

# Child Protection Policy

AGH Camps Pty Ltd has a responsibility to promote a safe environment for all participants in our business. We must also assist staff in recognising and reporting suspected child abuse.

Legislation has been passed, which provides a set framework for agencies that work with children, in relation to establishing and implementing child protection and intervention strategies. The policies cover key issues such as employment screening, and the notification of child abuse allegations.

The NSW Office of Children's Guardian is responsible for overseeing and upholding child protection in NSW. Numerous Acts (laws) help to govern and guide the process of child protection including:

The Office of the Children's Guardian was established by the Children and Young Persons (Care and Protection) Act 1998.

On 1 March 2020, the [Children's Guardian Act 2019](#) came into effect. Powers and functions of the Children's Guardian from the Children and Young Persons (Care and Protection) Act 1998 and Adoption Act 2000 were consolidated into the new Act.

The Guardian also administers the [Child Protection \(Working with Children\) Act 2012](#).

The Guardian administers the following Regulations:

[Child Protection \(Working with Children\) Regulation 2013](#)

[Children and Young Persons \(Care and Protection\) \(Child Employment\) Regulation 2015](#)

[Children and Young Persons \(Care and Protection\) Regulation 2012](#)

[Adoption Regulation 2015](#)

Regulations under Children and Young Persons (Care and Protection) Act 1998 and Adoption Act 2000 remain in force until new Regulations are made under the new Act.

## **Defining Child Abuse**

There are differing categories of child abuse that can create serious setbacks to a child's enjoyment of life. These include:

### **Physical abuse:**

- Physical abuse refers to non-accidental injury to a child by a parent, caregiver or another person responsible for the child.
- It includes injuries which are caused by excessive discipline, severe beatings or shakings, attempted suffocation or strangulation, which could result in but not limited to bruising, lacerations or welts, burns, fractures or dislocation, female/male genital mutilation, or death.

### **Emotional abuse:**

- Emotional abuse encompasses a range of behaviours that harm a child. It is behaviour by a parent or caregiver, which can destroy the confidence of a child and result in significant emotional deprivation or trauma. It involves the impairment of a child's social, emotional, cognitive and intellectual development and/or disturbance of a child's behaviour.
- Emotionally abusive behaviours include excessive or unreasonable demands, failure to provide the psychological nurturing and affection necessary for a child's normal growth and development, scapegoating or rejecting, severe verbal abuse and threats of abuse.

**Sexual abuse:**

- Child sexual abuse is any sexual act or sexual threat imposed upon a child. Adults or adolescents who perpetrate child sexual abuse exploit the dependency and immaturity of children.
- Coercion, which may be physical or psychological, is intrinsic to child sexual abuse and differentiates it from consensual peer sexual activity.

**Common indicators of sexual abuse:**

- Descriptions of sexual acts.
- Direct or indirect disclosures.
- Age-inappropriate behaviour, drug dependency, suicide attempts, self-mutilation.
- Persistent running away from home.
- Anorexia or overeating.
- Going to bed fully clothed.
- Regression in developmental achievements in younger children.
- Child being in contact with a known or suspected perpetrator of sexual assault.
- Unexplained accumulation of money or gifts.
- Bleeding from the vagina, external genitalia or anus.
- Injuries such as tears or bruising to the genitalia, anus or perineum region.
- Sexually transmitted diseases.
- Adolescent pregnancy.
- Trauma to the breasts, buttocks, lower abdomen or thighs.

## **Common indicators of neglect:**

- Poor standards of hygiene leading to social isolation.
- Scavenging or stealing food.
- Extended stays at school, public places, others homes.
- A flat, superficial way of relating, lacking a sense of genuine interaction.
- Anxiety about being dropped or abandoned.
- Self-comforting behaviour e.g. rocking, sucking.
- Loss of skin bloom and hair texture.
- Untreated skin problem.

## **Improper conduct of a sexual nature**

Improper conduct of a sexual nature is a form of sexual misconduct, which does not fit within the definition of sexual abuse. It is an unwanted and uninvited conduct of a sexual nature.

Those responsible for improper conduct of a sexual nature may not intentionally cause distress by their actions, but certain behaviours are always inappropriate when working with children.

Conduct that one person may find acceptable can be totally unacceptable in front of clients, especially children. Conduct may be of a continued nature or an isolated incident.

## ***Indicators of Improper Conduct of a Sexual Nature***

- Personally offensive verbal comments.
- Sexual or smutty jokes.
- Questions, comments or teasing about a person's sexual activities.

- Offensive hand or body gestures.
- Physical contact such as patting, pinching, punching, touching, piggy backing, wrestling or putting an arm around another person's body.
- Requests/demands for sexual activity.

*These indicators generally occur in a situation where someone in a position of power exercises that power improperly to the detriment of others.*

### **Alleged improper conduct by an employee of AGH**

- Allegations of improper conduct of a sexual nature may come from clients, parents/guardians, visiting teacher, camp staff or any other adult.
- Any allegation must be given to the Operations Manager, initially in a verbal form but soon thereafter in writing.
- AGH Site Manager/s are obliged to investigate each allegation and resolve the situation immediately. The two parties must be separated and not able to converse with one another. Management must also notify the complainant of any action taken.
- If there is indication that a Child Sexual Assault may have occurred, Management will cease their investigation and notify the Department of Community Services immediately.
- The employee will be suspended from duty until the time that the issue has been resolved.
- The Site Manager/s is duty bound not to discuss the complaint with any other person. In the interest of the welfare of both parties involved, it is essential that the staff member against whom the complaint has been made is NOT informed of the name of the person laying the complaint.

## **Reporting procedures for cases of suspected:**

### ***Assault, Child Abuse (Neglect, Physical or Emotional Abuse) or improper conduct of a sexual nature:***

The Ombudsman Amendment (Child Protection and Community Services) Act 1998 gives the Ombudsman the capability to oversee, monitor and investigate child abuse allegations and convictions against employees of government agencies and non-government organisations.

Any staff member who has reasonable grounds to suspect that a child participating in a AGH program has been sexually assaulted or abused in any way, either during or prior to the program, **must report the matter immediately to management.**

Staff **must** immediately report to their manager all incidents/allegations of child abuse and sexual assault involving children.

Managers must:

- Obtain full details of the allegation using the attached child protection notification form.
- Advise the teacher assigned with the “Duty of Care” of the students (e.g. highest ranking teacher) or call the school and speak directly with the highest ranking executive possible.
- If a child involved in an AGH program discloses to an AGH employee that someone external to AGH has abused them, the above procedures should still be followed.
- If it is apparent that an employee of AGH is responsible for the assault/abuse, the Operations Manager must then notify the Ombudsman and the Commission for Children and Young People.
- In the event that an employee of AGH has reasonable grounds to suspect a colleague of being involved in child abuse or improper conduct of a sexual nature, it is imperative that the situation be handled with extreme sensitivity and discretion.

**No matter how minor the incident may appear, all suspected allegations of child abuse or child sexual assault MUST be reported.**

Any allegation/conviction of child abuse, sexual assault or any allegation of misconduct that may involve children must be reported through the appropriate channels.

Minor allegations may reveal more serious misconduct or a pattern of behaviour, which requires further scrutiny. For this reason, it is mandatory that all allegations involving child abuse/sexual assault are reported and appropriate action taken, regardless of how minor or trivial the actions may seem.

### **What happens after a report is made?**

Once a notification of suspected child abuse/sexual assault has been made, steps are taken to investigate the allegation.

If external agencies such as DOCS, NSW Police or the NSW Ombudsman are investigating the allegations involving AGH employees, AGH will refrain from conducting its own investigation into the allegations, unless considered to be absolutely necessary.

### **Confidentiality**

Under no circumstances should the identity of the person reporting the allegation be revealed to any person not involved in the investigation.

The Children (Care and Protection) Act 1987 makes provision for safeguarding the identity of a person making a notification of suspected abuse or neglect. It provides that a report shall not be held to be a breach of professional ethics, or a departure from accepted professional standards and states that no liability for defamation will be incurred for reporting.

AGH will follow any guidelines set forward by the Office of Children's Guardian in relation to monitoring and reporting .

All AGH staff are required to have a current Working With Children (WWC) license which has been cleared through the Office of Children's Guardian. This information is stored in the cloud and periodically monitored