

Child Safety in OSHLSPs

Introduction

To ensure the safety of students attending an Out-of-School-Hours Learning Support Programs (OSHLSP), it is crucial to establish a child safe culture and support it through robust policies and procedures. Ensuring your program is a safe place for students to learn is not just essential for engagement in education, but is also a legal requirement.

This document outlines key considerations and requirements for child safety in an OSHLSP or homework club. It is the responsibility of all staff and volunteers to be of aware and informed about child safety matters, not only the program coordinator or child safety officer.

The Learning Beyond the Bell team also offers free child safety training for coordinators and volunteers, and a range of documents to support policy and program development.

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1. Legislation

The following legislation is relevant to OSHLSPs operating in the State of Victoria:

- By law, any organisation that works with, or provides services to children has a legal responsibility to adhere to the seven [child safe standards](#). These standards are designed to assist organisations to promote the safety of children, prevent child abuse, and ensure appropriate processes are in place to respond to concerns and incidents. It is highly recommend that program coordinators also become familiar with the ten national principles (see section 3), as well as the Victorian child safe standards.
- In relation to child sexual abuse, there are two laws that all staff and volunteers must be aware of before commencing work in an OSHLSP:
 1. **Failure to Disclose:** an offence committed when a person fails to disclose a sexual offence committed against a child (under the age of 16) and:
 - Has sufficient information to form a reasonable belief that a sexual offence has been committed in Victoria against a child;
 - Fails to report the information to Victoria Police as soon as possible
 2. **Failure to Protect:** an offence committed when a person with power and responsibility:
 - Fails to reduce or remove a substantial risk that a child (under the age of 16) will become a victim of sexual offence by a person over 18 years.
- Working with Children & Police Checks: Under the *Worker Screening Act 2020*, any person who is doing child-related work (paid or voluntary) within an organisation, service, body or place listed in the Act, is required to have a Working with Children Check. This includes 'clubs or associations' or any service providing 'coaching or tuition' to children. Police Checks are not mandatory, however many organisations choose to make this a requirement as well. A police check is not something that can be passed or failed (as with a WWCC), but is a list of findings relating to court outcomes and pending charges across all Australian jurisdictions.

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2. Policies & procedures

Outlined below are key policies and procedures in which a commitment to child safety is practically demonstrated in an OSHLSP setting:

- Child safety policy document
 - Every OSHLSP or homework club must have a child safety policy or statement of commitment which outlines how the organisation will meet its duty of care and responsibilities for safety of all children in the program.
 - A policy document does not need to be long or complicated; it should be written clearly in a way that can be understood by all staff, volunteers, children and families.
 - When developing a policy for your OSHLSP it is important to consider in every section the particular circumstances of your program. This is to ensure the policy truly represents the commitment and strategies your OSHLSP is taking to reduce the risk of child abuse occurring.
 - If your program is delivered online or has an online component, be sure to outline the specific child safety procedures related to these sessions. This can be in a dedicated section of your child safety policy, or a separate policy itself.
 - A clear reporting procedure should be outlined in the policy document, with steps for all staff to take should they have any concerns or disclosure of information. This could include creating a record of disclosure document, which has details of the report, parties involved, and action taken. Always ensure records are kept in a secure place.
 - You can find a child safety policy template on the [LBB Resources page](#).

- Child Safety Officer
 - Appointing a Child Safety Officer demonstrates a strong commitment to reducing risk of child abuse and keeping young people safe at all times. However, having a Child Safety Officer does not remove the need for all staff and volunteers to be aware of their legal obligations, and take an active role in maintaining a safe environment for children and young people at all times.
 - In many OSHLSPs, particularly small programs, it may be necessary for the Coordinator to also act as Child Safety Officer. Longer-term, committed volunteers would also be suitable for this role.

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- The purpose of a Child Safety Officer is to provide advice, guidance, and support around child safety matters and concerns. See **Appendix A**.
- Code of Conduct
 - All staff and volunteers should read and sign a code of conduct before commencing work in an OSHLSP. A Code of Conduct helps to clarify acceptable and unacceptable behavior in more detail, and should be explained and discussed with each person before signing. See **Appendix B**.
- Recruitment & screening of volunteers
 - Recruitment and screening of volunteers is a key way in which child safety is strengthened in an OSHLSP. This process should be clearly documented and adhered to. It can be outlined within your Child Safety Policy or as a separate document, as long as it is easily accessible to all staff and volunteers.
 - It is recommended that in all advertisements and material promoting positions, your organisation's commitment to child safety and screening mechanisms is clearly stated.
 - Written position descriptions should be developed for all positions, which ideally include key selection criteria. All volunteer applicants should complete an application form and provide at least three referees.
 - Screening processes should include: assessment against key selection criteria, interview/s, identity verification, WWCC, police checks, and referee checks.
 - Ensure all new volunteers are properly inducted and trained in Child Safety; contact CMY to [arrange training or book](#) into an upcoming session.
 - Refer to [this tip sheet](#) for more support with volunteer recruitment and screening
- Empowerment of Children & Young People
 - Empowering young people to meaningfully participate in the running of a program is a crucial step towards a safe and holistic OSHLSP. Some strategies include:
 - Seeking input in decision making
 - Ensuring children and young people are comfortable speaking up if they feel unsafe
 - Helping young people understand their rights and establishing a trusting environment
 - Developing leadership roles for young people in the program.

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3. Further information & resources

Below is a list of high quality and reliable resources to support child safety in your OSHLSP. Many of these organisations/websites offer free resources and training, and it is strongly encouraged to make use of these in the development of program policies and procedures, and to support staff and volunteers in their induction.

National Principles

- In 2019, all Australian State and Territory governments endorsed the National Principles for Child Safe Organisations. These 10 principles aim to provide a nationally consistent approach to creating child-safe organisations. Notwithstanding some key differences, the National Principles have a similar purpose to the Victorian Child Safe Standards. At this stage, adhering to the National Principles is not mandatory, but it is strongly encouraged.

Commission for Children and Young People

- Provides clear information (text and videos) on the 7 standards and 10 principles of Child Safety, and how to apply these to an organisation
- Translated and plain English resources to share
- Regular and free information sessions and webinars on Child Safety Standards, the Reportable Conduct Scheme, and Community of Practice forums

Australian Human Rights Commission: Child Safe Organisations

- Provides useful training resources, and organisational self-assessment, and e-learning modules. These modules are self-paced and free, and consist of one introductory module, as well as one module for each of the 10 principles of child safety, with audio and text information and quizzes at the end of each module.
- Free and comprehensive templates for child safety policy and code of conduct

Child Wise

- Posters and fact sheets with useful information
- Training - regular face to face and online sessions, including a new Virtual Classroom training

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Appendix A

Child Safety Officer Position Description – Sample

NB: This document is provided for general guidance only. Organisations should use the information contained in this resource as reference material and should interpret in the context of their own organisation or program.

Purpose of the role

The [name of program] provides learning support to [targeted student population] from refugee and migrant backgrounds. The program assists in developing young people's confidence and helping them become more socially and academically engaged in their education. In particular, the program focuses on literacy, numeracy, homework support and study skills for EAL students. The child safety officer is responsible for leading and managing the child safety aspects of the homework club, which may include record keeping, managing disclosures and concerns, developing a culture of child safety within the club, and maintaining legal and ethical compliance through procedures and practices. In some clubs the coordinator may also be the child safety officer, while other clubs may choose to make it a separate paid or voluntary position.

Key Accountabilities

1. Legal and ethical compliance

- Develop and review policies and procedures within the OSHLSP, including child safety policy, and elements of recruitment and screening of volunteers and Occupational Health and Safety plans
- Ensure policies are accessible to all members of the club and are up to date with current relevant legislation
- Record and progress child safety disclosures and concerns
- Ensure that the OSHLSP has a strong culture of child safety and that aspects of child safety including child voice and empowerment are considered throughout the running of all sessions

2. Record management

- Maintain a secure database with Working with Children Check and Police Check information, and ensure that these remain current
- Maintain a secure database of disclosures, reports, and actions taken

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3. Volunteer management

- Train or organise external training for new volunteers in child safety principles, policies and procedures
- Manage volunteer disclosures and concerns regarding child safety

4. Additional information

- It is the responsibility of the child safety officer to stay up-to-date with legislative changes and relevant information about child safety. The following resources may be useful:
 - [Child Wise](#)
 - [Commission for Children and Young People](#)
 - [Australian Human Rights Commission: Child Safe Organisations](#)
- [Name of organisation] takes Child Safety seriously and short listed candidates are subject to child safety screening and assessment against child safety standards as part of our thorough recruitment process. These include but are not limited to Police Record and Working with Children Checks, and child safety focused referee checks.

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Appendix B

Code of Conduct – Sample

NB: This document is provided for general guidance only. Organisations should use the information contained in this resource as reference material and should interpret in the context of their own organisation or program.

I _____, in undertaking to work/volunteer for the [Name of Homework Club] hereby agree to:

- Support students' learning, wellbeing and participation in accordance with the aims/goals identified by the student and/or coordinator
- Attend the program at the designated times I am required.
- Notify the coordinator as early as possible if unable to attend
- To work in a supervised or public area and to notify the coordinator if there is a need to leave the area unattended
- Attend ongoing training and meetings
- Behave in a mature and professional manner at all meetings and sessions
- Assist with documentation of student progress, as directed by coordinator
- Only undertake the duties that I am authorised to perform, and follow all reasonable instructions and directions
- Work co-operatively with coordinator including seeking guidance and being receptive to support and advice
- Develop positive relationships with students and behave as an appropriate role model by showing respect for students, volunteers, staff and all other people, and by engaging in friendly, positive, polite and helpful interaction
- Understand and value diversity amongst students, staff and volunteers
- Respect the rights of the students and their families to confidentiality, unless there are concerns regarding a student's wellbeing
- Report any concerns about a child or young person's wellbeing to the coordinator and to ensure these concerns are acted upon
- Read, understand and abide by the program's Child Safety Policy.
- Establish healthy boundaries and only promise what is realistic
- Exercise a duty of care at all times, using common sense and exercising reasonable caution in
 - working with students and not placing students at risk of foreseeable harm
 - Not attend the program whilst under the influence of alcohol and/or drugs

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- Inform the Program Coordinator:
 - If any difficulties are experienced during an activity
 - Of any accident or injury that occurs during an activity (to tutor or a student)
 - Of any information provided by the student that may relate to mandatory reporting issues (such as abuse, domestic violence, self-harm, suicidal thoughts or intentions, homelessness, etc)
 - Of any intention to leave an activity
- Discuss areas of concern with the Program Coordinator for resolution. If the matter remains unresolved, refer the matter to the Manager [organisation name]. If the matter continues unresolved, all parties should follow the relevant Grievance Procedure
- Avoid any inappropriate contact or conduct with students, including:
 - Touching students inappropriately (such as stroking, hugging, kissing or caressing)
 - Grabbing, pushing, smacking, punching or otherwise hitting
 - Being alone with a student (such as going to the toilet or being in a separate area alone with a student)
 - Showing favouritism or developing special relationships with students (such as excluding students from a group, giving inappropriate gifts to students or unreasonably and overtly favouring a student)
 - Using any devices with students to access inappropriate content (such as pornography, sexually explicit pictures or messages, violent or unsuitable games or movies)
- Not discuss the program with / devolve any program information to third parties (including media)
- Be familiar with the program's rules and policies and to work in accordance with its regulations, policies, legislative and administrative requirements.

I understand that it is NOT my role to:

- Engage in any behaviour intended to shame or humiliate any students
- Meet with or contact (including by phone, email, social media, etc) any students outside of program activities
- Monitor the student's home life or parents' responsibilities/duties to the student
- Give personal advice, especially on matters of health, finance, relationships or legal situations
- Be involved in investigating or following up complaints relating to a student
- Displace family and extended family relationships
- Have access to the student's care or personal records or become involved in the financial affairs of the student and his/her family.