

# Child Safety Policy

## Purpose

Foyer Foundation (or “the organisation”) may require its people to work with children throughout the course of their operations. The purpose of this policy is to inform Board Members, employees, volunteers and contractors of their roles and responsibilities in relation to child safety and demonstrate the Foyer Foundation’s commitment to safeguarding and maintaining a safe environment for all.

## Scope

This Policy applies to all Foyer Foundation employees (including temporary, permanent and contract), Board Members, volunteers, contractors, consultants and visitors. This policy applies to any location where duties are performed by individuals undertaking activities associated with the Foyer Foundation.

## Policy

Foyer Foundation recognises the essential role it plays in protecting children from all forms of harm, abuse, neglect and exploitation. The Foundation is committed to instilling the Organisation measures to prevent such incidents and promote an environment that allows children to flourish and be safe.

This policy sets forth guidelines to protect children, mandatory reporting measures, education and training to empower the Foundation’s people and risk mitigation strategies. By adhering to these guidelines, we ensure that the safety of children who interact with the Foyer Foundation is prioritised.

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# 1. Responsibilities

## **1.1 Board Responsibilities**

The Foyer Foundation Board is responsible for ensuring robust oversight and accountability concerning child safety within the organisation. The Board's key responsibilities include:

- Reviewing and approving this policy, ensuring it aligns with the organisation's mission, vision, and child safety priorities;
- receiving regular reports from the CEO on the policy's implementation, effectiveness, and any significant child safety issues;
- overseeing and evaluating the CEO's performance in fulfilling child safety obligations, including compliance with legal and regulatory standards;
- ensuring that mechanisms for reporting and responding to child safety concerns are effective and accessible and that there is a designated process for reporting allegations involving the CEO;
- monitoring high-level compliance with child safety legislation and policy commitments through periodic audits and reviews;
- reviewing reports and summaries of investigations related to child safety, focusing on systemic improvements and organisational learnings;
- providing strategic guidance on child safety issues and advocating for a proactive, child-centred culture within the organisation.

## **1.2 Chief Executive Officer (CEO) Responsibilities**

The Foyer Foundation's CEO is responsible for:

- Developing, adopting and reviewing this policy, ensuring it aligns with overall strategic direction and the Organisation's vision and goals;
- overseeing the development, implementation and enforcement of this policy;
- taking a preventative approach to keeping children safe, which includes identification and mitigation of risk to children within the organisation;
- ensuring systems are in place to enable anyone to notify their concern or allegation that conduct in line with reportable conduct may have occurred;
- ensuring systems are in place to allow people to report to the Child Safety Officer if the reportable allegation concerns the CEO;
- having investigation processes clearly defined and developed;
- appointing a Child Safe Officer for the Organisation; and
- ensuring compliance with legal and regulatory standards;

## **1.3 Child Safe Officer Responsibilities**

- Monitoring changes in Child Safe Standards, and advising on the need to review or revise this policy when the need arises;
- Acting as a source of support, advice and expertise to staff on matters of child safety including reporting, training and awareness of the Child safe Standards;
- Ensure all staff, volunteers and relevant contractors have current Working With Children Checks and Police Checks.

## **1.4 Leadership Responsibilities**

- Implementing and enforcing this policy within their department and team;
- ensuring team members understand and adhere to this policy;
- provide guidance and clarification on this policy to the department and team;

- Monitoring and managing compliance with this policy in daily operations;
- addressing any policy violations and where necessary, reporting to the CEO; and
- contribute to the policy review and provide feedback based on team and operational insights.

#### **1.4 Employee Responsibilities**

- Ensuring an understanding of all company policies relevant to their role as a member of the organisation;
- seeking clarification on this policy when needed;
- complying with the standards outlined in this policy;
- reporting any policy violations or concerns to their Direct Manager or the appropriate department;
- acquiring the government legislated checks to ensure they are approved to work with children and vulnerable groups;
- participating in policy training and updates as required; and
- contributing to a safe and respectful work environment in line with all company policies.

## **2. Working with Children Requirements**

Foyer Foundation requires all existing, new and prospective staff, volunteers, and relevant contractors who are likely to be engaged in child-related work areas or activities to undergo or to have undergone a Working with Children Check (WWCC), National Police Check, or any other checks as prescribed by the relevant State and Territory legislation and screening program.

### **2.1 Working with Children Check**

The Foyer Foundation mandates that all employees, volunteers, and relevant contractors obtain a Working with Children Check (WWCC) or, where relevant, a Working with Vulnerable People Check (WWVPC), irrespective of their state or territory. This policy establishes a consistent standard of child safety across all Foyer Foundation activities, surpassing regional legislative requirements to ensure the highest level of protection.

The WWCC, WWVPC, or equivalent checks confirm that individuals have no relevant criminal offences or professional disciplinary findings that could pose a risk to children. In Tasmania and the Australian Capital Territory, for instance, a WWVPC is required for both child and vulnerable person-related work. These screening checks are typically valid for up to five years unless otherwise revoked, depending on jurisdictional guidelines.

To uphold this commitment, the Foyer Foundation will verify that all representatives possess the required documentation before they begin any work involving children. Each employee, contractor, or volunteer is individually responsible for obtaining these checks.

*Table 1 in the Appendix provides a detailed breakdown of specific checks required by each Australian state and territory.*

During the valid period of a WWCC, cardholders continue to be checked for new offences. While the WWCC or equivalent screening documentation generally transfers across employment positions within the same jurisdiction, certification is not transferable between different states or territories.

## **2.2 Applying for a WWCC or WWVPC**

Details of how to apply are provided on the website of the relevant authority in each state and territory—refer to Table 1 in the Appendix for specific links.

Fees for obtaining a Working with Children Check (WWCC), Working with Vulnerable People Check (WWVPC), or equivalent screening checks vary by state, territory, and type of work. Specific fee details can be found on the website of the relevant authority—refer to Table 1 in the Appendix for links.

The Foyer Foundation will cover all costs associated with obtaining a WWCC/WWVPC employee. Employees must apply for reimbursement upon application or renewal of these checks.

In most jurisdictions, there are two categories of WWCC/WWVPC:

- **Volunteer only** (applicable only for unpaid roles), and
- **Volunteer/Employment** (applicable for both paid and volunteer roles).

A Volunteer-only check cannot be used for paid work for the Foyer Foundation.

## **2.3 Failure to obtain or revocation of a WWCC or WWVPC**

If the applicant does not pass the check, they will be given an Interim Negative Notice or similar depending on location. The applicant can then make a submission to the relevant Authority to explain why they believe they should pass. If this submission is not successful, the applicant will be issued with a Negative Notice. This means they have failed the WWCC or WWVPC and cannot undertake vulnerable person or child-related work.

Existing staff, volunteers, and contractors who receive an Interim Negative Notice must inform the CEO in writing within seven days. They will not be permitted to engage in vulnerable person or child-related work while their application is being decided. Staff, volunteers, and contractors who receive a Negative Notice will not be permitted to engage in vulnerable person or child-related work. The CEO must be notified in either case and will manage the process.

## **2.4 National Police Checks**

The Foyer Foundation mandates that all employees, volunteers, and relevant contractors obtain a National Police Check and requires people to notify the organisation if they have any criminal proceedings or charges.

Outcomes from Police Checks do not preclude working for Foyer Foundation but will be risk assessed with relevance to child safety.

### 3. Child Safety Guidelines

Children are uniquely vulnerable and there are specific activities that pose a greater risk to children that need to be managed. The Foyer Foundation provides guidelines in this policy for their representatives with regard to these scenarios during interactions with children throughout operations of the Foyer Foundation to ensure effective risk mitigation processes are put in place to reduce the likelihood of harm occurring. These scenarios include, but are not limited to:

- Change Rooms and toilet arrangements;
- taking images of children;
- online communication;
- overnight stays and travel;
- physical contact; and
- transportation.

Along with these scenarios, there are also specific activities that can create safety concerns for children for which Foyer Foundation has provided guidelines for all its representatives, these include:

- The provision of alcohol, drugs and medication;
- the establishment of professional boundaries;
- language and tone used when communicating with children; and
- the supervision of children.

These specific activities and the risks they pose to child safety should be understood by representatives of the Foyer Foundation involved in operations of the Foyer Foundation and effective risk mitigation processes should always be followed to reduce the likelihood of harm occurring.

#### ***3.1 The provision of alcohol, drugs and medication***

The following activities are strictly prohibited during work-related activities involving both adults and children under the Foyer Foundation's child safety guidelines:

- Use, possess or be under the influence of illicit drugs;
- use or be under the influence of alcohol;
- be impaired by any other legal drug such as prescription or over-the-counter drugs;
- supply alcohol or drugs (including tobacco) to a child engaged in a Foyer Foundation activity or operations; and
- supply or administer medicines, except with the consent of the guardian or carer of the child and under a valid prescription for that child and at the prescribed dosage.

#### ***3.2 The establishment of professional boundaries***

Representatives of the Foyer Foundation must act within the scope of their role as outlined in their position description and contract at all times, in particular when they are participating

in work or volunteering that involves working with children.

Therefore representatives of the Foyer Foundation must:

- Treat all children equally, regardless of their gender, culture, race, religious and spiritual belief, sexuality or ability;
- model professional physical and emotional boundaries;
- be respectful to the child's needs or concerns and respond appropriately; and
- engage with children in a manner that would be seen by a reasonable observer as maintaining reasonable boundaries.

In contrast, representatives of the Foyer Foundation must not under any circumstances:

- Provide any form of support to a child or their family unrelated to the scope of their role, where there is no existing social, personal, or family relationship (e.g. financial assistance, babysitting, providing accommodation);
- engage in social activities outside the scope of your role, such as watching a child participate in a sporting activity, playing virtual video games together or attending their birthday party;
- develop any special relationships with children that could be seen as 'favouritism';
- give out personal gifts or special favours to a child;
- confide in, or share overly personal information with a child (for example, sharing financial or relationship problems);
- ask a child to keep secrets, such as asking them not to tell their guardian when you have communicated with them;
- treat the child as an 'adult' under the guise of maturity; and
- create an emotional dependency between yourself and the child (for example, isolating the child from other residents of Youth Foyers, staff, or guardians by 'pitting the child against other children').

### **3.3 Change room & toilet arrangements**

Children are particularly vulnerable in changing rooms and toilets due in part to various stages of dress/undress and because they are isolated areas. There is also a risk of child-to-child problems, such as bullying if changing rooms are left unsupervised.

To ensure the protection of children in these scenarios, the Foyer Foundation must encourage the following behaviours:

- Provide safe and private change room facilities where possible;
- ensure that there is always appropriate supervision where the changing room/toilet facility is accessible by adults or in 'public' change rooms;
- knock or announce yourself and wait for approval before entering change rooms;
- have at least one other authorised adult with you in a changing room with children;
- implement a buddy system in the absence of adult supervision to accompany a child to the bathroom;
- encourage children to change in an individual closed cubicle;
- allow guardians into change rooms if the child needs them to get changed
- support individual children who feel uncomfortable showering/changing in public; and
- make every effort to recognise when a child goes to the changing room during a program and, if they do not return in a timely fashion, check on their whereabouts.

To ensure the protection of children, these scenarios are strictly prohibited under the Foyer Foundation's child safety guidelines:

- Undress or get changed in the presence of children;
- be alone and unsupervised with a child in a changing room area;
- isolate yourself with a child from others in the changing room (for example, take them into a cubicle with you);
- enter a changing room of the opposite sex;
- allow mobile phones to be used in changing rooms;
- use bathroom facilities at the same time as a child;
- unnecessarily allow guardians into change rooms unless a child requires physical help getting changed (for example, younger children or children with disabilities); and
- place pressure on a child to change and/or shower in public if they feel uncomfortable doing so.

### **3.4 Images of Children**

To ensure the protection of a child's image and identity, it is essential that:

- The context in which you are taking photos or videos of children is directly related to their participation in a Foyer Foundation-related activity, work or volunteering and will only be used for official purposes;
- prior written permission is obtained from the child and the child's respective guardian before taking any photos or videos and children and guardians are told how the image will be used, and stored and any time frame for destruction;
- the child is appropriately dressed and posed;
- images (digital or hard copy) are stored in a way that prevents unauthorised access by others;
- images (digital or hard copy) are destroyed or deleted as soon as they are no longer required for official Foyer Foundation purposes;
- the image or video is taken in the presence of other employees; and
- you speak up if you see someone acting suspiciously.

The following activities are strictly prohibited under the Foyer Foundation's child safety guidelines:

- Taking photos or videos of children participating in Foyer Foundation-related activities, work or volunteering for personal use;
- Taking or storing images of children participating or involved in Foyer Foundation-related activities, work or volunteering on personal devices;
- Distributing or publishing photos or videos for official purposes (annual report, website, social media) without written permission from the child and the child's guardian;
- Forwarding, posting or sending any photos or videos of a child participating in Foyer Foundation-related activities, work or volunteering to another person or on social media outside the scope of the related activity; and
- Sending photos or videos of a child, directly to a child, or to another person.



### **3.5 Language and tone used when communicating with children**

Language and tone of voice used in the presence of children should model Advantaged Thinking, provide clear direction, boost their confidence, encourage and affirm them and not be harmful in any way. When addressing children it is important that representatives of the Foyer Foundation abide by the following:

- Use clear, direct, age-appropriate language;
- use words, tone of voice, facial expressions and body posture to communicate calmness and respect;
- use language that is encouraging and supportive and that promotes a fun and inclusive environment;
- address any situation when negative language or tone is being used by a child, guardian or other person and reinforce that it is not appropriate;
- do not use stereotypes, innuendo or sarcasm when communicating with children;
- under no circumstances, shame a child or make derogatory or belittling comments;
- do not use obscene gestures and language;
- do not humiliate, intimidate or regularly criticise a child; and
- do not single out a child or denigrate them in front of peers or other members.

### **3.6 Online Communication**

For any electronic or online communication with children, as well as during events, workshops, or online meetings, representatives of the Foyer Foundation must implement a two-deep model. This means copying the organisation, guardian, key worker or another authorised adult in all communications and activities involving children. When engaging with children online, including on social media, or during virtual events or workshops, Foyer Foundation representatives must ensure that:

- The child's guardian, Key Worker, or Foyer Manager is present and visible in all online sessions or another Foyer Foundation employee is online at all times;
- all communication content is directly related to official roles and activities;
- language remains age-appropriate and strictly professional; and
- guardians or managers are informed if a child communicates outside the representative's official role, with guidance given to the child on appropriate communication boundaries.

The following activities are strictly prohibited under the Foyer Foundation's child safety guidelines:

- Befriending, adding, or connecting with children on social media;
- communicating privately with a child via phone, email, or social media;
- requesting children to keep online communication a secret from their guardian or others;
- using electronic communication to promote unauthorised social activities or to arrange personal contact outside official Foyer Foundation purposes;
- using inappropriate language, or any language that is sexual or unprofessional in nature; and

- utilising any device's recording capabilities (including voice recording, cameras, or video) in locker rooms, changing areas, or similar private spaces.

In cases where online training, events, or workshops involve children, Foyer Foundation representatives must ensure strict adherence to the two-deep model to safeguard children's well-being and maintain accountability. This practice is non-negotiable and critical to upholding the Foyer Foundation's commitment to child safety.

### **3.7 Overnight Stays & Travel**

All travel and overnight stays involving children must be directly related to Foyer Foundation activities and must include proper supervision by a chaperone (such as a guardian, Key Worker, Foyer Manager, or other responsible adult) or a Foyer Foundation employee. Practices and behaviours during overnight stays should align with daytime program expectations.

It is preferable that the child is under the supervision of a guardian/Key Worker/Foyer Manager for the duration of travel and overnight stays, however, if a guardian/Key Worker/Foyer Manager or another responsible adult is not available to supervise the child then a Foyer Foundation employee may supervise the child with prior written consent of each child's guardian/Key Worker/ or Foyer Manager.

#### **3.7.1 Transportation**

Children may only be transported for official Foyer Foundation purposes, and no employee may use their personal vehicle to transport a child. Prior written approval from each child's guardian must be obtained, including the following details:

- Type of transport provided by the Foundation;
- purpose of the trip;
- planned itinerary and route, including stops or side trips; and
- names of all individuals who will be present.

When transporting children, Foyer Foundation representatives must:

- Ensure children are seated in the back seat with proper restraints; front seating is permitted only in emergencies;
- remain unimpaired by alcohol or any mind-altering substances and hold an unrestricted driver's licence;
- transport children solely for Foyer Foundation purposes, except in emergencies;
- avoid bringing unauthorised adults along (e.g., friends) during a Foundation-related activity;
- minimise unnecessary or unplanned stops;
- avoid being alone and unsupervised with a child whenever possible; and
- never take children to their personal residence.

#### **3.7.2 Overnight Stays**

For overnight stays, the following guidelines must be followed to ensure the safety and privacy of children:

- **Supervision Requirements:** Maintain a minimum of two adults with a supervision ratio of 1 adult per 6 children.
- **Accommodation Arrangements:** Ensure that in the instance children are required to share a room, they are of similar age and they identify as the same gender, with each child having their own bed.
- **Two-Deep Leadership Model:** During room checks, team meetings, or activities, two authorised adults must be present, observable by others, and in an interruptible setting.
- **Privacy and Dress Standards:** Provide privacy for children when bathing, toileting, and dressing; ensure appropriate dress standards (e.g., no adult nudity).
- **Safety in Sleeping Arrangements:** Ensure that sleeping arrangements do not compromise child safety.
- **Contact with Guardians:** Allow children to contact their guardians or another adult if they feel unsafe, uncomfortable, or distressed at any time during the stay.
- **Emergency Preparedness:** Plan for emergencies and administer first aid only if qualified and in the presence of others.
- **Avoid Isolation:** Do not place yourself in isolated or unobserved situations with a child.

The following activities are strictly prohibited under the Foyer Foundation child safety guidelines:

- Exposing children to pornographic material, such as through movies, television, internet, or magazines;
- leaving children under the supervision of unauthorised persons, such as accommodation staff or peers;
- sharing a room or bed with a child;
- being alone in a room with a child (if an adult presence is needed, ensure another child is present);
- removing a child's clothing, even in emergencies, without their permission and the presence of another adult;
- entering a child's room or inviting them into your room during travel; and
- performing personal tasks for children that they can complete themselves.

### ***3.8 Physical contact with children***

Physical contact with children is not encouraged and is only acceptable when appropriate to the delivery of Foyer Foundation activities or services and based on the needs of the child, such as assisting with the use of equipment or administering first aid. In the event that physical contact with a child takes place based on these circumstances, representatives of the Foyer Foundation must abide by the following:

- Seek a child's permission to touch or interact when demonstrating the use of equipment;

- respect and respond to signs that a child is uncomfortable with touch and cease immediately;
- use verbal directions rather than touch (for example, ask a child to move in a particular way, rather than physically placing the child in the required position);
- discourage children from inappropriate expectations of hugs or cuddles. This should be done gently and without embarrassment or offence to the child. For example, offer a high five as encouragement;
- kindly and appropriately tell a child who is inappropriately or excessively touching another child to stop and raise the concern with a relevant person within the Foyer Foundation;
- use non-intrusive gestures to comfort a child who is experiencing grief and loss or distress, such as a hand on the upper arm or upper back;
- use non-intrusive touch (for example, congratulating a child by shaking hands). Try to accompany such touch with positive encouraging words; and
- report any physical contact initiated by a child that is sexualised and/or inappropriate (for example, acts of physical aggression) as soon as possible to the Foyer Foundation.

Under no circumstances may representatives of the Foyer Foundation participate in any of the following activities:

- Have contact with a child that involves any intimate part of a child's body (for example, genitals, bottom or breast area);
- initiate, allow or request inappropriate or unnecessary physical contact with a child (for example, massage, kisses, tickling and wrestling games) or facilitate situations that unnecessarily result in close physical contact with a child;
- have unnecessary contact with a child (for example, assisting with toileting when a child does not require assistance); and
- force a child to do something against their will.

### **3.9 The supervision of children**

Supervision is essential to ensuring children's safety during Foyer Foundation-related activities. Representatives of the Foyer Foundation must remain alert to potential risks and hazards throughout all activities. It is preferable that a guardian, key worker, Foyer manager, or another appropriate adult assumes responsibility for supervision whenever possible. In instances where Foyer Foundation representatives must supervise, they should:

- Ensure you are always able to observe each child, respond to their individual needs and immediately intervene if necessary;
- ensure there are appropriate supervision ratios based on the age and gender of the children and the size of the group;
- avoid one-to-one unsupervised situations with children, except in an emergency or for program delivery;
- do not leave children unsupervised during official Foyer Foundation activities;
- do not engage in unnecessary conversations with another adult that may distract from effective supervision of the group; and

- do not engage in personal use of mobile phones, including texting, calling, or browsing, while supervising children to ensure their safety and receive undivided attention.

## 4. Prevention of Sexual Abuse, Harassment and Exploitation

Foyer Foundation is committed to ensuring the safety and well-being of all children and young people involved in its activities and all children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.

The Foyer Foundation has zero tolerance for sexual assault, sexual harassment and sexual exploitation. All allegations and child safety concerns are treated seriously and consistently with our guidelines, policies and procedures.

The prevention of sexual abuse, harassment and exploitation is underpinned by the principles of:

- Zero Tolerance of Inaction
- Prevention is a shared responsibility
- Addressing Power Imbalance
- Survivors/Victims are prioritised

### **4.1 Zero Tolerance of Inaction**

The Foyer Foundation believes that:

- All individuals have an equal right to protection from all forms of sexual misconduct, violence, coercion, exploitation, abuse, and harassment, regardless of their gender, nationality, religious or political beliefs, family background, economic status, legal status, ability, age, physical or mental health, or criminal history;
- Sexual misconduct, abuse, harassment, and exploitation in any form are unacceptable; and
- It is unacceptable for representatives of the Foyer Foundation to fail to promote the prevention of sexual abuse, harassment or exploitation or to not address concerns or allegations of this nature.

Any of the behaviours prohibited in this policy or breaches of expected behaviours need to be reported. The Foyer Foundation acknowledges that zero incidents are not the same as zero tolerance and encourages the reporting of such incidents.

The reporting of incidents and the Foyer Foundation's response to these demonstrates that the risk of sexual abuse, harassment and exploitation is being appropriately managed. For the purposes of this Policy, the Foyer Foundation defines zero tolerance as treating every allegation with due regard for procedural fairness. Increasing reports may indicate a growing awareness of sexual abuse, harassment and exploitation, changing attitudes, with victims/survivors feeling more comfortable to report and the overall improvement of Foyer Foundation safeguards against these types of incidents.

#### **4.2 Prevention is a shared responsibility**

Foyer Foundation considers the prevention of sexual abuse, harassment and exploitation against children to be everyone's responsibility, both inside and outside of the organisation. The Organisation therefore requires all its representatives and any partner organisations or program participants to show commitment and support of this policy.

The Foyer Foundation believes that the safeguarding of children is the responsibility of all. Foyer Foundation's Board, CEO and management team commit to driving safeguarding attitudes and behaviours and lead by example to:

- Nurture a solid safeguarding culture, including addressing power inequalities that may lead to sexual abuse, harassment and exploitation of children;
- promote and support child participation and child rights in driving safeguarding attitudes and behaviours;
- create and maintain an environment that prevents sexual abuse, harassment and exploitation of children;
- promote this Policy, our Code of Conduct and other Policies that support the safeguarding of children;
- encourage managers at all levels to support and develop systems that maintain a safe environment for children; and
- Engage with relevant parties to progress social change required to reduce the likelihood of sexual abuse, harassment and exploitation taking place.

#### **4.3 Addressing power imbalance**

Power imbalance causes include:

- Adult power over children
- Physical strength over physical vulnerability
- Worker power over a client
- Service provider power in having something the client needs or wants

The Foyer Foundation recognises that power imbalance can be a root cause of gender inequality, that sexual abuse is a form of gender-based violence, and that the intersectionality of various forms of discrimination and abuse exacerbates the negative effects of this power imbalance for many, particularly women and girls.

Gender inequality combined with other forms of inequality and power imbalances can increase the likelihood of sexual abuse, harassment and exploitation occurring. Respect for diversity, promotion of gender equality and social inclusion, accountability, and a strong "do no harm" focus should underpin all activities within the Foyer Foundation.

Foyer Foundation is committed to the following:

- Promotion of gender equality and equity and non-discrimination in our Codes of Conduct, human resource management processes, and program delivery;
- alignment of our approach to child protection, with a broader understanding of gender equality and power imbalances;

- addressing negative power imbalance, working with representatives of the Foyer Foundation to challenge attitudes towards all, especially girls and women, that permit or excuse sexual misconduct within the organisation or during program delivery.

#### **4.4 Survivors/Victims are prioritised**

Action to address issues of child protection should be underpinned by a "do no harm" approach prioritising the rights, needs, and wishes of the victim/survivor while ensuring procedural fairness to all parties.

The Foyer Foundation ensures that survivors/victims:

- Are treated with dignity and respect;
- Will not be discriminated against based on their claim, gender, age, race/ethnicity, religious affiliation, sexual orientation, ability or any other bases
- Are assured of privacy and confidentiality other than where information must be shared by law or to support an investigation;
- Are involved in decision-making; and
- Are provided with counselling services.

## **5. Education and Training**

The Foyer Foundation promotes the education, training and learning of its related persons in upskilling themselves to understand how they can ensure the safety of children throughout their engagement with the Foyer Foundation. It is the responsibility of the Foyer Foundation to ensure that its employees and volunteers are familiar with this policy, and these individuals are encouraged to ask questions they have if they are uncertain of any content within this policy.

The Foyer Foundation may at times, require its Board Members, employees and volunteers to undertake additional training to ensure their thorough understanding of this policy, and any independent learning of this nature is encouraged if employees and volunteers wish to undertake this themselves. Below are some courses that are deemed appropriate and relevant by the Foyer Foundation:

- [Keeping Children and Young People Safe - Level 1](#)
- [Introduction to Child Protection](#)
- [Victoria Child Protection Training](#)

## **6. Application in Youth Foyers**

Foyers are independently operated and maintain their own child safety policies and procedures. Employees and volunteers in these Youth Foyers who work with children should also be aware of the existence of Foyer Foundation's Child Safety Policy, specifically when supporting or supervising children involved in Foyer Foundation activities or when the Foundation is informed of an alleged incident.

## 7. Mandatory Reporting

Foyer Foundation's reporting process is child-focused and responsive to the concerns of children and young people. Every representative of the Foyer Foundation has a responsibility to understand the important and specific role they play both individually and collectively to ensure that the well-being and safety of all children and young people is at the forefront of all they do and every decision they make.

Reporting allows the Foyer Foundation to monitor the management of all child protection issues. When alleged incidents are reported, the Foyer Foundation will work with appropriate and relevant parties (the individual, the Youth Foyer, and/or leadership/management of the Youth Foyer Service Provider) to track incident management.

Over time, the Foyer Foundation will be able to analyse trends and improve its prevention and response strategies thanks to the data collected.

### 7.1 Types of reporting

There are two kinds of incident reporting, Mandatory and immediate, or Mandatory.

- **Mandatory and immediate** requires reporting by all representatives of the Foyer Foundation of any alleged incident of sexual abuse, harassment or exploitation related to the delivery of Foyer Foundation business, including any alleged incident that poses a significant reputational risk to the Organisation, such as an allegation against a senior staff member of a partner organisation within two working days of becoming aware of an alleged incident.
- **Mandatory reporting** requires reporting by all representatives of the Foyer Foundation of any alleged Policy violation within five business days.

### 7.2 Responsibility

All representatives of the Foyer Foundation as defined by the Policy's scope, are required to report allegations of sexual abuse, harassment or exploitation as well as Policy violations.

If there is any uncertainty, representatives of the Foyer Foundation should report a suspected incident.

### 7.3 Process

**Note that if a child is deemed to be at immediate risk, the representative should contact emergency services on '000'.**

- Where representatives form a belief that a child has suffered abuse, neglect or harm or is at risk of abuse or harm, they must report this to their manager or the Child Safety Officer immediately.
- If the manager or Child Safety Officer is not available, they must refer the matter to another manager or the CEO directly.
- Reporters are expected to contact their direct manager in the first instance unless doing so would pose a potential conflict of interest or place the child or person at further risk, e.g. if the direct manager is the subject of the concern.



- The manager or Child Safety Officer must ensure that the CEO or their designate is advised of the child safety concern within 24 hours.
- The concerned representative will work with their manager to agree on the appropriate reporting avenues (i.e. Child Protection Authority, Police and/or Reportable Conduct Authority).
- If a report is made, the CEO and Board must be notified and provided with a written summary within 24 hours.

Foyer Foundation supports its representatives in making protected disclosures in line with the Organisation’s Whistleblowing Policy where they have child safety concerns about other employees, board directors, volunteers or contractors within the organisation. Foyer Foundation recognises that employees, board directors, volunteers and contractors who hold concerns may fear reprisal, particularly if the subject of the concern is a manager. Whilst the Foyer Foundation aims to create an organisational culture where stakeholders feel able to raise concerns without fear, it equally recognises the importance of maintaining multiple pathways for raising concerns. Protected disclosures may be made to the CEO or Child Safety Officer anonymously or confidentially.

All alleged sexual abuse, harassment or exploitation incidents involving children must be reported through the appropriate local law enforcement channels as soon as possible.

All alleged sexual abuse, harassment or exploitation incidents with a criminal element should be reported through the appropriate local law enforcement channels when it is safe to do so and when the victims/survivors and whistleblowers request it.

Regardless of the outcome of the investigation, all reports made in good faith will be considered to be in the best interests of the child. Anyone who reports child abuse in good faith will be protected by the Foyer Foundation.

## 8. External Services and Support

Should Foyer Foundation employees, volunteers or related persons require external support in the event a situation or circumstance arises that is outside of the scope of their role, the below services are available to direct children and/or families within the Foyer Foundation community:

Service	State/Territory	Website
Kids Helpline	National	<a href="https://kidshelpline.com.au/">https://kidshelpline.com.au/</a>
Australian Federal Police	ACT/National	<a href="https://www.afp.gov.au/">https://www.afp.gov.au/</a>
ACT Child and Youth Protection Services	ACT	<a href="https://www.act.gov.au/directorates-and-agencies/community-services-directorate/act-child-and-youth-protection-services">https://www.act.gov.au/directorates-and-agencies/community-services-directorate/act-child-and-youth-protection-services</a>
NSW Police	NSW	<a href="https://www.police.nsw.gov.au/">https://www.police.nsw.gov.au/</a>

NSW Child Protection Services	NSW	<a href="https://dcj.nsw.gov.au/service-providers/deliver-services-to-children-and-families/child-protection-services.html">https://dcj.nsw.gov.au/service-providers/deliver-services-to-children-and-families/child-protection-services.html</a>
Northern Territory Police Force	NT	<a href="https://pfes.nt.gov.au/police">https://pfes.nt.gov.au/police</a>
Department of Territory Families, Housing and Communities	NT	<a href="https://tfhc.nt.gov.au/publications-and-policies/child-protection">https://tfhc.nt.gov.au/publications-and-policies/child-protection</a>
Queensland Police Service	QLD	<a href="https://www.police.qld.gov.au/">https://www.police.qld.gov.au/</a>
Department of Child Safety, Seniors, and Disability Services	QLD	<a href="https://www.dcssds.qld.gov.au/">https://www.dcssds.qld.gov.au/</a>
SAPOL	SA	<a href="https://www.police.sa.gov.au/">https://www.police.sa.gov.au/</a>
Department for Child Protection	SA	<a href="https://www.childprotection.sa.gov.au/">https://www.childprotection.sa.gov.au/</a>
Tasmania Police	TAS	<a href="https://www.police.tas.gov.au/">https://www.police.tas.gov.au/</a>
Department for Education, Children and Young People	TAS	<a href="https://www.decyp.tas.gov.au/safe-children/guide-to-tasmanias-child-safety-services/">https://www.decyp.tas.gov.au/safe-children/guide-to-tasmanias-child-safety-services/</a>
Victoria Police	VIC	<a href="https://www.police.vic.gov.au/children-and-family-violence">https://www.police.vic.gov.au/children-and-family-violence</a>
Department of Families, Fairness, and Housing	VIC	<a href="https://services.dffh.vic.gov.au/child-protection">https://services.dffh.vic.gov.au/child-protection</a>
Western Australia Police Force	WA	<a href="https://www.police.wa.gov.au/">https://www.police.wa.gov.au/</a>
Child Protection	WA	<a href="https://www.wa.gov.au/organisation/departments-of-communities/child-protection">https://www.wa.gov.au/organisation/departments-of-communities/child-protection</a>

## 9. Review

Our Child Safety Policy is subject to review every year. This review assesses the policy's effectiveness, relevance, and compliance with current employment laws and employee feedback. Any necessary changes will be promptly communicated to all staff.

<b>Definitions</b>	
<b>Adult</b>	Any person(s) at least eighteen years of age.
<b>Child</b>	Any person(s) under the age of eighteen years.
<b>Child-related work</b>	Any work that usually involves, or is likely to involve, regular direct contact with a child or children and where that contact is not directly supervised by another person.

<b>Direct contact</b>	Any contact between a person and a child or vulnerable person that involves physical contact, face-to-face communication, or physically being within eyeshot.
<b>Directly supervised</b>	This means requiring immediate and personal supervision undertaken by a person who has the role of supervising a vulnerable person or child-related work but does not require a constant physical presence.
<b>Fraternisation</b>	Any relationship that involves, or appears to involve, partiality, preferential treatment or improper use of rank or position including but not limited to voluntary sexual behaviour. It could include sexual behaviour not amounting to intercourse, a close and emotional relationship involving public displays of affection or private intimacy and the public expression of intimate relations. Where significant power imbalance is at play the potential for exploitative fraternisation is increased.
<b>Grooming</b>	Grooming is when a person engages in predatory conduct to prepare a child for sexual activity at a later time. Grooming can include communicating electronically or face-to-face and/or attempting to befriend or establish a relationship or other emotional connection with the child or their guardian/carer.
<b>Perpetrator</b>	A person (or group of persons) who commits an act of Sexual Assault, Sexual Exploitation or Sexual Harassment or other type of crime or offence.
<b>Protected disclosures</b>	A protected disclosure is a legal term that refers to the reporting of information by a worker about potential wrongdoing that came to light in the workplace. Making a protected disclosure is also sometimes referred to as 'whistleblowing'
<b>Reasonable Belief</b>	<p>A reasonable belief or a belief on reasonable grounds is not the same as having proof but is more than mere rumours or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed if:</p> <ul style="list-style-type: none"> <li>● A child states that they have been physically or sexually abused;</li> <li>● A child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);</li> <li>● Someone who knows a child states that the child has been physically or sexually abused;</li> <li>● Professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused;</li> <li>● Signs of abuse lead to a belief that the child has been physically or sexually abused;</li> <li>● A report has been made of a sexual relationship with a child under 16.</li> </ul>
<b>Sexual Abuse</b>	The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It covers sexual offences including but not limited to: attempted rape (which includes attempts to force someone to perform oral sex); and sexual assault (which includes non-consensual kissing and touching). All sexual activity with someone under the age of consent is considered to be sexual abuse.
<b>Sexual Exploitation</b>	Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from the sexual exploitation of another.

<b>Sexual Harassment</b>	A person sexually harasses another person if the person makes an unwelcome sexual advance or an unwelcome request for sexual favours, or engages in other unwelcome conduct of a sexual nature, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated. Sexual harassment can take various forms. It can be obvious or indirect, physical or verbal, repeated or one-off and perpetrated by any person of any gender towards any person of any gender. Sexual harassment can be perpetrated against beneficiaries, community members, citizens, as well as staff and personnel.
<b>Victim/Survivor</b>	A person who is, or has been, sexually exploited, harassed or abused.
<b>Young Person</b>	Any person(s) aged 12-24 years.

## References

### Accessibility

This document can be accessed by:

<b>Location</b>
<ul style="list-style-type: none"> <li>• Employment Hero &gt; Compliance &gt; Policies</li> </ul>

### Associated internal documents

- Foyer Foundation Code of Conduct
- Foyer Foundation Workplace Health & Safety Policy
- Foyer Foundation Grievance Resolution Policy
- Foyer Foundation Privacy Policy
- Foyer Foundation Whistleblower Policy
- Foyer Foundation Working with Children and Young People Guidelines

### Associated external documents

- Child Safety Guidelines 2022
- Working With Vulnerable People (Background Checking) Act 2011 (ACT)
- Child Protection (Working with Children) Act 2012 (NSW)
- Child Protection (Working with Children) Regulation 2013 (NSW)
- Child Protection (Working with Children) Amendment Act 2018 (NSW)
- Care and Protection of Children Act 2007 (NT)
- Working with Children (Risk Management and Screening) Act 2000 (Qld)
- Child Safety (Prohibited Persons) Act 2016 (SA)

- Children’s Protection Law Reform Act 2017 (SA)
- Child Safety (Prohibited Persons) Regulations 2019 (SA)
- Registration to Work with Vulnerable People Act 2013 (Tas.)
- Worker Screening Act 2020 (Vic.)
- Working With Children (Criminal Record Checking) Act 2004 (WA)

## Appendices

**Table 1**

State	Type	Age that FF employee requires check	Details	Link
<b>ACT</b>	Working with Vulnerable People Check	16 +	If you work or volunteer in a regulated activity or service where you have contact with vulnerable people regularly, you need a WWVP registration.	<a href="https://www.accesscamberra.act.gov.au/business-and-work/working-with-vulnerable-people/">https://www.accesscamberra.act.gov.au/business-and-work/working-with-vulnerable-people/</a>
<b>NSW</b>	Working with Children Check	16 +	The Working with Children Check (WWCC) is a requirement for anyone who works or volunteers in child-related work in NSW. It involves a National Police Check (criminal history record check) and a review of reportable workplace misconduct.	<a href="https://www.service.nsw.gov.au/transaction/apply-for-a-working-with-children-check">https://www.service.nsw.gov.au/transaction/apply-for-a-working-with-children-check</a>
<b>NT</b>	Working with Children Clearance (Ochre card)	16 +	You must by law apply for a working with children clearance, also called an Ochre Card, to work or volunteer with children in the Northern Territory (NT).	<a href="https://nt.gov.au/emergency/child-safety/apply-for-a-working-with-children-clearance">https://nt.gov.au/emergency/child-safety/apply-for-a-working-with-children-clearance</a>
<b>QLD</b>	Blue Card	16 +	To work or volunteer in regulated child-related employment or operate a regulated child-related business in Queensland, you may need a blue card or exemption card.	<a href="https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card-services">https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card-services</a>
<b>SA</b>	Working with Children Check	14 +	You need a Working with Children Check (WWCC) if you work, or intend to work, as an employee or volunteer, in a child-related area.	<a href="https://www.sa.gov.au/topics/rights-and-law/rights-and-responsibilities/screening-checks/screening-wwcc">https://www.sa.gov.au/topics/rights-and-law/rights-and-responsibilities/screening-checks/screening-wwcc</a>

<b>TAS</b>	Working with Vulnerable People Check	16 +	You must register to volunteer or work with vulnerable people including children.	<a href="https://www.service.tas.gov.au/services/education-and-skills/working-with-vulnerable-people-including-children/apply-for-registration-to-work-with-vulnerable-people">https://www.service.tas.gov.au/services/education-and-skills/working-with-vulnerable-people-including-children/apply-for-registration-to-work-with-vulnerable-people</a>
<b>VIC</b>	Working with Children Check	18 +	The Working with Children Check is a screening process for assessing or re-assessing people who work with or care for children in Victoria.	<a href="https://www.vic.gov.au/working-with-children-check">https://www.vic.gov.au/working-with-children-check</a>
<b>WA</b>	Working with Children Check	18 +	The Working with Children (WWC) Check is a compulsory screening strategy for people engaging in child-related work in Western Australia	<a href="https://www.wa.gov.au/organisation/departments-of-communities/working-children-check">https://www.wa.gov.au/organisation/departments-of-communities/working-children-check</a>