# Child Safety Policy

## 1. Policy Statement

This policy outlines our commitment at Uniting to creating a child safe organisation and to ensure that our representatives, families, children and young people, stakeholders and communities understand this responsibility.

It is a child's/young person's right to be and feel safe. We are committed to providing environments where children and young people are respected, nurtured and cared for. We are committed to applying an intersectional lens to creating child safety. Uniting acknowledges that abuse, harm and neglect to children and young people may come from:

- parents/caregivers
- guardians or supervisors
- people engaged by Uniting
- members of the public
- other children or young people

Uniting is committed to creating a safe, culturally respectful and inclusive environment for ***all*** children and young people, and actively promotes:

- cultural safety of children and young people that identify as First Nations people
- cultural safety of children and young people from culturally and linguistically diverse backgrounds
- the safety of children and young people with a disability
- the safety of children and young people that identify as LGBTIQA+
- the safety of children and young people who present as transgender, gender diverse or non-binary
- the safety of children and young people that do not live at home.
- the safety of children and young people that have been abused, neglected or harmed.

This policy intends to:

- clearly define the Uniting commitment to keeping children and young people safe.
- reinforce a zero-tolerance approach to child abuse, harm and neglect.
- reinforce zero-tolerance towards any form of bullying, harassment, or racism.
- document the key principles and components which help maintain a child safe environment.
- acknowledge and promote the rights, empowerment and diverse circumstances of all children and young people.

- raise awareness for Uniting representatives of their obligations, responsibilities and expected behaviour when working and engaging with children and young people at all times.
- identify risks and appropriate responses to concerns of child abuse, harm and neglect, including mandatory reporting
- protect children and young people from all forms of abuse, harm and neglect in the delivery of activities, services and programs.

Uniting representatives are required to take immediate and appropriate action where there are concerns about the safety or wellbeing of a child or young person, in line with this policy and associated procedures.

## 2. Scope

Uniting operates activities, services and programs in Victoria and Tasmania. This policy, along with related policies and procedures apply to all related geographical areas.

We have created this policy to ensure that our people, children, young people, families, stakeholders, volunteers and communities accessing Uniting activities, services and programs have a clear understanding on our child safety commitment.

This policy applies to the following people:

- all people engaged by Uniting
- organisations and entities which Uniting partners with

## 3. Roles and Responsibilities

| Role | Responsibilities |
|---|---|
| **Uniting Board** | • Owning the Uniting Child Safety strategy and policy<br>• Providing oversight of organisation-wide child safe practices<br>• Ensuring appropriate resourcing is allocated to implement child safe practice<br>• Advocating for child safe practices both within Uniting and with partner organisations<br>• Monitoring of organisational compliance to legislative requirements and key frameworks<br>• Ensuring processes are appropriately followed when a concern of child abuse, harm and neglect arise. |
| **Uniting Management** | • Ensuring Uniting Child Safety strategies and policies are implemented across the organisation<br>• Prioritising child safe practices at an operational level |

| Role | Responsibilities |
|---|---|
| | • Ensuring Uniting representatives are suitable, skilled and aware of their roles and responsibilities by providing training and easy access to policies and documents<br>• Advocating for child safe practice both within Uniting and with partner organisations<br>• Ensuring organisational compliance to legislative requirements and key frameworks<br>• Role modelling an open and aware child safe and child friendly culture. |
| **Uniting Representatives** | • Adhering to the Child Safety Policy, Child Safety Code of Conduct and related Child Safety policies and procedures<br>• Promoting child safe practice across the organisation<br>• Ensuring personal knowledge and education regarding child safety is current<br>• Identifying, mitigating and managing risks to children and young people<br>• Ensuring children and young people are engaged and are consulted about things that impact or affect them at Uniting<br>• Recognising, appropriately responding to, and reporting concerns of child abuse, harm and neglect. |

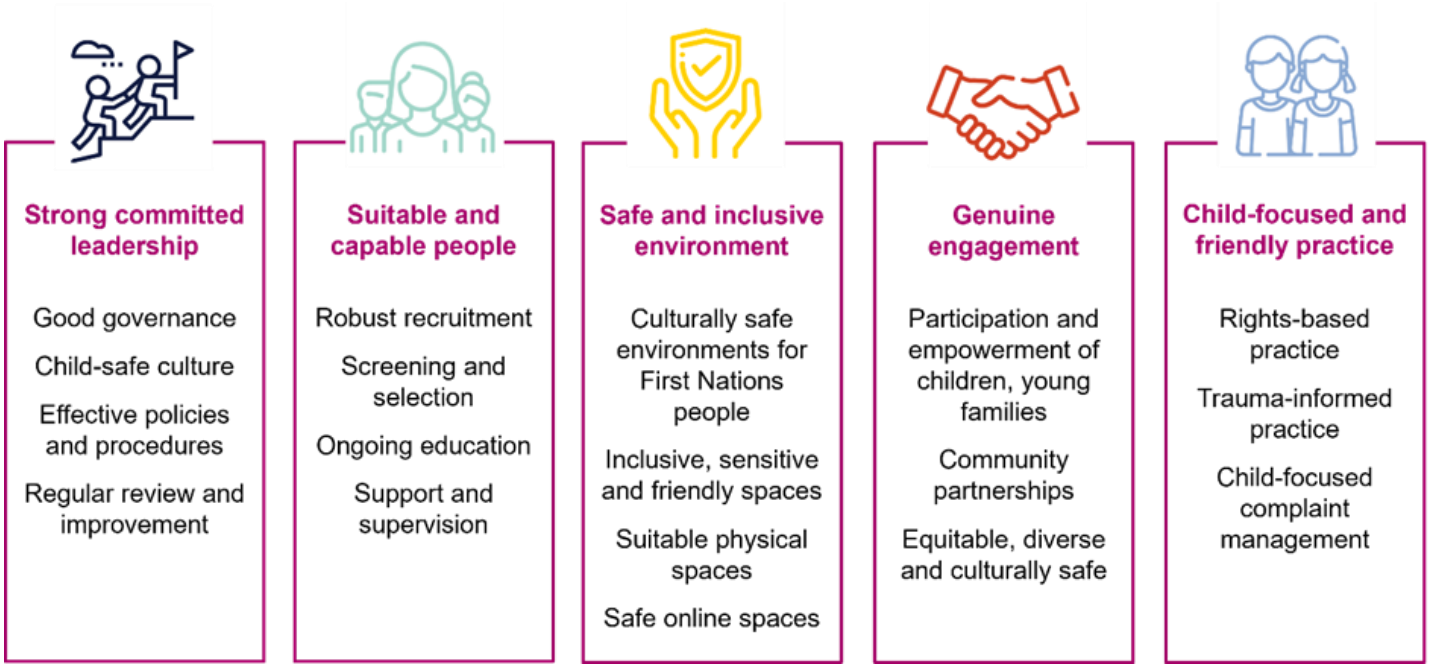
# 4. Policy

## 4.1. Child Safety Commitment Statement

All children and young people have the right to feel and be safe and connected to their lands, sea and culture. Accordingly, Uniting commits to:

- doing all in our power to safeguard children and young people from all forms of abuse, harm, neglect, discrimination or exclusion.
- providing culturally safe environments where children and young people are respected, nurtured and cared for.
- ensuring we report abuse or allegations of abuse, harm and neglect to the appropriate authorities.
- ensuring policy, practice and decision making which affects the safety of children and young people focuses on the importance of child safety.

## 4.2. Uniting Child Safety Framework




## 4.3. Forms of Abuse

The forms of abuse referenced in this policy include:

- Sexual abuse and sexual misconduct
- Grooming
- Harmful sexual behaviour
- Physical abuse
- Emotional and psychological abuse (inclusive of gender and sexuality change or suppression practices
- Cultural abuse / Spiritual abuse
- Exposure to family violence
- Neglect
- Financial abuse
- Image-based abuse
- Social media/grooming

Refer **Appendix A** for full definitions of forms of abuse.

## 4.4. Legislation, Standards and Frameworks

Uniting's Child Safety policy and procedures align with the United Nations Convention on the Rights of the Child, the National Principles for Child Safe Organisations and State based Child Safe Standards. The policy principles have been mapped to the requirements of the UCA National Child Safety Policy and Framework to ensure alignment.

We understand our compliance requirements for State based legislation in the jurisdictions we serve (Refer **Appendix B**).

### 4.5. Breaches

Any non-compliance or breaches of the **Child Safety Policy**, **Child Safety Code of Conduct** or related Child Safety policies and procedures will be taken seriously and treated as a breach of the terms of employment or engagement with Uniting and may result in disciplinary action. This action may include termination of employment or engagement.

## 5. Policy Principles

**Strong and committed leadership**

Reference: National Principles for Child Safe Standards: 1, 9, 10
Victorian Child Safe Standards: 2, 10, 11
Tasmanian Child and Youth Safe Standards 1,9,10

### 5.1. Good governance

Our governance arrangements facilitate the implementation of Child Safety Principles and Standards, our Child Safety Policy, Child Safety Code Conduct and related policies and strategies to enhance the rights and safety of children and young people. We ensure the roles, responsibilities and obligations of our representatives to keep children and young people safe are clearly defined. Clear accountability is assigned at each stage of identifying, reporting, and responding to child safety concerns, including oversight by designated Child Safety roles.

### 5.2. Child safe culture

Uniting believes that a child safe culture is led and modelled by Uniting governance and leadership and extends to all of those we come in contact with. Our Child Safety Code of Conduct applies to all our representatives, and will be actively applied across all activities, services and programs as a part of everyday practice. Refer **Child Safety Code of Conduct**.

### 5.3. Effective policies and procedures

Our policies and procedures support us to be a child safe organisation and are reviewed on a regular basis, with stakeholder consultation. Our Child Safety policies and procedures will be accessible to all Uniting representatives, children, young people, families and the broader community, as relevant. All our representatives must demonstrate practices and behaviours that support our policies and procedures, and our leaders will monitor the implementation and compliance of such.

### 5.4. Regular review and improvement

Uniting aims to continuously improve our child safe and child friendly environments and actively seeks feedback from stakeholders (children, young people, families/carers, Uniting representatives) to do so. We acknowledge that there are

always enhancements to be made, ensure that we regularly review our child safety performance, execute improvement plans and provide adequate resourcing to do so. Refer **Continuous Improvement Procedure.**

## Suitable and capable people

Reference: National Principles for Child Safe Standards: 5, 7
Victorian Child Safe Standards: 6, 8
Tasmanian Child and Youth Safe Standards 5,7

### 5.5. Robust recruitment

Uniting seeks to recruit representatives that are safe to work with children and young people and are aligned to our work in creating child safe and child friendly environments. Robust processes will be applied to the recruitment process, and those responsible for recruitment will be adequately skilled and supported to do so.

### 5.6. Screening and selection

All representatives will be screened as per legislative requirements (including National and International Crime Check and Working with Children Check (Vic) or the State based equivalent and selected as being suitable to work with children and young people, via thorough interviews and reference checking processes that include child safety elements. Refer **Recruitment Policy, Safety Screening Policy, Volunteering Policy, Worker and Carer Exclusion Scheme Procedure, and Consumer Partner Safety Screening Procedure**.

### 5.7. Ongoing education

Our representatives will be adequately trained and supported to complete their roles in a child safe organisation, implement child safe standards, and support the rights of children and young people. All Uniting representatives will receive a child safety related induction and commit to upholding our policies, along with ongoing education to improve their child safety skills. Training will be appropriately resourced and recorded. Refer **Induction and Orientation Procedure** & **Training and Development Procedure.**

### 5.8. Support and supervision

Ongoing supervision and people management will be provided and have a focus on child safety and wellbeing. The supervision, support and management of our representatives include identifying child safety training needs and will support an ongoing assessment of our representative's suitability to work with children and young people. Refer **Supervision Protocol & Procedure.**

## Safe and inclusive environments

Reference: National Principles for Child Safe Standards: 2, 8
Victorian Child Safe Standards: 1, 9
Tasmanian Child and Youth Safe Standards 2, 8, 10

## 5.9. Culturally safe environments for First Nations people

Our representatives will actively support and facilitate the participation and inclusion of our First Nations people, and actively recognise and celebrate their achievements, communities and culture. We work in solidarity with Aboriginal and Torres Strait Islander people as Australia's First Peoples and as the traditional owners and custodians of the lands we live and work across. Uniting will not tolerate any form of racism and will ensure any examples of such are identified and appropriately addressed. Refer **Reconciliation, Inclusion, Diversity & Equity Policy.**

The Statement of Recognition (Aboriginal Self-Determination and Other Matters) Act 2023 introduces recognition principles (S.7E *Children, Youth and Families Act 2005) (CYF Act*) that apply when making any decision or taking any action when working in the planning and provision of services for Aboriginal children and their families. In recognition of the principle of Aboriginal self-management and self-determination, our representatives must also consider the additional decision-making principles for Aboriginal children (S.12 CYF Act).

## 5.10. Inclusive, sensitive and friendly spaces

Uniting upholds the rights of children and young people to express their culture, celebrate diversity and appreciate the strengths of cultures. Our activities, services and programs must meet the needs of all children and young people (and their families) and provide environments that are inclusive, respectful, sensitive and friendly.

## 5.11. Suitable physical spaces

Uniting recognises our responsibility to proactively identify and reduce or remove risks to children and young people. Risk management strategies are in place to identify, assess, and minimise child safety risks, and these risks are managed via a risk management plan and register. Wherever possible, children and young people will be involved in risk identification and mitigation strategies. Refer **Risk Management Framework**.

Safe physical environments will be provided by Uniting. Safety assessments will be conducted on facilities/sites to ensure they are suitable and safe for Uniting activities, services and programs with children and young people to occur.

A Child Safety Risk Profile is a tool to help evaluate child safety risk in a program. It is recommended that this tool is used when:

- A new program or event is being planned that will involve children
- There is a significant change to how a program is delivered (e.g. change of site, change in activities, or a shift from face-to-face to online engagement)
- A child safeguarding theme or concern has emerged within a program or service and existing controls are not sufficient to manage the identified risks

- There is a contractual requirement to do so. In these instances, the assessment should be completed at the frequency required by the relevant regulatory body or funder as part of safeguarding attestation processes (e.g. HIPPY Australia)

Contact your Quality Improvement Business Partner for assistance when completing the Child Safety Risk Profiles.

Completed Risk Profiles must be submitted to your Quality Improvement Business Partner. Any identified actions or areas requiring improvement must be documented and monitored through the Quality Improvement Plan.

### 5.12. Safe online spaces

Uniting representatives will have an awareness of safe practice when communicating with children and young people via online and electronic systems. Online risks will be considered in risk management planning, along with opportunities for children and young people to report any concerns about electronic/online communication. Online and electronic communication with children and young people must be in accordance with **Electronic Communication with Children and Young People Procedure, Child Safety Risk Profile** and **Social Media Procedure**.

## Genuine engagement

Reference: National Principles for Child Safe Standards: 2, 3, 4
Victorian Child Safe Standards: 1, 3, 4, 5
Tasmanian Child and Youth Safe Standards 2,3,4

### 5.13. Participation and empowerment of children, young people and families

Uniting promotes the voices of children and young people and places a high priority on their participation and empowerment as community members. We believe in building an organisational culture based on what is in the best interests of children and young people at all times. We recognise that children and young people are experts in their own lives, have the right to be involved in decisions that affect them, and have experiences and recommendations that adults can learn from. We understand that children and young people are more likely to speak up about concerns if they know that their views are valued, listened to, taken seriously and acted on where appropriate.

Our representatives will ensure that children and young people are aware of their rights and are supported to exercise them. Representatives must actively create opportunities for children and young people to express concerns, including through regular check-ins and accessible, child-friendly communication methods. A child friendly version of this policy will be made available to children and young people. We will consult with children and young people wherever possible, and they will inform and help shape our decision making.

We actively seek feedback from the children and young people accessing our services to facilitate empowerment and participation and enhance to improve services and consumer experience. Uniting has partnered with children and young people to develop pathways and supporting child friendly resources. Uniting programs and services must promote and uphold these pathways and ensure they are available to all children and young people accessing Uniting services. For further information - (link to webpage for children and young people complaints and feedback)

Importantly, we know that families, carers and guardians are key stakeholders, and alongside our representatives, play a role in maintaining safe environments for children and young people and supporting Uniting to be a child safe organisation. We will work in partnership with families and facilitate regular communication, aim to build mutual respect and meaningful participation. Refer **Consumer Partnerships Framework.**

### 5.14. Community partnerships

We acknowledge that our activities, services and programs at Uniting rely on strong community partnerships. Our role in providing and maintaining child safe environments stretches to the broader community. Our commitment to child safety, along with relevant policies, procedures and information will be available to the communities in which we work, and the partnerships we form. We will ensure all partner organisations meet our child safety standards.

### 5.15. Equitable, diverse and culturally safe

All children and young people have the right to live safely. Uniting strongly believes and promotes this statement. Uniting has zero tolerance towards any form of bullying, harassment, or racism. The wellbeing of *all* children and young people, including environments that are culturally safe is an indicator of a child safe organisation. Refer **Diversity Statement**, **Reconciliation**, **Inclusion, Diversity and Equity Policy & Working with Diverse Communities Guidelines.**

We acknowledge the needs of children and young people from diverse and intersectional backgrounds, including those:

- Who identify as First Nations people
- are from culturally and linguistically diverse backgrounds
- living with a disability
- who identify as Lesbian, Gay, Bisexual, Transgender, Intersex, Queer (or questioning) or Asexual (LGBTIQA+)
- who present as transgender, gender diverse or non-binary
- living away from home
- Children from lower socioeconomic backgrounds

We will provide children and young people with access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand.

## Child focused and friendly practice

Reference: National Principles for Child Safe Standards: 2, 6
Victorian Child Safe Standards: 3, 7
Tasmanian Child and Youth Safe Standards 2,6,10

### 5.16. Rights based practice

Uniting supports the ***United Nations Conventions on the Rights of the Child's*** child rights approach. This approach recognises, respects and protects the human rights of children and young people in the development and implementation of laws, policies, practices and decisions affecting them. It focuses on genuine engagement with children and young people, their right to know their rights, taking action to promote their right to safety and their right to have their views heard. Refer **Consumer Rights and Responsibilities Policy**.

### 5.17. Trauma informed practice

At Uniting, we understand the significant impacts of trauma on people's lives, especially children and young people. We recognise we must respond appropriately to children and young people who are experiencing trauma to not only ensure their immediate safety but to support their ongoing wellbeing and recovery from trauma. **The Uniting Trauma Informed Care Principles support our workforce to ensure an effective evidence and trauma informed response to all children and young people.**
We will support our representatives to apply the principles of a trauma informed approach to all instances and concerns of child abuse, harm, and neglect.

Refer to **Responding to Allegations or Disclosures of Abuse involving Consumers Procedure.**

### 5.18. Child focused complaint management

Uniting will ensure clear and accessible complaint pathways are available for children, young people, their families, the broader community and our representatives.

Pathways for children and young people include:

- Talking to a trusted adult
- Filling out a 'Talk to Us' form (electronically or on paper)
- Talk to the Uniting Child Safety Officer

For further information, refer to **Child Safety at Uniting | Uniting Vic.Tas (unitingvictas.org.au)**.

All complaints will be treated seriously and responded to accordingly (and in line with the Uniting process for responding to, and reporting concerns of abuse, harm and neglect) and with the best interests of children and young people as the priority. Uniting will use the outcomes of complaints to review their child safety policies, practice and culture. Refer **Feedback, Compliments and Complaints Procedure** and **Whistleblower Policy** and **Children & Young People Feedback & Complaint Guidelines**.

### 5.19. Responding to concerns, allegations and incidents

Our representatives are required to respond to concerns, allegations, disclosures, and incidents of child abuse, harm, and neglect in a sensitive and appropriate manner, and will be supported to do so. Children, young people, and their families will be supported throughout the process and, where appropriate, consulted to ensure their rights are upheld and their participation in decision-making is respected. Refer to **Responding to Allegations or Disclosures of Abuse involving Consumers Procedure.**

Uniting commits to undertaking prompt and effective investigations into allegations involving our representatives. Investigations will be conducted with the principles of procedural fairness, confidentiality and privacy and the outcomes of investigations and any improvement/changes to practice will be communicated to stakeholders as appropriate. Refer **Safeguarding & External Reporting Investigations processes.**

### 5.20. Reporting instances of child abuse, harm and neglect

Uniting will ensure that all concerns, allegations and incidents are reported via internal and external pathways, as required by law, ethically and in line with our policies. Our representatives will co-operate with authorities and investigators, and ensure all reporting obligations are met, including reporting requirements mandated by law. A reporting procedure, along with training to clarify reporting roles and responsibilities has been made available to our representatives. Refer **Reporting allegations of child abuse Procedure.**

### 5.21. Privacy and confidentiality

All Uniting representatives involved in the handling of allegations of child abuse, harm and neglect will be mindful of the sensitive nature of the issue and take all reasonable steps to maintain confidentiality and respect the privacy of all those involved. For Uniting to perform its functions under legislation, we may be required to collect personal information about our representatives or children and young people and disclose that information to a third party. Refer **Privacy Policy** and **Information Sharing and MARAM Policy**.

### 5.22. Record keeping

Uniting will ensure that accurate records of child safety related concerns are collected and stored in line with best practice standards. Refer **Record Management Policy.**

### 5.23. Historical allegations

As part of our work of being a child safe organisation and promoting the safety of children and young people, Uniting may become aware of a disclosure of non-recent (historic) abuse, harm or neglect from those who have attended a Uniting activity, service or program in the past. Uniting commits to responding to such allegations in a sensitive and effective manner, noting that there may be a possibility that a person who abused a child or young person in the past may still be doing so, and criminal prosecutions may still take place even though the allegations are historical in nature. Refer **Incident Reporting and Management Procedure**.

### 5.24. Review and updates

Uniting commit to reviewing the Child Safety Policy as required, and at a minimum, every three years or as required by legislation. Review of the Policy will include consultation with experts and key stakeholders, including children and young people. Changes to any child safety related policy, child safety code of conduct or procedure will be communicated to all stakeholders.

## 6. Definitions

| Term | Meaning |
|---|---|
| Aboriginal and Torres Strait Islander / First Nations | A person who is of Aboriginal and/or Torres Strait descent, identifies as Aboriginal and/or Torres Strait Islander and is accepted as Aboriginal and/or Torres Strait Islander by an Aboriginal and/or Torres Strait Islander community. |
| Abuse | Refer to appendix A for definitions of all types of abuse |
| Change or Suppression Practices | Any practice or conduct directed towards a person, whether with or without the person's consent, based on the person's sexual orientation or gender identity, with the purpose of changing or suppressing that identity. This includes practices that seek to change or suppress a person's sexual orientation or gender identity, regardless of whether the person has requested or given consent to the practice or conduct. |
| Child | Any person under the age of 18 years old (typically 0-12 years). |
| Child Safe | An environment where children and young people's safety and wellbeing is at the centre of values and actions and where there is an emphasis on genuine engagement with and valuing of children and young people. Conditions reduce the likelihood of harm to children and young people, increase the likelihood of identifying any harm and responds to any concerns, disclosures, allegations or suspicions of harm. |

| Term | Meaning |
|---|---|
| Child Friendly | Behaviour, conduct, practice, process, attitude, environment and / or treatment that is humane, considerate and in the best interest of children and young people. |
| Child Protection | Statutory authority responsible for child protection, and all measures taken to minimise the risk of child abuse. |
| Child Safety Code of Conduct | A document which specifies behaviours expected of all people of the organisation when engaging with children or young people. |
| Consultant | A person who provides expert advice professionally. |
| Contractor | A person or organisation that undertakes a contract to provide labour, a service or job. |
| Cultural safety | The positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity. It is an environment which is socially and emotionally safe, as well as physically safe for children. It is about shared respect, shared meaning, shared knowledge and experience, of learning, living and working together with dignity and truly listening. |
| Culturally and/or linguistically diverse background (CALD) | Identification with particular cultural or linguistic affiliations by virtue of place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of parents' identification on a similar basis. |
| Disability | Any physical, sensory, neurological disability acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities. A disability can occur at any time in life. Some disabilities may be obvious while others are hidden. |
| Disclosure | A child or young person telling someone (through words, drawings or act that they feel unsafe or have been harmed. |
| First Nations | First Nations People is a term chosen by Australian Aboriginal and Torres Strait Islander people that, through using 'First', acknowledges that First Nations peoples both occupied Australia before anyone else, and are the oldest living culture on earth. 'Nations' highlights that Australia's First Peoples formed nations, each with their own culture, history, and language |
| Harm (of a child/ young person) | Damage to the health, safety or wellbeing of a child/young person, as a result of child abuse by adults or the conduct of other children/young people. It includes physical, emotional, sexual and psychological harm. |

| Term | Meaning |
|---|---|
| | Harm can arise from a single act or event and can also be cumulative, that is, arising as a result of a series of acts or events over a period of time |
| Leaders | Leader refers to any employee or volunteer who holds management responsibilities. |
| LGBTIQA+) | Lesbian, Gay, Bisexual, Transgender, Intersex, Queer (or questioning) or Asexual |
| Uniting Representatives | All people performing paid and unpaid work on behalf of Uniting including, employees, contractors, volunteers, temporary or agency employees and people on work experience or student placement. |
| Visitor | A person who is a member of the public, visiting a Uniting site. |
| Volunteer | An unpaid member of Uniting supporting program delivery or operations. |
| Young Person | Any person under the age of 18 years (typically 13-18yrs). |

## 7. Legislation/Regulations

United Nations Convention on the Rights of the Child
National Principles for Child Safe Organisations
See **Appendix B** for State and Territory Based Legislation and Child Safe Standards

## 8. Related Documents

Uniting Church Australia National Child Safety Policy Framework 2022
Uniting Trauma Informed Care Principles
Diversity Statement
Child Safety Commitment Statement
QUA-Child-Safe-Poster-and-Flyer-FA.pdf (unitingvictas.org.au)
Child-Safety-Posters.pdf (unitingvictas.org.au)
Child Safety Code of Conduct
Child & Young Person Feedback & Complaint Guidelines
Consumer Handbook
Consumer Partnership Framework
Consumer Rights and Responsibilities Policy
Continuous Improvement Procedure
Electronic Communication with Children and Young People Procedure
Excellence Framework
Feedback, Compliments and Complaints Procedure
Freedom from abuse, neglect, violence, exploitation & discrimination guidelines
Incident Reporting and Management Procedure
Reconciliation, Inclusion, Diversity and Equity Policy
Induction and Orientation Procedure

Information Sharing and MARAM Policy
Organisational Governance Policy
Policy Framework
Safety Screening Policy
Privacy Policy
Recruitment Policy
Reconciliation Action Plan
Records Management Policy
Reporting allegations of child abuse Procedure
Responding to Allegations or Disclosures of Abuse involving Consumers Procedure
Risk Management Framework
Safeguarding & External Reporting Investigations processes
Social Media Procedure
Supervision Protocol & Procedure
Training and Development Procedure
Volunteering Policy
Whistleblower Policy & Procedure
Working with Diverse Communities Guidelines

## 9. External Documents

*Victorian Commission for Children and Young People (CCYP)–*

- *A guide for creating a Child Safe Organisation*
- *Empowerment and Participation – A guide for organisations working with children and young people*

*SNAICC –*

- *Keeping our kids safe: Cultural safety and the National Principles for Child Safe Organisations*

*Murdoch Children's Research Institute: Voice of the Child*

Statement of Recognition Principles Guidance (dffh.vic.gov.au)

Talking-with-your-child-Digital-version.pdf
Booklet: Talking with your child about sexuality and gender identity | Victorian Equal Opportunity and Human Rights Commission

# Appendix A – Forms of Abuse[1]

**Sexual abuse**
Child sexual abuse is when a person uses power or authority over a child to involve them in sexual activity. It includes a broad range of behaviours involving a sexual element that are committed against, with or in the presence of a child. Sexual offences may involve contact, like touching or penetration. They also include acts that do not involve physical contact like 'flashing', possessing child abuse material or grooming.

**Sexual misconduct**
Sexual misconduct includes a variety of sexualised behaviours against, with or in the presence of a child. These behaviours may not meet the threshold for a sexual offence but can still pose a significant risk to children. Behaviours could include inappropriate conversations of a sexual nature, comments that express a desire to act in a sexual manner, or in some cases, behaviour that crosses a professional boundary, such as having or seeking to establish an inappropriate or overly personal or intimate relationship with a child.

**Grooming**
Grooming behaviour can involve the use of a variety of manipulative and controlling techniques used to build trust or normalise sexually harmful behaviour. Grooming is often described as the 'preparation' phase of child sexual abuse, undertaken by the perpetrator to gain the trust of a child, and to establish secrecy and silence. Perpetrators may groom to gain access to a child, initiate and maintain sexual abuse of that child, and to conceal the sexual abuse from others who may identify it.

**Harmful Sexual Behaviour**
Harmful sexual behaviour (HSB) is developmentally inappropriate sexual behaviour which is displayed by children and young people, and which may be harmful or abusive. It can be displayed towards younger children, peers, older children or adults. It is harmful to the children and young people who display it, as well as those it is directed towards.

**Physical abuse**
Physical violence can occur when a person intentionally or recklessly uses physical force against, with or in the presence of a child without their consent, which causes, or could cause, the child harm. Physical violence can include hitting, punching,

[1] Victorian Commission for Children and Young People (CCYP)– A guide for creating a Child Safe Organisation
National Society for the Protection of Cruelty to Children (NSPCC)
SNAICC - Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations
Family Law Act 1975 (Cth) – Definition of Exposure to Family Violence
1800respect.org.au

kicking, pushing or throwing something that strikes a child. It also includes the use of words or gestures that cause a child to believe that they are about to suffer physical violence.

**Emotional or psychological abuse**
Emotional and psychological abuse may arise in circumstances that involve persistent verbal abuse, coercive or manipulative behaviour, hostility towards a child, humiliation, belittling or scapegoating, conveying to a child that they are worthless, unloved, inadequate or rejected, or causing a child to frequently feel frightened or in danger. This includes abuse relating to gender and sexuality change or suppression practices.

**Cultural Abuse**
Cultural abuse can cause emotional and psychological harm. Cultural abuse occurs when the culture of a people is ignored, denigrated or intentionally attacked. It can be overt or covert, for example, a lack of cultural sensitivity or absence of positive images about another culture. Cultural abuse is especially harmful for children.

**Spiritual abuse**
Spiritual abuse is any attempt to use religion, faith or beliefs to exert power and control over someone. It can involve someone forcing you or your children to join spiritual or religious practices when you don't want to. It can also involve someone stopping you from taking part in spiritual or religious practices that you want to participate in.

**Exposure to Family Violence**
Exposure to violent, threatening or other behaviour by a person that coerces or controls a member of the person's family (the family member) or causes the family member to be fearful. A child is exposed to violence if that child sees or hears family violence or otherwise experiences the effects of family violence.

**Neglect**
Neglect is a failure to meet the basic needs of a child (such as their wellbeing and safety). Neglect can arise as a result of a single event or a combination of different events. Some neglectful behaviours that can occur in organisations include:

- supervisory neglect (failure to appropriately exercise adequate supervision or control of a child)
- physical neglect (failure to meet a child's physical needs including the provision of adequate and appropriate food, clothing, shelter or physical hygiene)
- educational neglect (failure to ensure that a child's formal educational needs are being met)
- emotional neglect (failure to provide adequate nurturing, encouragement and support to a child).

**Financial Abuse**
The illegal use, improper use, or mismanagement of a person's money, property, or financial resources by a person with whom they have a relationship implying trust.

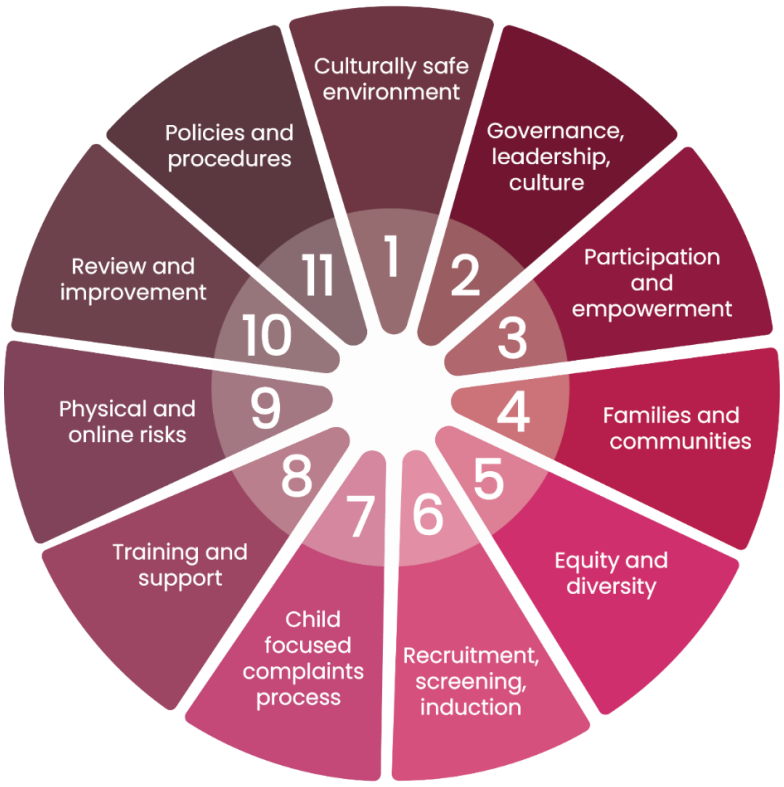
**Image-based Abuse**
When someone shares, or threatens to share, an intimate image or video of a person without their consent (Social Media).

# Appendix B – Related Frameworks and Legislation

United Nations Convention on the Rights of the Child

National Principles for Child Safe Organisations

**Victorian Child Safe Standards:**




**Tasmanian Child and Youth Safe Standards:**

Standard 1: Child safety and wellbeing is embedded in organisational leadership, governance and culture
Standard 2: Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously
Standard 3: Families and communities are informed and involved in promoting child safety and wellbeing
Standard 4: Equity is upheld and diverse needs respected in policy and practice
Standard 5: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice
Standard 6: Processes to respond to complaints and concerns are child focused
Standard 7: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training
Standard 8: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed
Standard 9: Implementation of the Child and Youth Safe Standards is regularly reviewed and improved
Standard 10: Policies and procedures document how the organisation is safe for children and young people

**State and Territory Based Legislation**:

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| Organisational Liability | VIC, TAS |
| Child Safe Standards | VIC, TAS |
| Duty of Care, Voluntary and Mandatory Reporting | VIC ,TAS |
| Failure to Protect | VIC ,TAS |
| Failure to Disclose/Report | VIC, TAS |
| Reportable Conduct Scheme | VIC, TAS |
| Grooming | VIC, TAS |
| Age of consent | VIC, TAS |
| Working with Children Checks | VIC, TAS |
| Information sharing | VIC, TAS, |
| Family Law Act 1975 | Commonwealth |
| Additional decision-making principles for Aboriginal children (Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-Determination and Other Matters) Act 2023). | VIC |
| Change or Suppression Practices Prohibition Act 2021 | VIC |