



Kehillat David Hamelech (Kedem Inc)

KEDEM SAFEGUARDING CHILDREN PROCEDURES DOCUMENT

The Kedem community has a duty of care to protect the safety, health and wellbeing of children who are part of the Kedem community. This document sits alongside the Kedem Safeguarding Children Policy Document and The Kedem Safeguarding Children Code of Conduct to ensure that all children and young people who are part of the Kedem community, or visiting, are safe and feel safe.

PROCEDURE

1. Summary of Response Expectations

Disclosure

- If members of the Kedem community have any concerns about a child's safety, they are encouraged to discuss their concerns or, if they are a child or young person, to make a disclosure to, the Designated Person (as described in the Kedem Safeguarding Children Policy Document) or to the President or Board member Portfolio Holder. The Designated Person, President and Board Member Portfolio Holder may consult with each other where a matter of child safety is raised.
- If the situation is an emergency 000 must be contacted.
- Where the notification is made verbally, the Designated Person must correspond in writing to the person who makes the disclosure, confirming the verbal report received, noting the identity of the reporter, details of the report and the next steps to be taken.
- Confidentiality and privacy of the child, family and subject of allegation must be respected.
- Kedem is committed to ensuring a fair and effective process.
- Action may include, but is not limited to, the following:
 - Where relevant, taking appropriate steps to protect the child including distancing the alleged perpetrator from the child if required.
 - Contacting the child's parent/s or guardian/s unless inappropriate due to the nature of the allegation.
 - Consulting the relevant government child protection department or organisation for advice and information (for example DFFH Child Protection

or Child FIRST) including the police (if they should be notified). Implement any advice provided by child protection.

- Offer support to the child/family to make an appointment or referral for the child at appropriate medical and/or counselling services if requested.
- DFFH Child Protection, Child FIRST and/or Victoria Police may:
 - Conduct interviews with the children without the parent's knowledge or consent
 - Request information about the child or family for the purpose of investigating a report and assessing the risk to the child
 - Make a Protection Application in the Children's Court of Victoria and any party to the application may issue a Witness Summons to produce documents and/or to give evidence in proceedings.
- Debriefing - Anyone involved in the incident or disclosure, should be offered debriefing.

2. Making a Report about Child Safety Concerns

In the following section the step-by-step process is described for reporting allegations or instances of abuse, neglect, or inappropriate behaviour, including a mandatory report or reportable conduct allegation. Kedem requires all people in leadership roles to follow these steps if report about a child safety concern is indicated.

Step One

Keep contemporaneous comprehensive notes that are dated and include the following information:

- Description of the concerns (e.g., physical injuries, child's behaviour)
- Source of those concerns (e.g., observation, report from child or another person)
- Actions taken because of the concerns (e.g., report to DFFH Child Protection)

Step Two

Immediately discuss any concerns about the safety and wellbeing of the child with a member of the Kedem leadership team (i.e., Designated Person, President, or Board Member),

To support decision making about whether an external consultation or a report is required. consider all details in **Appendix One**, including requirements of mandatory reporting, the Reportable Conduct Scheme and reporting of criminal matters.

Step Three

Gather the relevant information necessary to undertake consultation or make a report. This should include the following information:

- Full name, date of birth, and residential address of the child
- Details of the concerns and the reasons for those concerns

- The reporter's involvement with the child
- Details of any other agencies who may be involved with the child if known.

Step Four

If required, make a report to the relevant agency (e.g., DFFH / Child First / CCYP) and keep written details of the report, including (but not limited to)

- The date and time of the report and a summary of what was reported
- The name and position of the person who made the report and the person who received the report

Step Five

Notify Victoria Police if there is concern that a criminal offence may have been committed.

Kedem is committed to responding promptly to reports, disclosures or concerns related to this Policy.

Step Six

Ensure that the Kedem Board (through the Leadership Team) is kept informed of the steps that have been taken.

3. Confidentiality and Record Keeping

3.1 Confidentiality of an allegation

Whether or not an allegation will be kept confidential will depend on the circumstances, including the nature of the complaint, its seriousness, and the views of the person making the complaint.

Kedem's Leadership teams must not disclose the names of any of the parties involved or the particulars of the allegations that have been raised to any of the named parties unless the consent of the parties has first been obtained. Non identifying details of a general nature about the allegation may be provided.

3.2 Record Keeping

Kedem's Leadership team is responsible for keeping an accurate record of the allegation and response. All records are confidential and stored in a folder on Kedem's secure online site.

Appendix 1: Compliance with Child Safety Legislation and responsibilities

Kedem commits to compliance with the following obligations aimed at ensuring a safe environment for children and young people

Reportable Conduct Scheme Victoria

Reportable conduct under the scheme will include allegations against the Board, employees, contractors, or volunteers engaged in child related work of child abuse and misconduct involving children. Reportable conduct would include sexual misconduct or offences, grooming, sexting, inappropriate physical contact with a child or other conduct that crosses professional boundaries concerning children.

Specifically, at Kedem:

- Within three business days of becoming aware of a reportable conduct allegation the Board President or Designated Person, must notify the Commission for Children and Young People that a reportable allegation has been made.
- Within 30 calendar days, the Board President or Designated Person must provide certain detailed information about the allegations and the proposed response to investigate the allegations.
- An external investigator may be appointed to undertake any required investigation if necessary.

It is a criminal offence for the Board President or Designated Person to fail to comply with the three day and 30-day notification obligations without a reasonable cause.

Any allegations of criminal conduct must be reported to Victoria Police as a priority.

At the conclusion of the investigation, any findings, and reasons for the outcome of an investigation must be reported to the Commission for Children and Young People.

Any action taken by Kedem as an outcome of an investigation will be in accordance with existing employment laws as they apply to Kedem, including relevant legislation, industrial agreements, and employment contracts.

Reporting sexual offences

Victorian legislation requires that any person, whether a Mandatory Reporter or not, is required to report to Victoria Police as soon as practicable if they know or reasonably believe that a sexual offence has been committed by an adult against a child under the age of 18. It is a criminal offence to fail to comply with this obligation.

Any person, whether a Mandatory Reporter or not, who has the power to reduce or remove a substantial risk that a child may fall victim to a sexual offence committed by an adult must not negligently fail to reduce or remove the risk. The failure to disclose offence came into effect in 2014 for adults who fail to disclose child sexual abuse to police. It is a criminal offence to fail to comply with this obligation.

Reporting child protection concerns

Victorian legislation requires any person, whether a Mandatory Reporter or not, may make a report to DFFH Child Protection or Child FIRST if they have significant concerns of the wellbeing of a child, including (but not limited to)

- a) The child has suffered or is likely to suffer significant harm because of physical injury, sexual abuse, emotional harm or psychological harm and the parents are unable or unwilling to protect the child.
- b) The child's physical development or health has been or is likely to be significantly harmed and the parents are unable or unwilling to provide basic care, or effective medical or other remedial care.
- c) The child has been abandoned and there is no other suitable person who is willing and able to care for the child.
- d) The child's parents are dead or incapacitated and there is no other suitable person who is willing and able to care for the child.

Kedem expects all people in leadership roles within the community, to make reports if they develop any of these concerns.

Mandatory Reporting

Mandatory Reporters must make a report to DFFS Child Protection as soon as practicable if, while practising their profession or carrying out their duties, they form a belief on reasonable grounds that a child needs protection, because of physical injury or sexual abuse, and the child's parents are unable or unwilling to protect the child.

Failure by a Mandatory Reporter to report a belief based on reasonable grounds that a child is in need of protection may render them liable to a criminal offence.

When two or more Mandatory Reporters have formed a belief about the same child on the same occasion, regardless of whether one person has reported their belief to DFFH Child Protection, each individual Mandatory Reporter retains their legal and personal obligation to ensure that their own report is made, and their concerns are reported.

In the case where one Mandatory Reporter directs another Mandatory Reporter NOT to make a report, and that professional continues to hold a belief that a child is in need of protection, then that professional remains legally obliged to make a report to DFFS Child Protection and/or Victoria Police.

Where a mandatory report is made in good faith, it does not constitute unprofessional conduct or a breach of professional ethics on the part of the reporter and he/she cannot be held legally liable in respect of the mandatory report.

Confidentiality of a Mandatory Reporter

The name of a Mandatory Reporter, or any information that is likely to lead to the identification of a Mandatory Reporter, will not be disclosed unless:

- The Mandatory Reporter chooses to inform the child or family of a report

- The Mandatory Reporter consents in writing to their identity being disclosed
- A Court or tribunal decides that it is necessary for the identity of the Mandatory Reporter to be disclosed to ensure the safety and wellbeing of the child
- A court or tribunal decides that, in the interests of justice, the Mandatory Reporter is required to attend court to provide evidence.