

SOP Standard Operating Procedure	OP05-02	Practice and Behaviour for Safeguarding Children and Young People	Date Approved 21 April 2020
			Review Date By 31 March 2021

Victoria Police Legacy (VPL) is a not for profit charitable organisation established to provide ongoing support to:

- ***the families of deceased serving sworn members of Victoria Police and police veterans, and***
- ***sworn serving members and police veterans who have lost a spouse or partner.***

Support is also provided to a member, their partners and families and police legatees experiencing grief or hardship caused by imminent or actual death or permanent (or prolonged) disability.

For VPL purposes, a police veteran is a person who was a sworn member of Victoria Police for a minimum period of 20 years.

This procedure is part of VPL's commitment to being a child safe organisation.

1. Purpose

This procedure seeks to ensure that our personnel strive for the highest possible standards with respect to safeguarding children and young people from abuse. These procedures identify clear expectations for behaviour towards and in the presence of children to prevent behaviour that may be harmful to the children and young people in our care.

The Safeguarding Children and Young People Policy (Policy OP05) details Victoria Police Legacy's commitment to ensuring children feel and are safe.

It is the expectation of the Board that all Board members, employees, ambassadors and volunteers will be familiar with and conduct themselves in accordance with these behavioural procedures.

2. Scope

This procedure applies all Board members, employees, volunteers, ambassadors, VPL Legatees, Friends of Police Legacy, dependents, guests, external customers and suppliers of VPL.

This procedure is approved by the Board who have governance oversight of its implementation and periodic review. The CEO is responsible for implementation of this procedure.

3. Definitions

Child, children, young people	are interchangeable and mean those aged less than 18 years of age.
VPL personnel or personnel	includes Board members, employees, ambassadors and volunteers of Victoria Police Legacy.

Appendix B of Policy OP05 - Safeguarding Children and Young People provides a detailed list of definitions relevant to this procedure.

4. Procedure

This Practice and Behaviour SOP addresses the major areas where VPL Board members, ambassadors, employees and volunteers interact with the children and young people who take part in our support

programs. The guidance provided is designed to help Board members, ambassadors, employees and volunteers to safeguard those children and young people from abuse or neglect.

All personnel must commit in writing to observing these Practice and Behaviour Guidelines as part of induction into their role at VPL.

VPL considers a failure to observe these guidelines as misconduct and will take appropriate disciplinary action. In addition to any internal disciplinary proceedings, VPL will report to the police all instances in which a breach of the law has or may have occurred.

Sexual misconduct

Under no circumstances is any form of 'sexual behaviour' to occur between, with, or in the presence of, children or young people participating in any of our support programs. Engaging in sexual behaviour while participating in our service is prohibited even if the young persons involved may be above the legal age of consent.

'Sexual behaviour' needs to be interpreted widely, to encompass the entire range of actions that would reasonably be considered to be sexual in nature, including but not limited to:

- 'contact behaviour', such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a child through prostitution
- 'non-contact behaviour', such as flirting, sexual innuendo, inappropriate text messaging, inappropriate photography or exposure to pornography or nudity.

Positive guidance (Discipline)

VPL strives to ensure that children and young people participating in our support programs and events are aware of the acceptable limits of their behaviour so that we can provide a positive experience for all participants. Children are encouraged to feel safe and be safe, and have positive relationships and friendships with VPL personnel and their peers.

Wherever possible, children and young people are encouraged to 'have a say' and participate in all relevant organisational activities, especially on issues that are important to them. Children and young people are given information about their safe participation in organisational activities including access to information about child abuse prevention programs.

There are times when personnel may be required to use appropriate techniques and behaviour management strategies to ensure:

- an effective and positive environment
- the safety and/or wellbeing of children, young people or personnel participating in our support programs.

VPL requires our personnel to use strategies that are fair, respectful and appropriate to the developmental stage of the children or young people involved. The child or young person needs to be provided with clear directions and given an opportunity to direct their behaviour in a positive manner.

Under no circumstances are our personnel to take disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

Adhering to professional role boundaries

Our personnel should not, of their own volition or at the request of a parent or child, act outside the confines of their duties (as specified in their position description) when helping to deliver our support programs.

All VPL employees, Board Members, ambassadors and volunteers:

- must not provide unauthorised transportation
- must not engage in activities with children or young people who are clients/members of our organisation outside authorised support, programs or duties
- must not provide any form of support to a child, young person or their family unrelated to the role of Victoria Police Legacy
- must not seek contact with children or young people (or former participants) outside of the role of Victoria Police Legacy, including on social media platforms
- must not accept an invitation to attend any private social function at the request of a child or young person who has participated, or is participating, in our support programs or at the request of their family, except with the express approval of the Operations Manager
- must not develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children)
- must not engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities).

If any of our personnel become aware of a situation in which a child or young person requires assistance that is beyond the confines of that person's role, or beyond the scope of our organisation's usual service, they should at the earliest opportunity:

- refer the matter to an appropriate support agency or
- refer the child or young person to an appropriate support agency or
- contact the child or young person's parent or guardian or seek advice from management.

Use of language and tone of voice

Language and tone of voice used in the presence of children and young people should:

- provide clear direction, boost their confidence, encourage or affirm them
- not be harmful to children – in this respect, avoid language that is:
 - discriminatory, racist or sexist
 - derogatory, belittling or negative, for example, by calling a child a 'loser' or telling them they are 'too fat'
 - intended to threaten or frighten- profane or sexual.

Promoting equity and diversity

All personnel must ensure that their approach and interactions with children and young people are sensitive, respectful and inclusive of all backgrounds and abilities.

Where our organisation has involvement with children:

- who are Aboriginal or Torres Strait Islander
- who are from culturally and/or linguistically diverse backgrounds or
- who have a disability

our personnel will promote their safety (including cultural safety), participation and empowerment.

Supervision

Personnel are responsible for supervising the children and young people to whom our organisation provides support and activities to ensure those participants:

- engage positively with VPL
- behave appropriately toward one another
- are in a safe environment and are protected from external threats.

Our personnel are required to avoid one-to-one unsupervised situations with children and young people to whom we provide services, and (where possible) to conduct all activities and/or discussions with service recipients in view of other personnel.

Use of electronic and online communications

All care must be taken in any electronic communication between our personnel and the children and young people to whom we provide a service. A professional and transparent approach is always necessary with all electronic communication, to ensure that any such communication will withstand scrutiny, be ethical, lawful and fair.

All VPL personnel are required to follow our Media Policy in respect of interactions with families of children and young people.

All VPL personnel are to (as best as it is practicable) provide assistance to children and young people when they use VPL electronic communication equipment, or their own electronic device, to ensure that they do not inadvertently place themselves at risk of abuse or exploitation via social networking sites, gaming sites or through web searches, or inappropriate email communication.

Giving gifts

Giving of official gifts by our service delivery personnel to children and young people is part of our raison d'être. Giving gifts to those we provide service to is subject to the following:

- Grants and Assistance Policy
- obtaining prior authorisation from the VPL CEO
- parents or other responsible adult(s) being made aware of the gift given.

Photographs of children and young people

Under these guidelines children and young people to whom we deliver service may be photographed while involved in our activities and events if:

- parental or guardian permission has been obtained
- the CEO of VPL has granted prior and specific approval
- the context is directly related to our activities
- the child/children is/are appropriately dressed and presented
- the image is taken in the presence of other personnel.
- candid photographs can be taken respectfully, and any inappropriate images are to be deleted.

Images are not to be distributed (including as an attachment to an email) to anyone outside our organisation other than the child photographed or their parent, without management knowledge and approval.

Images (digital or hard copy) are to be stored in a manner that prevents unauthorised access by others.

Except for archival purposes, images (digital or hard copy) are to be destroyed or deleted as soon as

they are no longer required.

Images are not to be exhibited on our website without parental knowledge and approval, and any accompanying text should not identify a child or young person if such identification is potentially detrimental.

VPL's Media Policy provides guidance on the collection of images at media events.

Physical contact with children and young people

Any physical contact with children and young people must be appropriate to the delivery of our support programs and based on the needs of the child or young person (such as to assist or comfort a distressed young person) rather than on the needs of our personnel.

Under no circumstances should any of our personnel have contact with children or young people participating in our support programs that:

- involves touching
 - of genitals
 - of buttocks
 - of the breast area (female children). That is other than as part of delivering first aid, rescue, medical or allied health services
- would appear to a reasonable observer to have a sexual connotation
- is intended to cause pain or distress to the child or young person – for example corporal punishment
- is overly physical – for example, wrestling, horseplay, tickling or other roughhousing
- is unnecessary – for example, assisting with toileting when a child does not require assistance
- is initiated against the wishes of the child or young person, except if such contact may be necessary to prevent injury, in which case:
 - physical restraint should be avoided or used only as a last resort
 - the level of force used must be proportionate and aimed solely at restraining the child or young person to prevent harm to themselves or others
 - any such incident must be reported to management as soon as possible.

Our personnel are required to report to management any physical contact initiated by a child or young person that is sexual or inappropriate, for example, acts of physical aggression, as soon as possible, to enable the situation to be managed in the interests of the safety of the child or young person, our personnel and any other participants.

Overnight stays and sleeping arrangements

Overnight stays are to occur only with the authorisation of our CEO and of the parents/guardians of the children or young people involved.

Practices and behaviour by our personnel during an overnight stay must be consistent with the practices and behaviour expected during delivery of our support programs.

Standards of conduct that must be observed by our personnel during an overnight stay include:

- providing children and young people with privacy when bathing and dressing
- observing appropriate dress standards when children and young people are present – such as no exposure to adult nudity
- not allowing children or young people to be exposed to pornographic material, for example, through movies, television, the Internet or magazines

- not leaving children under the supervision or protection of unauthorised persons such as hotel staff or friends
- not involving sleeping arrangements that may compromise the safety of children and young people such as unsupervised sleeping arrangements, or an adult sleeping in the same bed as a child or young person
- the right of children to contact their parents, or others, if they feel unsafe, uncomfortable or distressed during the stay
- parents expecting that their children can, if they wish, make contact.

Change room arrangements

Personnel are required to supervise children and young people in change rooms while balancing that requirement with a child or young person's right to privacy. In addition:

- personnel should avoid one-to-one situations with a child or young person in a change room area
- personnel are not permitted to use the change room area to, for example, undress, while children and young people are present
- personnel need to ensure adequate supervision in 'public' change rooms when they are used
- personnel need to provide the level of supervision required for preventing abuse by members of the public, adult service users, peer service users, or general misbehaviour, while also respecting a child's privacy
- female personnel are not to enter male change rooms and male personnel are not to enter female change rooms.

Uniform or identity card

Our personnel should wear their clothing with VPL logo only while involved in delivering services or as required by our organisation, such as when representing our organisation at designated functions.

Use, possession or supply of alcohol or drugs

While on duty, Board members, ambassadors, employees and volunteers must not:

- use, possess or be under the influence of an illegal drug
- be under the influence of alcohol
- be incapacitated by any other legal drug such as prescription or over-the-counter drugs
- supply alcohol or drugs (including tobacco) to children and young people participating in our support programs.

Personnel involved in events involving children or young people should maintain a tobacco free, smoke free environment for all involved at such events. Use of e-cigarettes or 'vaping' or exposure to same is likewise prohibited.

Transporting children

Children and young people are to be transported only in circumstances that are directly related to the delivery of our programs and events.

Children are to be transported only with prior authorisation from the CEO and from the child's parent/guardian. Gaining approval involves providing information about the proposed journey, including:

- the form of transport proposed, such as private car, taxi, self-drive bus, bus with driver, train, plane or boat
- the reason for the journey
- the general route to be followed, including any stops or side trips
- details of anyone who will be present during the journey other than our personnel who are involved in delivering our services.

Reporting obligations

All personnel are expected to make a report immediately (i.e. as soon as possible or before the end of the day) if:

- they become aware of any allegations of child abuse
- they have a concern for the safety of a child or young person in our services
- they notice any personnel whose practice or behaviour is contrary to the expectations of behaviour set out in this procedure

Please refer to the Children and Vulnerable Adults - Incident Report Form for guidance for all personnel to follow when making a report.

There may be exceptional situations where these guidelines do not apply, for example, in an emergency situation. However, it is crucial that, where possible, personnel seek management authorisation prior to taking action that contravenes these guidelines or that management is advised as soon possible after any incident in which these guidelines are breached.

5. Related documents and references:

- Legislation
 - Children, Youth and Families Act 2005
 - Child Wellbeing and Safety Act 2005
 - Commission for Children and Young People Act 2012
 - The Charter of Human Rights and Responsibilities Act 2006
 - Reportable Conduct Scheme 2017
 - Working with Children Act 2005
 - Crimes Act 1958
- OP05 - Safeguarding Children and Young People Policy
- OP05-01 - Safeguarding Children and Young People – Roles and Responsibilities SOP
- OP05-02-01 -Activity Checklist
- OP05-02-02 – Activity Risk Assessment
- OP05-02-03 – Activity Feedback template Form
- OP05-02-04 – Personal Commitment to safeguarding children and young people form
- OP05-02-05 – Confidential Medical Information for VPL
- OP05-02-06 – Initial Letter to Legatees
- OP05-02-07 - Contractor or external organisation commitment to child safety.
- Relevant guidelines, codes or principles relevant to policy compliance.