

Rotary – Working With Youth

The principles and code of conduct, as set out in this document reflect the organisational and individual obligations and responsibilities on everyone involved in Rotary International District 9820 activities that supply programs or services to children.

Rotary – Working with Youth

Executive Summary

Recently enacted legislation by the Victorian government has placed new obligations and responsibilities on our Rotary District and member Rotary Clubs, Boards and members. This Executive Summary is a high level overview of the obligations for child safety we now have as Rotarians.

Child Safe Standards

Child Safe Standards have now been included in an amendment to the Child Well-Being and Safety Act 2005. Rotary Clubs in our District will be obliged to act in accordance with the Child Safe Standards.

Summarised, the seven Child Safe Standards are:

1. Embedding a child safe culture
2. Developing a Child Safe Policy
3. Developing a Code of Conduct
4. Member and new member training
5. Response to and reporting of suspected child abuse
6. Identification and removal of risks
7. Promotion of child participation and child empowerment

While not necessarily prescriptive, the intent and therefore the resulting obligations of the Child Safe Standards on District and Clubs are very clear – we must put in place policies, procedures and actions that show we are actively minimising risk of harm to children. As each club is its own entity, the Boards and Protection Officers of each club carry those obligations. District 9820 will assist clubs with training planned between now and the end of September for all clusters.

Working with Children Checks

Changes have also been made to the Working With Children Act. WWC applies for “child-related work that usually involves direct contact with a child”. The “direct contact” definition has been expanded to include; face-to-face communication, post or other written communication, telephone or other oral communication, email or other electronic communication.

No longer can a person with a WWC directly supervise the activities of a person without a WWC. All persons having direct contact with children require a WWC.

Rotary Clubs throughout Australia have insurance to protect participants in Youth Programs who might be the subject of abuse. Not many organisations have been able to secure this kind of cover. Enforcing WWC cards alone however is not seen as adequate by our insurers to assess and minimise risk.

Rotary Youth Volunteer Information and Declaration (Form 3)

"The Working With Children Check is just a starting point. It screens a person's criminal records and any reports about professional conduct. The Check does not assess a person's suitability to work with or care for children in a particular role. It is the responsibility of organisations to assess if a person is suitable to work with children and to continue monitoring their workers' behaviour around children. Organisations should be vigilant at all times by doing thorough reference checks and establishing sound, ongoing supervision practices so that children are safe from harm."
Commission for Children and Young People.

Our District is duty-bound to ensure that the Rotary Youth Volunteer Information & Declaration Form be completed and verified for every volunteer involved in a Rotary Youth Activity - without exception, irrespective of any checks completed for any other professional or voluntary organisation.

This questionnaire/application form provides a significantly better basis for assessing risk than a WWC. With so many people thought beyond reproach reported in recent times for child abuse it's easy to see the need for better risk assessment processes. Being asked to complete a Rotary Youth Volunteer Declaration Form should never be seen as an attack on the individual's integrity, more as responsibly doing the best we can to ensure a safe environment for children. It is also a very good fit with the new Child Safe Standards.

Legislation requires district and clubs to not allow members and volunteers to have direct contact with children if they do not have a Working With Children Card. Rotary International and our insurers require that district and clubs apply the same restriction to members and volunteers without a verified Rotary Youth Volunteer Information & Declaration.

Conclusion

District 9820 is ensuring compliance with the new requirements and will be helping clubs do the same.

We hope this Executive Summary will encourage you to read the more detailed information, and that the included Code of Conduct is a useful template for clubs.

Interacting with youth in a changing world July 2017

In April 2012 the Victorian Parliament directed the Family and Community Development Committee Inquiry to consider and report to the Parliament on the processes by which religious and other non-government organisations respond to the criminal abuse of children by personnel within their organisations. A report was handed to Parliament in October 2013.

In January 2013 the Federal Government empanelled a Royal Commission to investigate institutional responses to allegations and incidents of child sexual abuse. While a final report is yet to be presented, the Royal Commission has provided regular updates and interim reports. As a result of its own enquiries, and in the context of the interim reports provided by the Royal commission, the Victorian government has introduced legislation which has recently commenced to apply, or will shortly apply to the activities of Rotary Clubs. Those changes will require clubs to review their practices and processes. They will not automatically require them to change those processes.

Child Safe Standards

Child Safe Standards were introduced into Victoria by amendments made to the Child Well-Being and Safety Act 2005 made in late 2015. Rotary Clubs in Victoria are "category 2 entities" for the purposes of the legislation and Rotary Clubs must act in accordance with the Child Safe Standards if they:

- provide any services specifically for children
- provide any facilities specifically for use by children who are under the entity's supervision
- engage a child as a contractor, employee or volunteer to assist the entity in providing services or facilities.

Note that if the Child Safe Standards apply to your Rotary Club, they will apply to all of the activities of your Club, not just those in the three bullet points referred to above.

The Standards

There are seven standards. They are not prescriptive but rather are intended to direct affected organisations as to matters that they ought to consider, or behaviours they should adopt. The seven standards are:-

- develop strategies to embed an organisational culture of child safety, including through effective leadership arrangements
- create a child safe policy or statement of commitment child safety
- develop a code of conduct that establishes clear expectations for appropriate behaviour with children
- develop screening supervision training and other human resources practices that reduce the risks of child abuse by new and existing personnel
- develop processes for responding to and reporting suspected child abuse
- develop strategies to identify and reduce or remove risks of child abuse
- develop strategies to promote the participation and empowerment of children

Legal responsibilities

While the child safe standards focus on organisations, every adult who reasonably believes that a child has been abused, whether in their organisation or not, has an obligation to report that belief to authorities.

The **failure to disclose** criminal offence requires all adults (aged 18 and over) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 to disclose that information to police (unless they have a reasonable excuse not to, for example because they fear for their safety or the safety of another).

Working with Children

Most of you and your club members will be familiar with the Working with Children Act (WWC) requirements where WWC cards are obtained by many members in connection with the youth focused activities that are undertaken by Clubs. The purpose of the legislation is to screen those persons who are, or proposed to be, involved in child-related work that usually involves direct contact with a child.

Child-related work is defined in section 9 of the Act which states that child related work is work

- (a) at or for a service, body or place or that involves an activity (described in sub-Section 3) and
- (b) that usually involves direct contact with a child.

A significant number of rotary clubs activities provide services or conduct activities for children which would make these club's activities caught up within this definition. Involvement with the Youth Exchange Program would definitely be. A Bunnings barbecue would not be. But a barbecue at primary school would. A RYPEN Camp would.

The definition of direct contact has changed. It is one or more of:

- face-to-face contact
- contact by post or other written communication
- contact by telephone or other oral communication
- contact by email or other electronic communication

The exemption for supervised contact has been removed. There was a provision that allows a person with a WWC to supervise (directly) the activities of the person who did not have a WWC. This supervision provision has been removed from the Act. All persons having direct contact with children now require a WWC.

Insurance

The Parliamentary enquiry, the Royal Commission, and the legislation that we now need to consider all make it clear that the practices and procedures that the community at large has followed in the past have simply not provided adequate protection to the most vulnerable amongst us.

So far, each organisation that has been taken before the Royal Commission has been found wanting. While it is clear that there were a significant number of wrongdoers, it is even clearer that many organisations were simply complacent. "It could never happen to us". It could. The way that we can best deal with it is to introduce our own processes and procedures, based on the legislation and what we have learnt from what is going on in the world around us.

The Rotary National Insurance Committee, acting on behalf of each Rotary District in Australia, has had the benefit of significant engagement with the insurance companies that provide us with support. The Insurance companies that frequently deal with these issues and also have a better view of the risk areas than any of us.

Where are we at

Rotary International "Statement of Conduct for Working with Youth" (*Rotary Code of Policies*)
Rotary International strives to create and maintain a safe environment for all youth who participate in Rotary activities. To the best of their ability, Rotarians, Rotarians' spouse, and partners, and other volunteers must safeguard the children and young people they come into contact with and protect them from physical, sexual, and emotional abuse. All Rotarians, clubs and districts should follow the statement of conduct for working with youth and Rotary International guidelines for abuse and harassment prevention.

Rotary International and the National Insurance Committee in conjunction, require each person who is involved in a youth activity at each Rotary Club in addition to the Working With Children Card, complete the Rotary Youth Volunteer Information and Declaration Form (Form 3) questionnaire/application form, which provides a significantly better basis for assessing risk than the absence or existence of a working with children check.

Our District is duty-bound to ensure that the Rotary Youth Volunteer Information & Declaration Form be completed and verified for every volunteer involved in a Rotary Youth Activity - without exception, irrespective of any checks completed for any other professional or voluntary organisation.

The Club Protection Officer will undertake the reference checking and verification on the form.

At District 9820 level we have a series of policies comprising codes of conduct, protection and harassment policies. They can be found on the District Website.

Guide To Prospective Youth Program Volunteers

It's a new world. Much of what we have taken for granted we can no longer take for granted. Most of the assumptions that we have made about people now need to be declared, tested and checked. And that is a state of affairs that applies to us all. Whether you have been a long term volunteer for Rotary Youth Programs, or now wish to become involved, we all need to complete the Rotary Youth Volunteer Declaration Form (Form 3) and recognize that everything that we include on the form will be checked for suitability to participate as a Rotary Youth Volunteer will be assessed, in part, against the answers that we provide.

Why?

The newspapers are full of examples of people who we thought were beyond reproach were found to be behaving in an unacceptable manner to young people in their care or under their control. Your word, my word, once was enough but now is not. Collectively, we need to rise to a higher standard. The Child Safe Standards are an initiative of the Victoria Government and Rotary Clubs are asked to act in accordance with these Child Safe Standards.

Sharing your information

You are being asked to complete this form as a consequence of your current or would be involvement in Youth Activities / Programs conducted by your Rotary Club. Should you join a District Committee or another Rotary Club, you may request that the results of the declaration / questionnaire, with your nominated referees to be forwarded to that Committee or Club. Note that the responsibility for maintaining the privacy of this material rests with your Rotary Club under the guidance of the District 9820 Youth Protection Policy.

What do we ask your referee?

XYZ is a member of the Rotary Club of ABC and holds a current Working with Children card. Rotary International and our insurers have asked us to make a series of further inquiries about every participant without exception.

XYZ has provided you as a referee, and accordingly I ask: *"Are you able to say anything for or against XYZ's involvement/continued involvement as a Youth Program Volunteer for activities of Rotary International and the Rotary Club of ABC?"*

Resources - available on District website – Member Login – Policies & Forms

- District 9820 Youth Protection Policy
- District 9820 Code of Conduct for Working with Youth
- Rotary Youth Volunteer Information & Declaration Form (Form 3)
- Youth Exchange Program (YEP) Abuse & Harassment Prevention Policy
- District Sexual Abuse & Harassment Allegation Reporting Guidelines

This document was approved by the District 9820 Board – July 2017.

Prepared by the District 9820 Board in consultation with District 9820 Protection Officer and District 9820 Youth Exchange Program Chair.

Code of Conduct for Working with Youth

Everyone involved in Rotary District 9820 activities that supply programs or services to children are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children, as set out in this code.

Positive Obligations:

Each of us is responsible for supporting the safety, participation, wellbeing and empowerment of children by:

- Taking all reasonable steps to protect children from abuse.
- Treating everyone with respect.
- Listening and responding to the views and concerns of children, particularly if they are telling you that they or another child has been abused and/or are worried about their safety or the safety of another.
- Promoting the cultural safety, participation and empowerment of children with Aboriginal, culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination), in addition to the safety of children with a disability
- Ensuring as far as practicable that adults are not left alone with a child.
- Reporting any allegations of child abuse to the District Protection Officer and ensure that any allegation is reported to the police.
- Reporting any child safety concerns to the District Protection Officer.
- If an allegation of child abuse is made, ensure as quickly as possible that child is safe.
- Encouraging children to “have a say” and participate in all relevant organisational activities where possible, especially on issues that are important to them.

Prohibitions:

Each of us must not –

- Develop a relationship with children that could be interpreted as favouritism.
- Exhibit behaviour with children which may be construed as unnecessary physical contact.
- Put children at risk of abuse.
- Engage in open discussions of a mature or adult nature in the presence of children.
- Use inappropriate language in the presence of children.
- Express personal views on cultures, race or sexuality in the presence of children.
- Discriminate against any child, including because of culture, race, ethnicity or disability.
- Ignore or disregard any suspected or disclosed child abuse.

Adopted July 2017

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2017/2018

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