

# MCHARRY'S BUSLINES CHILD SAFETY AND WELLBEING POLICY

## INTRODUCTION

This Child Safety and Wellbeing Policy was implemented with effect from 1 July 2022. It sets out the commitment of management and staff to child safety and wellbeing. It describes how our organisation keeps children safe from harm and child abuse in accordance with the Victorian Child Safe Standards.

## STATEMENT OF COMMITMENT TO CHILD SAFETY

All children have a right to be and feel safe. The welfare of the children we convey will always be our first priority and we do not tolerate child abuse and harm. We aim to create an environment where children feel safe being transported on our services.

## DEFINITIONS

child/ children means a person who is under the age of 18 years.

child abuse means:

- a sexual offence committed against a child
- an offence committed against a child under section 49M(1) of the Crimes Act 1958 (Vic), such as grooming
- physical violence against a child
- causing serious emotional or psychological harm to a child
- serious neglect of a child.

complaint

A complaint is an expression of dissatisfaction related to one or more of the following:

- our services or dealings with individuals
- allegations of abuse or misconduct by a staff member or other individual associated with our organisation
- disclosures of abuse or harm made by a child or young person
- the conduct of a child or young person
- the inadequate handling of a prior concern
- general concerns about the safety of a group of children or activity.

concern

A concern refers to any potential issue that could impact negatively on the safety and wellbeing of children.

harm is damage to the health, safety or wellbeing of a child, including as a result of child abuse by adults or the conduct of other children. It includes physical, emotional, sexual and psychological harm. 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.

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## THE ROLE OF MANAGEMENT

Management will ensure that children's safety is prioritised and that action is taken when anyone raises concerns about children's safety.

Management will champion and model a child safe culture in this organisation. We encourage anyone involved with the organisation to report a child safety concern. Management will work to create a positive culture around reporting so that people feel comfortable to raise concerns.

Everyone involved in the organisation has a role in identifying and managing risks of child abuse and harm. Management will support staff to take action to manage risks, in accordance with this policy. We will also ensure that appropriate child safety training for staff is identified and completed.

All our child safe policies and practices will be reviewed at the times and in the manner referred to below under 'Review', including an annual review of staff compliance with these policies which will be reflected in the child safe standards review checklist and any resulting non-compliance report.

## CHILDREN'S EMPOWERMENT AND PARTICIPATION

We respect the rights of children and provide them with information about their rights including the right to be safe on our services by providing a letter to the school with a notice for distribution to parents/guardians. By doing so, we communicate with children about what they can do if they feel unsafe.

We do not tolerate bullying or abusive or racist behaviour between children and take action if this occurs.

We seek to understand what makes children feel safe on our services by valuing children's opinions. We will act on safety concerns raised by children or their families either directly or via the school. Children are encouraged to tell relevant school staff, carers or McHarry's Buslines about any complaints or safety concerns they have in relation to their bus service.

## FAMILIES AND COMMUNITIES

Parents and others are invited to provide feedback with us at any time via the school, or via our email address [info@mcharrys.com.au](mailto:info@mcharrys.com.au) or via phone on 5223 2111.

We provide information to families and serviced schools about our child safe policies and practices by:

- providing this Child Safety and Wellbeing Policy to our serviced schools
- publishing this Child Safety and Wellbeing Policy on our website

## CREATING CULTURALLY SAFE ENVIRONMENTS FOR ABORIGINAL CHILDREN AND THEIR FAMILIES

- We are committed to creating an environment where Aboriginal children and families are welcomed and included. Strategies to embed cultural safety for Aboriginal children include:-
  - providing training for staff on the strengths of Aboriginal culture and its importance to the wellbeing and safety of Aboriginal children.
  - encouraging feedback from Aboriginal children and families on their experience of our service via the notice that we provide to families and schools, particularly how safe they feel expressing their identity including their culture.

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## **VALUING DIVERSITY**

We value diversity and equity for all children. To achieve this we:

- provide training for management and staff on understanding diversity and equity, and how to support inclusion and cultural safety;
- welcome and support participation of all children, including children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, LGBTQI+ children and Aboriginal children and their families;
- have zero tolerance of racism and other forms of discrimination and take action when discrimination or exclusion is identified.

## **CODE OF CONDUCT**

This organisation has a Child Safe Code of Conduct. Its requirements will be communicated to all management and staff, and they must comply with it. Breaches of the Code of Conduct may result in disciplinary action including termination of employment.

All third-party contractors are also expected to abide by the Child Safe Code of Conduct which will be provided to them before any work is conducted on site when children may be present.

## **EMPLOYEE RECRUITMENT**

Child safety and wellbeing is central to recruitment, including in any advertisements, interviews, reference checks and screening processes for prospective employees. We only recruit staff who are appropriate to engage with children.

We require a Working with Children Check and referee checks for all staff. We require staff to have appropriate qualifications for their roles and check to make sure these qualifications are valid. Regular checks are made during a person's employment to ensure they remain valid.

## **EMPLOYEE SUPPORT**

All management and staff receive training on induction, and annually or as needed to ensure they understand their responsibilities in relation to child safety, including information and record keeping obligations, and to support their engagement with children.

Training will be recorded in McHarry's employee records system.

## **CONCERNS, COMPLAINTS AND REPORTING**

If a McHarry's employee has any concerns, the employee will record the reason and report the information promptly, and confidentially to McHarry's Management, who will notify the relevant person (for example, the school Principal). Should a McHarry's employee believe that a matter requires police attention they will advise management (and in the case of school services, the Principal) and report the matter to the police.

All reports of child abuse and child safety concerns will be treated seriously, whether they are made by an adult or a child and whether they are about the conduct of an adult or a child. All complaints and child safety concerns will be responded to promptly and thoroughly by an authorized person. This will include investigation by finding out the facts, speaking with the relevant people and verifying explanations where possible.

We will:

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- acknowledge and address the complaint as soon as possible;
- ensure that complaints are handled confidentially in accordance with privacy and employment law obligations;
- take appropriate action to ensure the child is safe and cared for during the complaint procedure; and
- ensure that any action required to adequately address the complaint is taken promptly.

If you are not satisfied with our response, you may escalate the complaint to the Commission for Children and Young People [telephone 1300 782 978; <https://ccyp.vic.gov.au/contact/>] for further consideration.

If a complaint includes an allegation or incident of child abuse or harm, including racism, it must be reported in accordance with this policy. Staff may be subject to actions to support child safety including:

- being stood down during an investigation or terminated following an investigation
- having their duties altered so they do not engage with children while at work
- not allowing unsupervised contact with children while at work
- removing their access to our IT system and facilities.

Anyone seeking to make a complaint will be supported to do so.

Any child making a complaint will be given time and space to do so, so that their issue can be heard, and they will be asked if they wish to have another child or person with them at that time for support.

Any adult making a complaint may have a support person with them. Support persons can provide moral support for the complainant but must not involve themselves in the complaint by acting as advocates for the complainant.

We will treat anyone subject to the investigation of a complaint objectively, and:

- inform them of any complaint about their actions;
- provide them with an opportunity to explain the circumstances;
- provide them with appropriate support; and
- update them on the complaint investigation and the result.

Complaints or concerns about child safety can be made at any time via the School Principal or their authorised representative, and/or to the McHarry's Buslines, General Manager, by phone 5223 2111.

### **CRIMINAL OFFENCES**

If an allegation involves a potential criminal offense, it must be reported to Victoria Police. Criminal offences include grooming for sexual conduct with a child under the age of 16 years and failure to disclose a reasonable belief that a sexual offence has been committed by an adult against a child under 16 years of age unless they have a reasonable excuse for not disclosing or exemptions apply.

If any person in a position of authority within our organisation becomes aware of a substantial risk that a child may become the victim of a sexual offence committed by an adult associated with the organisation (for example, an employee or contractor), and they have the power or responsibility to reduce or remove the risk, then they must take all reasonable steps to do so. A person in authority

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who negligently fails to take appropriate action to address the risk may be charged with the criminal offence of 'failing to protect' and may face a term of imprisonment.

If an adult reasonably believes a sexual offence has been committed by an adult against a child under the age of 16, they must report it to Victoria Police by calling 000 or going to their local police station. Failure to disclose the information may be a criminal offence.

All staff are required to cooperate with law enforcement in their investigation of any complaint.

*If there is concern for the immediate safety of a child, immediately call 000.*

### **RECORD KEEPING**

This organisation will make and keep full and accurate records about all child-related complaints or safety concerns which will be recorded in our Employee records.

Records which may assist with the investigation of a complaint or safety concern will be identified and kept as part of the record of an investigation. Records will be kept even if an investigation does not substantiate a complaint.

We will record and keep the outcome of any investigations, and the resolution of any complaints. This includes findings made, reasons for decisions and actions taken.

Records will be stored securely and kept for a minimum of 6 years.

### **INFORMATION SHARING**

McHarry's Buslines may share relevant information to promote the safety and wellbeing of children, where it is lawful, appropriate and in their best interests. We will keep information about complaints confidential, except where it is necessary to share information to respond properly to a complaint or to prioritise child safety. We may also need to share information about incidents or complaints with external authorities to comply with the law or to prioritise safety.

### **RISK MANAGEMENT**

We recognise the importance of identifying, preventing, and reducing risks of child harm and abuse in this organisation. We will ensure that any risk controls put in place balance the need to manage harm with the requirements of contracted student transport. Management is responsible for managing risks which are contained within our 'Safety Risk Register'.

### **NON-COMPLIANCE WITH THIS POLICY AND THE CODE OF CONDUCT**

We will enforce this policy, the Code of Conduct and related policies. Alleged breaches by anyone will be investigated and may result in restriction of duties, suspension, termination of employment or other corrective action.

### **REVIEW**

We will review all child safe policies and practices at least annually, and if risks or circumstances change each policy will reflect that. Reviews will include consultation with staff and any relevant parties. We will also review relevant practices and policies in response to concerns, complaints, a child safety incident or 'near miss', and alleged significant breaches of policies or practices.

Findings from reviews will be recorded and reported to senior management, and will also inform our approach to continuous improvement of our child safe practices.