

CHILD AND YOUNG PERSON SAFETY POLICY

– ABRIDGED VERSION FOR VOLUNTEERS

1. Statement of Intention

BIG BROTHERS BIG SISTERS AUSTRALIA IS A CHILD SAFE ORGANISATION

Big Brothers Big Sisters Australia Limited (BBBSA) and its staff and volunteers have a moral duty and, in some circumstances, a legal requirement* to protect the safety and wellbeing of young people accessing its mentoring programs.

This duty:

- Includes taking all reasonable steps to prevent all forms of child abuse and to ensure any reports of abuse or harm are promptly managed.
- Applies to (a) incidents involving a family member or person known or unknown to young people accessing BBBSA mentoring programs and (b) incidents involving employees or volunteers of BBBSA and where those employees or volunteers are responsible for the delivery of Big Brothers Big Sisters (BBBS) mentoring programs.

2. Definitions

2(a) Big Brothers Big Sisters Australia Ltd

Big Brothers Big Sisters Australia Ltd is the national body delivering BBBS mentoring programs within the territory of Australia. Its principal functions include: establishment and delivery of BBBS mentoring programs within Australia; supporting the growth of BBBS within Australia; the establishment of minimum standards for program delivery and quality assurance.

2(b) Young Person/People

A young person refers to any child or young person under the age of 18 years.

2(c) Child Protection

Child Protection refers to the statutory authority in each State responsible for the investigation of reports where there is a concern that a young person is at significant harm and the young person's parent / guardian or caregiver is unwilling or unable to protect the young person from harm. If safety cannot be ensured within the family, Child Protection may take matters before the Children's Court.

2(d) Report

A report refers to any allegation, suspicion, disclosure or complaint of child abuse or harm made by any person in relation to a young person accessing a BBBSA mentoring program.

2(e) Harm

Harm is any detrimental effect of a significant nature on a young person's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused.

2(f) Abuse

Abuse means activity or deliberate or careless inactivity, which causes harm of a significant nature to a young person's physical, psychological or emotional wellbeing. Different types of abuse frequently co-occur. There are five main categories of child abuse: physical abuse, sexual, neglect, psychological and witnessing family violence.

The common factor underlying all child abuse is the misuse of power. Misuse of power takes place when a more powerful person, either physically or psychologically, takes advantage of the authority or power they have over a vulnerable person. This includes situations between two children, a child and a young person, a child/ young person and a volunteer and a young person and an employee or other adult.

3. Guiding principles

- Young people have a right to be protected and to feel safe at all times.
- Young people and their families have a right to be heard, supported and have their concerns acted upon and resolved.
- The best interests of the young person, including their safety and protection, will remain paramount including where the rights of others conflict.
- Board members, employees and volunteers of BBBSA and its staff and volunteers have a responsibility to conduct themselves at all times in accordance with this Policy and, as appropriate, attend training and updates regarding the implementation of this Policy and/or child safety.
- BBBSA and its staff and volunteers have a moral duty and, in some circumstances, a legal requirement to:
- Report alleged crimes to the Police for proper investigation (Refer to 'Reporting Procedures' in Section 8):
 - Notify Child Protection of protective concerns regarding young people. In some circumstances, staff and volunteers will be mandated by legislation (refer to 'Mandatory Reporting' in Appendix B) to notify Child Protection. Staff and volunteers may decide, in good faith, to notify Child Protection even if it is not mandated by law to do so.
 - Cooperate with all relevant authorities in their investigation of child abuse.
 - Comply with all relevant laws, regulations and standards of practice.
- All reports will be managed in a professional and appropriate manner sensitive to the dignity, confidentiality, respect and fairness of those involved.
- All reports will be treated with due seriousness.
- Staff and volunteers will respect the wishes of the young person and their parent/guardian subject to legal obligations and any overriding moral duty as outlined in this Policy.

- A person who makes a report in good faith will be protected from victimisation as a result of making the report.

4. Code of Conduct

Big Brothers Big Sisters' Code of Conduct details behaviours that are and are not acceptable for employees and volunteers. All employees and volunteers have a responsibility to at all times conduct themselves in accordance with this Code of Conduct.

Volunteers are required to:

- Conduct themselves in a manner consistent with their position as positive role models to young people, and as representatives of BBBSA.
- Avoid placing themselves in potentially compromising situations.
- Treat all young people with respect and take notice of their reactions to one's tone of voice and manner.
- Respect the young person's privacy, their body and thoughts and avoid physical contact with the genital, buttocks and breast areas.
- Supervise young children in public bathrooms, showers and locker rooms and, at all times, demonstrate appropriate discretion when undressing/dressing in the presence of a young person (e.g. at the swimming pool change rooms).
- Avoid all physical contact of a sexual nature.
- Respect a young person's, and their family's, culture and/or religion, particularly when providing guidance or advice.
- (Where instigated by a young person in conversation), demonstrate appropriate sensitivity and discretion when disclosing personal information of a controversial nature (e.g. personal experiences which may be perceived as condoning certain behaviour e.g. drug use).
- Demonstrating sensitivity requires maintaining an awareness of the young person's age, maturity, life circumstances, culture, religion, his/her parental beliefs/attitudes etc. Volunteers are required to inform their BBBSA mentoring Coordinator where discussions of this kind arise or speak with their Mentoring Coordinator prior to any personal disclosure.
- Demonstrate appropriate boundaries and sensitivity should a young person raise any issue pertaining to sex education (this may involve the young person instigating a conversation of a sexual nature). Demonstrating sensitivity requires maintaining an awareness of the young person's age, maturity, life circumstances, culture, religion, his/her parental beliefs/attitudes etc. Volunteers are required to seek advice from their BBBSA Mentoring Coordinator where discussions of this kind arise. The BBBSA Mentoring Coordinator may contact the parent/guardian to inform him or her of the issues being raised by the young person.
- Maintain sole and appropriate responsibility for the supervision of the young person during match outings/meetings.

- Immediately notify BBBSA of any allegation, suspicion, disclosure or complaint of abuse/harm.

Employees/Volunteers are required not to:

- Engage in inappropriate physical games with a young person.
- Hold, kiss, cuddle or touch a young person in an inappropriate and/or culturally insensitive way. Some young people may find touching or close personal contact threatening. Touching includes massages, rubs, sitting on one's lap and holding hands. Allow the young person to initiate or develop personal contact at their own pace and comfort.
- Make negative, violent or sexually suggestive comments or use inappropriate language, even as a joke.
- Discipline children/young people through the use of emotional, physical or verbal abuse, favouritism, reference to cultural/ ethnic diversity, swearing or withdrawal of basic needs (e.g. food, shelter, emotional warmth), care or attention.
- Electronically transfer inappropriate or sexually suggestive material to a young person's mobile, email address or social media account.
- Engage in any behaviour or activity resulting in the sexual, physical or emotional abuse of any young person or adult.
- Procure or offer any drugs or alcohol to young people nor partake in any illegal substances in the presence of young people.
- Encourage or allow a child/young person to participate in any illegal or inappropriate activity.
- Commence a sexual relationship with a young person or his/ her family or friends regardless of whether the young person is over the age of consent. Any sexual relationship with a young person, their family or friends must be brought to the immediate attention of BBBSA and will result in match closure. Where the relationship involves a young person under 18 years of age, where required by law, BBBSA will notify Child Protection and/or the Police.
- Organise/allow any overnight stays for the young person for the duration of a match.
- Photograph a young person in a compromising position.

The above list is not exhaustive. Other inappropriate behaviour is also unacceptable and must not occur.

5. Reporting and Disciplinary Procedures

5(a) Reasonable Grounds for Reporting Abuse

'Reasonable grounds' are what an average person, given his or her training, background and experience, exercising normal and honest judgement, would suspect. It is expected, however, that staff employed to work with young people will have an additional awareness of the signs of child abuse and harm, and therefore a particular responsibility to make a report.

Reasonable grounds for making a report may include:

- A young person discloses or implies that he or she has been abused or harmed.
- Another person (e.g. parent, relative, volunteer or sibling) tells an employee or volunteer that the young person has been abused or is at risk.
- A young person tells an employee or volunteer that he or she knows someone who has been abused or is at risk (it may be that the young person is indirectly referring to themselves).
- The employee or volunteer's observations, or knowledge of a young person's behaviour or situation, leads to the suspicion they are at risk of, or have experienced, abuse and/or harm.
- The young person requires medical services as a result of abuse/harm
- For young people over the age of 18, BBBSA will consider a number of factors when determining when to make a report. These include:
 - the nature of the abuse/harm and the likelihood of continued risk;
 - the young person's willingness, or otherwise, to make a report;
 - the young person's capacity to make an informed decision. Where a young person has an intellectual disability, for example, BBBSA has a legal responsibility to make a report or encourage the young person's carer to make a report.
 - whether the young person has younger siblings who are at risk.

5(b) Anonymous Reports

Anonymous reports will be received and investigated by BBBSA and its staff and volunteers to the extent practicable. The value of information given anonymously is significantly less than information from an identifiable informant. Where possible, BBBSA and its staff and volunteers will respect a complainant's request to remain anonymous. However, in some circumstances, it may not be possible to keep information about the report or complainant confidential, such as where physical threats are involved or the law otherwise requires it.

5(c) Confidentiality

Confidentiality is essential to a fair and just process. Only the people involved in the attempted resolution or investigation of a report will have access to information about it. This means that only those people with a genuine role to play in helping to resolve a report should know its details or discuss them.

Where BBBSA or its staff or volunteers have a legal or moral duty to report child abuse or harm, this overrides the duty of confidentiality under this Policy and any other law prohibiting disclosure.

All documentation pertaining to a report will be stored in accordance with BBBSA's Privacy Policy. Where records are subpoenaed, copies will be kept on file. BBBSA and its staff will carefully assess any public information it circulates regarding employees or volunteers and the reason for the termination of their employment or volunteer placement.

5(d) False or Malicious Complaints

Any report made in good faith is generally excused from liability, including defamation. People who have reasonable grounds to report abuse or harm are protected from liability. If a civil action is brought against

a person who made a report, a person will be legally protected unless he or she acted maliciously or without reasonable grounds for his or her suspicion.

If an employee or volunteer has raised a knowingly false or malicious complaint about another person, they will be subject to appropriate disciplinary action, which may include counselling, warnings or termination of one's employment or voluntary placement.

5(e) Investigating Reports

The role of BBBSA and its staff in investigating a report against a volunteer or employee is limited to determining that person's fitness and suitability to continue in their position as a volunteer or employee. Where termination of one's employment or voluntary placement is being considered following a report, BBBSA or its staff will provide the volunteer or employee with an opportunity to be heard on why the match or employment relationship should not be terminated. BBBSA and its staff will not investigate a report against persons who are not employees or volunteers, as there is no requirement to assess their ongoing suitability for employment or voluntary work.

5(f) Reporting procedure for volunteers

- Immediately report any incident of abuse or suspected abuse to one's BBBSA Mentoring Coordinator or Management.
- As directed, take all responsible steps to ensure the safety of young person.
- As required, request counselling/de-briefing.

6. Policy Evaluation and Review

BBBSA and its staff will evaluate this Policy on an annual basis in accordance with the following:

- The Policy will be reviewed by identifying any significant experiences, problems or functional issues which arose in the preceding year.
- Input from key stakeholders.
- Any amendments will be widely circulated.

Version Control		
Date	Summary of Amendment	Responsibility
Feb 2017	Amendments to policy	National Programs Manager

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