

Safeguarding Children and Young People

Overview

1.1. Introduction

At Junior Adventures Group (JAG) we believe that all children have the right to **be safe and feel safe**. We are committed to Building Brighter Futures Together by ensuring that our Whole of Child philosophy places children at the forefront of our thinking, and that their voices guide all decision making. We acknowledge and celebrate the inherent strengths of Aboriginal and Torres Strait Islander peoples and communities.

We acknowledge and celebrate our First Nations people as the traditional owners of the lands on which we work, play and learn. As the continuing custodians of Country and Culture, we pay our deep respect to elders past, present and emerging

1.2. Purpose

We understand that it is every child's right to be protected from all forms of abuse, violence, bullying and exploitation, and to uphold this right it requires organisational intentionality, dedicated leadership, practice, and resource.

We also understand that every child has the right to engage in play, leisure and recreational activities appropriate to the age of the child. To also be able to participate freely in cultural life and the arts, all underpinned by the need for child safety (safeguarding children) and wellbeing to be delivered.

At JAG, it is the responsibility of all JAG people to ensure the safety and wellbeing of each and every child is at the forefront of our thinking, our decisions and our actions.

We commit to listening to children and empowering them by taking their view seriously and addressing any concerns they raise with us.

1.3. Scope

This policy applies to all people who conduct work for, or provide activities and/or a service to, JAG in a paid or unpaid capacity

This policy applies to all activities within JAG that relate to, or result in, contact with children.

This policy incorporates the standards identified in the:

- National Principles for Child Safe Organisations - 2018 (recognised by ACT, QLD & WA)
- Child Safe Standards Victoria – 2022
- NSW Child Safe Standards - 2020

1.4 Legislative Requirements

JAG is committed to align with:

- The Education and Care Services National Law Act 2012
- The Family Law Act 1975 (Cth) – *includes mandatory reporting provisions*
- The National Principles for Child Safe Organisations 2018

- Australian Human Rights Commission Act – 1986 (Cth): JAG supports the UN Convention of the Rights of a Children - 1989
- Other relevant State/Territory legislation *refer reference section*

Guided by the United Nations Conventions of the Rights of a Child – *adopted November 1989*

2. Policy Statement

To children:

The safety and wellbeing of children is paramount. At JAG any form of child harm, abuse, neglect or exploitation is abhorrent and will never be tolerated or ignored.

Children need to know and believe they have the right to be safe and always feel safe.

We will enable this by ensuring our understanding of children’s rights as an important basis for all the activities we offer to children and their families.

We also acknowledge the importance of positive recognition, awareness, respect and celebration of different cultures to ensure cultural safety.

We expect JAG people and JAG activities not to harm, neglect or exploit children.

It is a serious breach of this policy if any JAG people or activity contravenes any regulation, JAG policy/procedure or the law in relation to the safety, protection, or wellbeing of children.

To Parents/Guardians

We commit to communicating honestly and openly with parents and guardians about the wellbeing and safety of their child/ren.

We provide programs and service that empower children to meet the ever-changing needs of the communities they live in, in partnership with families.

We will ensure we engage and listen to parents’ views in regard to our safety and wellbeing practice, policy and procedures

We commit to transparency in our decision making with parents and guardians where it will not compromise the safety of children

To JAG People

We commit to having a management structure that supports and develops JAG people in their roles.

We will provide regular opportunities to clarify and confirm policies and procedures that support the safety and wellbeing of children, inclusive of annual (as a minimum) training in regard to this policy.

We commit to listen to all concerns voiced by JAG people in regard to keeping children safe from harm and also to provide formal debriefing and counselling to JAG people arising from incidents of disclosures of harm.

3. Principles

3.1. Respecting Children

We will facilitate opportunities for children to communicate their views and provide feedback about the activities and the people they interact with. We will value the participation of children in decision making, including decisions of safety and wellbeing. We will do this by enabling and respecting the unique abilities and vulnerabilities of each individual child to ensure they have agency within JAG.

We value and respect each child's culture and identity and positively recognise these and celebrate them.

We expect all JAG adults to not contravene any policies, regulations, or laws in relation to the safety, protection or wellbeing of children.

3.2. Code of Conduct

Our code of conduct sets out the rules for behaviour **with** and **around** children. The code of conduct aims to ensure all JAG people are able and committed to the safety and wellbeing of children. It is a requirement that JAG people endorse and affirm their understanding of this policy and the code of conduct by signing the declaration required.

We expect all JAG people to have a working knowledge of children's rights appropriate to their role and use this knowledge to inform decisions about how to behave and act with and on behalf of children.

We will treat children as individual and respect their unique abilities and views. Please also refer to the Employee Code of Conduct and Positive Interactions with Children Policy.

3.3. Complaints, Concerns or Allegations

We will take seriously any complaints, concern or allegations raised by children and/or their parents/carers and/or our school partners.

We will investigate all child safety (safeguarding children) complaints, concerns or allegations made against any JAG person, including board members, executive staff, management, educators, contractors or volunteers.

We expect our JAG people to follow the incident management procedure without hesitation in response to any concerns raised by children or their parents/carers or our school partners.

Any allegations of abuse made against another child in our activities will be treated with sensitivity, confidentiality and all due care to protect all children at risk.

3.4. Investigations

Should there be an allegation of child abuse, neglect or exploitation by a JAG person then this will always be investigated thoroughly and with the appropriate privacy. In all circumstances the person will be stood down from duties until the investigation informs the resolution.

In every circumstance we will cooperate with any formal investigation undertaken by police or state/territory regulatory authorities in relation to the safety and wellbeing of children.

Where required we will include children and young people in investigations. It shows children that their voice is valued and that they will be listened to. When children and young people are provided with opportunities to participate and feel that their views are valued, they are more likely to speak up. These interviews will be carried out by an appropriate qualified facilitator if required.

3.5. Reporting

We expect JAG people to know and adhere to the relevant laws in each state and territory in regard to reporting actual or suspected child abuse, neglect, exploitation and/or family violence. *Please refer to Appendix 1 for a list of legislative reporting requirements which may include*

- Mandatory reporting requirements
- Reportable conduct requirements
- Statutory child protection requirements

Notwithstanding our obligations under the law, we expect all JAG people to ensure that appropriate action is taken to respond to any concerns about the wellbeing or safety of a child.

A Safeguarding Response team will be established to provide subject matter expertise and ongoing support during the investigation process.

The JAG Privacy Policy requires consent from children and/or parents/guardians before we provide information about them to any other individual or organisation. However, we may not ask for consent to disclose information to Police, a regulatory authority or a statutory child protection agency in the event that we have concerns about the safety or wellbeing of a specific child.

3.6. Recruitment and screening

In all JAG recruitment processes it will be clear as to JAG's commitment to the safety and wellbeing of all children.

All JAG people will be informed during their recruitment and as part of their employment contract, that their employment is subject to the results of a relevant state/territory suitability to work with children check (a working with children screening check), a national criminal records check and the appropriate professional referee checks inclusive of specific child safety (safeguarding children) and wellbeing questions.

It is a serious breach of this policy, if an individual continues working with children if they have been charged or convicted of a crime that would make them ineligible to be granted a working with children clearance (or equivalent).

We expect the JAG people understand that their continued participation in our organisation is based on the outcomes of these ongoing and continuous screening requirements.

3.7. Training, support and awareness

All JAG people will be provided with training, support and awareness resources that enable them to understand the signs of child abuse, neglect, exploitation and/or family violence and feel confident and safe to take the appropriate and effective action.

We acknowledge that there will always be emerging information pertinent to increasing awareness about the signs of child abuse and that there is an inherent complexity of the work undertaken when providing care/services to children. Therefore, as a minimum, yearly updated training and/or professional development will be a requirement of all JAG people in regards to child safety (safeguarding children).

Appropriate debriefing and employee assistance support will be offered to JAG people who have had to deal serious incidents of child abuse.

3.8. Environments

We commit to creating environments that are equitable, welcoming, inclusive, fun and safe for all children. Our environments will ensure children's diverse circumstances and needs are recognised and provided for.

We commit to reconciliation and ensuring our actions create culturally safe, welcoming, inclusive, and fun environments for all Aboriginal and Torres Strait Islander children based on respecting culture and identity.

Appropriate risk assessments will be undertaken for every setting and activity in which we work.

We are committed to being proactive in the prevention and protection of children from the effects of cyberbullying, image-based abuse and illegal or restricted content. We acknowledge the importance of E-safety in our digitally enabled world. Please refer to our Technology, Devices and Internet Use Policy.

We recognise the importance of culture, religion and beliefs in the lives of children and families and will provide respectful and inclusive environments. However no cultural, religious or specific belief behaviour will take precedence over the rights of the child to be protected from harm.

3.9. Review and Continuous improvement

We acknowledge the ever-changing world in which we live in and the need for constant review, improvement and learning. We will regularly review and monitor our capacity to address the safety and wellbeing needs of children in order to identify areas of strengths and those requiring improvement.

Our learnings will be shared JAG People, children, families and the school communities in which we operate. We will work with our people, children, families and school communities to continuously discuss the strengths and improvements area of child safety (safeguarding children) and wellness.

A focus on child safety (safeguarding children) and wellbeing will be embedded into business practises such as business planning and budgets. This policy will be reviewed annually as a minimum.

4. Key Terms

Term	Meaning
Child	A person under the age of eighteen years of age
Junior Adventures Group (JAG)	Junior Adventures Group is the parent organisation in Australia for the brands OSHClub, Helping Hands Network and Primary OSH Care. All JAG policies relate to these brands also.
JAG people	Any adult that governs, manages, conducts work for, or provides activities and/or services to, JAG in a paid or unpaid activity spanning all levels of the organisational structure
Parents/Guardians	Any adult who has the legal responsibility for the care of the child either via birth or a legislative agreement
Code of Conduct	An agreement with a set of rule of behaviours and proper conduct for all JAG people, explicitly communicating responsibilities and obligations of behaviour.
Child Harm	Any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing
Child Abuse	All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power. ¹ Definitions below of each form of abuse
Child Abuse: <i>Physical Abuse</i>	The intentional use of physical force against a child that results in – or has a high likelihood of resulting in – harm for the child's health, survival, development or dignity. This includes hitting, beating, kicking, shaking, biting, strangling, scalding, burning, poisoning and suffocating. In all Australian jurisdictions, civil child protection legislation exists to protect children and young people from physical abuse
Child Abuse: <i>Emotional Abuse</i>	Emotional abuse is also sometimes called 'emotional maltreatment', 'psychological maltreatment' and 'psychological abuse'. Emotional abuse refers to a parent or caregiver's inappropriate verbal or symbolic acts towards a child and/or a pattern of failure over time to provide a child with adequate non-physical nurturing and emotional availability. Such acts of commission or omission are likely to damage a child's self-esteem or social competence. This includes rejecting, isolating, terrorising, ignoring, corrupting.

Term	Meaning
	In all Australian jurisdictions, emotional abuse is grounds for ‘when a child is in need of protection’
Child Abuse: <i>Sexual Abuse</i>	<p>The involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared, or else that violates the laws or social taboos of society. This includes online sexual abuse.</p> <p>Children can be sexually abused by both adults and other children who are – by virtue of their age or stage of development – in a position of responsibility, trust or power over the victim.</p> <p>In all Australian jurisdictions, sexual abuse is grounds for ‘when a child is in need of protection’</p>
Child Neglect	<p>Neglect includes both isolated incidents, as well as a pattern of failure over time on the part of a parent or other family member to provide for the development and wellbeing of the child – where the parent is in a position to do so – in one or more of the following areas: health, education, emotional development, nutrition, shelter and safe living conditions.</p> <p>In all Australian jurisdictions, neglect is grounds for ‘when a child is in need of protection’</p>
Child Exploitation	<p>Child sexual exploitation includes:</p> <ul style="list-style-type: none"> • the production and distribution of child exploitation material • exploiting children for prostitution (sometimes called child prostitution), which may involve promising money, food, clothing, accommodation or drugs to a child, or more often to a third person, in exchange for sexually abusing the child • the abduction and trafficking of children for sexual abuse purposes, which can occur within or across countries • sexual exploitation of children in the context of tourism (sometimes called child sex tourism) where individuals (generally Western men) travel from higher to lower income countries for the purpose of sexually exploiting children (Cameron et al., 2015; Interagency Working Group in Luxembourg, 2016; Johnson, 2014). <p>In Australia, the individual states and territories have their own unique sets of laws that criminalise all forms of commercial sexual exploitation of children.</p>
Exposure to Family violence	<p>Forcing a child live in an environment where a primary caregiver experiences sustained violence is in and of itself emotional and psychological abuse. Children who are forced to live with violence are at increased risk of experiencing physical and sexual abuse. These children tend to experience</p>

Term	Meaning
	<p>significant disruptions in their psychosocial wellbeing, often exhibiting a similar pattern of symptoms to other abused or neglected children.²</p> <p>In all Australian jurisdictions, exposure to family violence is grounds for ‘when a child is in need of protection’</p>
Child Abuse: Other	<p>The five main subtypes of child abuse and neglect, researchers have identified include:</p> <ul style="list-style-type: none"> • foetal abuse (e.g. unborn babies who are harmed or placed at risk of harm as a result of maternal drug or alcohol use) • exposure to community violence • institutional abuse (i.e. abuse that occurs in institutions such as foster homes, group homes, and religious and sporting groups) • state-sanctioned abuse (e.g. female genital mutilation in parts of Africa, the Stolen Generations in Australia)
Mandatory reporting	<p>Mandatory reporting is a requirement to report evidenced or suspected abuse and neglect.</p> <p>Mandatory reporting laws aim to identify cases of child abuse and neglect, and to assist the individual children in these cases</p> <p>The laws require selected groups of people to report suspected cases of child abuse and neglect to government authorities. In Australia, the first laws were introduced in South Australia in 1969, and these laws have since been introduced in all Australian jurisdictions. However, the laws are not the same across all jurisdictions. Differences exist in who has to report, what types of abuse and neglect have to be reported, the ‘state of mind’ that activates the reporting duty (i.e. having a concern, suspicion or belief on reasonable grounds) and who the report is made to.</p> <p>Mandatory reporting legislation generally contains lists of particular occupations that are mandated to report cases of suspected child abuse and neglect. The groups of people mandated to report range from persons in a limited number of occupations (QLD) to a more extensive list (VIC and WA), to a very extensive list (ACT, NSW, SA and TAS.), through to every adult (NT). The occupations most commonly named as mandated reporters are those who deal frequently with children in the course of their work: teachers, early childhood education and care practitioners, doctors, nurses and police.</p>
Reportable Conduct	<p>Independent regulatory systems set up by state-governments to oversee and monitor allegations of child related misconduct where a staff member is involved.</p>

Term	Meaning
	<p>Reportable conduct covers allegations or convictions of child abuse or misconduct toward children. Organisations must report allegations of reportable conduct by an employee or volunteer, including:</p> <ul style="list-style-type: none"> • ill-treatment of a child (such as emotional abuse or use of force) • neglect • psychological harm • misconduct of a sexual nature • sexual or physical offences and convictions where a child is a victim or is present • inappropriate discipline or not protecting children from harm. <p>Organisations required to report are different in each State/Territory</p>
Safeguarding	<p>Safeguarding is the action that is taken to promote the welfare of children and protect them from harm. Safeguarding means: protecting children from any form of abuse and maltreatment. preventing harm to children's health or development.</p>

5. References

Education and Care Services National Law and Regulations	
	Section 165 – Offence to inadequately supervise children
	Section 166 – Offence to use inappropriate discipline
	Section 167 – Offence relating to protection of children from harm and hazard
	Regulation 82 – Tobacco, drug and alcohol-free environment
	Regulation 84 – Awareness of child protection law
	Regulation 103 – Premises, furniture, and equipment to be safe, clean and in good repair
	Regulation 168 – Education and care services must have policies and procedures
	Regulation 170 – Policies and procedures to be followed
Other Relevant Legislation	
ACT	Children and Young People Act 2008 – <i>includes mandatory reporting provisions</i>
	Working with Vulnerable People Act 2011
	Human Rights Commission Act 2005
	Crimes (Child Sex Offenders) Act 2005
	Family Violence Act 2016
	Ombudsman Act 1989 – <i>includes reportable conduct provisions</i>
NSW	Children and Young Persons (Care and Protection) Act 1998– <i>includes mandatory reporting provisions</i>
	Children’s Guardian Act 2019 – <i>includes reportable conduct provisions</i>
	Anti-Discrimination Act 1977
	Children (Criminal proceedings) Act 1987
	Child Protection Act 2000
QLD	Child Protection Act 1999 – <i>includes mandatory reporting provisions</i>
	Human Rights Act 2019
	Domestic and Family Violence Protection Act 2012
	Family and Child Commission Act 2014
	Child Employment Act 2006

	Public Guardian Act 2014
VIC	Children, Youth and Families Act 2005– <i>includes mandatory reporting provisions</i>
	Charter of Human Rights and Responsibilities Act 2006
	Crimes Act 2013
	Sex Offenders Registration Act 2004
	Workers Screening Act 2020
	Family Violence Protection Act 2008
	Commissioner for children and Young People Act 2012
	Child Employment Act 2003
	Child Wellbeing and Safety Act 2005 – <i>includes reportable conduct provisions</i>
WA	<ul style="list-style-type: none"> • Children and Community Services Act 2004 – <i>includes mandatory reporting provisions</i> • Equal Opportunity Act 1984 • Community Protection (Offender reporting) Act 2004 • Working with Children (Criminal Record Checking) Act 2004 • Commissioner for Children and Young People Act 2006 • Parliamentary Commissioner Amendment (Reportable Conduct) Act 2022 – <i>includes reportable conduct provisions</i>
Related Policies	
Employee Code of Conduct	
Positive Interactions with Children policy	
Technology, Devices and Internet Use Policy	
Complaints and Feedback	
Related Procedures	
<i>Procedure Collections</i>	
Other	
Safeguarding Children and Young People Declaration	

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