



Child Safe Policy



Royal
Botanic
Gardens
Victoria

1. Policy Statement

Royal Botanic Gardens Victoria is fully committed to safeguarding children and young people in our Gardens by providing a safe, supportive and enriching environment that respects and fosters their dignity and self-esteem as they connect with nature and develop a deeper understanding of biodiversity, conservation and the natural world.

We do not tolerate child abuse. We strive to create a culture of child safety that reduces opportunities for harm and neglect. We aim to provide personnel with a clear process to share child safety concerns and report abuse.

Our personnel encourage children and young people to express their views. We listen to their suggestions, especially on matters that directly affect them. We actively encourage all children and young people who use our services to 'have a say' about things that are important to them.

At Royal Botanic Gardens Victoria, children and young people of all backgrounds are treated fairly and with respect. We value diversity, and do not tolerate discriminatory practices or behaviours.

To support inclusion, we pay particular attention to promoting:

- cultural safety, participation and empowerment for Aboriginal children and young people and their families or carers
- cultural safety, participation and empowerment of children and young people from culturally and/or linguistically diverse backgrounds and their families or carers
- the participation and empowerment of children and young people with disabilities or other special needs and their families or carers
- the participation and empowerment of children and young people who identify with the LGBTIQ+ community and their families or carers.

Through the **Child Safe Policy**, we document our clear commitment to safeguarding children and young people from abuse and neglect. We communicate this commitment to all of our personnel, share an understanding of its purpose, document expected behaviours in the related **Child Safe Code of Conduct** and give them access to a copy of our Policy and Code.

To support our commitment to safeguarding children and young people, our Child Safe policies and procedures are: accessible in forms that are easy to understand; have been informed by stakeholder consultation; and are communicated to children, young people and their families or carers, our staff, volunteers, stakeholders and the general public.

2. Background and Purpose

As part of the Victorian Government's commitment to implementing the recommendations of the Betrayal of Trust report, a changed regulatory landscape is now in place surrounding child safety and the duty of care of organisations in this regard.

Since January 2017, all Victorian organisations that provide services to children and young people are required under the Child Wellbeing and Safety Act 2005 and the seven Victorian Government Child Safe Standards to ensure they implement compulsory standards to protect children from harm. In 2018, the Royal Commission into Institutional Responses to Child Sexual Abuse made similar recommendations. The Australian Human Rights Commission has since released the 10 National Principles for Child Safe Organisations as an outcome.

In 2019, a Royal Botanic Gardens Victoria Safeguarding Children Taskforce was formed to formalise our response to the Victorian Government Child Safe Standards, which document the organisation's statutory duty of care within the Wrongs Amendment (Organisational Child Abuse) Act 2017 (see Part XIII of Wrongs Act 1958). This amendment was written to ensure there is a clear, well-defined legal duty placed upon organisations to take reasonable steps to prevent child abuse within their organisation.

If you need counselling or support

If you or anyone you know needs support, please contact the National Sexual Assault, Domestic and Family Violence Counselling Service on 1800RESPECT (1800 737 732), Lifeline 131 114, Beyond Blue 1300 224 or Lifeworks Employee Assistance Program 1300 361 008.



2.1 Why is the duty necessary?

The *Parliamentary Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations* delivered the Betrayal of Trust report on 13 November 2013. Law reform was a critical finding of this inquiry ([Victorian State Government, Betrayal of Trust fact sheet, 2017](#)).

The Betrayal of Trust report found that perpetrators of child abuse in organisations often obtained credibility, trustworthiness, and easy access to children from their position within the organisation. It also found that instances of organisational child abuse have been facilitated by the trusting relationships that are created by a perpetrator's association with an organisation.

The **Betrayal of Trust** report stated that:

- organisations should have a clear legal duty to take appropriate measures to minimise the risk of abuse that arises because of the creation of relationships of trust for which they are responsible
- there is a clear need to recognise the legal obligation of organisations to reasonably ensure the safety of children who come into contact with their members.

The duty allows organisations to be held liable for child abuse, and it also encourages organisations to take reasonable precautions to prevent abuse of children and young people.

2.2 What is a Child Safe Program?

A Child Safe Program is a continuous child safe process in organisations that have a duty of care for children and young people whilst delivering a service or activity to them, their families and carers.

The RBGV Safeguarding Children Taskforce was convened to develop and implement the Child Safe Program at the Gardens after a formal review of our child safe practise conducted by the Australian Childhood Foundation (ACF) in late 2018. The Australian Childhood Foundation is a national not-for-profit organisation that provides expert advice and guidance to all organisations engaged with children and young people.

The implementation of the Child Safe Program is to be viewed as a major change management process across our organisation, similar to the embedded thinking now demonstrated in occupational health and safety, and treated with similar consideration and commitment to ongoing improvement by all staff members, volunteers, Friends' groups, tenants (onsite partners), visiting researchers and other contractors.

In addition to key recommendations, the key guiding documents arising from the Child Safe Program and its related recommendations are intended to be read as a suite of three, as follows:

- **Child Safe Policy 2020**
- **Child Safe Code of Conduct 2020**
- **Child Safe Statement of Commitment**

2.3 Purpose

The purpose of the **Child Safe Policy** is:

- i. to prevent, as far as practicable, child abuse at Royal Botanic Gardens Victoria
- ii. to work towards an organisational culture of child safety
- iii. to ensure all personnel and stakeholders are aware of their responsibilities for identifying child abuse and for establishing controls for preventing such abuse and/or detecting such abuse and removing and/or reducing the risk of abuse or harm should it occur
- iv. to provide a clear statement that abuse of children and young people is not tolerated
- v. to provide assurance that any and all suspected abuse will be reported and fully investigated.

This Policy applies to abuse and neglect of children and young people under the age of 18.

2.4 Objectives

The objectives of the **Child Safe Policy** are to:

- i. outline the organisation's legislated responsibilities in relation to disclosure, child protection and Victoria's Reportable Conduct Scheme
- ii. demonstrate leadership to our community in relation to the safety and protection of children and young people at Royal Botanic Gardens Victoria sites
- iii. offer special additional consideration for children and young people from Aboriginal and Torres Strait Islander communities; children and young people from culturally and linguistically diverse backgrounds; children and young people with disabilities or other special needs; children and young people who identify as members of the LGBTIQ+ community
- iv. guide and direct the implementation of a best practice approach for safeguarding children and young people at Royal Botanic Gardens Victoria, with a view to being comprehensive, timely and reflective of relevant stakeholder views.



2.5 Legislated responsibilities

Royal Botanic Gardens Victoria takes its legal responsibilities seriously, including:

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have reasonable belief that an adult has committed a sexual offence against a child under 16 have an **obligation** to report that information to the Police.
- **Failure to protect:** People of authority at Royal Botanic Gardens Victoria will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

We regularly review our policies, gain endorsement of changes and advise our personnel, children, young people and their families and carers of changes.

3. Scope

This **Child Safe Policy** applies to all employees, Executive Team and Board members, volunteers, tenants (onsite partners), Friends' groups, work experience students, visiting researchers and other contractors. All groups must demonstrate appropriate behaviour towards children and young people as detailed in the **Child Safe Code of Conduct**, which should be read in conjunction with this Policy.

4. Definitions

Definitions are included at the conclusion of this document.

5. Related Documents

The following documents must be considered in relation to this document:

- *Child Safe Code of Conduct*
- *Child Safe Statement of Commitment*
- *Royal Botanic Gardens Victoria Enterprise Agreement 2017*
- *Victorian Public Sector Code of Conduct*
- *Privacy Policy*
- *Social Media Policy*
- *Recruitment Policy*
- *First Aid Policy*
- *Volunteer Policy*
- *Child Safe Procedure (flowchart)*
- *Incident Reporting procedure*
- *OH&S Policy*

6. Related Legislation

The **Child Safe Policy** considers all relevant legislative requirements within the State of Victoria, in particular the Victorian Child Safe Standards. This Policy has also considered the National Child Safe Principles and the United Nations Convention on the Rights of the Child.

In addition, the following legislation applies:

- Children Youth and Families Act 2005
- Child Wellbeing and Safety Act 2005
- Privacy and Data Protection Act 2014



7. Responsibilities

The Royal Botanic Gardens Victoria Board is responsible for the strategic oversight and legislated actions of the Responsible Conduct Scheme, as well as endorsement of the **Child Safe Policy**. The Board delegates implementation of the Policy to the Director and Chief Executive, Executive Team and Senior Leadership Group members of the organisation.

The role of each position or entity in relation to this Policy are detailed in the table below:

Position/Entity	Role/Responsibility
Board	<ul style="list-style-type: none"> — Take action to protect children and young people from all forms of abuse, bullying and exploitation — Assist in creating and maintaining a culture of inclusion and safety — Promote the commitment to this Policy and its expectations — Support policy review on a biannual cycle as a minimum, or at a time governed by legislation, regulations, or organisational learnings that promote a change to the Policy and all relevant procedural guidelines — Oversee compliance to the Policy via an inbuilt review mechanism — Allocate adequate resources to allow for the development and effective implementation of this policy — Develop opportunities for regular discussion at all levels to support a culture of openness and continued improvement and accountability to child safety and welfare — Advocate and promote child rights, empowering and engaging children and young people in support of this Policy and its expectations



**Director and Chief Executive/Executive team
and Senior Leadership Group**

- Take action to protect children and young people from all forms of abuse, bullying and exploitation
- Demonstrate leadership in creating and maintaining a culture of inclusion and safety
- Confirm all involved personnel understand their obligations in accordance with the **Child Safe Policy** and any relevant policy and procedural documentation. This includes induction, compulsory training and regular discussion and guidance at management and team meetings
- Oversee implementation of and adherence to the **Child Safe Policy** amongst RBGV personnel and stakeholders
- Develop and implement required internal policy, work procedures and guidelines to support child safe practice in accordance with the expectations of the **Child Safe Policy**
- Allocate adequate resources to allow effective implementation of the **Child Safe Policy**
- Support RBGV personnel and stakeholders to initiate any form of action to protect a child from abuse, neglect, grooming or exploitation
- Implement appropriate supports, such as counselling and formal debriefing, for any personnel involved in a matter relating to responding to a concern for the safety and wellbeing of a child or young person
- Advocate and promote child rights, empowering and engaging children and young people in support of this Policy
- Proactively share resources and experience in the development of child safe initiatives as they are identified
- Develop opportunities for regular discussion at all levels to support a culture of continuous improvement and accountability of child safety and welfare
- Increase awareness amongst RBGV personnel regarding the appropriate recruitment, screening and employment practice in relation to individuals with specific roles in working, coaching or volunteering with children and families

Personnel and external providers

- Take action to protect children and young people from all forms of abuse, bullying and exploitation
 - Assist in creating and maintaining a culture of inclusion and safety
 - Maintain a full understanding of the commitments and expectations of this Policy, as well as all other policy relevant to safeguarding children and young people
 - Undertake any induction and training anticipated in this Policy, in relation to policy, behaviours and procedures relevant to safeguarding children and young people
 - Seek guidance from a supervisor or manager if there is ever any lack of understanding in relation to the commitments and expectations as set out in this Policy
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8. Recruitment and Screening

Royal Botanic Gardens Victoria has a recruitment and screening process in place to be sure that all current and new personnel at Royal Botanic Gardens Victoria understand their role and the behaviour we expect in relation to safeguarding children and young people from abuse and neglect. To do this, we use clear job advertisements and position descriptions which clearly state our child safety commitment and outline our requirements. We also have a **Child Safe Code of Conduct**, which is approved and endorsed by our Board, that outlines our expectations for behaviour towards children and young people.

We have appropriate measures in place to minimise the likelihood that we will recruit a person who is unsuitable to work or volunteer at the Gardens. We have recruitment procedures that ensure:

- our safeguarding commitment is communicated to potential applicants for positions
- face-to-face interviews are held that include child safe-related questions
- two professional reference checks are undertaken and documented
- screening checks are undertaken, including identity, criminal record, Working with Children Checks and qualification checks.

Upon commencement of employment, our personnel are given a copy of the **Child Safe Policy** and **Child Safe Code of Conduct**. Our personnel indicate, in writing, that they have read and are committed to the **Child Safe Code of Conduct** by reading and signing the **Child Safe Statement of Commitment**.

All personnel at Royal Botanic Gardens Victoria are required to secure and maintain a current Working with Children Check with no exceptions.

9. Induction and Training

Royal Botanic Gardens Victoria provides new personnel with information during their induction about our commitment to safeguarding children and young people, and we have a process in place to ensure all personnel complete **Child Safe Training**. We support ongoing education and training for our personnel to ensure safeguarding information is provided in a contemporary and timely way, allowing for continuous improvement and innovation in this area.

10. Communication

At Royal Botanic Gardens Victoria, we collaborate and communicate with children and young people, and their families or carers, to develop a safe, inclusive and supportive environment. We have a plan in place to communicate our Policy to key stakeholders and the general public.

We provide information to children and their families or carers (such as through guidelines, posters, brochures etc) about:

- our commitment to safeguarding children and their rights
- the behaviour we expect of our personnel and of themselves
- our policy about responding to child abuse.

Royal Botanic Gardens Victoria commits to ensuring our **Child Safe Policy** is communicated to:

Service users

- on our website
- on-site in age-accessible formats for children and young people
- as part of program and ticketing information provided to schools, parents, carers and families
- We identify ourselves to children and young people by **wearing our name badge and/or uniform** at all times. We **wear the Child Safe Pin** upon completion of **Child Safe Training**.

All personnel

- during recruitment and induction processes
- in minimum compulsory training on safeguarding children and young people policies and procedures
- on agendas for team meetings
- through email and in person to volunteers, tenants, Friends' groups, visiting researchers and other contractors
- whenever there are any updates or changes to this document.

11. Reporting

Our policy for responding and reporting child abuse is approved and endorsed by the Royal Botanic Gardens Victoria Board and applies to all Gardens' personnel.

The requirements relating to reporting are as follows:

- Personnel must immediately report abuse or neglect and any concerns with policies, practices or the behaviour of personnel.
- Personnel must meet any legislated mandatory reporting requirements.
- Personnel document any allegation, disclosure or concern regarding child abuse and monitor responses to all allegations, disclosures or concerns.
- Personnel must follow a specified process when reporting abuse or neglect including who will receive reports.
- Personnel strive to offer utmost privacy for all parties in the case of any abuse of children or young people, including through data protection.

Our personnel understand that failure to report is serious misconduct.

This is because they have read and understand the implications of this Policy for their employment.

12. Monitoring and Review

We monitor our personnel and external providers to ensure appropriate practice and behaviour, policy and procedures are followed. We communicate with our personnel to ensure that they understand updates to our policies so that the policies remain effective in the workplace.

We require our personnel to **disclose convictions or charges affecting their suitability to work with children and young people**, require police checks for all new personnel, and review working with children checks periodically.

We undertake formal reviews annually to identify and document potential risks to children or young people associated with our service delivery. We have a procedure to undertake annual reviews, as part of ongoing compliance with safeguarding requirements.

This Policy will be reviewed at least every two years. Some circumstances may trigger an early review. These include but are not limited to legislative changes, organisational changes, incident outcomes and other matters deemed appropriate by the Board and/or Executive team. We retain records to document each review undertaken. Records may include minutes of meetings and documentation of changes to policies and procedures that result from a review.

External audit and verification based on a sample is conducted by the Australian Childhood Foundation or other suitable provider at three yearly intervals.

14. Reviewing Officer

In consultation with the Child Safety Officer, the Manager of People and Culture is responsible for reviewing this Policy.



15. Version Control

Document Name	Policy Number	Effective Date
Child Safe Policy	v1.0	March 2018
Child Safe Policy	v2.0	May 2020

Definitions

Term	Definition
Bullying	<p>Bullying involves the inappropriate use of power by one or more persons over another less powerful person or group and is generally an act that is repeated over time. Bullying has been described by researchers as taking many forms which are often interrelated and include:</p> <ul style="list-style-type: none"> — <i>verbal</i> (name calling, put downs, threats) — <i>physical</i> (hitting, punching, kicking, scratching, tripping, spitting) — <i>social</i> (ignoring, excluding, ostracising, alienating) — <i>psychological</i> (spreading rumours, stalking, dirty looks, hiding or damaging possessions).
Child abuse	Behaviour towards and/or in the presence of children and/or young people that is harmful.
Child or young person	A person under the age of 18 years.
Child Safe Code of Conduct	The Child Safe Code of Conduct aims to identify and prevent behaviour that may be harmful to children and young people at Royal Botanic Gardens Victoria. The Child Safe Code of Conduct outlines what is, and what is not acceptable behaviour or practice when working with or engaging with children and young people.
Child Safety Officer	The individual responsible for providing statutory child protection services within the organisation, including assessment, intervention, casework and case management in accordance with legislation and practice guidelines.
Child Safe Training	The process of ensuring that all personnel are familiar with and understand Royal Botanic Gardens Victoria's Child Safe Policy and Code of Conduct, as well as their responsibility to support and adhere to these key values as RBGV personnel.
Emotional or psychological abuse	Emotional or psychological abuse occurs when a child does not receive the love, affection or attention they need for healthy emotional, psychological and social development. Such abuse may involve repeated rejection or threats to a child. Constant criticism, teasing, ignoring, threatening, yelling, scapegoating, ridicule and rejection or continual coldness are all examples of emotional abuse. These behaviors continue to an extent that results in significant damage to the child's physical, intellectual or emotional wellbeing and development.
Family violence	Family violence occurs when children are forced to live with violence between adults in their home. It is harmful to children. It can include witnessing violence or the consequences of violence. Family violence is defined as violence between members of a family or extended family or those fulfilling the role of family in a child or young person's life. Exposure to family violence places children and young people at increased risk of physical injury and harm and has a significant impact on their wellbeing and development.

Term	Definition
Grooming	<p>Grooming is a term used to describe what happens when a perpetrator of abuse builds a relationship with a child with a view to abusing them at some stage. There is no set pattern in relation to the grooming of children. For some perpetrators, there will be a lengthy period of time before the abuse begins. The child may be given special attention and, what starts as an apparently normal display of affection, such as cuddling, can develop into sexual touching and then into more serious sexual behaviour. Other perpetrators may draw a child in and abuse them relatively quickly. Some abusers do not groom children but abuse them without forming a relationship at all.</p> <p>Grooming can take place in any setting where a relationship is formed, such as leisure, music, sports and religious activities, or in internet chatrooms, through social media or by other technological channels.</p>
Harm	<p>Harm to a child is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by:</p> <ul style="list-style-type: none"> — physical, psychological or emotional abuse or neglect — sexual abuse or exploitation — a single act, omission or circumstance — a series or combination of acts, omissions or circumstances.
LGBTQI+	<p>An abbreviation for Lesbian, Gay, Bisexual, Transgender, Queer/Questioning and Intersex, plus any other less common terms used to describe sex, gender and sexuality identities within the community.</p>
Neglect	<p>Neglect is the persistent failure or deliberate denial to provide the child with the basic necessities of life. Such neglect includes the failure to provide adequate food, clothing, shelter, adequate supervision, clean water, medical attention or supervision to the extent that the child's health and development is, or is likely to be, significantly harmed. Categories of neglect include physical neglect, medical neglect, abandonment or desertion, emotional neglect and educational neglect. The issue of neglect must be considered within the context of resources reasonably available.</p>
Personnel and other external providers	<p>All staff and volunteers who work for the organisation whether in a paid or unpaid capacity.</p> <p>For the purposes of this Policy, personnel also refers to Friends' groups, tenants (onsite partners), work experience students, visiting researchers and other external providers), that is, anyone or any group that delivers services at either Melbourne or Cranbourne Gardens.</p>
Physical abuse	<p>Physical abuse occurs when a person subjects a child to non-accidental physically aggressive acts. The abuser may inflict an injury intentionally or inadvertently as a result of physical punishment or the aggressive treatment of a child. Physically abusive behavior includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning, excessive and physically harmful over training, and kicking. It also includes giving children harmful substances such as drugs, alcohol or poison. Certain types of punishment, whilst not causing injury can also be considered physical abuse if they place a child at risk of being hurt.</p>

Term	Definition
Sexual abuse	Sexual abuse occurs when an adult or a person of authority (e.g. older) involves a child in any sexual activity. Perpetrators of sexual abuse take advantage of their power, authority or position over the child or young person for their own benefit. It can include making sexual comments to a child, engaging children to participate in sexual conversations over the internet or on social media, kissing, touching a child's genitals or breasts, oral sex or intercourse with a child. Encouraging a child to view pornographic magazines, websites and videos is also sexual abuse. Engaging children to participate in sexual conversations over the internet is also considered sexual abuse.
Sexual exploitation	Sexual exploitation occurs when children are forced into sexual activities that are then recorded in some way and/or used to produce pornography. Such pornography can be in the form of actual photos or videos or published on the internet. Exploitation can also involve children who are forced into prostitution.
Signs of child abuse	<p>Signs of physical abuse</p> <ul style="list-style-type: none"> — Bruises, burns, sprains, dislocations, bites, cuts — Improbable excuses given to explain injuries — Refusal to discuss injuries — Withdrawal from physical contact — Arms and legs kept covered in hot weather — Fear of returning home or of parents being contacted — Showing wariness or distrust of adults — Being aggressive towards others or being very passive and compliant <p>Signs of emotional abuse</p> <ul style="list-style-type: none"> — Physical, mental and emotional development is delayed — Highly anxious — Showing delayed speech or sudden speech disorder — Fear of new situations — Inappropriate emotional response to painful situations — Extremes of passivity or aggression — Chronic running away — Compulsive stealing — Low self esteem — Drug or alcohol abuse

Term	Definition
	<p>Signs of neglect</p> <ul style="list-style-type: none"> – Frequent hunger – Poor personal hygiene – Constant tiredness – Inappropriate clothing, e.g. summer clothes in winter – Untreated medical problems – Low self-esteem – Poor social relationships – Drug or alcohol abuse <p>Physical signs of sexual abuse</p> <ul style="list-style-type: none"> – Bruises, bite marks scratches, other injuries not consistent with accidental injury or other injuries to breasts, buttocks, lower abdomen – Signs of sexually transmitted infections – Difficulty walking or sitting – Recurrent urinary tract infections – Persistent headaches or recurrent abdominal pain – Unexplained pain in the genital area <p>Behavioural signs of sexual abuse</p> <ul style="list-style-type: none"> – Over attention to adults of a particular sex – Inappropriate displays of attention between child and parent or caregiver that appear lover-like rather than parent-like (being excessively overprotective towards child, restricting child's social activities or being inquisitive of child's sexuality) – Displaying unusual interest in the genitals of others – Precocious knowledge of sexual matters – Sudden changes in mood or behaviour – Difficulty sleeping and nightmares – Regressed behaviour, for example bed wetting, separation anxiety, insecurity – Change in eating patterns including preoccupation with food – Lack of trust in familiar adults, fear of strangers, fear of men – Lack of appropriate role boundaries in family – child fulfils parental role – Acting-out behaviour – aggression, lying, stealing, unexplained running away, drug or alcohol abuse, suicide attempts – Withdrawn behaviour such as passivity, excessive compliance, mood swing or depression – Learning problems at school, loss of concentration, unexplained drop in school performance – Poor peer relationships, family and /or child appear socially isolated

External Links

Victoria's Reportable Conduct Scheme

<https://providers.dhhs.vic.gov.au/reportable-conduct-scheme>



Traditional Owner Acknowledgement:

We acknowledge the Traditional Custodians of the land on which we work and learn and pay our respects to their Elders past, present and future.

Thank you to the Australian Childhood Foundation for support and guidance in creating this Policy and Child Safe Program.