

CHILD SAFETY POLICY

1. INTRODUCTION

1.1 POLICY STATEMENT

Mustard Leadership Australia (“Mustard”) is committed to providing a safe and secure environment for all its Employees and Volunteers, and especially for the Students with whom it interacts. Mustard’s Child Safety Policy & Procedures aim to ensure that all Mustard activities are conducted in a safe and caring manner, thereby reducing the risk of abuse.

Mustard is a Christian organisation, and the values of love, mercy and justice form the backbone of our faith. As followers of Jesus, we acknowledge that He cares for people, as demonstrated in the Bible through His teaching, miracles, and His ultimate death and resurrection. Therefore, everyone involved in Mustard’s activities should follow the example set by Jesus and His utmost care for people. This example and the testimony of the scriptures should be the basis for all things done in and through Mustard. Mustard has zero tolerance of child abuse and all allegations will be treated seriously and dealt with in accordance with the following policies and procedures. Mustard is committed to preventing child abuse, and in doing so will identify risks early and remove and reduce these risks.

1.2 SCOPE

The Policy & Procedures apply to:

All activities authorised by or under the control of Mustard, including those undertaken at Mustard’s premises or undertaken away from those premises.

The two most common activities of Mustard are its Lunchtime Group ministry and Schools Program events.

All Employees and Volunteers within Mustard or engaged by Mustard.

1.3 AUTHORITY

These are the Child Safety Policy & Procedures of Mustard and were adopted for use by the Board of Mustard Leadership Australia on the date at the end of this document. The Board of Mustard Leadership Australia is committed to implementing the Child Safety Policy & Procedures of Mustard and training Employees and Volunteers in their content and application.

1.4 DEFINITIONS

Abuse - Any act that puts at risk another person’s physical or emotional health and development. Mustard considers everyone at risk of abuse, however we recognise the significant risk of abuse occurring towards a Student. Abuse can consist of, but is not restricted to, one or more of the following categories:

Physical Abuse - Any non-accidental physical injury resulting from practices such as, but not limited to: hitting, punching, kicking, shaking, shoving, burning, biting, pulling out hair, administering of alcohol or other drug.

Sexual Abuse – Any sexual act or threat to perform such act due to one person holding power over another. It occurs when a person uses their power and authority to take advantage of another’s trust to involve them in sexual activity. It does not necessarily involve genital contact but is any act which erodes the sexual boundary between two persons. It may appear consensual, but this consent is not valid because of the power differential (most importantly between Employees or Volunteers and Students).

Emotional Abuse - The chronic attitude or behaviour of one person which is directed at another person, or the creation of an emotional environment which erodes any person’s development, self-esteem and social confidence over time. Behaviours may include: devaluing, ignoring, rejecting, corrupting, isolating or terrorising.

Neglect - Characterised by the failure to provide for another person's basic needs. Any serious omission or commission which jeopardises or impairs a person's development.

Racial, Cultural, Religious - This is conduct that demonstrates contempt, ridicule, hatred or negativity towards a Student because of their race, culture or religion. It may be overt, such as direct racial vilification or discrimination, or covert, such as demonstrating a lack of cultural respect (attitude and values) and awareness (knowledge and understanding) or failing to provide positive images about another culture.

Spiritual – The use of spiritual or religious belief to hurt, scare or control someone. It can involve forcing a person to participate in spiritual or religious practices when they don't want to.

Student Any person under the age of 18 or enrolled in high school.

Employee Anyone engaged in paid employment with the Organisation.

Volunteer Anyone engaged in unpaid employment with the Organisation.

Organisation Mustard Leadership Australia located at 12 John St, Kew, Victoria, Australia.

2. EXTERNAL POLICIES

The majority of Mustard's activities occur under the auspices of the school in which they are conducted, including on the school premises. These Child Safety Policy & Procedures are not intended to supersede any Policies & Procedures of the school in which these activities take place; rather they are to operate in conjunction with them to avoid ambiguity. Mustard also acknowledges that we will work with other subsidiary or partner organisations (including churches). These organisations will possibly have policies governing Duty of Care. Mustard's Policy & Procedures are not intended to replace or conflict with other policies, but instead to operate in conjunction with them.

3. POLICY REVIEW

These Child Safety Policy & Procedures will be reviewed annually at Mustard Leadership Australia's mid-year Board meeting. The organisation's governing body will inform all interested parties when the date of review will occur, and any changes recommended by the interested parties should be submitted in writing to the governing body for consideration one month before the review date. Any proposed changes will be submitted at the mid-year Board meeting for approval before being implemented.

4. OBLIGATIONS

4.1 RESPONSIBILITY

As already stated, Mustard's Christian intent requires us to treat all people with fairness and dignity and to care for those who are less powerful and in need of nurturing and protection.

4.2 LEGAL

Mustard is bound by Federal and State Child Protection legislation and principles established through common law.

4.3 CARE & SUPERVISION

Some actions may not be regarded as abuse, but are unacceptable behaviour for Mustard. These include:

- Inappropriate conversations of a sexual nature.
- Coarse language, especially that of a sexual nature.

- Suggestive gestures or remarks.
- Jokes of a sexual nature.
- Use of inappropriate media demonstrating violence, sexual acts, nudity, coarse language, adult themes or drug use.
- Recording or filming without prior consent.
- Acts of violence.
- Physical contact – it is inappropriate for Employees or Volunteers to initiate physical contact with Students, except for in the following ways:
 - Brief hugs initiated by students.
 - Pats on the shoulder or back.
 - Comforting someone by placing an arm around their shoulder and giving them a hug from the side.
 - Handshakes.
 - High fives or hand slapping.
 - Administering First Aid.

Mustard recognises that there will be times when Students may initiate inappropriate contact with Employees or Volunteers. In such cases, the Employee or Volunteer is to communicate with the Student the inappropriate nature of such contact in order to prevent it occurring in the future. The age of an individual is recognised as one of the determinants in deciding what is acceptable and unacceptable behaviour. The Board, Employees and Volunteers of Mustard will ensure that high standards of conduct are maintained at all times.

5. SELECTION & SCREENING OF EMPLOYEES AND VOLUNTEERS

Employees and Volunteers involved in Mustard's activities will be carefully selected and screened. This is to ensure both the suitability of that person for the ministry activity as well as minimising the potential of abuse occurring.

Prior to a person commencing with Mustard, the following procedures will be followed: All Employees and Volunteers will complete an application form which requests details of relevant past experience, positions held, details of two referees and permission to contact them. Referees will be checked and spoken to. The questions will seek to establish the applicant's suitability for the role or position and each conversation will be documented and retained on file.

Short-listed Employees and Volunteers will be interviewed by the relevant Mustard employee prior to being accepted.

The following is a list of minimum criteria that each Employee or Volunteer must satisfy. No-one is to be accepted without satisfying all of these criteria:

They must have a current Working with Children Check relevant to the state they are working or volunteering in.

They must be a follower of Jesus, evidenced by agreement with Mustard's Statement of Faith.

They must not have been in serious breach of any Duty of Care Policy or Code of Conduct in the past.

They must not have been convicted of a criminal offence that relates directly to the nature of the position.

They are able to commit to all stated ministry requirements as set by Mustard.

5.1 SUITABILITY

In addition to possessing the core competencies for the relevant role, any Employee or Volunteer of Mustard should be emotionally and spiritually suited to the role for which they are applying.

5.2 WORKING WITH CHILDREN CHECK

In 2006, the Victorian Government introduced a new checking system to help protect Children under 18 years of age from physical or sexual harm. The Working with Children (WWC) Check creates a mandatory minimum checking standard across Victoria. It provides information regarding a person's criminal history for serious sexual, violence or drug offences and findings from professional disciplinary bodies. The WWC Check helps to keep Children safe by preventing those who pose a risk to the safety of Children from working with them, in either paid or volunteer work. **Similar checks were introduced in other states, although sometimes with a different name (eg in Tasmania, they are called Working with Vulnerable People (WWVP) Checks). These checks are unique from state to state and are not cross applicable. Mustard requires each volunteer and employee to hold a valid check for each state they are operating within.**

Here are the links to the relevant state and territory sites where Working with children checks can be applied for:

Victoria – Working with Children Check (<https://www.workingwithchildren.vic.gov.au/>)

Tasmania – Working with Vulnerable People Check (<https://service.tas.gov.au/services/working-in-tasmania/working-with-vulnerable-people-including-children/apply-for-registration-to-work-with-vulnerable-people>)

South Australia - Working with Children Check (<https://screening.sa.gov.au/types-of-check/new-working-with-children-checks>)

New South Wales - Working with Children Check (<https://www.service.nsw.gov.au/transaction/apply-working-children-check>)

Australian Capital Territory – Working with Vulnerable People Check

(<https://www.myaccount.act.gov.au/WWVPNDIS/s/wwwvp-ndis-new-application-v2>)

Queensland – Blue Card (<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card>)

Northern Territory – Working with Children Clearance or Ochre Card

(<https://nt.gov.au/emergency/community-safety/apply-for-a-working-with-children-clearance>)

Western Australia – Working with Children Check (<https://workingwithchildren.wa.gov.au/>)

The WWC Check is valid for five years and is transferable between different employers or volunteer organisations within each state (except if moving from a volunteer to an employee position).

All Mustard Employees and Volunteers must include the below organisation details in their Working with Children Check registration online:

Organisation name: Mustard Leadership Australia

Postal number and street: 12 John Street

Suburb: Kew

State: Vic

Postcode: 3101

Phone: 9816 7131

6. TRAINING

All Employees and Volunteers will be issued with a copy of this policy and be provided with training in:

- The content and application of Mustard's Child Safety Policy & Procedures
- Reporting procedures and the associated legal requirements
- Skills-based training specific to their role
- General leadership training

Mustard recognises that specific skill and leadership training will occur in both formal and informal settings. Employees and Volunteers will receive training on the Child Safety Policy & Procedures upon commencement with Mustard and on an annual basis.

7. A SAFE ENVIRONMENT

Incidents of abuse are unlikely to take place in front of another person and the presence of another person can assist in clarifying any allegations. For these reasons, Mustard aims to have two or more Employees or Volunteers present when working with or supervising Students.

Employees or Volunteers will not visit Students in their homes without parental consent. When transporting any Student, consent should be obtained from each Student's parent or guardian. Employees or Volunteers should never be alone with a Student in a car. Employees or Volunteers will not be alone with a Student with the door closed.

An Employee or Volunteer will never be present while a Student is undressing, dressing or changing clothes. Similarly, a Student will never be present while an Employee or Volunteer is undressing, dressing or changing clothes.

Initiations and secret ceremonies are prohibited in any of Mustard's activities. Employees or Volunteers will never promise a Student to keep a secret. All aspects of every Mustard activity will be open to observation by school staff and/or parents/ guardians. As most of Mustard's activities are conducted on school grounds or under the care of a school, Employees and Volunteers need to respect other students' right to use common school buildings. Should someone's presence distract from the purpose of an activity and this is on school grounds or under the care of a school, Employees and Volunteers have the right to ask people to leave. Should that person not comply, the Employee or Volunteer should speak with the nominated school contact to resolve the issue. Where the activity is not on school grounds, Employees and Volunteers have the right to ask people who do not have a valid reason to be present to leave.

7.1 EVENTS OUTSIDE SCHOOLS

In the event that an Employee or Volunteer organises a gathering with Students outside of school hours/buildings, every effort will be made to meet with a minimum of two Mustard Employees and/or Volunteers. If this is logistically impossible, the following options are acceptable, in order of preference:

- one Mustard Employee or Volunteer and another responsible adult
- one Mustard Employee or Volunteer and at least two students provided that the meeting occurs in an appropriate public place such as a church or cafe.
- one Mustard Employee or Volunteer provided that the meeting occurs in an appropriate public area such as at a church or café.

7.2 YOUTH COMMUNICATION CODE OF CONDUCT TELEPHONE

TELEPHONE

Employees and Volunteers should not seek telephone contact details of Students except for ministry purposes, nor should they give out their own details, except for ministry purposes.

Employees and Volunteers should not contact Students via the telephone except for ministry purposes.

Employees and Volunteers who are contacting Students will use their best endeavours to notify parent(s)/guardian(s) that they have contact details for that Student, and the expectations and limitations of interaction.

Employees and Volunteers should ensure that details of all telephone communications with students are saved in the Mustard database, including the date, time and nature of the conversation.

EMAIL

Employees and Volunteers should only email Students from their designated Mustard email address. Emails should only be sent for ministry purposes. All emails to and from Students should be saved and not deleted.

SMS

SMS communications should only be sent for ministry purposes. All SMS communications to and from students should be saved and not deleted.

SOCIAL MEDIA

Numerous social media tools are now widely used. The following applies to those tools as applicable:

- Employees and Volunteers should not initiate 'friend' requests to Students on social media, but may accept 'friend' requests from Students.
- Before accepting any friend request from a Student, Employees and Volunteers should think carefully about the possible implications and results of becoming an online friend of any particular Student, as well as the potential consequences of refusing to accept their request.
- If an Employee or Volunteer is contacting a Student on social media, they should use the Mustard account wherever possible, rather than their personal account.
- Employees and Volunteers will not initiate conversations at-length online, especially not conversations of a personal or sensitive nature.
- Online interactions are to be for practical purposes and light-hearted, public communications; overall the involvement of Employees and Volunteers in Students' online activities is to be minimal.
- Private messages that are received from Students that have a level of depth or seriousness should be recorded or saved. This should include the content, the time, the date and the recipient/ sender.
- Employees or Volunteers must not post any private details or photographs of a student on social media, without the written permission of their parents.

VIDEO CONVERSATION

Video conversation can include, but is not limited to, Zoom, Google Chat, Skype or any other applications that allow personal conversation via video form.

Employees or Volunteers should ensure that at least one other Employee, Volunteer or responsible adult known to the Student is present during any video conversations with a Student or group of Students.

PARENTAL CONSENT

Employees and Volunteers who are contacting Students will use their best endeavours to notify parent(s)/guardian(s) that they have contact details for that Student, and the expectations and limitations of interaction via the various forms of communication.

8. DISCIPLINING STUDENTS

It is not the responsibility of Mustard or its Employees or Volunteers to discipline a Student. If a Student does not abide by the rules set down by the Employee or Volunteer, or is an obstruction to the care of other Students or may cause harm to other Students, the Student must be removed and referred back to the school contact or their parent/guardian; whichever is appropriate for the context. At no time will an Employee or Volunteer administer any form of physical, verbal, emotional or mental discipline.

9. REPORTING PROCEDURES

9.1 MANDATORY REPORTING The Children, Youth and Families Act 2005 (Vic) provides that all persons may choose to make a voluntary report and those listed as mandatory reporters within the Act must report to the Child Protection Services or Police, if they believe on reasonable grounds that a child or young person is being abused or neglected or is at risk of abuse or neglect. In Victoria, mandatory reporting is required by people working in religious organisations. This includes all Mustard Employees and Volunteers. Other States have similarly worded legislation that must be complied with. Even though Mustard Employees and Volunteers may not be mandated to report in some states, Mustard takes the reporting of abuse seriously. If an Employee or Volunteer forms a belief on reasonable grounds that a child needs protection, that person should:

Call 000 and report to the police if the student is in immediate danger,

or report that belief to the Nominated Person at Mustard (as below) as soon as practicable.

Reasonable grounds for belief may be formed when:

- a student states that they have been abused
- a student states that they know someone who has been abused
- someone who knows a student states that the student has been abused
- signs of abuse lead to a belief that the child has been abused
- or a person becomes aware of any other matters and any opinions based on those matters.

9.2 FAILURE TO DISCLOSE

The failure to disclose child sexual abuse offence requires adults to report to police a reasonable belief that a sexual offence has been committed against a child (unless they have a reasonable excuse for not doing so). It establishes that reporting child sexual abuse is a community-wide responsibility.

Mustard Employees and Volunteers should be aware that the law states that all adults must report to police any reasonable belief that a sexual offence has been committed by another adult (over 18 years of age) against a child under the age of 16 unless there is a reasonable excuse or an exemption applies.

The exemptions are very limited. There are minor differences from state to state. There are a few exemptions that are nationally recognised. A reasonable excuse not to report includes:

the person believes on reasonable grounds that another person has reported the matter in accordance with that subsection

or

the person believes on reasonable grounds that the Department for Child Protection is already aware of all of the information that forms the basis of the person's suspicion.

or

A victim *aged 16 or above* has asked to keep the information confidential. (If they are under 16 or if they have a intellectual disability this is not a valid excuse)

9.3 FAILURE TO PROTECT

Failure to protect a child from sexual abuse offence applies to Employees and Volunteers if: they hold a position of authority and they know that there is a substantial risk that another adult associated with the organisation may commit a sex offence against a child under 16 connected with Mustard they have the power or responsibility to remove or reduce that risk BUT they negligently fail to do so.

9.4 REFERRAL OF ALLEGATIONS OF ABUSE

Any allegations of abuse arising in the course of Mustard's activities are to be referred to the person nominated to handle such matters (hereafter referred to as "Nominated Person"). In most cases the Nominated Person will be the CEO of Mustard. Contact details are as follows:

Name: Lara Ruddle
Position: CEO of Mustard Leadership Australia
Telephone: 0400 502863
Email: lara@mustard.org.au
Address: 12 John St, Kew VIC 3101

Should the allegation of abuse involve the CEO of Mustard, the Nominated Person will be the Chairperson of the Board of Mustard Leadership Australia. Contact details are as follows:

Name: Neale Meredith
Position: Chairperson of Mustard Leadership Australia

Telephone: 0419 951 279
Email: nealerm@gmail.com

9.5 HANDLING OF ALLEGATIONS OF ABUSE

If the allegation involves a student, the Nominated Person will inform the appropriate staff member at the school where the allegation originated, with the intention that the allegation be subject to the school's normal reporting procedures.

Should the allegation refer to an abuse outside of Mustard's activities, the investigation and reporting of the allegation will rest with the school.

If the allegation involves a Mustard activity or Mustard Employee or Volunteer, Mustard's standard reporting and escalation procedures will apply, in conjunction with the school's procedures.

9.6 INSTRUCTIONS FOR HANDLING ALLEGATIONS OF ABUSE

Should a Student tell an Employee or Volunteer about abuse, the following steps should be followed:

1. Listen to the Student
2. Do not ask leading questions or press the Student for information.
3. Reassure the Student that they are right to tell you and that you take what they say very seriously.
4. Let the Student know what you are going to do next and who you are going to tell and why.
5. As soon as possible afterwards, make handwritten notes of exactly what the Student said and the date and time of the meeting.
6. Once the allegation has been made, it should be immediately referred to the Nominated Person as outlined above.

9.7 REPORTING AND ESCALATION PROCEDURES FOR ALLEGATIONS OF ABUSE

Allegations of abuse brought to Mustard's attention involving a Mustard Employee or Volunteer and/or occurring as a part of Mustard's activities will be handled as follows:

1. The person who becomes aware of the allegation of abuse is to bring it to the attention of the Mustard Nominated Person, including any notes made after the report.
2. The Nominated Person is to prepare an abuse allegation report in conjunction with the person bringing the allegation to Mustard's attention. This report will attempt to collect as much information as possible about the allegation, without contacting the student or alleged perpetrator.
3. The Nominated Person will inform the appropriate staff member of the school that the Student attends. Together they will determine the appropriate course of action. Should the allegation involve a Mustard Employee or Volunteer, they will be suspended with pay until the matter is investigated fully.
4. The Employee or Volunteer must co-operate fully with the investigation.
5. If there is a reasonable belief that sexual abuse has taken place, Mustard will take all necessary steps to refer the matter to the Police and Child Protection.
6. All documents gathered during this process will be securely stored at Mustard's offices.

Approval

This Policy was approved on **24 October 2022**

This Policy is due for review on the first meeting after the AGM in **2024**