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MIZRACHI REPORTING CHILD ABUSE & NEGLECT POLICY

MARCH 2019

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Overview

Thank you for taking the time to read this important document.

The document outlines the Mizrachi Organisation and all its subsidiary and legally associated entities commitment to responding to and reporting child abuse and neglect.

Mizrachi aims to ensure any organisations utilising Mizrachi premises have robust responding and reporting policies and procedures in place, and that Mizrachi will maintain systems to ensure their effective application.

The Mizrachi Organisation ensures that organisations that wish to utilize the Mizrachi premises have a robust child safe responding and reporting policy and procedure in place.

The Mizrachi Organisation ensures staff and volunteers and members are aware of their obligations and has systems in place to ensure the effective application of this practice.

This policy was compiled in response to our community's awareness of the significant harm and damage caused by child abuse. This policy aims to educate its members about child abuse, and to provide guidance to all members of Mizrachi in the implementation of practices that minimize the risk of harm to children and promotes their wellbeing.

This policy also outlines the processes involved in reporting abuse and our legal obligations in reporting child abuse to the authorities.

This policy is based on Victorian Child Safe Standards (Standard 5 – Reporting & Responding¹).

All Victorian agencies that provide services to children and young people are currently based on these standards. These standards result from recommendations from the Betrayal of Trust inquiry and evidence about what is necessary to prevent child abuse².

Jewish Values Support Child Safety

Mizrachi upholds a number of Jewish values that support child safety. These values include:

1. Pikuach Nefesh – The principle that the preservation of human life is of primary importance. A person's physical safety and psychological safety are overriding priorities.

 ¹ Victorian Child Safe Standards (Department of Health & Human Services) http://providers.dhhs.vic.gov.au/child-safe-standards
 ² Betrayal of Trust Implementation (Department of Justice)

http://www.justice.vic.gov.au/home/safer%20 communities/protecting%20 children%20 and%20 families/betrayal%20 of%20 trust%20 implementation

2. Kol Yisrael Arevim Zeh La'Zeh – The whole community has a collective responsibility for one another and therefore has a responsibility for the protection of childrens' safety.

Dina D'malkhuta Dina – The halachic rule that the law of the country is binding. In Australia there is specific legislation relating to child protection. Specifically, children need to be protected from harm and when abuse occurs the perpetrator must be held accountable. The Mizrachi Organisation rejects the application of 'Mesira' (not dobbing into authorities) to cases of child abuse

Legal Obligations

Please refer to the legal obligations as listed in the Mizrachi Child Safe Policy 2018.

Policy Scope

The President of Mizrachi is the Head of the Organisation for the purposes of the Reportable Conduct Scheme.

Consistent with the Organisation's Child Protection and Reporting Policy, any disclosure made regarding alleged child abuse must be brought to the immediate attention of the President. The President will determine what action must be taken by following the guidelines as noted in this policy.

The President must:

- respond to a reportable allegation made against a worker or volunteer from the organisation, by ensuring that allegations are appropriately investigated
- report allegations which may involve criminal conduct to the police
- notify the Commission of Children and Young People (CCYP) of allegations within three business days after becoming aware of the allegation
- give the CCYP certain detailed information about the allegation within 30 days after becoming aware of the allegation
- after the investigation has concluded, give the CCYP certain information including a copy of the findings of the investigation
- ensure that the organisation has systems in place to:
 - prevent reportable conduct from being committed by a worker or volunteer within the course of their employment
 - $_{\circ}$ $\,$ enable any person to notify the head of a reportable allegation
 - enable any person to notify the CCYP of a reportable allegation involving the head

 investigate and respond to a reportable allegation against a worker of volunteer from that organisation.

Child Safe Standard 5 (Reporting & Responding)

The Mizrachi Executive will ensure that:

- An up to date policy exists outlining the process for reporting and acting on disclosures and or concerns regarding child safety.
- Staff and volunteers are aware of their responsibility to report
- There are policies and procedures regarding record keeping, confidentiality and privacy
- There are child friendly processes in place to ensure children know who to contact if they feel unsafe or have a concern

Policy Definitions

Please refer to the policy definitions as listed in the Mizrachi Child Safe Policy 2018.

Communications

The President of Mizrachi should ensure that there are regular information updates on the Mizrachi Child Protection processes in the newsletter and notice boards. There should be clear guidance on how to report a concern by way of posters and other communications. These should include the names of contact numbers of key staff able to assist in managing a child protection concern.

Mizrachi should further notify its constituents through updates in the newsletter and other communications that Bnei Akiva has its own Child Protection Policy and parental concerns should be directed to the nominated persons in the Bnei Akiva policy document.

Reporting Child Abuse and/or Neglect

Policy Statement

The Mizrachi Organisation is committed to fostering an organisational culture where all employees, volunteers and children feel able to raise child protection concerns. As part of this, Mizrachi will ensure that employees and volunteers receive training and support, proportionate to their role, that will enable them to discharge their duties in accordance with this policy. This includes training in relation to identifying and responding to child abuse and neglect.

As the empowerment of youth members is at the heart of Mizrachi's approach, the organisation will also ensure youth members receive personal safety education which will better enable them to raise concerns.

Mizrachi requires all employees and volunteers to report any child protection concerns, i.e. any instance where they have reasonable grounds to believe that a child may have suffered, or be at risk of suffering abuse or neglect as defined see definitions (Refer the Mizrachi Child Safe Policy)

Principles

Mizrachi requires all staff and volunteers and members to operate under the following principles in relation to child safe responding and reporting of child abuse and/ or neglect:

- 1. The safety and well-being of children is paramount.
- Child protection concerns may arise in a range of ways through direct disclosure, observation or information received from others. Staff, volunteers and members must remain open and aware to the various ways concerns may arise. See Mizrachi Child Safe Policy for a list of possible indicators of abuse. Guidelines for responding to disclosures of abuse are outlined in **Appendix 1**. It is critical that these guidelines are adhered to.
- 3. Child abuse and/or neglect may occur in the context of Mizrach organisational activities, however may also occur outside Mizrachi, for example at home or in school. Mizrachi expects employees and volunteers to be alert to abuse and neglect in all contexts and report concerns in accordance with this policy.
- 4. Staff, volunteers and members must ensure internal and external reporting processes are adhered to. It is critical that the process for internally reporting concerns does not in any way delay or impair external reporting to police or the Department of Health and Human Services (DHHS).
- 5. Any person who believes, on reasonable grounds, that a child is in need of protection must report their concerns. They do not require proof that abuse has taken place but need only to have reasonable grounds for their belief. If a report is made in good faith, the reporter cannot be held legally liable, regardless of the outcome of the notification. Permission is not needed from parents or carers to make a report and they do not need to be informed that a report is being made.
- 6. Victorian legislation mandates the reporting of child protection concerns in certain circumstances. Members, volunteers and staff are expected to review relevant legislation for a full list refer to the *Mizrachi Child Safe Policy* so they are aware of the circumstances under which they are required to report by law. Notwithstanding legal requirements, Mizrachi considers all of its members, volunteers and staff to have a moral, ethical and organisational responsibility to report child protection concerns.
- 7. Members, volunteers and employees in making protected disclosures ('whistleblowing') where they have child safety concerns about other members, volunteers or staff within the organisation. Mizrachi recognises that volunteers and employees who hold concerns may fear reprisal, particularly if the subject of the concern is a manager. Whilst Mizrachi aims to create an organisational culture where stakeholders feel able to raise concerns without fear, it equally recognises the importance of maintaining multiple means of raising concerns. Protected disclosures may be made to the Rabbi or President anonymously or confidentially. Reports regarding the Rabbi, President or other leaders should be

made to a third party. Reports will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation and to the extent permissible under the law. It is the expectation of Mizrachi that persons making protected disclosures act in good faith and have reasonable grounds for their child safety concerns.

Procedure

- Where Mizrachi members, volunteers or staff form a belief that a child has suffered abuse or is at risk of abuse, they must immediately (within 24 hours), i.e. on the same day as the concern arises, report this the President of Mizrachi or one of the Child Safety Team (as listed on posters and other communications).
- If the volunteer's/employee's immediate supervisor or the President is not available, they must refer the matter to another supervisor or to the Vice President or Senior Executive Member directly. A reporting flowchart is set out in Appendix 2 of this document.
- The Mizrachi President must ensure that the Senior Rabbi or their designate is advised of the child protection concern on the same day (within 24 hours). Please complete the Incident Report Form set out in <u>Appendix 5</u>.
- 4. The volunteer or staff member with the concern, their Manager and the President will agree the process for reporting the matter to relevant authorities, i.e. DHHS and/or Police. It is best practice for the person who first received the disclosure/identified the concern, to make the report. Where child protection concerns relate to intra-familial risk, they must be reported to the DHHS in the first instance. Where child protection concerns involve professionals or other alleged perpetrators, they should be reported to the Police. A Step-by-Step Guide to Reporting to DHHS is included in <u>Appendix 3</u>. Contact information for the DHHS is included as <u>Appendix 4</u>.
- Child Safe Officer contact for advice and support. Rabbi Mark Steiner is the CSO and can be contacted for support/ advice:

Child Safety Officer: Rabbi Mark Steiner 8317 2555.

For support when making a report, please contact Rabbi Danny Mirvis M: 0408 781 840. If Rabbi Danny Mirvis is not available, please contact President Dr Danny Lamm.

To advise of report made. Please complete the Incident Report Form and submit to Mizrachi President, Dr Danny Lamm M: 0408 408 929

E:danny@lamm.com.au. If President Dr Danny Lamm is not available, please contact Rabbi Danny Mirvis M: 0408 781 840.

In the event of the above personnel not being available or for additional support, please contact David Fisher M: 0419 003 152.

If volunteers, staff or members have a concern regarding the reporting process and/ or would like to report a matter to an external person, please contact:

Mrs Ilana Nayman E: ilananayman@gmail.com

- 6. Should the child protection concern relate to risk posed by a Mizrachi member, volunteer or staff, the President will have overall responsibility for dealing with the matter and must follow procedures as set out in section Internal Investigation Policy (Mizrachi Conducting an Internal Investigation). If the concern relates to the President, it must be referred to the Rabbi who will then become responsible for handling the matter in line with the Internal Investigation Policy.
- 7. Should a Mizrachi employee or volunteer wish to make a protected disclosure, they may do so directly to the President or Executive Committee.
- 8. Mizrachi will maintain a policy for 'Protected Disclosure' to support volunteers or employees to raise concerns about colleagues. If a disclosure is in relation to Mizrachi leadership, an external disclosure can be made in line with Protected Disclosure Policy. A report can also be made to the Head of the Beth Din in the event that the complainant is uncomfortable making the report to anyone in Mizrachi.
- 9. Internal reporting procedures must never delay the reporting of child protection concerns to the DHHS and/or Police. Should a Manager and/or the President be unavailable, the volunteer or staff member who has formed the belief that a child is at risk, must make the report directly to DHHS or Police without delay, i.e. on the same day the concern arose.
- 10. Members, volunteers and staff President must ensure that concerns and actions taken are recorded contemporaneously using the reporting template included as Appendix 5 of this document. In addition, Mizrachi leadership must comply with the requirements of the Victorian Reportable Conduct Scheme (see Conducting an internal investigation into allegations of adult abuse or misconduct Mizrachi Reportable Conduct Scheme Policy
- 11. Mizrachi will ensure that appropriate support is provided to the child of concern, as well as relevant volunteers and employees.
- 12. Where Mizrachi members, volunteers and staff have concerns which do not require notification to DHHS or Police but may be detrimentally impacting a child, e.g parenting difficulties, family conflict, social or economic disadvantage, appropriate support will be sought. This may include a referral to Child First or another community service.

Responding to Sexually Harmful behaviour in Children

Policy Statement

Research indicates that a significant proportion of sexual abuse that occurs in the context of organisations is perpetrated by children(footnote 3). Sexually harmful behaviour involves children engaging another party in sexual activity that is either unwanted or where, due to the nature of the situation, the other party is not capable of giving consent (e.g. children who are younger or who have a cognitive impairment)(footnote 4). Mizrachi is committed to ensuring its members, staff and volunteers have access to training and support which prepares them to prevent and identify sexually harmful behaviours, and respond to peer-to-peer abuse in a timely, child-focused and protective manner. Mizrachi is also committed to providing its youth members with personal safety education which empowers them to raise concerns.

A guide to identifying harmful sexual behaviours in children is included in Appendix 6 of this document.

Principles

 If a child perpetrates abuse within the Mizrachi context, the organisation owes a duty of care to both the perpetrator and victim. Mizrachi recognises that a child who demonstrates sexually harmful behaviours requires therapeutic intervention. They may also have experienced abuse and/or neglect and therefore may require protection.

Procedure

- 1. If a Mizrachi members, volunteer or employee has a concern that a child has harmed another child, they must follow the reporting process as set out above.
- 2. Mizrachi members, volunteer, staff and managers will agree the process for notifying parents/carers about the concern. In so doing, they will be guided by advice from relevant authorities, i.e., DHHS and Police.
- 3. In addition, the Mizrachi members, staff and volunteers, in conjunction with their Managers must ensure that any children involved in the alleged incident are safe. This may, for example, involve separating children and providing additional supervision until the relevant authorities and parents/carers have been notified.
- 4. Mizrachi will ensure that appropriate support is provided to the children of concern, as well as relevant members, staff and volunteers.

Policy Implementation

It is the responsibility of all staff to adhere to this policy. Ultimately, the President is accountable for monitoring compliance with the policy. Any violation of this policy or the guidelines within it regarding Child Protection, Conduct and Behavioural

³ Royal Commission into Institutional Responses to Sexual Abuse, 2014

 $^{^{\}rm 4}$ Adapted from work of the Victorian Therapeutic Treatment Board

Standards will not be tolerated and may result in termination of employment or loss of membership of the organisation.

Please note that fulfilling the roles and responsibilities contained in the procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.

Policy Review

This policy is a living document, and the child safety culture discussed in this document will be embedded in all parts of our programs. This Child Protection Policy and associated procedures will be reviewed annually at a nominated board meeting. The purpose of this review will be to reflect on experiences in the past year following this policy and changes that need to be made to improve our practices and to incorporate any legislative changes that affect this policy.

Review date: March 2020.

Additional policies

List all other relevant policies that should be read in conduction with this policy (ie Investigation Policy), for example not limited to:

Mizrachi Child Safe Policy

Mizrachi Reporting Child Abuse and Neglect Policy

Mizrachi Conducting and Internal Investigation and Reportable Conduct Policy

To be completed:

Protected Disclosure

Disciplinary Policy

Code of Conduct

Grievance Policy

Managing Non-Compliance Policy

Members Travelling in Vehicles Policy

Risk Management Policy

Social Media Policy

Appendices

Appendix 1: Responding to Disclosures of Abuse

The following table provides a guideline for responding to disclosures of abuse:

Do	Don't
Listen carefully to what the child is saying; let them use their own words	Make promises you cannot keep, such as promising that you will not tell anyone.
Tell the child they did the right thing by telling you	Push the child into giving details of the abuse. Your role is to listen to what the child wants to tell you or make observations - not to conduct an investigation.
Tell the child it is not their fault and they are not responsible for the abuse	Indiscriminately discuss the circumstances of the incident with others not directly involved with the child.
Let the child know what will happen next	
Tell the child you are pleased they told you	
Advise your line management and report to relevant authorities.	

Appendix 2: Reporting Flow Chart (See attached)

Appendix 3: A Step-by-Step Guide to Making a Report to DHHS

A step-by-step guide to making a report to Child Protection or Child FIRST

Protective concerns

You are concerned about a child because you have:

- received a disclosure from a child about abuse or neglect
- observed indicators of abuse or neglect
- been made aware of possible harm via your involvem in the community external to your professional role.

At all times remember to:

- record your observations
- follow appropriate protocols
- consult notes and records
- been made aware of possible harm via your involvement
 onsult with appropriate colleagues if necessary
 - · consult with other support agencies if necessary

RESPO	NDING TO CONCERNS	STEP 2	FORMING A BELIEF ON REASONABLE GROUNDS	STEP 3	MAKING A REFERRAL TO Child FIRST	STEP 4	MAKE A REPORT TO CHILD PROTECTION
need of ir you have is at signif Go to St 2. If you hav that a chil a referral services. Go to St 3. In all othe Go to St * Refer to Ap child abuse the Protoco	e significant concerns d and their family need to Child FIRST for family ep 3 r situations	2:	Consider the level of immediate danger to the child. Askyourself: a) Have I formed a belief that the child has suffered or is at risk of suffering significant harm? YES / NO and b) Am I in doubt about the child's safety and the parent's ability to protect the child? YES / NO Ifyou answered yes to a) or b) Go to Step 4 Ifyou have significant concerns that a child and their family need a referral to Child FIRST for family services. Go to Step 3	1.0 F 2.F	Id Wellbeing Referral ontact your local Child FIRST provider. See over for contact list for local Child FIRST phone numbers. Have notes ready with your observations and child and amily details.	1. CC 	ndatory/Protective Report* ontact your local Child Protection intake provider immediately. See over for contact list for local Child Protection phone numbers. For After Hours Child Protection Emergency Services, call 131 278. Aven ontes ready with your observations and child and amily details. Aven madated staff members who welieve on reasonable grounds that a hild is in need of protection are able to eport their concerns to Child Protection

For further information refer to Protecting the safety and wellbeing of children and young people – A joint protocol of the Department of Human Services Child Protection, Department of Education and Early Childhood Development, Licensed Children's Services and Victorian Schools

Appendix 4: Child Protection Reporting – Contact Information

Victoria

Reporting authority	Further services / information	Contact details
Department of Health and Human Services – Children, Youth and Families	 The Child Protection Service has the following main functions: investigate matters where it is alleged that a child is at risk of significant harm; refer children and families to services that assist in providing the ongoing safety and well-being of children; supervise children on legal orders; and provide and fund out of home care services, specialist support services, and adoption and permanent care. 	Dept of Human Services – Children, Youth and Families Level 9, 50 Lonsdale St Melbourne VIC 3000 To report instances of child abuse: Metropolitan Eastern: 1300 360 391 Southern: 1300 655 795 North & West: 1300 664 977
	The Child and Family Information Referral and Support Teams (ChildFIRST) initiative provides access to integrated family services has ensured that vulnerable families and children receive early intervention and support services before statutory involvement.	Rural Barwon S/West: 1800 075 99 Gippsland: 1800 020 202 Grampians: 1800 000 551 Hume: 1800 650 227 Loddon Mallee: 1800 675 598
	For further information about the process of reporting concerns refer to the <u>About Child Abuse</u> page of the department's website.	Ph: 131 278 www.dhhs.vic.gov.au

Appendix 5: Incident Report Form (See attached)

Appendix 6: Identifying Sexually Harmful Behaviour in Children⁵

Normal vs concerning sexual development in children

Traffic Light Model

The following model can be used to help parents and carers to assess if a child is displaying normal or concerning sexual development behaviours.

Green: Sexual behaviours that are considered 'normal', healthy, spontaneous, curious, light-hearted, easily distracted, experimental, and that are in line with age and ability level. *Action:* opportunity to give the child or adolescent positive feedback and information.

Yellow: Sexual behaviours that are outside the norm in terms of persistence, frequency or disparity in age/development. *Action:* gather more information to assess the most appropriate action.

Red: Sexual behaviours outside the norm – behaviour that is excessive, secretive, compulsive, coercive or degrading. *Action:* requires immediate intervention and action.

When using the traffic light model it is important to remember the model is evidence based and outlines what research shows is normal and irregular sexual behaviours in children at various ages and stages of development.

Considerations

There are various influences on children's sexual behaviour and development, including:

- Parents and family relationships
- Media television, internet, radio, magazines, etc
- Peer relationships
- How adults treat each other
- Children's services
- School environments
- Cultural background and norms
- Social overlays or judgments should be managed carefully in order to appropriately respond to the behaviours in the first instance.

When assessing a child's sexualised behaviour it is important to consider the following variables:

- Is the behaviour age appropriate or concerning?
- What is the context of the behaviour?
- What is the age difference and relationship between children?
- What is the vulnerability of the child? (age, cognitive ability, socio economic status)

⁵ Adapted from the Traffic Light Model developed by Queensland Family Planning, 2016

Situations of sexualised behaviour and peer sexual play which causes concern

- The children engaged in the sexual play do not have an ongoing mutual relationships.
- The children engaged in the sexual play/beahviour are of different ages or development levels.
- Any sexual play/behaviour which continues in spite of consistent and clear requests to stop.
- Sexual behaviour which occur in public or other places where the child has been told is not acceptable.
- Sexual play/beahviour which is eliciting complaints from other children or adversely affecting them.
- Sexual behaviour which progresses in frequency, intensity or intrusiveness over time.
- Sexual behaviour that is associated with fear, anxiety, deep shame or intense guilt.
- Children who manually stimulate or have oral or genital contact with an animal.
- Sexual behaviours which cause physical or emotional pain to self or others.
- Children who use sex to hurt others.
- When verbal and/or physical expressions of anger precede, follow or accompany the sexual behaviour.
- When coercion, force, bribery, manipulation or threats are associated with sexual behaviours.

0 – 5 Years		
Green	 Thumb-sucking, body-stroking, genital holding Curious - wants to touch others' private parts, e.g. when in bath Games, e.g. doctor/nurse, 'show me yours, I'll show you mine' Enjoyment being nude, using slang language for toilet functions 	
Yellow	 Preoccupation with adult sexual behaviour Preoccupation with touching others' genitals Use of adult sexual language Peeping at others' private body parts, pulling others pants down/skirt up Sexualised play with dolls 	
Red	 Simulation of foreplay/sexual behaviour in play Persistent masturbation, touching or attempting to touch others' genitals Sexual behaviour between children involving penetration with objects Forcing other children to engage in sexual play 	

5 - 9 Ye	ars
Green	 Self-touching, masturbation to self-soothe Increased curiosity about other children's genitals and adult sexuality (e.g. babies, gender differences) Using 'toilet words', body parts as swear words to be silly, telling dirty jokes Increased sense of privacy about bodies
Yellow	 Persistent/recurrent questions about sexual activity Writing sexually threatening notes Engaging in mutual masturbation Constant public touching of own genitals Use of adult language to discuss sex e.g., "do I look sexy?" Persistent use of dirty words
Red	 Persistent masturbation, especially in front of others Sexual behaviours engaging younger/less able children (e.g. sneaking into room of sleeping younger children to touch or engage in sexual play Simulation of sexual acts sophisticated for age e.g. oral sex Persistent sexual themes in talk, play, art, etc

9 - 12 Years		
Green	 Use of sexual language and dirty words/jokes with peers Having girlfriends/boyfriends; consensual kissing with known peers Some exhibitionism e.g. flashing/mooning to same age peers Increased need for privacy Occasional masturbation Use of internet to chat online 	
Yellow	 Sudden change in behavior or dress Mixing with new and/or older people Bullying involving sexual aggression Pseudo maturity, inappropriate knowledge, discussion of sexuality Preoccupation with online chat or pornography Persistent expression of fear of pregnancy or STIs Mutual masturbation, preoccupation with masturbation 	
Red	 Persistent masturbation, particularly in front of others Sexual activity, oral sex, intercourse, coercion of others into sexual acts Sending nude/sexually provocative images of self or others online Degradation/humiliation of self or others using sexual themes Presence of STI Penetration of children, animals, dolls or other objects 	

13 - 18	Years
Green	 Sexually explicit conversations with peers; obscenities/jokes within norm Solitary masturbation Interest in erotica Use of internet to chat online Sexual activity: flirting, hugging, kissing, foreplay, hand-holding, consensual oral sex, intercourse with partner of similar age and development
Yellow	 Sexual preoccupation Anxiety interferes with daily function Preoccupation with pornography, online chat, meeting online acquaintance Sexually aggressive themes/ obscenities/ graffiti Peeping, exposing, non-consensual sexual touch, violation of other's space Unsafe sexual behaviour i.e. unprotected, intoxicated, multiple partners
Red	 Compulsive masturbation (especially chronic or public) Degradation of self/others with sexual themes Preoccupation with sexually aggressive pornography Sexual harassment, attempt/force others to expose genitals Sexual contact or talk with others of a significantly different age developmental status Sending nude or sexually provocative images of self to others online Genital injury to self/others Sexual penetration or contact with animals