



HARNESS RACING VICTORIA

# Child Safety, and Wellbeing Procedure

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(03 JUN 2020)

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## 1. PURPOSE

The purpose of this procedure is to outline how Harness Racing Victoria (inclusive of Tabcorp Park) prioritises the safety and wellbeing of children and the steps taken to achieve this in compliance to the Child Wellbeing and Safety Act 2005 (Vic).

## 2. SCOPE

This procedure applies to all staff- including employees and contractors, volunteers, child safe office members, children and their families and any individual associated with HRV. It covers situations where interactions with children occur, such as where HRV/Tabcorp Park:

- Provides a service specifically for children, such as:
  - Ponytrots Rides;
- Provides facilities specifically for use of children who are under HRV's supervision;
  - Event Day activities facilitated by third party contractors -such as Jumping Castles, face painting etc;
- Engages a child as a contractor or employee to assist in providing services;
  - Children employed at Tabcorp Park Entertainment complex;
- Staff/Volunteers have interactions with children engaged by industry participants, such as:
  - Stable Hands
  - Junior Drivers

Whilst HRV does not directly administer child safety for Country Clubs, there is an expectation that Country Clubs manage child safety in accordance with this procedure.

## 3. DEFINITIONS

- **Child or children:** Includes children and young people under the age of 18 years.
- **Child Abuse:** is defined in the Child Wellbeing and Safety Act 2005 (Vic) as including:
  - A sexual offence committed against a child;
  - An offence committed against a child under [49M\(1\) of the Crimes Act 1958 \(Vic\)](#), such as grooming;
  - Physical violence against a child;
  - Any behaviour that causes serious emotional or psychological harm to a child;
  - Serious neglect of a child.
- **Child Safe Office:** A dedicated group of HRV employees responsible for handling child safety concerns or issues. It includes General Manager (GM)- People and Culture, GM-Tabcorp Park, Head of Legal, Risk and Governance, Workforce Development Manager and GM-Integrity.
- **Harm:** 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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- **LGBTIQ** - Lesbian, gay, bisexual, transgender and gender diverse, intersex, or queer.
- **Reasonable belief:** A belief based on facts that would lead a reasonable person to think that reportable conduct may have occurred. A reasonable belief is more than just suspicion. There must be some objective basis for the belief. However, it does not require certainty. For example, a person is likely to have a reasonable belief if they:
  - Observe the conduct themselves;
  - Heard from a child that the conduct occurred;
  - Received information from another source (including another person who witnessed reportable conduct or misconduct).

## 4. RESPONSIBILITIES

### **HRV Management is responsible for:**

- Advocating child safe practices and modelling the behaviour expected of staff and volunteers;
- Ensuring child safety and wellbeing procedure and practices are implemented by staff and volunteers;
- Ensuring an effective complaint handling process is followed; and that business improvement activities arising from complaints are actioned.

### **HRV Representatives (Volunteers/Employees/Contractors) are responsible for:**

- Displaying appropriate standards of behaviour towards children;
- Identifying and managing risks of child abuse and harm;
- Providing necessary information to children and their families;
- Ensuring that children's rights are respected, they feel safe and protected and their concerns are taken seriously;
- Reporting internally to the HRV Child Safe Office, any concerns or complaints reported directly by the child or the parent.

### **HRV's Child Safe Office is responsible for:**

- Responding to child safety related complaints or concerns;
- Undertaking initial response and risk assessment, and reporting to external authorities such as Police and Child Protection Authority;
- Completing any follow up activities/investigation as required upon receiving permission to proceed from Police/Child Protection Authority;
- Providing ongoing support to children and/or their families;
- Providing necessary information to the child or parent regarding the progress of complaint and its outcome.

### **Head of Legal Risk and Governance is responsible for:**

- Overseeing the management of the Child Safe Office;
- Liaising with Managers, and other stakeholders during the complaints handling process;
- Recording and maintaining proper records of the complaint or concern;
- Conducting periodic audits to ensure practices at HRV are compliant to child safe standards.



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## 5. PROCEDURE

### 5.1. HRV's Commitment to Child Safety

HRV is committed to promoting and protecting the interests, safety, and wellbeing of children. Children have the right to feel safe, and they are encouraged to express themselves and enjoy their cultural rights. HRV does not tolerate child abuse or racism and takes such actions seriously. HRV strives to create a child-friendly environment so that children feel safe and enjoy participating in HRV's activities.

### 5.2. HRV's Alignment with Child Safe Standards

To create and maintain a child safe organisation, HRV must adhere to eleven Child Safe Standards.

**1** Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.

**2** Child safety and wellbeing is embedded in organisational leadership, governance, and culture.

**3** Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.

**4** Families and communities are informed and involved in promoting child safety and wellbeing.

**5** Equity is upheld and diverse needs respected in policy and practice.

**6** People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

**7** Processes for complaints and concerns are child focused.

**8** Staff and volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe through ongoing education and training.

**9** Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.

**10** Implementation of the Child Safe Standards is regularly reviewed and improved.

**11** Policies and procedures document how the organisation is safe for children and young people.



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The following sections describe HRV's approach to child safety, as well as the systems and processes in place, reflecting HRV's alignment with each standard.

## 5.2.1. Creating Culturally Safe Environments for Aboriginal children and their families

HRV is committed to creating environments where Aboriginal culture is celebrated and Aboriginal children, families, and community members are welcomed and included. Consistent with Standard 1, HRV:

- Follows a culture that acknowledges the country and its traditional landowners at all performances, and meetings;
- Supports the cultural safety, participation, and inclusion of Aboriginal children, and their families;
- Provides training for staff and volunteers on the strengths of Aboriginal culture and its importance to the wellbeing and safety of Aboriginal children;
- Supports children to express their culture and enjoy their cultural rights;
- Recognises NAIDOC Week and significant events including National Sorry Day and National Reconciliation Week;
- Seeks feedback from Aboriginal children, and their families on their experience with HRV, particularly how safe they feel expressing their identity, including their culture, refer 5.2.4.

## 5.2.2. Creating and Maintaining a Child Safe Culture

HRV understands that child protection starts with setting up an environment and administrative system at all levels of the organisation. In compliance with Standard 2 and 11, HRV has developed this procedure (incorporating HRV's Statement of Commitment to Child Safety), Child Safe Complaints Handling procedure, and the Child Safe Code of Conduct. The Child Safe Code of Conduct describes the expected behaviours of HRV staff and volunteers toward children and their families, and must be complied with at all times, breach of which may result in disciplinary action including termination.

Staff and volunteers are also supervised by Managers and/or Supervisors and periodic audits are conducted by The Head of Legal, Risk and Governance and/or Audit and Risk Committee to ensure HRV's compliance to child safe practices.

## 5.2.3. Encouraging Child participation and Involvement

HRV is a child-centred organisation and maintains an environment where children feel safe and empowered about expressing their views and concerns openly. HRV actively seeks to include children's views and ideas in organisational planning, delivery of services, and management of facilities. Consistent with Standard 3, HRV staff and volunteers:

- Encourages children to develop new friends and be supportive of one another. Bullying or abusive behaviour between children is not tolerated and action is taken if this occurs;
- Respect the rights of children and provide them with information, including information about children's rights, Child Safety and Wellbeing Procedure, and Child Safe Complaints Handling procedure;
- Undertakes regular discussions with children;
- Provides the opportunity for children to provide suggestions using regular discussions, and [Child Safety Feedback Form](#).



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## 5.2.4. Families and Communities

HRV recognises the importance of families and involves them in the decisions related to their children. Families, communities, and parents are encouraged to share concerns through face-to-face discussions, email, or the [Child Safety Feedback Form](#). HRV values children and their families' voices and will consider their views in making decisions.

Consistent with Standard 4, HRV provides information to families and the community about child-safe policies and practices by:

- Publishing this Child Safety and Wellbeing Procedure, Child Safe Complaints Handling Procedure, and Code of Conduct on the HRV website;
- Including information about HRV's child safety approach, during induction and in the Information Pack;
- Providing information on child safety and wellbeing, cultural safety, and reminders about HRV's policies and procedures, on social media.

## 5.2.5. Valuing diversity

HRV values diversity, equity, and inclusion for all children. In compliance with Standard 5, HRV:

- Welcomes and supports the participation of all children, including children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, LGBTIQ children, and Aboriginal children and their families;
- Offers children and families the opportunity to provide information about themselves (through registration forms), including any specific needs to participate fully in HRV's activities;
- Trains employees and volunteers about diversity, – ensuring they are sensitive to and are responsive to diverse needs;
- Identifies and addresses incidences of racism, bullying, or harassment seriously with appropriate consequences for such actions;
- Ensures HRV's facilities and online activities promote the inclusion of children of all abilities.

## 5.2.6. Engaging a Suitable Workforce

HRV aims to recruit staff and volunteers who are appropriate to engage with children as outlined in the Recruitment Policy. The recruitment, selection, and ongoing training of HRV employees and volunteers aim to support HRV's commitment to promoting an organisational culture of child safety-consistent with Standard 6 and Standard 8.

- For positions that involve contact with children, or access to children's personal information, HRV requires Referee and background checks; Working with Children Check (WWCC), and National Police Check;  
(Country Clubs are responsible for ensuring WWCCs are in place and valid for employees and volunteers they engage).
- Induction training is provided to staff and volunteers regarding child safety;



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- Annual Child Safety Training is provided to Staff and Volunteers who engage with children to ensure they understand their responsibilities regarding child safety.
- Staff and volunteers are supervised to support their engagement with children and to comply with the HRV Child Safe Code of Conduct and Child Safety and Wellbeing Procedure. Any concerning behaviour from a Staff member will be raised immediately and addressed in line with Performance, Conduct and Disciplinary Procedure.

### 5.2.7. Complaints and Reporting

HRV deals with reports of child abuse and child safety concerns seriously, whether they are made by an adult or a child and whether they are about the conduct of an adult or a child - consistent with Standard 7. All complaints and child safety concerns will be responded to promptly and thoroughly.

Information about how a complaint or child safety concern should be responded to is provided to staff and volunteers using Child Safe Complaints Handling Procedure and an easy-to-understand complaints information sheet and children's rights poster is provided to children and families.

Any complaint that includes an allegation or incident of child abuse or harm will be handled in accordance with the Child Safe Complaints Handling Procedure.

Complaints can be emailed to [childsafefoffice@hrv.org.au](mailto:childsafefoffice@hrv.org.au) or by speaking with one of HRV's staff/Volunteers.

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

### 5.2.8. Risk Management

HRV understands the importance of identifying and managing risks of child abuse and harm in the physical and online environments operated by HRV. In complying with Standard 9, HRV conducts, and reviews risk assessments based on activities involving children and have a risk management plan to address the risk of child abuse and harm at HRV. Risk assessments and Risk Management plans are developed in consultation with staff, children, and their families. HRV shall ensure that any risk controls put in place balance the need to manage harm with the benefits of participating at HRV.

Third-party contractors hired for facilities and services are required to comply with HRV's code of conduct and the Child Safety and Wellbeing Procedure and are monitored by a member of staff to ensure compliance with HRV child safe standards. For more information, refer to Contractor Management Procedure.

### 5.2.9. Breach of Procedure and the Code of Conduct

HRV shall enforce this procedure, Child Safe Code of Conduct, Child Safety Handling Procedure, and any other Child-Safety related documents listed in section 8 consistent with Standard 10. Potential breaches by anyone will be investigated and may result in disciplinary action up to and including dismissal as described in Performance, Conduct and Disciplinary Procedure.

### 5.3. Information Sharing

HRV may share relevant information to promote the safety and wellbeing of children, where it is appropriate and in their best interests. Information about complaints will be treated confidentially,





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except where it is necessary to share information to respond suitably to a complaint or to prioritise child safety. Reasonable steps will be taken to protect personal information from loss, unauthorised access, use, disclosure, or any other misuse as per HRV Privacy Policy (LRC-PO-005).

HRV may need to share information about incidents or complaints with external authorities to comply with the law or to prioritise safety. More information is available in Child Safe Complaints handling procedure.

### 6. RECORDS

HRV is committed to making and keeping full and accurate records about all child-related complaints or safety concerns. All child safety complaints, concerns, and incidents will be recorded in the Complaints Register by the Head of Legal, Risk and Governance. Records will be kept even if an investigation does not substantiate a complaint. The complaints register maintains and stores information concerning HRV's investigation and resolution of the complaint, responses and communication exchanged between HRV, the alleged victim, the subject of the allegation, and external authorities. This includes findings made, reasons for decisions, and actions taken.

Records include but are not limited to letters/emails conversations, notes of meetings, investigation reports, referrals to authorities, and any additional records that can help with the investigation such as surveillance images and footage.

All records regarding HRV's response to child abuse incidents and allegations will be retained in accordance with [RDA for Records of Organisational Response to Child Sexual Abuse Incidents](#) for at least 45 years and stored in accordance with QMS-PR-001 Records Management.

### 7. REVIEW

Consistent with Standard 10, this procedure and all child-safety related documents will be subject to a planned review at least every two years or in response to a child safety incident, or complaint. Review will include consultation with staff, volunteers, children, and families (including during initial development) using [Policy and Procedures Consultation form](#) and will be undertaken in accordance with the requirements outlined in the Document Control Procedure. Review findings, and actions taken in response to reviews will be shared. An analysis of complaints will also be utilised for continuous improvement of child safety practices and in preventing re-occurrence of the problem.

### 8. RELATED SYSTEM DOCUMENTS

Access to any of the references below shall be via the HRV intranet, manager, or supervisor in accordance with the Document Control Procedure.

#### **Related Policies and Procedures:**

- Child Safe Code of Conduct
- Child Safe Complaints Handling Procedure
- Contractor Management Procedure
- Performance, Conduct and Disciplinary Procedure



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- Recruitment Policy
- Privacy Policy
- Risk Assessments
- Risk Management Plans

### 9. REFERENCES

- Child Wellbeing and Safety Act 2005 (Vic);
- Children, Youth and Families Act 2005 (Vic)
- Crimes Act 1958 (Vic)
- [Complaint Handling Guide: Upholding the rights of children and young people \(pmc.gov.au\)](#)
- [Reporting child abuse - DFFH Services](#)

### 10. AUDITABLE OUTPUTS

The following examples of records will be used to verify implementation of this procedure:

- Training records
- Document Review
- Policy and Procedures consultation form
- Child Safety Feedback Form
- Consultation records
- Risk Assessments
- Risk Management Plans