



Safeguarding Statement for Children

We at Shnei Ohr Chabad Learning Centre Inc and Smile on Seniors OZ believe children who come to our activities, events or programs should:

- feel comfortable;
- be cared for; and
- feel safe and be safe.

Everyone who works here does their best to make sure children are protected from any harm.

It is not okay for anyone to hurt your feelings or your body.

It is okay for you to say NO to an adult if they ask you to do something that makes you feel unsafe or uncomfortable.

If you ever feel unsafe or uncomfortable, we will listen to you and act to help you.

Anything that makes you feel upset or uncomfortable will be taken seriously by us.

It is always okay to tell someone if you are not feeling comfortable or safe or if you have been hurt.

If you are unhappy with the way you are being treated, please tell Rabbi Stern or Esther Stern from Shnei Ohr Chabad Learning Centre Inc and Smile on Seniors OZ or a parent.

REVIEWED ON THE 1/8/2020 BY THE BOARD OF MANAGERMENTS



Information For Parents

Our Commitment

At Shnei Ohr Chabad Learning Centre Inc and Smile on Seniors OZ we consider the health, safety and wellbeing of all children and young people to be our highest priority. We strive to ensure the safety and wellbeing of children and young people through our Safeguarding Children Commitment Statement.

Our Safeguarding Children Commitment Statement has been adopted by our Board of Management and Child Protection Officer - Rabbi Menachem Stern. It underpins a set of policies and procedures in relation to the protection of children and young people which guide:

- the screening and recruitment of our existing and future personnel
- the behaviour of our personnel towards children and young people
- the induction and training of our personnel about safeguarding children and young people
- our open and effective communication with children and young people and their parents
- our responses to the abuse and neglect of children if it occurs and
- our maintenance of a safeguarding culture in the organisation.

Our personnel are required to:

- undergo an extensive screening process including a National Criminal Records Check and/or a Working with Children Check
- behave professionally and with care towards children and young people including not acting outside the boundaries of their duties or using their position with the organisation to solicit work with or initiate contact with children and young people who are clients/members of our organisation
- understand the important responsibility they bear, they must protect children and young people from all forms of abuse, bullying and exploitation either by our personnel or that occurs outside the scope of our operations and services; and
- create and maintain a child safe culture.

Responding to Child Abuse Reports and Allegations

We consider any form of child abuse including emotional, physical and sexual abuse, family violence, grooming or neglect as intolerable under any circumstances.

We have a legal, moral and mission driven responsibility to protect children and young people from harm and to ensure that any incident of suspected child abuse is promptly and appropriately dealt with. Our personnel are required to report suspected child abuse to their Child Protection Officer and the child protection authorities or the police. Shnei Ohr Chabad Learning Centre Inc and Smile on Seniors OZ will co-operate with the child protection authorities and police and other agencies as required by law.

Practice & Behaviour Guidelines (Safeguarding Code of Conduct)

Shnei Ohr Chabad Learning Centre Inc and Smile on Seniors OZ personnel and volunteers are required to maintain the highest standards of professional conduct towards children and young people. We have developed Practice & Behaviour Guidelines to identify and prevent behaviour that may be harmful to the children and young people in our care. The following is a summary to those Guidelines.

Transport

Children and young people are to be transported only with prior authorisation from a parent/guardian and a Shnei Ohr Chabad Learning Centre Inc or Smile on Seniors OZ child protection manager. Our personnel are NEVER to give children or young people casual lifts. To gain approval from a Shnei Ohr Chabad Learning Centre Inc and Smile on Seniors OZ child protection manager – Rabbi Menachem Stern, our personnel are required to submit details about the proposed journey including the form of transport, the reason and details of who will be present.

Overnight Stays



Overnight stays are only to occur with the authorisation of a parent/guardian and Shnei Ohr Chabad Learning Centre Inc and Smile on Seniors OZ child protection Manager. Standards of our personnel conduct during an overnight stay must be consistent with the practices and behaviour expected during delivery of our programs and services at other times. Standards of conduct that must be observed include:

- Providing children and young people with privacy when bathing and dressing
- Not leaving children or young people under the supervision or protection of an unauthorised person such as hotel personnel
- The right of children or young people to contact their parents, or others, if they feel unsafe, uncomfortable or distressed during the stay

Physical Contact with Children and Young People

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

Positive Guidance

We aim to make children and young people aware of the acceptable limits of their behaviour. There are times when our personnel may be required to use appropriate behaviour management strategies to ensure an effective and positive environment and the safety and/or wellbeing of children, young people or personnel participating on our programs and services.

Any behaviour management strategy used must be fair, respectful and appropriate to the developmental stage of the children or young people involved



The child or young person is to be provided with clear directions and given an opportunity to redirect their misbehaviour in a positive way. 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

Professional role boundaries

Our personnel are not to act outside the confines of their duties, as specified in their position description, when helping to deliver our programs and services. Shnei Ohr Chabad Learning Centre Inc and Smile on Seniors OZ actively discourages our personnel and volunteers to engage with children who participate in Shnei Ohr Chabad Learning Centre Inc and Smile on Seniors OZ programs, in activities such as baby-sitting and weekend trips. Such activities may only occur with prior written approval of the Child Protection Officer

Photographs of children and young people

Children and young people are to be photographed by our personnel while involved in our programs and services only if:

- Prior written parental/guardian authorisation is obtained (except for special events such as concerts, fairs, performances, open days and competitions)
- The Context is directly related to participation in our programs and services
- The child is appropriately dressed and posed

Use of electronic communication

Wherever possible, email and text messages sent to a child or young person is to be copied to their parent or guardian. Any communication is to be restricted to issues directly associated with delivering our programs and services, such as advising that a scheduled event is cancelled. Communication with young people on social networking sites is only allowed through official Shnei Ohr Chabad Learning Centre Inc and Smile on Seniors OZ sites and by designated Shnei Ohr Chabad Learning Centre Inc and Smile on Seniors OZ Social Media Administrators.



Guidelines for Parents & Carers

Shnei Ohr Chabad Learning Centre Inc and Smile on Seniors OZ is committed to creating an environment where everyone can participate without experiencing abusive, insulting, threatening or other anti-social behaviour.

We call on all parents (and other spectators) associated with our organisation to:

- observe our organisation's Guidelines for Parents
- when necessary, politely and respectfully remind others of their obligations under these guidelines
- in the event of serious or ongoing breaches of these guidelines by another person, to report the matter to a Child Protection Officer -Rabbi Stern so that appropriate action can be taken.

Our guidelines for parents

Your and other children and young people's participation and enjoyment in our programs and the activities of our organisation are our primary consideration. As parents your role is to support these outcomes by:

- encouraging your child's participation in a positive manner
- not engaging in behaviour that discriminates against any other person based on gender, race, ability, colour, religion, language, politics or national or ethnic origin
- not engaging in, or threatening to engage in, violent or physical confrontations with any other person
- not encouraging or inciting children to violence, or similar breaches of rules or the spirit of our programs
- never mocking or insulting the children when they make a mistake or do not perform well
- following any directions of the staff, including any request to modify your behaviour or to leave the game or activity following a breach of these guidelines.

Serious or ongoing breaches of these guidelines are not tolerated. Those who breach our guidelines risk being asked to leave the game and/or being prohibited from attending future activities.



Responding to child abuse reports and allegations policy

1. Purpose

Shnei Ohr Chabad Learning Centre Inc and Smile on Seniors committed to protecting the children and young people to whom it delivers a service. Accordingly, we have developed this policy on how to respond to child abuse reports and allegations as a guide to all our people in meeting their responsibilities in this area. Our personnel are required to identify, report, and respond to any concerns about, or incidents of, child abuse or neglect towards children or young people to whom we provide services. Our personnel are required to respond to abuse or neglect perpetrated by personnel within our organisation or by other persons.

Shnei Ohr Chabad Learning Centre Inc and Smile on Seniors OZ will promote equity and respect diversity of the children and young people and their parents who access our services as part of our reporting policy. This includes children from culturally and linguistically diverse backgrounds and children and young people with a disability.

We take seriously our responsibility to deliver a leaning and fun environment that is caring, nurturing and safe. Our Boards and Child Protection Officer - Rabbi Menachem Stern are committed to ensuring the safety of all children and young people to whom we provide services or who participate in our programs.

As part of that commitment our Senior Management are dedicated to our organisation's commitment to safeguarding children our and young people from abuse and neglect.

2. Related Policies

E.g. Safeguarding Children and Young People Policy, Practice and Behaviour Guidelines, Incident Management Policy/Procedure

For an outline of the mandatory reporting requirements across Australian jurisdictions a summary can be found at <https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect>

3. Related Legislation

Our guidelines comply with relevant legislation.

E.g. Legal requirements for the reporting of child abuse and neglect, reportable conduct, failure to protect, failure to disclose, information sharing etc.

4. Scope

All personnel within our organisation are required to meet the requirements of our policy on responding to child abuse reports and allegations.

No one within our organisation is exempt from meeting the standards and requirements set out in this policy.

5. Definitions

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); and/or • <i>Psychological</i> (spreading rumours, stalking, dirty looks, hiding or damaging possessions).
Child or young person	A person under the age of eighteen years.
Emotional or psychological abuse	<p>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.</p>
Family Violence	<p>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.</p>
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 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 or masturbation 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. Grooming can take place in any setting where a relationship is formed, such as leisure, music, sports and religious activities, or in internet chatrooms, in 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; and • a series or combination of acts, omissions or circumstances.
Neglect	<p>Neglect is the persistent failure or deliberate denial to provide the child with the 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,</p>



	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.
Personnel	All staff and volunteers who work for the organisation whether in a paid or unpaid capacity.
Physical abuse	Physical abuse occurs when a person subjects a child to non-accidental physically aggressive acts. The abuser may inflict an injury intentionally or inadvertently because 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.
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.

6. Responsibilities

Position	Responsibility
Child Protection officer – Rabbi Stern	<ul style="list-style-type: none"> • Implement policies and procedures across the organisation • Ensure personnel have access to and understand this policy and related procedures • Ensure all managers/supervisors have access to support and advice • to understand and implement policies and procedures • Provide training and advice in the application of policies and procedures • Ensure policies and procedures are followed and implemented
Employees / Volunteers	<ul style="list-style-type: none"> • Compliance with policy and procedure.

7. Key Requirements

Our personnel are required to report any instance of serious abuse or neglect (cases in which a child



or young person has suffered, or is likely to suffer, significant harm from abuse or neglect) immediately, or if that is not possible, no later than before ending that person's shift or session of work with our organisation.

If a child or young person is at **imminent risk** of harm or in **immediate danger**, our personnel are required to report the situation directly to Victoria Police on 03 9247 6666 or the Department of Families and Children on 1300 655 795

In your responses you will need to consider the specific needs of the child or young person. Consider the unique qualities of a child including, for example, whether the child is Aboriginal or Torres Strait Islander, has a disability and/or has a culturally and linguistically diverse background.

Consequences of breaching policy

If our personnel fail to report instances, allegations, disclosures or concerns in relation to abuse or neglect of a child or young person – by personnel within our organisation or by others – we view such failure as a serious matter that, depending on the circumstances, may result in disciplinary action or be grounds for dismissal.

Our policy prohibits all personnel from:

- discussing any concerns or allegations with unauthorised personnel – within or outside our organisation – such prohibition not being designed to limit, in any way, their rights and responsibilities to report their concerns or allegations, but rather as part of our organisation's commitment to ensuring privacy, confidentiality and natural justice
- making deliberately false, misleading or vexatious allegations.

Our personnel are obliged to raise any concerns they might have in relation to:

- our organisational policies designed to safeguard children and young people – such as outlined in our 'Practice and behaviour guidelines' and in our 'Responding to child abuse reports and allegations' policy
- actions of other personnel within our organisation that contravene our policies, or that may otherwise have the potential to harm a child or young person.

Reporting of concerns or allegations regarding abuse or neglect by family or other external sources

As a policy Shnei Ohr Chabad Inc and Smile on Seniors Oz requires all its personnel to report any instance of child abuse or neglect that has resulted in, or is likely to result in, significant harm to a child or young person, to either:

- Victoria Police 03 9247 6666 and/or Department of Families and Children on 1300 655 795 immediately (i.e. before the end of the person's shift / session of work).
- Rabbi Stern will ensure that the incident is reported [to Victoria Police 03 9247 6666](https://www.vic.gov.au/victoria-police)/or Department of Families and Children on 1300 655 795], immediately (i.e. before the end of the person's shift / session of work).

The following legal mandatory reporting requirements also apply to personnel within our organisation:

(please refer to <https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect>)

We ask that our personnel also inform our Child Protection Officer of any report they make to those authorities, to enable our organisation to best provide support to the child or young person, their family and our personnel, where appropriate.



Mandatory reporting legislation and summary	Relevant personnel who must comply
<p>Sexual Offences against Children <i>Section 327 of the Crimes Act 1958</i> This legislation requires that any adult who has a reasonable belief that a sexual offence has been committed in Victoria against a child must disclose that information to a police officer as soon as it is practicable to do so.</p> <p>Please familiarize yourself with this legislation at https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect</p> <p>Mandatory Reporting of Child Abuse <i>Sections 182(1)(a) -(e), 184 and 162(c)-(d) of the Children, Youth and Families Act 2005 (Vic.)</i> This legislation requires that teachers and certain other professionals who have a reasonable belief that a child needs protection from physical or sexual abuse must inform the relevant authorities as soon as it is practicable to do so.</p> <p>Please familiarize yourself with this legislation at https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect</p> <p>Reportable Conduct <i>Children Legislation Amendment (Reportable Conduct) Act 2017</i> This legislation requires reporting to a Commissioner for Children and Young People of any offence or misconduct by workers and volunteers in an organisation involving children, including:</p> <ul style="list-style-type: none"> • a sexual offence; or • sexual misconduct; or • physical violence; or • significant emotional/ psychological harm; or • significant neglect. <p>Please familiarize yourself with this legislation at http://www.cyp.vic.gov.au/reportableconduct/index.htm</p>	<p>All personnel</p> <p>Teachers, doctors, nurses</p> <p>A person in a relevant position of authority in the organisation who becomes aware of an allegation of reportable conduct involving a worker or volunteer</p>

All our personnel retain the right to report directly to relevant authorities, such as police or child protection, any concerns they may have in relation to the safety and welfare of a child or young person, regardless of whether they have also reported that matter internally.

In taking a report of concern, or of an incident, from others within our organisation our personnel are:

- not to assess the validity of such allegations or concerns, but to report all allegations or concerns to the nominated person or persons within our organisation as described in this policy (the validity of an allegation will then be assessed in the manner described in this policy.)
- to disregard factors such as the authority or position of the persons involved and any pre-existing



- views about the good character, or otherwise, of any person involved or under investigation.

In situations where a child or young person is making an allegation, our personnel are required to:

- listen to the allegation or disclosure supportively, without dispute
- clarify the basic details, without seeking detailed information or asking suggestive or leading questions, using our organisation's 'Child Abuse Incident Form'
- record on the Child Abuse Incident Form what was said (where possible, noting the exact words used by the person making the allegation)
- date and sign the record
- explain to the child (if present) that other people may need to be told, to stop what is happening
- provide reassurance that our organisation will take immediate action in response to the allegation.
- Report the matter as per organisational policy requirements (as stated earlier), which are to:
 - Victoria Police on 03 9247 6666 and/or Department of Families and Children on 1300 655 795 immediately (i.e. before the end of the person's shift / session of work)
 - Rabbi Stern who will ensure that the incident is reported to Victoria Police on 03 9247 6666 and/or Department of Families and Children on 1300 655 795 immediately (i.e. before the end of the person's shift / session of work).

Additional requirements where concerns or allegations of abuse or neglect involve our employees or volunteers

All personnel must report, immediately, to the Rabbi Stern any breach of the Practice and Behaviour Guidelines / Code of Conduct arising from an action by an employee or volunteer within our organisation.

In response to any instance of 'serious' breaches which relate to abuse or neglect ('serious' being cases in which the abuse or neglect has resulted in, or is likely to result in, significant harm to a child or young person) our Director will investigate and deal with allegations of inappropriate and unacceptable behavior towards a child in line with our organisation's general procedures for complaint resolution and disciplinary measures and in consultation with Police and other authorities.

If a 'serious' allegation has been made against a staff member of our organisation, our Director will:

- fill in a 'Child abuse Incident Form' form to ensure all relevant details are documented
- cooperate with the Police and other authorities and assist in their investigation of the allegation
- take any action necessary to safeguard the child or young person (or other children or young people in our care) from additional harm through options such as:
 - additional supervision of that staff member
 - removing/suspending that staff member from duty until the validity of the allegations is determined
- assist in addressing the support needs of those impacted by the allegation including considerations of cultural safety for:
 - the child and their family (this includes any specific support needs for those from an Aboriginal and Torres Strait Islander; Culturally and Linguistically Diverse; or person with a disability background);
 - the person against whom the complaint is made by, for example, offering professional



- counselling
- other personnel impacted by the allegations
 - make clear to all other personnel who are aware of the allegation that:
 - the allegation does not mean the person is guilty, and that the allegation will be properly investigated and will include the right to 'procedural fairness'
 - they are not to discuss the matter with any person, except as directed by police, child protection authorities and/or our Director and only in direct relation to investigation of the allegation.

All instances, allegations, disclosures or reasonable concerns of abuse or neglect of a child or young person arising from an action by an employee or volunteer within our organisation will be investigated and will be the subject of a critical incident review. This will also be reported to the Australian Childhood Foundation within 28 days, in accordance with the requirements of the Safeguarding Children Program. This report will be made by our Director.

Confidentiality and privacy

Our organisation maintains the confidentiality and privacy of all concerned (including the alleged perpetrator), except if doing so would compromise the welfare of the child or young person and/or investigation of the allegation.

Documentation

As part of our policy for responding to reports or allegations of child abuse, we have developed a Child Abuse Incident Form, which is to be used by any of our people to document any allegation, disclosure, incident or concern regarding child abuse. In situations where our personnel become aware of abuse whether through observation of potential indicators, such as bruises or cuts, or by directly observing potentially abusive behaviour towards a child or young person, they are required to use our Child abuse Incident Form to record their observations and concerns as accurately as possible.

Our Director will oversee creation of a file to contain the completed Child Abuse Incident Form and any other documentation relating to the allegation and subsequent action.

To prevent access by unauthorised persons, our organisation stores any documentation associated with an allegation of abuse or neglect of a child or young person by having:

- hard-copy documentation stored in a locked filing cabinet (or similar)
- electronic documentation stored in a password-protected folder (or similar).

We maintain and regularly monitor records of child abuse reports as part of our Incident Management processes to ensure that they are responded to effectively in accordance with this policy and that requirements for reporting to external authorities are complied with.

8. Communication

We communicate our Child Protection Policy requirements to all our personnel involved with children and young people in our organisation. We involve our personnel in reviews of our Child Protection Policy requirements. We communicate any significant alterations to our Child Protection Policy requirements and resources to all personnel.

REVIEWED ON THE 1/08/2020 BY THE BOARD OF MANAGEMENT