

CHILD SAFETY AND WELLBEING POLICY

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If you need help to understand this policy, please contact Swimable on 0410989766 or email us at office@swimable.com.au

Purpose and Intent

The Swimable Child Safety and Cultural Safety Policy (Policy) demonstrates Swimable's commitment to maintaining a child safe and child-friendly organisation wherein preventing and responding to child abuse is embedded in the everyday thinking and practice of all employees and volunteers.

In 2022, the [Victorian Child, Wellbeing and Safety Act \(2005\)](#) was amended to include the new Child Safe Standards (Standards) which came into effect on July 1 2022. They provide a compulsory framework that supports organisations that provide services to children to implement policies and procedures that prevent, respond to, and report allegations of child abuse.

There are 3 guiding principles that Swimable has considered when implementing the Standards:

- The cultural safety of Aboriginal children
- The cultural safety of children from ethnically diverse backgrounds and the LGBTQ+ community
- The safety of children with a disability and from vulnerable backgrounds.

The Policy informs Swimable's community of everyone's obligations to act safely and appropriately towards all children and guides our processes and practices for the safety and wellbeing of students across all areas of our work.

Scope

This Policy:

- Applies to all of Swimable's Staff irrespective of their involvement in child-related work.
- Applies in all physical and online environments used by Swimable's students during or outside business hours (including those provided through third-party providers).
- Was developed in collaboration with employees, and families (children who use our services and their parents).

Swimable will require all Staff to comply with the child safe legislation as part of their employment agreement.

Definitions

Term	Definition
Aboriginal child	A child or young person up to the age of 18 who is of Aboriginal or Torres Strait Islander 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.
Abuse	Abuse is an act or acts which endanger a child’s health, well-being, and/or development. It can be a single event of a series of traumatic events. It includes: <ul style="list-style-type: none"> • Physical abuse • Sexual abuse • Emotional abuse • Cumulative harm • Neglect • Grooming • Multi-dimensional harm
Children / Young people	Any child / young person under the age of 18.
Child-safe organisation	In the context of the Victorian Child Safety Standards, a child safe organisation is one that takes deliberate steps to protect children from abuse.
Children from ethnically diverse backgrounds	A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home, or because of their parents’ identification on a similar basis.
Children identifying as part of the LGBTQ+ community	A child or young person who identifies as gay, lesbian, bisexual, trans and gender diverse, queer, intersex, or any gender-related identification.
Children with a disability	Use of the term ‘disability’ is consistent with that in the Disability Act 2006. In relation to a child the use of the word ‘disability’ incorporates any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child’s ability to undertake everyday activities.
Cultural safety of Aboriginal children	Aboriginal or Torres Strait Islander children be given the opportunity to be connected to culture and provided with a safe, nurturing and positive environment where they are comfortable with being themselves, expressing their culture, their spirituality and belief systems.

Cultural safety for children from ethnically diverse backgrounds	An environment which is spiritually, socially and emotionally safe, as well as physically safe for children; where there is no assault, challenge or denial of their cultural, religious or linguistic identity, of who they are and what they need.
Grooming	As defined in the Crimes Act 1958, the act of communication, including online communication, with a child under the age of 16 or their parents with the intent of committing child sexual abuse. This includes predatory conduct undertaken to prepare a child for sexual abuse at a later time with the groomer (aged 18 years old or over) or another adult.
Mandatory Reporting	<p>The legal obligation under the Children Youth and Families Act 2005, of certain professionals to report when a child is in need of protection. Mandatory reporters include:</p> <ul style="list-style-type: none"> • Medical practitioners • Nurses • School Principals • Police Officers • Teachers
Staff	<ol style="list-style-type: none"> 1. Directly employed teachers, office staff, temporary and casual staff 2. Trainees, volunteers and contractors

Statement of Commitment to Child Safety

Swimable is a child-safe organisation that welcomes all children, young people, and their families. All children and young people who attend our swimming program have the right to feel and be safe.

We are committed to fostering and maintaining an environment where:

- Our students are safe and feel safe,
- Their participation is valued and their views respected,
- Their voices are heard about decisions that affect their lives.

We have no tolerance for child abuse and take proactive steps to identify and manage any risks of harm to students in the Swimable environment.

We promote positive relationships between students and adults, and between students and their peers. These relationships are built on trust and respect.

Particular attention is given to the cultural safety needs of children of Aboriginal and other culturally and/or linguistically diverse backgrounds, as well as to the safety of children with a disability, children who identify as part of the LGBTQ+ community, and children experiencing vulnerability. Inappropriate or harmful behaviour targeting students based on these or any other characteristics such as racism or homophobia are not tolerated and any instances identified will be addressed with appropriate consequences.

Child safety is a shared responsibility. Every person involved in the Swimable community has an important role in promoting child safety and wellbeing and promptly raising any issues or concerns about a child's safety.

We are committed to regularly reviewing our child safe practices and seeking input from our students, families, and staff to inform our ongoing strategies.

Roles and Responsibilities

Leadership Team:

Our leadership team (comprising of the Business Owner, Manager, and the Assistant Managers) is responsible for ensuring that a strong child safe culture is created and maintained, and that policies and procedures are effectively developed in line with the Victorian Child Safe Standards.

The responsibilities are as follows:

- Ensuring effective child safety and wellbeing governance, policies, procedures, codes, and practices are in place and followed.

- Model a child-safe culture that facilitates active participation of students, families, and staff in promoting and improving child safety, cultural safety, and wellbeing.
- Enable inclusive practices where the diverse needs of all students are considered
- Reinforce high standards of respectful behaviours between students and adults, and students and peers.
- Promote and encourage open discussion on child safety issues within Swimable's program during staff and team meetings, and during in-house training sessions.
- Create an environment where child safety concerns and complaints are readily raised and no one is discouraged from reporting an allegation of child abuse to relevant authorities.
- Review and modify the Policy and make changes (where appropriate) to improve the process of promoting a child safe and culturally safe environment.

Swimable Staff

All staff will

- Be made aware of, read, and comply with Swimable's Child Safety and Cultural Safety Policy.
- Participate in child safety and wellbeing training provided by Swimable.
- Be checked appropriately and be asked to comply with the Working with Children Check and Swimable policies
- Act in accordance with both the Swimable and St Mary's Codes of Conduct
- Identify and raise concerns regarding child safety issues in accordance Swimable's Child Safe Reporting Process and Complaints Handling System.
- Ensure students' views are taken seriously and their voices are heard about issues pertaining to child safety
- Implement inclusive practices that respond to the diverse needs of students.

Diversity and Inclusion

Diversity recognises the differences between people and how they identify themselves, and inclusion occurs when all children and young people feel valued and respected, their diversity celebrated and learned from. Swimable's inclusive approach recognises that children and young people have different needs, characteristics, and life experiences, and that although there may be similar traits, every child is unique in their own way.

At Swimable, we are committed to establishing an inclusive and safe swim school for children and young people where the strengths, values, and practices of Aboriginal and other ethnically diverse groups are respected and celebrated. We keep in mind how every child can have a positive experience in a safe environment. For Aboriginal and other culturally and/or linguistically/ and/or religiously diverse students, we recognise the link between their culture,

identity, and safety and actively create opportunities for these students to have a voice and presence in our school planning, policies, and activities.

We value diversity and do not tolerate any discriminatory practices. To achieve this, we:

- Support the cultural safety, participation, and empowerment of Aboriginal children and their families.
- Support and promote the cultural safety, participation, and empowerment of children from ethnically diverse backgrounds and their families
- Welcome children with disabilities and their families and act to promote their participation in swimming where we are qualified to provide the necessary support
- Welcome children who identify as part of the LGBTQ+ community and their families
- Seek to recruit qualified and appropriate staff from different ethnic backgrounds to celebrate diversity and promote inclusion.
- Equip staff, students, and their families to acknowledge and appreciate the strengths of Aboriginal children and students.
- Commit to ensuring Swimable's program promotes inclusion of children of all abilities
- Ensure school policies, procedures, systems, and processes together create a culturally safe and inclusive environment and meet the needs of Aboriginal and ethnically diverse children and their families.

We thus, embed the following principles of inclusion in our Policy:

- **Equal treatment:** involves eliminating discrimination based on religious/cultural beliefs, political beliefs, ethnicity, race, sexuality, age, gender identity, physical/intellectual/sensory ability, and socio-economic status.
- **Celebrating Diversity:** going above and beyond tolerance and acceptance, to recognising and appreciating the benefits and contributions of a diverse workforce and consumer base.
- **Shared responsibility:** Swimable recognises the important leadership role we play in making our swim program more inclusive; however, we also recognise the shared responsibility of all children, families, and staff members to achieve this goal.
- **Evidence-informed:** all decisions and actions undertaken to make Swimable more inclusive will be informed by effective consultation supported with evidence to ensure they are most likely to make a positive difference, particularly to those who experience exclusion.

Staffing

Swimable has clear and well-established behavioural expectations of all its Staff who work and/or interact with children. This includes appropriate behavioural expectations for working with children including (but not limited to) Aboriginal, or ethnically diverse children, children

part of the LGBTQ+ community, children living in vulnerable situations, and children with a disability.

The Manager (in consultation with the Business Owner) is responsible for appointing, directing, and managing all staff members.

Staff Code of Conduct

Swimable leases the swimming pool from St Mary's College in St Kilda East. As the pool is situated inside the school premises, all of Swimable's staff are required to sign the St Mary's College Code of Conduct in order to work inside the St Mary's College grounds.

In addition, all of Swimable's Staff, must sign and abide by Swimable's Code of Conduct.

Recruitment process

At Swimable, we apply robust child safe recruitment, induction, training, and supervision practices to ensure all staff are suitable to work with children. As all Staff at Swimable directly engage with children, we:

- Select employees based on core competencies and personal attributes
- Sight, verify, and record the person's Working with Children clearance.
- Collect and record:
 - Proof of the person's identity and any professional (or other) qualifications.
 - Person's history of working with children- During interview and references
 - References that address the suitability of candidate for the job of working and interacting with children

Staff induction

All newly-appointed staff will be expected to read through the following documents and abide by the policy and agreements:

- Swimable's Staff Handbook
- St Mary's Code of Conduct
- Swimable's Code of Conduct
- Public Commitment to Child Safety and Cultural Safety
- Child Safety Risk Management Plan
- Child Safety and Cultural Safety Policy
- Child Safe Reporting Process and Complaints Handling System

All of Swimable's staff are expected to understand the Child Safety and Cultural Safety policy and the procedures of Swimable and meet their record keeping, information sharing, and reporting obligations.

Child empowerment and participation

Children have the right to speak and be heard. At Swimable, we work to create an inclusive and supportive environment that encourages students and families to contribute to our child safety approach and understand their rights and responsibilities.

Respectful relationships between students and staff, and between students and their peers are reinforced and we encourage strong friendships and peer support in our program to ensure all children have a sense of belonging by way of introducing team-building activities and games as part of our swimming lesson plans. We will achieve child empowerment by implementing the following strategies:

- Provide all children, young people, and their families with opportunities and channels through which they can voice their opinions and be actively involved in promoting and maintaining a child-safe environment.
- Training staff to educate children and give them the skills and confidence to recognise unsafe situations with adults or peers and to speak up and act on concerns relating to themselves or their peers.
- Ensuring that our students know who to talk to if they are worried or feeling unsafe and we encourage them to share concerns with a trusted adult at any time.

Family Engagement

Our families have an important role in monitoring and promoting children's safety and wellbeing and helping children raise any concerns.

To support family engagement, we are committed to providing families and our local community with accessible information about our school's child safe policies and practices and involving them in our approach to child safety and wellbeing. Families are encouraged to voice their input into the development and review of our child safety policies and practices and to raise any concerns and ideas for improvement. We do this by:

- Establishing an 'open to communication' culture and encourage parents to raise concerns and suggest improvements in our approach to Child Safety and Cultural Safety.
- Establishing a clear reporting procedure and risk management plan in collaboration with parents interested in contributing to our program
- Providing prompt updates via email / customer portal in case of any significant changes made to our child safety policies, procedures, and initiatives.

All of our child safety policies and procedures are available for students and parents via our website. We send an email annually to all of our current parents/customers to provide feedback/input regarding our Child Safety and Cultural Safety policies.

Reporting Process

Swimable fosters a culture that encourages staff, students, and parents to raise concerns and complaints. This makes it more difficult for breaches of the Codes of Conduct, misconduct, or abuse to occur and remain hidden.

Swimable will work to ensure all people to whom this policy applies, and all children and families, know what to do and who to tell if they notice inappropriate behaviours, observe abuse, or are a victim of abuse.

We have clear pathways for raising complaints and concerns and responding, and this is documented in our Child Safe Reporting Process and Complaints Handling System document. This document can be found on the Swimable website.

Where appropriate and in the best interests of the child, Swimable will inform parents or carers if their child raises safety concerns with staff members. Where required, Swimable will seek advice from the Victorian Police or the Department of Health and Human Services Child Protection.

If an allegation of abuse or a safety concern is raised, Swimable will:

- Ensure all procedures for responding to the allegation are fair and focus primarily on child safety.
- Ensure all processes for responding to allegations include culturally appropriate responses.
- Provide detailed reports and updates to the relevant authorities and to all appropriate people involved in the suspected incident of child abuse.
- Provide contact details to the relevant people of both internal and external origin so all staff have access to advice when dealing and managing child safety incidents, including contact information for experts relating to Aboriginal and other ethnically diverse groups, children with a disability, the LGBTQ+ community, and children in vulnerable and risky conditions.
- Undertake a review of the responses following the incident so as to continually improve the process.

Swimable will securely record and store reports of child safety concerns, allegations, and actions taken to ensure the privacy of all parties.

Reportable Conduct Scheme (RCS)

The Victorian RCS improves organisational responses to allegations of child neglect and abuse by their staff and volunteers. This scheme is established by the Child Wellbeing and Safety Act 2005. It is designed to ensure that the Commission of Children and Young People (Commission) will be aware of every allegation of particular types of misconduct involving children in relevant organisations that exercise care, authority, and supervision over children.

For more details on the RCS and the organisational responsibilities, please refer to: <https://ccyp.vic.gov.au/reportable-conduct-scheme/>

Swimable will comply with all requirements stated in the RCS and will make sure all staff members report any allegation of misconduct (or otherwise reportable) conduct to the appropriate person even if the allegation has taken place outside the workplace.

Breach of Policy

In case of any breach in policy, action will be taken in accordance with Swimable’s Code of Conduct and the Swimable Child Safe Reporting Process and Complaints Handling System which may include termination of employment and/or referral to Victorian Police.

Relevant Policies and Legislation

Victoria Legislation	<p>Child Wellbeing and Safety Act 2005 Child Wellbeing and Safety Amendment (Child Safe Standards) (2015) Child Safe Standards (2022) The Commission for Children and Young People Act (2012) Crimes Act (1958) The Charter of Human Rights and Responsibilities Act (2006) Privacy and Data Act (2014) Working with Children Act (2005)</p>
Criminal Offences	<p>Failure to protect a child from sexual abuse (2015) Failure to disclose child sexual abuse (2014) Grooming offence (2014)</p>
Swimable Policies and Documents	<p>Swimable Code of Conduct Swimable Statement of Commitment Swimable Child Safe Reporting Process and Complaints Handling System Swimable Bullying and Harassment Policy Swimable Staff Handbook</p>

Review of the Policy

At Swimable, we will:

- Review and improve our policy every 3 years or after any significant child safety incident.
- Analyse any complaints, concerns, and safety incidents to improve policy and practice.
- Act with transparency and share pertinent learnings and review outcomes with Swimable staff and the Swimable community.
- Update the policies in accordance to the latest Victorian Child Safety Policies.

Any updates made will be communicated promptly to all Swimable staff.

The Leadership Team (comprising of the Business Owner, Manager, and Assistant Managers) will be responsible for reviewing and updating Swimable’s Child Safety and Cultural Safety Policy at least once every 3 years. The review will include input from families, parents/carers, and young people.

Version Details

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