



Child Safety and Wellbeing Policy

Updated 13 January 2023

Bicycle Network has developed the following Child Safety and Wellbeing Policy (Policy) in line with the Victorian Child Safe Standards.

The Policy is an overview of the measures we have in place across our organisation to promote the wellbeing and safety of children.

The Policy is available to any member of the public and is also provided to all team members through our induction process.

1. We're a Child Safe organisation (Our commitment to the safety of children and young people)

Bicycle Network's team is committed to promoting the wellbeing of children and protecting them from all forms of child abuse. This commitment is demonstrated through the implementation of our Policy, which is designed to keep children safe when they interact with our organisation.

We have zero tolerance for child abuse and are committed to delivering programs and events that are in children's and young people's best interests and don't place them at risk of harm.

Bicycle Network regards its child safety responsibilities with the utmost importance and as such, we are committed to providing the necessary resources to ensure compliance with all relevant child protection laws and regulations and maintain a child safe culture.

2. Our values and principles

We are committed, honest, inclusive and progressive. These values are behind our commitment to child safety where we:

- Support and respect all children, and aim to create an environment where children are safe, happy and empowered.
- Are committed to the safety, participation and empowerment of all children.
- Have zero tolerance of child abuse
- Take any allegations of abuse, or safety concerns, seriously and will immediately report them to the relevant authorities
- Promote an organisational culture of child safety through our recruitment, training and development processes for all team members and aim to create an environment where any children or team members feel safe to disclose concerns or risks of harm to children.



3. The kids

Children and young people are vital and active participants in our organisation, and we value their contribution.

We understand their views are important and respect what they have to say. We also promote diversity and tolerance in our organisation, and welcome people from all walks of life.

In particular, we promote the cultural safety, participation and empowerment of:

- Aboriginal and Torres Strait children and young people
- Children and young people from culturally and/or linguistically diverse backgrounds.
- Children and young people who are unable to live at home.
- Children and young people who identify as lesbian, gay, bisexual, transgender, intersex and/or queer.
- Children and young people with a disability.

4. Our team

Our team includes staff, volunteers, board members, students on placement and contractors. We agree to abide by this Policy as well as our Child Safety Code of Conduct (Code of Conduct) which specifies the standards of conduct required when working with children and young people.

This Policy, Code of Conduct and other related child safeguarding policies will be used to provide supervision to team members in all child safeguarding matters. Team members' performance review and appraisals will include assessment against compliance with the Policy, Code of Conduct and other related child safeguarding policies.

We also recognise the importance of training and education to ensure that all team members in our organisation understand that child safety is everyone's responsibility. All team members are required to attend Bicycle Network's in-house 'Our Child Safe Commitment' training annually.

We aim for all team members (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

While we have team members across the organisation who are trained to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse, all team members are empowered to report any inappropriate behaviour will be reported through appropriate channels, including the Victorian Child Protection Service (Department of Families, Fairness and Housing) and Victoria Police.



5. Recruitment

We're committed to putting the right people in the right roles, and this includes, where relevant, recruiting team members who are skilled in working with children. We also ask child safe questions as part of our interview process and carry out verbal reference checks to ensure that we are recruiting the right people.

Bicycle Network actively encourages applications from Aboriginal and Torres Strait Islander people, people from culturally and/or linguistically diverse backgrounds LGBTQI+ people, and people with lived experience of disability.

All team members directly engaged in child-related work, including volunteers, are required to hold, and provide evidence of a Working with Children Check. Bicycle Network will keep a register listing the relevant details of team members that have obtained a Working with Children Check and will notify staff when their Working with Children Check is due for renewal in advance of their renewal date.

6. Informed families

Parents and carers are important participants in our organisation and we value their contribution. Bicycle Network recognises that informed families who are aware of our child safety processes and requirements for our staff and volunteers are central to developing a child safe culture. We work hard to ensure families have access to our child safety materials, including this Policy and our Code of Conduct, as well as providing accessible feedback and complaints avenues. Input from parents and carers, children and young people on Bicycle Network's child safety approach is always welcome.

7. Equity and Diversity

Bicycle Network recognises the diverse circumstances of children and young people and their families. We are committed to providing environments where children and young people feel safe and are listened to and respected regardless of their abilities, sex, gender, sexual orientation, cultural or economic background.

Bicycle Network continuously endeavours to ensure that equity and diversity, as a principle and practice, are built into all aspects of child safety, including our policies, procedures and education and training.

The safety and needs of all children and young people including those who at most at-risk will be met by:

- training staff on how to meet children and young people's diverse circumstances and provide support to those who are at most at risk
- providing children and young people with information, support and complaints processes
- providing avenues for children and young people and their families to identify their individual needs



8. Child abuse and neglect

We're committed to ensuring that our team understands the forms of abuse and neglect. As part of this Bicycle Network understands that child abuse often occurs more than once, referred to as cumulative harm, and that children and young people are often subject to multiple forms of child abuse, referred to as multidimensional abuse. Our team will be briefed and trained to ensure they understand and can respond to the following forms of child abuse¹:

Physical abuse/harm: Physical abuse/harm occurs when a child suffers or is likely to suffer significant harm from an injury inflicted by a child's parent or caregiver or any other adult. The injury may be inflicted intentionally or may be the inadvertent consequence of physical punishment or physically aggressive treatment of a child. This may take the form of punching, beating, shaking or otherwise harming a child.

Emotional abuse/harm: Emotional abuse/harm occurs when a child's parent, caregiver or any other adult repeatedly rejects the child or uses threats to frighten the child. This may involve children:

- Being repeatedly rejected, called names or being put down
- Being frightened by threats
- Experiencing continual coldness to the extent that it significantly damages their physical, social, intellectual or emotional development
- Being exposed to family violence

Neglect: Neglect is the failure to provide for the child's basic needs for life to the extent that the child's health and development are, or are likely to be, placed at risk, including:

- Food
- Clothing
- Shelter
- Medical attention
- Supervision or care

Sexual abuse/harm: Sexual abuse occurs when a person uses power, force or authority to involve a child in any form of sexual activity. Behaviour sex offenders engage in may include:

- touching or fondling children
- sending obscene or suggestive phone calls/texts to children
- exhibitionism and or voyeurism in front of children
- exposing children to pornographic images
- penetration with penis, finger or other object into the mouth, anus or vagina. It is important to note that sexual abuse includes both contact and non-contact behaviours.

Grooming: Grooming is predatory behaviour designed to prepare a child for sexual abuse. Many perpetrators of sexual offences against children purposefully create relationships with children and young people, their families and carers in order to establish the conditions necessary for them to harm the child. For example:

- Spending special time with a child e.g. in private settings, away from their family or organisation, including online or isolating the child or young person from family and peers
- Giving gifts to a child

¹ <https://www.vic.gov.au/child-safe-standards-definitions>



- Showing favouritism
- Allowing the child to step out of boundaries or rules
- Touching the child
- Testing and breaking professional boundaries.

Exposure to family violence: Family violence is behaviour by a person towards a family member that is Physically, emotionally and/or sexually abusive. Children are impacted and traumatised when they witness or experience the chronic domination, coercion, intimidation and victimisation of one person by another through physical, sexual or emotional means within a domestic or extended family relationship. Child Abuse and Family Violence co-exist.

Sexually harmful behaviour: Refers to harmful behaviour perpetrated by a child (17 years of age or younger) to another child. Harmful behaviours in children are often an indicator that they have experienced harm or neglect. Where sexually harmful behaviour occurs, organisations have a duty of care to both children.

9. Responding to concerns and allegations

We're committed to building a child safe culture where our team including children and young people feel able to raise child safety concerns.

We take the position that children who disclose that they are feeling unsafe or being abused must be heard, must be taken seriously and must be treated with sensitivity and compassion. The following outlines our principles for responding to child abuse disclosures.

DO...	DON'T...
<p>Show your care and concern for the child by:</p> <ul style="list-style-type: none"> ○ Listening carefully to what they are saying, let them use their own words. ○ Telling them they did the right thing by telling you. ○ Telling them it is not their fault and that they are not responsible for the abuse. ○ Letting them know what will happen next. ○ Telling them you are pleased they told you. 	<ul style="list-style-type: none"> ○ Do not make promises you cannot keep, such as promising you will not tell anyone. ○ Do not push the child into giving details of the abuse. ○ Your role is to listen and observe – <u>NOT</u> to conduct an investigation. ○ Do not indiscriminately discuss the circumstances.

10. Fair procedures for personnel

The safety and wellbeing of children is our primary concern, but we are also fair and just to our team.

The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, evidence-based and in line with our organisational values.



If an allegation of abuse or a safety concern is raised, in consultation with the police and/or child protection services, we will provide updates to children and families on progress and any actions taken. We record all allegations of abuse and safety concerns, including any investigation updates, and ensure all records are securely stored.

All personal information considered or recorded will respect the privacy of the individuals involved (in line with Bicycle Network's Privacy Policy), whether they be team members, parents or children, unless there is a risk to someone's safety.

We have safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it.

11. Legislative responsibilities

Our organisation takes our legal responsibilities seriously, including:

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a 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.²
- **Failure to protect:** People of authority in our organisation 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.³
- Any personnel who are **mandatory reporters** must comply with their duties.⁴
- **Reportable Conduct:** The CEO of Bicycle Network will report allegations of child abuse (and other child-related misconduct) made against Bicycle Network's employees and volunteers to the Commission for Children and Young People.⁵ Reportable conduct cases will also be investigated by Bicycle Network with oversight from Police and/or DFFH Child Protection.
- **Duty of Care:** We have an obligation to ensure processes are in place to avoid acts or omissions that place children in circumstances that may lead to harm.
- **The Victorian Child Safe Standards:** The Standards provide a minimum standard of child safety across all organisations. They highlight that all community members have a role to keep children safe from abuse and that multiple aspects within an organisation must operate in tandem to protect children and young people. The Standards are underpinned by the understanding that all children are vulnerable and that some children are particularly vulnerable.⁶

12. Reporting allegations of child abuse and neglect

Regardless of legislative standards we take the stance that all employees and volunteers have a moral and ethical obligation to report all concerns to authorities. As part of this, any team member who believes on reasonable grounds that a child is in need of protection will make a report to authorities. Where reporting child abuse, child harm

² <https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence>

³ <https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-protect-a-new-criminal-offence-to>

⁴ <https://providers.dffh.vic.gov.au/mandatory-reporting>

⁵ <https://ccyp.vic.gov.au/reportable-conduct-scheme/>

⁶ <https://ccyp.vic.gov.au/child-safe-standards/>



or neglect to authorities, a reporter does not require proof, just reasonable grounds for their belief.

While details of Bicycle Network's reporting procedure can be found at [<insert>](#), the tables below set out key features of mandatory and voluntary reporting. The table identifies all relevant legislation, what needs to be reported, who is mandated to report, and who is a voluntary reporter.

	Legislation	When to report	Mandated reporters	Who is a child?
VIC	Children, Youth and Families Act 2005	A mandated reporter must make a report to DFFH Child Protection if: <ul style="list-style-type: none"> • They form the belief on reasonable grounds that a child has suffered, or is likely to suffer significant harm as a result of physical injury or sexual abuse; and • The parents have not protected or are unlikely to protect the child from harm of that type. • The belief is formed in the course of practising his/her position of employment. More information, including reporting pathways can be found here .	Registered medical practitioners, midwives, and nurses Registered teachers Police People in religious ministries Counsellors and psychologists	A person under 18 years old
	Child Safety and Wellbeing Act 2005	The CEO must make a report to the Commission for Children and Young People if they become aware of a reportable allegation against an employee, volunteer or contractor of the entity.	The head of an entity that is affected by the Reportable Conduct Scheme	A person under 18 years old
	Crimes Act 1958	A mandatory reporter must make a report to the police if they form a reasonable belief that a physical or sexual offence has been committed in Victoria against a child by another person of or over the age of 18 years.	Any person 18 years or older	A person under 16 years old

Page Break

Voluntary Reporting Obligations

	Legislation	When to report	Voluntary reporters	Who is a child?
VIC	Children, Youth and Families Act 2005	A voluntary reporter may make a report to a protective intervener (i.e. DFFH Child Protection) if: <ul style="list-style-type: none"> • The person believes on reasonable grounds that a child is in need of protection. 	Any person	A person under 18 years old



	<i>Child Safety and Wellbeing Act 2005</i>	A voluntary reporter may disclose a reportable allegation to the Commission for Children and Young People	Any person	A person under 18 years old

Reportable Conduct Scheme

The Reportable Conduct Scheme requires the CEO to report to the Commission for Children and Young People (CCYP) if they become aware of an allegation of child abuse, child harm, risk of harm, serious neglect, or child related misconduct being made against an employee, contractor, or volunteer.

While the CEO is legally responsible to report to the external authority, there is also an expectation that any person within an organisation can notify the CCYP of a reportable allegation.

Reportable conduct cases will then be investigated by Bicycle Network with oversight from the external authority including the Police and DFFH Child Protection. Bicycle Network will also seek advice from the Police, CCYP and DFFH Child Protection regarding appointing an external investigator.

Once a report has been received and the CEO has been notified, the concerns will be reviewed. There are four possible outcomes from this review:

- The concerns are unfounded
- A crime has been allegedly committed
- The Child Safe Code of Conduct has been breached, but no alleged crime has been committed
- Based on the available information, it is not possible to form a conclusive view on the matter

13. Responding to Historical Allegations of Abuse

In all circumstances where historical abuse allegations are made which pertain to Bicycle Network, the organisation will co-operate fully with the Police and/or DFFH Child Protection. Bicycle Network will also review its current policies and procedures in light of any findings of historical abuse investigations to determine if there is learning that may strengthen protective approaches. Bicycle Network will abide by the following procedure when responding to historical allegations of abuse:

- Any allegation of historical abuse which pertains to Bicycle Network should be notified to the CEO within 24 hours of receipt.



- The CEO will be responsible for overseeing the handling of the allegation, including confirming that it has been referred to the relevant authority i.e., the Police, DFFH Child Protect and/or CCYP (Reportable Conduct Scheme) and that all relevant information held by Bicycle Network has been provided to relevant authorities.
- At the conclusion of the Police investigation, the CEO will determine whether it is appropriate to undertake an internal investigation, noting that an internal investigation would generally be warranted where the employee, contractor or volunteer implicated in the allegation is still involved with Bicycle Network. Bicycle Network will also seek advice from the CCYP regarding the circumstances of conducting an internal investigation.
- In all circumstances, Bicycle Network will undertake an internal review to determine if there is a need to amend any policies, procedures, or processes. Reviews will be focused upon the identification and application of learning to minimise future risk.

14. Risk management

All areas of Bicycle Network proactively undertake regular risk management reviews, which mitigate general occupational health and safety concerns as well as manage risks of abuse to children.

We will monitor and review risks regularly, including after incidents, near misses or complaints, as we view this as vital to ongoing learning and improvement. We are committed to reviewing any systemic issues which may be contributing or hindering the organisation from being safe.

Bicycle Network will use risk management planning processes, templates and toolkits to allow for the assessment of child safeguarding risks prior to an activity commencing. As part of this we will consider physical, emotional, online spaces and the use of images and data.

When significant risk are found, these will be escalated to one's line manager and/or leadership.

15. Incident Management

Bicycle Network takes all allegations, concerns or complaints seriously and has practices in place to investigate thoroughly and quickly. We have team members who are trained to deal appropriately with allegations.

We work to ensure all children, families, team members know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour. We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place.

Should an allegation prove to implicate any of our team including volunteers, that they were in breach of our Policy and/ Code of Conduct, or at risk of any direct harm, Bicycle Network would support any legal repercussions and sever the relationship with that person.



16. Record Keeping

Bicycle Network knows that timely, clear, and effective record keeping is an important part of ensuring that we are a child safe organisation. When allegations of child abuse are disclosed, we will record the following details:

- The nature of the child safety concern.
- If the child safety concern needs to be reported to the Police, Child Protection and/or Commission for Children and Young People.
- Witnesses.
- Outcomes of the reporting process including any problems that required addressing.
- Support provided/continuing to be provided.
- Actions taken and completed e.g., escalation, risk assessments and outcomes, policy change, system fault and correction.
- Communication of the outcome with the complainant and subject if relevant, including options for review.
- Actions that require ongoing review and/or follow-up e.g., ongoing risk assessment, continued support for child/young person/other parties.

17. Regular review & Continuous Improvement

This Policy will be reviewed every three years and following significant incidents if they occur. We will ensure that families and children and young people have the opportunity to contribute to any reviews of the Policy.

Where possible we do our best to work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability to be included in the review process. We will also empower children and young people from diverse backgrounds to be included in the review process.



Appendix 2: Policy definitions

The following list provides definitions for key terms in relation to Child Safeguarding:

Term	Definition
Aboriginal and Torres Strait Islander	A person who is of Aboriginal or Torres Strait descent, identifies as Aboriginal or Torres Strait Islander and is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.
Adult	A person 18 years of age or older and includes those who are employees, volunteers and associates of Bicycle Network.
Child	Any person under the age of 18.
Child Abuse	Abuse is an act or acts which endangers a child's health, wellbeing and/or development. It can be a single event or a series of traumatic events. It includes: Cumulative harm Emotional abuse Exposure to family violence Grooming Multi-dimensional harm Neglect Physical abuse Sexual abuse and sexual exploitation
Child Protection	Usually refers to a statutory authority responsible for investigating and responding to reports of child harm in the community.
Contractor	A person or organisation that undertakes a contract to provide materials, tasks or labour to do a service or job.
Culturally and/or Linguistically Diverse Background (CaLD)	identification with particular cultural or linguistic affiliations by virtue of place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of parents' identification on a similar basis.
Cultural Safety	Promotes the positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity. A culturally safe environment is socially and emotionally safe, as well as physically safe for children. It is underpinned by shared respect, shared meaning, shared knowledge and experience, and living and working together with dignity and truly listening. ⁷
Cumulative harm	Cumulative harm refers to the effects of multiple adverse or harmful circumstances and events in a child's life. Cumulative harm may be caused by an accumulation of a single recurring adverse circumstance (such as unrelenting low-level care); or by multiple circumstances or events (such as persistent verbal harm and denigration, inconsistent or harsh disciplines and /or exposure to family violence).
Disability	Any physical, sensory, neurological disability acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities. A disability can occur at any time in life. Some disabilities may be apparent, while others are less visible.
Disclosure	Refers to a child telling someone (through words, drawings or actions) that he or she feels unsafe or has been harmed.

⁷ Revised from *An Overview of the Victorian Child Safe Standards* (November 2015) – State of Victoria, Department of Health and Human Services and *A Guide for Creating a Child Safe Organisation* (Version 2.0 December 2015) - Commission for Children and Young People.



Gender Identity	A person's concept of self as male, female, a blend of both or neither. Gender identity refers to how individuals perceive themselves and how they self-identify. Gender identity can be the same or different from the gender assigned at birth. ⁸
Leader	For the purposes of this document, leader will refer to any employee whose role means they hold leadership responsibility for key organisational functions including recruitment, selection, supervision, program planning, risk management and program delivery.
LGBTQI+	Lesbian, gay, bisexual, transgender, queer (or questioning), and intersex.
Mandatory Reporter	Any adult who is legally required to ensure a report has been made when a concern, allegation and /or disclosure of child harm arises. A mandatory reporter may be a person who holds a particular occupation or falls under state/territory specific legislation.
Multidimensional harm:	Multi-dimensional harm occurs when more than one harm type is experienced at the same time e.g. sexual abuse also involving physical harm and emotional harm at the same time.
Reasonable Belief	A 'reasonable belief' is not the same as having proof. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. A 'reasonable belief' might be formed when: a child states that they have been harmed a child states that they know someone who has been harmed (sometimes the child may be talking about themselves) someone who knows a child states that the child has been harmed professional observations of the child's behaviour or development leads a person to form a belief that the child has been harmed signs of harm lead to a belief that the child has been harmed.
Reportable Conduct Scheme	State authorities with statutory responsibility for overseeing investigations of reportable conduct made against people who work (paid or unpaid) in certain child-focused organisations. Reportable Conduct Schemes prescribe requirements for certain child-focused organisations to report child-related misconduct and abuse, conduct internal investigations and report on the outcome of investigations.
Risk of Harm	A child or young person is at risk of harm if they have suffered harm, or there is a likelihood they will suffer harm being of a kind against which ordinarily they should have been protected
Visitor	A person who is not a volunteer, or employee, who participates in, or is present at, any Bicycle Network activity.
Young Person	Any person under the age of 18 (insert lower age limit according to organisational rules and any legislative requirements).

⁸ Human Rights Campaign, www.hrc.org.