuse: Generally, child physical abuse refers to the non-accidental use of physical force against a child that results in harm to the child. Physically abusive behaviours include pushing, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning

Child protection: Statutory services designed to protect children who are at risk of serious harm.

Child sexual abuse: Any sexual activity between a child under the age of consent (16) and an adult or older person is child sexual abuse.

Child sexual abuse can also be:

- any sexual behaviour between a child and an adult in a position of power or authority over them the age of consent.
- any sexual behaviour between a child and an adult family member, regardless of issues of consent, equality or coercion
- sexual activity between peers that is non-consensual or involves the use of power or coercion
- non-consensual sexual activity between minors (eg a 14 year old and an 11 year old), or any sexual behaviour between a child and another child or adolescent who, due to their age or stage of development, is in a position of power, trust or responsibility over the victim.

Mandatory Reporting: The legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. Mandated persons include teachers, nurses, police and medical practitioners.

Reasonable Belief: When adults are concerned about the safety and wellbeing of a child or young person. This process of considering all relevant information and observations is known as forming a 'reasonable belief'. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumor or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

Environment means any physical or virtual place made available or authorised by AJO Consultants for use by a child including but not limited to:

- a. AJO CONSULTANTS offices
- b. online environments/technology (including phone, email and social media)
- c. other locations accessed by AJO Consultants where children and young people are present

Staff means an individual consultant providing consultative services as part of AJO CONSULTANTS

POLICY COMMITMENT

All children and young people have the right to feel safe and be safe. The wellbeing of children will always be our first priority and we do not and will not tolerate child abuse. We aim to create a child-safe and child-friendly environment where children are free to enjoy their experience without any concern for their safety. There is particular attention paid to the most vulnerable children including children with a disability.

OUR COMMITMENT TO CHILDREN AND YOUNG PEOPLE

- We commit to the safety and wellbeing of all children and young people.
- We commit to providing children and young people with positive experiences.
- We commit to listening to children and young people and empowering them by taking their views seriously and addressing any concerns that they raise with us.
- We commit to taking action to ensure that children and young people are protected from abuse
- We commit to seeking input and feedback from children regarding the creation of a safe environment.

OUR COMMITMENT TO PARENTS AND CARERS

- We commit to communicating honestly and openly with parents and carers about the wellbeing and safety of their children.
- We commit to engaging with, and listening to, the views of parents and carers about our child- safety practice, policies and procedures.
- We commit to transparency in our decision-making with parents and carers where it will not compromise the safety of children or young people.
- We commit to acknowledging the cultural diversity of students and families and being sensitive to how this may impact on safety issues.
- We commit to continuously reviewing and improving our systems to protect children from abuse.

OUR COMMITMENT TO OUR STAFF, VOLUNTEERS AND CONTRACTORS

- We commit to providing all staff with support to enable them to fulfil their roles.
- We commit to providing regular opportunities to clarify and confirm policy and procedures in relation to child safety and young people’s protection and wellbeing. This will include training in the principles and intent of the Child Safety Policy and Child Safety Code of Conduct, and responsibilities to report concerns.
- We commit to listening to all concerns voiced by staff, children, parents, volunteers, and contractors about keeping children and young people safe from harm.
- We commit to providing opportunities for staff to receive formal support arising from concerns or disclosures of the abuse of a child or young person.

RESPONSIBILITIES AND ORGANISATIONAL ARRANGEMENTS

Everyone who is a consultant with AJO Consultants has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of children is at the forefront of all they do and every decisions they make. It is also the responsibility of parents and carers to understand the importance of the role they play to ensuring the wellbeing and safety of children.

GUIDE TO LEADERSHIP RESPONSIBILITIES

Each consultant recognises their particular responsibility to ensure the development of preventative and proactive strategies that promote a culture of openness, awareness of and shared responsibility for child safety. Responsibilities include:

- creating an environment for children and young people to be safe and to feel safe
- upholding high principles and standards for all staff
- promoting behaviour between adults and children and young people based on mutual respect and consideration
- ensuring thorough and rigorous practices are applied in the recruitment, screening and training of staff
- ensuring that consultants have appropriate training to develop their knowledge of, openness to and ability to address child safety matters
- providing regular opportunities to clarify and confirm legislative obligations, policy and procedures in relation to child and young people’s protection and wellbeing
- ensuring AJO CONSULTANTS meets the specific requirements of the Victorian Child Safe Standards

EXPECTATIONS OF OUR STAFF - CHILD SAFETY CODE OF CONDUCT

At AJO Consultants staff act proactively to ensure the safety of children and to take appropriate action if there are concerns about the safety of any child. All staff must remain familiar with the relevant laws, the code of conduct, and policies and procedures in relation to child protection and to comply with all requirements. They must have read and signed a Child Safety Code of Conduct (*Appendix 2*), which recognises the critical role that adults play in protecting children and establishes clear expectations of staff for appropriate behaviour with children in order to safeguard them against abuse and or neglect.

The Code of Conduct also protects consultants through clarification of acceptable and unacceptable behaviour.

CHILD PARTICIPATION AND EMPOWERMENT

At AJO Consultants we actively encourage all children and young people to openly express their views and feel comfortable about giving feedback about the things that are important to them. We will provide formal opportunities to provide feedback as well as explain and encourage informal opportunities to express their views including any concerns they may have.

We inform children and their parents about what they can do if they feel unsafe and enable them to understand, identify, discuss and report on child safety. We listen to and act on any concerns children, or their parents or carers, raise with us. We will seek feedback from children and young people about their experience with AJO Consultants.

REPORTING AND RESPONDING

AJO Consultants records any child safety complaints, disclosures or breaches of the Child Safety Code of Conduct, and stores the records in accordance with security and privacy requirements. AJO Consultants complies with legal obligations that relate to managing the risk of child abuse under the *Crimes Act 1958* (Vic.) and the recommendations of the [Betrayal of Trust](#) report.

Child protection reporting obligations (mandatory reporting) fall under separate pieces of legislation with differing reporting requirements. AJO Consultants will alert the relevant authorities if there are concerns regarding child abuse.

AJO Consultants's Child Protection – Reporting Policy (*Appendix 1*), sets out the actions required under the relevant legislation when there is a reasonable belief that a child is in need of protection or a criminal offence has been committed, and provides guidance and procedures on how to make a report.

The policy assists consultants to:

- identify the indicators of a child or young person who may be in need of protection
- understand how a 'reasonable belief' is formed
- make a report of a child or young person who may be in need of protection
- comply with obligations under child protection law and their legal obligations relating to criminal child abuse and grooming under criminal law.

HUMAN RESOURCES-SCREENING, SELECTING, SUPERVISING AND TRAINING

AJO Consultants will apply thorough and rigorous screening processes in the recruitment of consultants involved in child related activities. Our commitment to child safety is reinforced through ensuring consultants are provided with copies of the Child Safety Code of Conduct and the Child Safety Policy.

When recruiting and selecting consultants involved in child related activities, we make all reasonable efforts to:

- Undertake a comprehensive reference and background check, as are reasonable in the employment context including using behavioral interview techniques to consider the motivation for working with children and attitudes towards them

- Ensure that all consultants hold current Working With Children's Check.
- obtain proof of personal identity and any professional or other qualifications
- verify the applicant's history of work involving children.
- obtain references that address the applicant's suitability for the job and working with children.

CHILD SAFETY TRAINING

AJO CONSULTANTS will all attend training to develop their knowledge of, openness to and ability to address child safety matters. This includes induction, ongoing training to ensure that everyone understands their moral and legal obligations and responsibilities, and the procedures for reporting concerns or reasonable belief of child abuse and neglect. As child safety specialists, AJO Consultants will maintain their awareness of the most contemporary evidence base for child abuse prevention.

Consultants will sign the Child Safety Code of Conduct document.

RISK MANAGEMENT

At AJO Consultants we are committed to proactively and systematically identifying and assessing risks to child safety across all forms of contact with children and young people and reducing or eliminating (where possible) all potential sources of harm. AJO Consultants rarely have direct contact with children and young people but if our consultancy involves such contact we will document, implement, monitor and periodically review our risk management strategies for child safety and ensure that the strategies change as needed and as new risks arise. AJO CONSULTANTS has nominated the person responsible for the process to be Andrea O'Byrne. The AJO CONSULTANTS Child Safety-Reporting Document outlines the way in which AJO CONSULTANTS will respond to any concerns or allegation of sexual misconduct or abuse.

RELEVANT LEGISLATION

- *Children, Youth and Families Act 2005* (Vic.)
- *Working with Children Act 2005* (Vic.)
- *Equal Opportunity Act 2010* (Vic.)
- *Privacy Act 1988*
- *Reportable Conduct*
- *Crimes Act 1958* (Vic.) – Three new criminal offences have been introduced under this Act:

Failure to disclose offence: Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.

Failure to protect offence: The offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organization will become a victim of a sexual offence committed by an adult associated with that organization. A person in a position of authority in the organization will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

Grooming offence: This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.

FAILURE TO FOLLOW THE POLICY

Where there are concerns that a consultant has breached any obligation, duty or responsibility within this Policy, AJO Consultants will investigate and respond including disciplinary processes for managing concerns if the matter reaches the threshold of misconduct. Where any **other members of the AJO CONSULTANTS community** are suspected of breaching any obligation, duty or responsibility within this policy, AJO CONSULTANTS will take appropriate action in reporting to the relevant authorities and determining a course of action internally also.

REVIEW OF THIS CHILD SAFETY POLICY

At AJO CONSULTANTS we are committed to continuous improvement of our child safety systems and practices. We intend this policy to be a dynamic document that will be regularly reviewed to ensure it is working in practice and updated to accommodate changes in legislation or best practice standards.

This policy was last reviewed in October 2018 and will be reviewed again in October 2021 or sooner if there are legislative or best practices changes that require a review.

Appendix 1: Child Safety-Reporting Policy

INTRODUCTION AND SCOPE

At AJO Consultants we hold the safety and wellbeing of all children and young people as a central and fundamental responsibility of our organisation. This document provides an outline of the procedures and strategies developed when a concern or allegation of child abuse occurs.

This policy takes into account relevant legislative requirements within the state of Victoria, including the specific requirements of the Victorian Child Safe Standards, the Working with Children Act (2005), and The Crimes Act (1958).

This policy applies to all consultants .

RATIONALE

This policy outlines the broad considerations applicable when a concern is expressed or there is an allegation of misconduct or abuse. It sets out in broad terms the procedures it uses in responding to concerns and allegations of misconduct or abuse.

UNDERLYING PRINCIPLES

Any current or past child or young person who has had contact with AJO Consultants has the right to make a complaint about any aspect of their contact with AJO Consultants.

Complainants who raise allegations of a criminal act will be advised of their right to make a formal complaint to the Police. AJO Consultants will also make contact with the police and/or child protection where required.

All complaints will be taken seriously and will be addressed and responded to as soon as possible. When AJO CONSULTANTS believes that a complaint should be upheld, the response will include some form of outcome

Outcomes approved by the President may also include, but will not be limited to:

- Acknowledgement of any failures in duty of care.
- An apology in a format and manner suitable to the complainant/family.
- Assistance with access to support services.
- Changes to organisational practice and process to prevent the reoccurrence of any similar acts of abuse.
- Other as determined appropriate

The process that will inform the investigation and outcome will:

- Be based on principles of procedural fairness for all
- AJO Consultants processes will be guided by the relevant authorities so that none of their actions impede any potential criminal investigations or proceedings
- Treat complainants respectfully and supportively

- Be as open and transparent as possible, whilst respecting rights to privacy and confidentiality.
- Take a humane approach
- Reflect a commitment to address past grievances and provide a pathway towards positive resolution.
- Endeavour to ensure consultants maintain confidentiality and appropriate record-keeping.
- Respect the rights of the alleged perpetrator with regard to uninvestigated allegations while ensuring physical and psychological safety for all parties.
- Where a crime appears to have been committed, the complainant will be supported to report it to the Police.
- AJO Consultants will always act in a way consistent with its legal and ethical obligations. The authorities will always be advised. To this extent, AJO Consultants may not be able to provide an undertaking as to confidentiality to either the complainant or the alleged perpetrator.

RESPONSIBILITIES

Each consultant has an ethical and professional set of guidelines that need to be adhered to as part of their professional practice. Each consultant has their own professional insurance and professional association that must be informed of serious allegations in accordance with the set requirements of each profession. If a consultant has received a complaint, the other consultants need to be immediately informed and a plan is developed, including the need for the consultant to not continue any consultancy involving children until the matter has been investigated and an outcome determined.

RECEIVING COMPLAINTS

AJO Consultants will investigate all complaints in relation to abuse that has been alleged to have occurred during contact with AJO Consultants

- A complaint is communication about a concern or disclosure of abuse, either verbally or in writing by a complainant or family/other. A complaint may be related to a specific incident or experience of conduct that has resulted in a negative impact.
- A complaint may be made by a child or young person or someone on their behalf. AJO Consultants is committed to ensuring that children are comfortable and feel safe to complain and know who they can speak to.
- When received initially by the complainant, the complaint should be immediately referred to Andrea O'Byrne unless the complaint involves her in which case the complaint should be directed to one of the other consultants whose details are listed on the website..
- There will be an offer of support for the complainant by providing the contact details of supports and professionals.. The appropriate authorities will be contacted as required.
- AJO Consultants may seek to proceed with an investigation after a complaint has been withdrawn where it deems it appropriate to do so, especially when it holds concerns regarding the conduct of a consultant.

INVESTIGATIONS

When AJO Consultants is made aware of allegations/concerns, then it will record the specific details in writing in as much detail as can be gathered. The relevant authorities will be contacted and guidance about the organisational response gathered. If and when an organisational investigation (external consultant will be employed to conduct the investigation) has been approved to begin by the authorities, AJO Consultants will:

Engage in a process sympathetic to the complainant and appropriate to the circumstances.

Proper process and natural justice principles will inform the investigatory framework. All evidence will be given to the authorities/external investigator who will discuss the outcome of the investigation and decide on further action, as appropriate.

All decisions will be explained and relayed personally to the complainant at the end of the investigative process. Information provided to the complainant will need to take Privacy legislative requirements into consideration in relation to the alleged perpetrator. Even outcomes that include a breach of the code of conduct will result in the consultant no longer providing consultancy services with AJO Consultants.

All records of concerns and complaints will be kept in a locked confidential space.

Child Safety Concern Report Form

Date of incident:	
Time of incident:	
Location of incident:	
Name(s) of child/children involved:	
Name(s) of staff/volunteer involved:	

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

PLEASE CATEGORISE THE INCIDENT

Physical violence

Sexual abuse

Serious emotional abuse or neglect

Concern

DESCRIPTION PROVIDED BY OR TO REPORTER

When did it take place?	
Who was involved?	
What did you see?	

Other information	
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PARENT/CARER/CHILD USE

Date of incident:	
Time of incident:	
Location of incident:	
Name(s) of child/children involved:	
Name(s) of staff/volunteer involved:	

HAS THE INCIDENT BEEN REPORTED?

AJO Consultants Executive Director/President	
Police	
Child Protection	

DOES THE REPORTER WISH TO REMAIN ANONYMOUS IF THAT IS POSSIBLE?

(Mark with an 'X' as applicable)

Yes No

RESPONDING TO DISCLOSURE BY A CHILD

- Show your care and concern for the child and ensure they are safe
- Listen carefully to what they are saying; let them use their own words
- Don't interview them or elicit further information
- Tell them they did the right thing by telling you
- Tell them it is not their fault and that they are not responsible for the abuse
- Let the child know what will happen next
- Tell the child you are pleased they told you
- Ensure the child is safe

Appendix 2: Child Safety Code of Conduct

At AJO Consultants we hold the safety and wellbeing of children and young people as a central and fundamental responsibility of our organisation.

PURPOSE

This Code of Conduct has a specific focus on keeping children and young people safe children while involved with AJO Consultants against abuse and inappropriate behaviour.

All consultants s are expected to actively contribute to a culture that respects the rights of children to be and feel safe. They are required to observe child safe principles and expectations for appropriate behaviour towards and when relating to children and young people, as noted below. The list of acceptable and unacceptable behaviours is by no means exhaustive but should be considered as a core set of expectations to be followed.

ACCEPTABLE BEHAVIOURS

All consultants are responsible for supporting the safety of children by:

- adhering to the Child Safe policy and upholding the statement of commitment to child safety at all times
- taking all reasonable steps to protect children from abuse
- treating everyone with 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 or that they are worried about their safety/the safety of another child
- 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
- ensuring as far as practicable that adults are not alone with a child
- reporting any allegations of child abuse to AJO Consultants’s leadership , Andrea O’Byrne
- understanding and complying with all reporting obligations as they relate to reporting under the Crimes Act 1958
- reporting any child safety concerns to the AJO Consultants leadership
- if an allegation of child abuse is made, ensuring as quickly as possible that the child(ren) are safe

UNACCEPTABLE BEHAVIOURS

All consultants must not:

- ignore or disregard any suspected or disclosed child abuse or concerns

- develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children)
- exhibit behaviours with children which may be construed as unnecessarily physical (ie tickling, sitting on your lap)
- initiate unnecessary physical contact which children or do things of a personal nature that a child can do for themselves, such as toileting
- engage in open discussions of a mature or adult nature in the presence of children
- 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 age, gender, race, culture, vulnerability, sexuality, ethnicity or disability
- have any online contact with a child (including by social media, email, instant messaging etc) or their family without a valid reason or context
- use any personal communication channels/device such as a phone or personal email account to communicate with children or young people without a valid reason or context
- exchange personal contact details such as phone number, social networking sites or email addresses without a valid reason or context
- photograph or video a child without the consent of the parent or guardian
- transport a child by themselves
- be out of line of sight of another adult in the presence of a child
- supervise or work with children whilst under the influence of alcohol or illegal drugs

STAFF AND VOLUNTEER COMMITMENT

I, _____, confirm that I have:

1. Been made aware that AJO CONSULTANTS is committed to child safety
2. Been made aware of my responsibilities and obligations in relation to child safety
3. Read and understood the Child Safety Policy and Child Safety Code of Conduct and commit to its implementation

Signed: _____ Date: _____

REFERENCES

State of Victoria 2016, [Child Safe Standards](#)

Victorian Government Department of Justice 2016, [Betrayal of Trust Implementation](#).

Principles for Child Safety in Organisations Australian Children's Commissioners and Guardians

A Guide to Creating a Child-safe Organisation (July 2006) Child Safety Commissioner of Victoria

Schedule 1 – Guidelines for Building the Capacity of Child Safe Organisations (2005)

National Framework for Creating Child Safe Environments for Children: Organisations, Employees