

CHILD PROTECTION PROCEDURES
OF THE
POLISH SCOUTING ASSOCIATION Z.H.P. IN AUSTRALIA INC.
Incorporated in Victoria

ABN 96 655 314 335

ARBN 105 459 096

Reg No A0038164F

Versions of the Child Protection Policy and Procedures

Version 1.0 of the Child Protection Policy and Procedures was voted on and passed unanimously at the electoral AGM in Vic (2014)

Version 2.0 of the Child Protection Policy and Procedures incorporates the Child Protection Policy and the Child Protection Procedures. Version 2.0 of the Child Protection Policy and Procedures was voted on and passed unanimously at the electoral AGM in NSW (2018)

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A. Child Protection Policy

This document is to be read in conjunction with the Child Protection Policy (Version 2.0) (**the Policy**). The Child Protection Procedures (**the Procedures**) refer to and adopt the definitions set out in Policy and the Rules of Association.

B. Introduction to Child Protection

B1. Goal and Purpose of the Procedures

The Procedures have the following goals:

- to provide ways to minimise the risk of child abuse to youth members;
- to ensure that all allegations of child abuse or suspected child abuse are handled in a consistent and appropriate manner; and
- to protect children from exploitation and abuse of all kinds in the delivery of the Association's activities.

The Procedures set out a detailed code of conduct for adult Members, Associate Members and Executive Members. Every leader in the Association has a duty to:

- organise the Association's activities in a manner which safeguard the dignity and welfare of all participants;
- avoid situations and behaviour which endanger the rights of young people; and
- treat all allegations or complaints relation to abuse or improper conduct seriously.

The Procedures also provide guidance in relation to prevention, training and privacy.

B2. Definition of Child Abuse

Child abuse can be characterised in four ways:

- 1) Sexual abuse
- 2) Physical abuse
- 3) Emotional abuse
- 4) Neglect

Full descriptions of these forms of abuse are located in Appendix 1 - Definitions of Child Abuse.

B3. Basic principles

Everything must be done to ensure the ongoing safety of the child concerned along with any other children potentially in contact with the alleged perpetrator. The best interest of the child is the primary concern and all other concerns (including guilt or innocence of the alleged offender) are secondary. This does not mean that the alleged offender is to be considered guilty without due investigation.

Under no circumstances must any child be left in hazardous situation or in a potentially hazardous situation.

The reporting procedures outlined in the Policy at 'Appendix 2: Reporting' and 'D1. Reporting Protocols and Procedures' are enlivened when any Member forms a suspicion on reasonable grounds that:

- abuse has occurred;
- a person¹ is an offender; or
- a person² has displayed grooming behaviour.

¹ Including, but not limited to, Members of the Association.

² Including, but not limited to, Members of the Association.

It is not essential to have absolute proof that any of the above matters have occurred before following the reporting procedures outlined in the Policy. All that is required is that the notifier has formed the requisite suspicion on reasonable grounds.

C. General Members and Associate Members

All adult Members involved in child-related work have a duty to:

- always follow the Scouting Promise and Law (as outlined at Appendix 5);
- be aware of the position of trust that they have adopted;
- be aware and have an understanding of the Policy;
- obtain and maintain registration for child-related work as required by the relevant legislation of their State, including renewing it when required;
- complete child protection training as required by the Child Protection Training Program.

C1. Reporting procedures for general members

Section 327 of the *Crimes Act 1958* (Vic) requires all adults to report to police a reasonable belief that a sexual offence has been committed, by another adult, against a child, under the age of 16 (unless they have a reasonable excuse for not doing so). The maximum penalty for this offence is 3 years' imprisonment. 'Reasonable excuse' includes:

- a fear for safety, either to the victim or another person as a result of the disclosure; or
- the information has already been disclosed to police (for example, because a mandatory report has been made to child protection authorities).

It does not include a concern for interests such as reputation, legal liability or financial status.

This does not have any impact on mandatory reporting obligations. As at the date of writing, volunteers in the Association are not subject to the mandatory reporting obligations.

It is a requirement of the Association that all volunteers report if they become aware of abuse or suspected abuse involving a child under the age of 18 and the alleged offender is a Member, Associate Member or helper of the Association. The alleged offender is to be reported immediately to their State Commissioner, the Australian Commissioner and removed from any contact with children within the Association.

It is a requirement of the Association that volunteers contact the notifier's State Commissioner to discuss any child protection concerns they may have about either:

- the behaviour of any of its volunteers (even if it does not constitute suspicion that abuse has occurred); or
- potential improvements to this Policy or the procedures of the Association insofar as they relate to child protection.

The State Commissioner is to then notify:

- 1) if applicable, the State Commissioner of the child or children affected;
- 2) the relevant Child Protection authorities;
- 3) the Australian Commissioner; and
- 4) the Child Protection Officer.

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If timely contact cannot be made with Child Protection authorities, the State Commissioner must contact State police for assistance.

It is not the State Commissioner's role to conduct investigations. Investigations are to be conducted by the relevant Child Protection authorities, with the assistance from relevant Members of the Association.

C2. Prevention

C2.1 Screening of leaders, adult members and Associate Members

As a condition of being a member of the organisation over the age of 18, members are required to comply with their local State requirements for working with children and young people.

The Australian National Executive Committee, with the assistance of State Commissioners, is responsible for members of the Association in Australia and has a duty to ensure that all members are compliant with the relevant State requirements for working with children and young people.

Failure to comply with local State requirements may result in a membership application being rejected or a current membership being cancelled. Members who do not comply with relevant State requirements for working with children and young people will not be allowed to participate in the Association's activities. Other information gained from appropriate civil authorities may also preclude an applicant from membership. The Association reserves the right to refuse membership to any applicant.

C2.2 Supervision of Associate Members

It is the Association's policy that, where Associate Members are assisting in the Association's activities, a Member is in a supervisory position at all times. All Associate Members should be aware of the Policy and the Procedures.

C2.3 Regular reinforcement

It is the Association's policy that all members take the opportunity to reinforce the central message of 'Report, Report, Report' at training venues, meetings, seminars and conferences conducted regularly every year as part of the Association's activities.

It is a requirement of the Association that all adult Members are aware of the Policy and the Procedures, and complete training as required by the Child Protection Training Program.

C2.4 Preventative measures

The guiding principle is that adult Members and Associate Members should not place themselves in positions where they feel uncomfortable, or where their actions may be misinterpreted.

Supervision

It is the policy of the Association that whenever leaders are supervising and conducting the Association's activities with youth members, at least two Members are present whenever practicable. Youth members should be separated by gender when accommodated overnight. Where this is not possible, adult supervision by at least two adults must be provided on-site. Mixed gender groups which do not have both a male and female leader shall have a male or

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female Associate Member accompanying them throughout the duration of the camp or overnight activity. If necessary, two leaders of the same gender may supervise a camp provided that they have written consent from the parents.

Separate shower/toilet facilities must be available for all youth members involved in overnight activities. Only adult Members or Associate Members are to supervise ablutions.

Transportation

When transporting youth members from venue to venue, it is likely that only one leader, Member or Associate Member will be placed in a position of supervision. In these circumstances, permission is to be obtained from the parents of the youth members concerned. Under no circumstances should any leader, adult Member or Associate Member accept a third party (eg. a hitch-hiker) into travel arrangements (unless the third party is another known member of the Association).

Youth Member to Youth Member

All leaders, adult Members and Associate Members are to be vigilant regarding interaction between the youth members themselves. Any harassment, bullying, sexual contact or other form of inappropriate behaviour is to be corrected immediately. Should the behaviour persist, it is the responsibility of the supervising adult Member to protect the recipient of the behaviour. If necessary, an activity may need to be cancelled to protect an individual. Unacceptable behaviour should be reported in accordance with the procedures at Appendix 2: Reporting.

Access

It is the responsibility of leaders and adult Members to ensure, as best as practicable that, while participating in the Association's activities, youth members are protected from unauthorised access by external parties. Care is to be taken to include this in the consideration of planning the Association's activities. Access includes remote access by camera or recording. Permission should be obtained from the guardian of youth member before photographs are taken. Under no circumstances should photography be allowed by a third party, unless for authorised marketing purposes in accordance with the Association's Marketing and PR Policy (such as is in force at the relevant time).

State level media access to youth members is to be authorised by the Branch President. Local media may be authorised by the activity co-coordinator, however parental permission is to be gained before any youth member is photographed or interviewed.

The Association acknowledges the difficulty in controlling the use of digital cameras, phone cameras and similar devices by internal and external parties. Leaders, adult members and Associate Members will exercise their judgment in this area on a case-by-case basis.

C2.5 Arbitration Committee

In circumstances where a person's membership has been suspended in accordance with the Procedures, that membership may only be reinstated by a decision of the Arbitration Committee.

C3. General Members required to complete training as required by the Child Protection Training Program

All Adult members and Associate Members are required to comply with the relevant training requirements as set out at E.Training.

Adult members who do not comply with the training requirement at E3. Training for Adult Members will be suspended from their formal role within the Association until such time as they have satisfactorily completed the required training. They will also not be permitted to engage in any child-related work.

Associate members who do not comply with the training requirement at E5. Training for Associate Members will not be permitted to engage in any child-related work.

D. Executive Members

D1. Reporting Protocols and Procedures

In the event of the Australian Commissioner receiving a notification of abuse or suspected abuse from the State Commissioner, the Australian Commissioner shall inform the President and Child Protection Officer via email and/or telephone as soon as possible.

A 'need to know' principle is to apply, with details only being disclosed to other leaders as required to avoid potentially hazardous situations for children, and not to compromise further investigations.

The President, Australian Commissioners and Child Protection Officer must keep safe and confidential records pertaining to abuse and suspected abuse.

The procedures for reporting are outlined at Appendix 2: Reporting.

D2. Organisational Responsibilities

D2.1 Australian National Executive Committee (Zarząd Okręgu w Australii)

The Australian National Executive Committee is responsible for members of the Association in Australia and has a duty to ensure that:

- a database is maintained of all adult Members involved in child-related work;
- adult Members have complied with the relevant State requirements for working with children as required by the *Working with Children Act 2005* (Vic), the *Child Protection (Working with Children) Act 2012* (NSW) and the *Working with Children (Risk Management and Screening) Act 2000* (Qld);
- a Child Protection Officer is appointed within the Australian National Executive Committee; and
- all adult Members, Associate Members and Executive Members have completed child protection training as per the Child Protection Training Program.

D2.2 Australian Commissioners (Komendanci Chorągwi)

Australian Commissioners have a duty to:

- liaise with the Child Protection Officer in the Australian National Executive Committee, and ensure that the child protection policies and procedures are adhered to;
- handle allegations of suspected or actual child abuse within the Girl Scouts Organisation and the Boys Scout Organisation (whichever is applicable);

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- support the State Commissioners in the event of internal investigations under the Reporting Procedures outlined at Appendix 2 involving child protection.

D2.3 State Commissioners (Hufcowi)

State Commissioners are responsible for the activities of the Association in their State and have a duty within the Policy to:

- immediately report any incidents of suspected child abuse to the local child protection authority and then to the Australian Commissioner and the Child Protection Officer;
- provide the appropriate authorities with reports of any suspected incidents of harm;
- cooperate with the relevant authorities, the child and his/her parents or legal guardians, the Australian Commissioner and the Child Protection Officer;
- ensure compliance with legal requirements;
- support all adult Members working with young persons in the State in the event of allegations of abuse against a child or themselves, insofar as is practicable.

D2.4 Branch President

Branch Presidents, together with the State Commissioners, are responsible for ensuring that the Association is compliant with all legal requirements in the delivery of the Association's activities in their State. They have a duty within the Policy to:

- liaise with the Child Protection Officer regarding training for adult Members and Associate Members within the Child Protection Training Program;
- provide suitable training for all adult Members and Associate Members involved in child-related work to ensure that they know and understand the policies and procedures of the Association relating to child protection; and
- ensure compliance with legal requirements.

E. Training

E1. Member Registrations

As part of the Association's annual registrations for all Members and Associate Members, all Members are required to acknowledge that they have read and understood the Policy and agree to abide by the requirements contained herein. Guardians of Youth Members are required to acknowledge that they have read and understood the Policy.

If the relevant acknowledgements and agreements are not made, the application for membership will not be processed.

E2. Training for Youth Members

Youth Members are bound by the code of conduct at Appendix 5: Polish Scouting Association Code of Conduct. Youth Members should be reminded regularly (at Troop level and above) of their inherent right to make a report without recrimination.

In addition, Youth Members are to be made aware of the contents of the Policy, to the extent that it is relevant to them, and in an age-appropriate manner. Training for Youth Members is to be conducted in accordance with Module 1 of the Child Protection Training Program.

E3. Training for Adult Members

Adult Members are bound by the code of conduct at Appendix 5: Polish Scouting Association Code of Conduct. Adult Members are required to complete Module 2 of the Child Protection Training Program within six months of turning 18, and thereafter on an annual basis.

Module 2 of the Child Protection Training Program provides a basic understanding of child abuse and reporting requirements. At completion of Module 2 of the Child Protection Training Program, Adult Members will be expected to have an understanding of:

- the underlying principles of the Policy;
- the relevant State legislative schemes;
- what constitutes child abuse;
- appropriate method of responding to children who disclose abuse;
- the Association's reporting protocols as outlined at 'Appendix 2: Reporting'; and
- the Association's preventative measures.

E4. Training for Executive Members

In addition to their obligations as Adult Members, Executive Members are required, as officers of the Association, to have a greater understanding of the legal obligations of the Association pursuant to the relevant legislation as in force at the time.

Executive Members are required to be familiar with the Policy. Executive Members are required to complete Module 3 of the Child Protection Training Program within six months of being appointed to the Australian National Executive Committee, and thereafter on a bi-annual basis.

Module 3 of the Child Protection Training Program provides an advanced understanding of child abuse and reporting requirements. At completion of Module 3 of the Child Protection Training Program, Executive Members will be expected to have an advanced understanding of:

- the relevant State legislative schemes;
- the Association's reporting protocols as outlined at 'Appendix 2: Reporting'; and
- the responsibility of Executive Members to remove or reduce risks of sexual offences being committed against Youth Members in accordance with section 49C *Crimes Act 1958 (Vic)*.³

E5. Training for Associate Members

Associate Members are required to complete Module 2 of the Child Protection Training Program within six months of turning 18, and thereafter on an annual basis.

Module 2 of the Child Protection Training Program provides a basic understanding of child abuse and reporting requirements. At completion of Module 2 of the Child Protection Training Program, Associate Members will be expected to have an understanding of:

- the underlying principles of the Policy;
- the relevant State legislative schemes;
- what constitutes child abuse;
- appropriate method of responding to children who disclose abuse;

³ And any amendments, to the extent that the legislation applies.

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- the Association's reporting protocols as outlined at 'Appendix 2: Reporting'; and
- the Association's preventative measures.

F. Appendices

Appendix 1: Definitions of Child Abuse

Physical abuse is commonly characterised by physical injury resulting from practices such as:

- hitting, punching, kicking;
- shaking;
- burning, biting, pulling out hair;
- alcohol or other drug administration.

Sexual abuse occurs when someone in a position of power to the child uses his/her power to involve the child in sexual activity. Behaviour can include:

- sexual suggestion;
- exhibitionism, mutual masturbation, oral sex;
- showing pornographic material;
- using children in the production of pornographic material;
- penile or other penetration of the genital or anal region;
- child prostitution.

Emotional abuse tends to be a chronic behavioural pattern directed at a child whereby a child's self-esteem and social competence is undermined or eroded over time.

Behaviours may include:

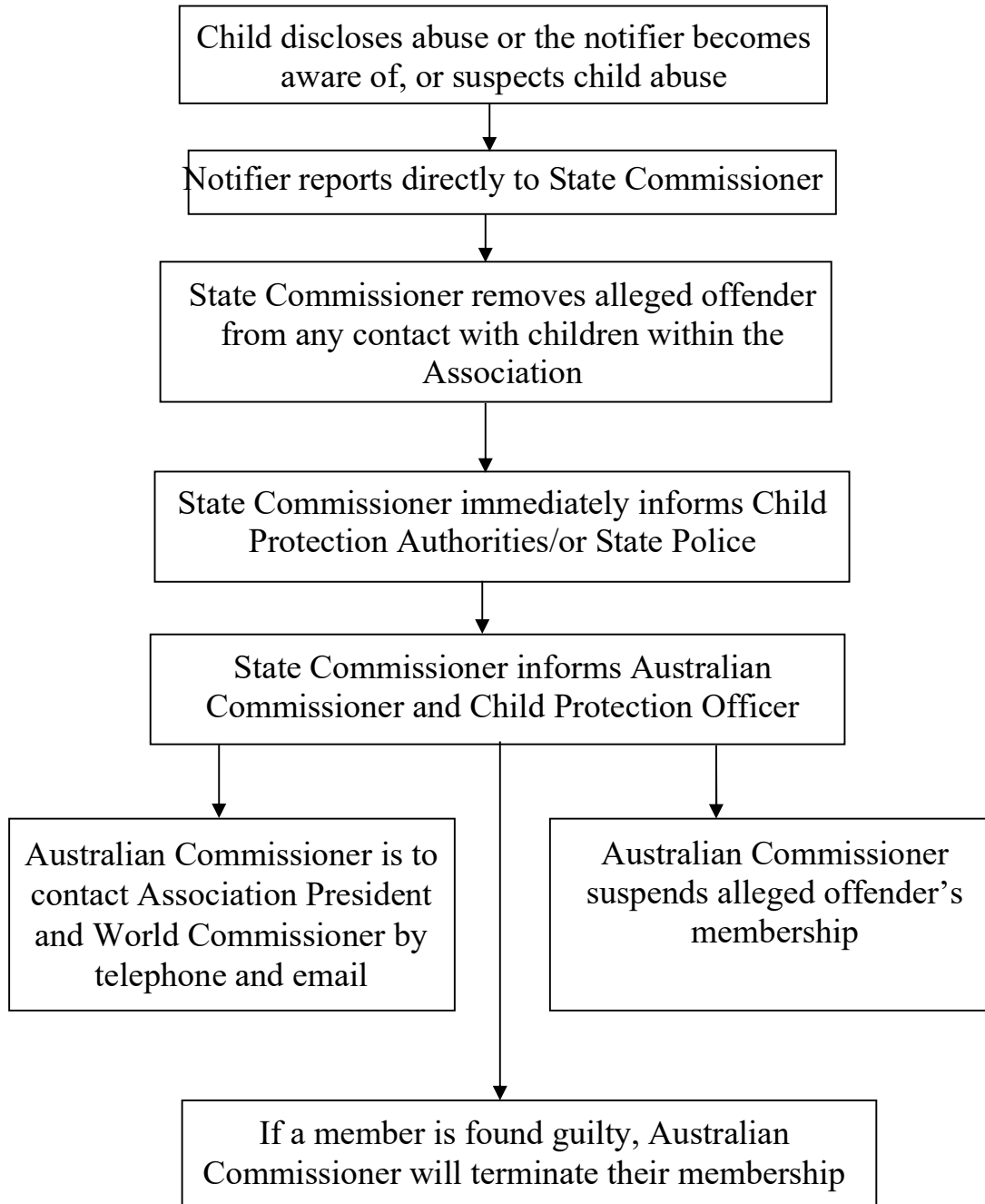
- devaluing;
- ignoring;
- rejecting;
- corrupting;
- isolating;
- terrorising;
- chronic or extreme spousal abuse in the child's presence.

Neglect is characterised by the failure to provide for the child's basic needs. Behaviours may include:

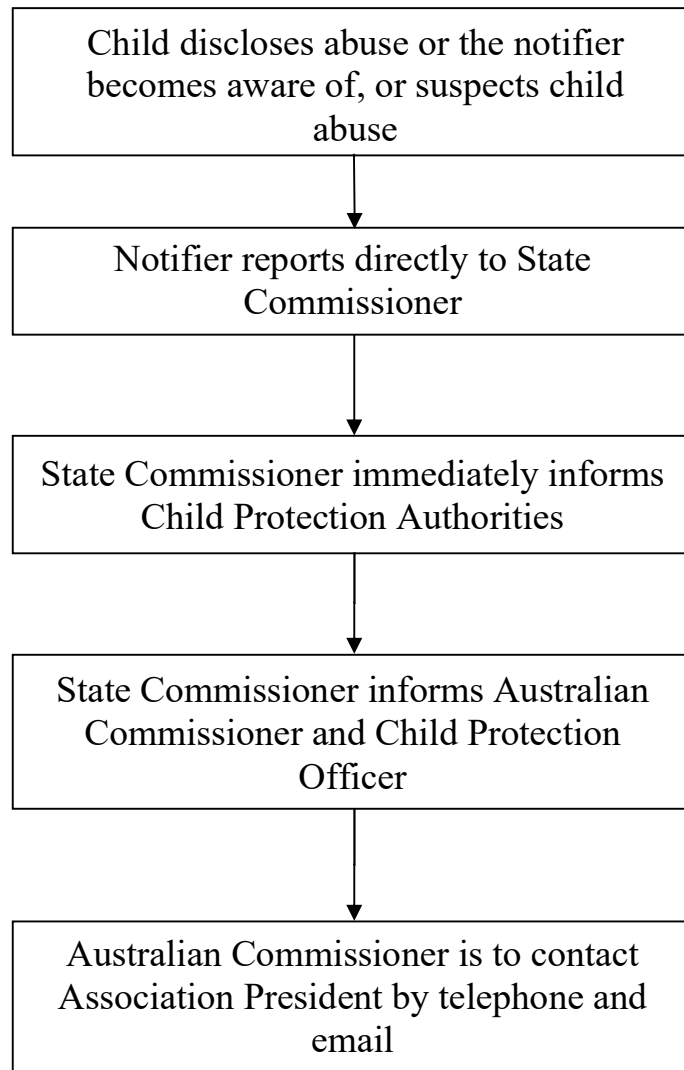
- inadequate supervision of young children for long periods of time;
- failure to provide adequate nutrition, clothing or personal hygiene;
- failure to provide needed or appropriate health care/medical treatment;
- disregard for potential hazards in the home;
- forcing the child to leave home early;
- allowing children to engage in chronic truancy.

Appendix 2: Reporting

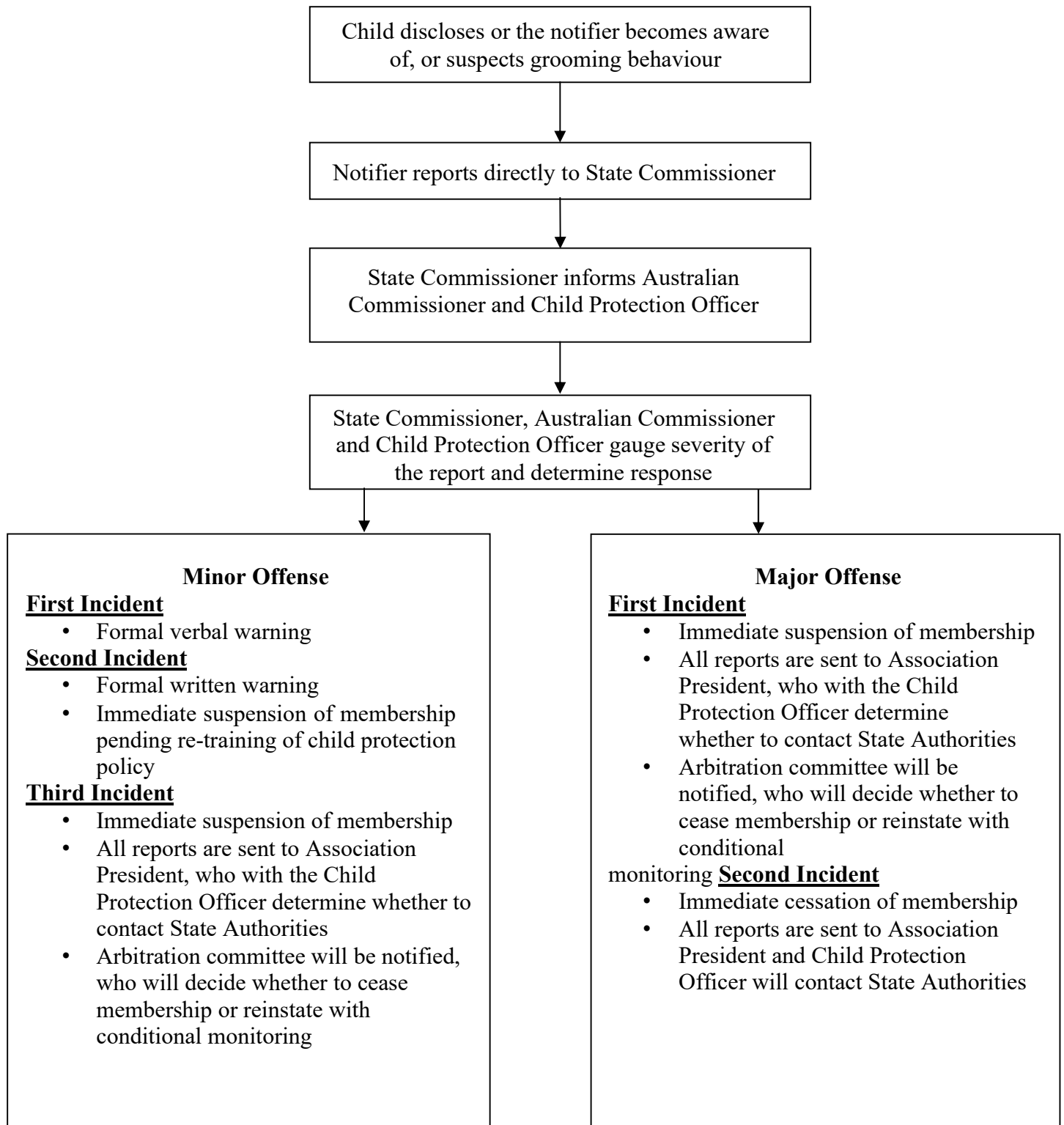
Alleged offender is an Adult Member or Associate Member



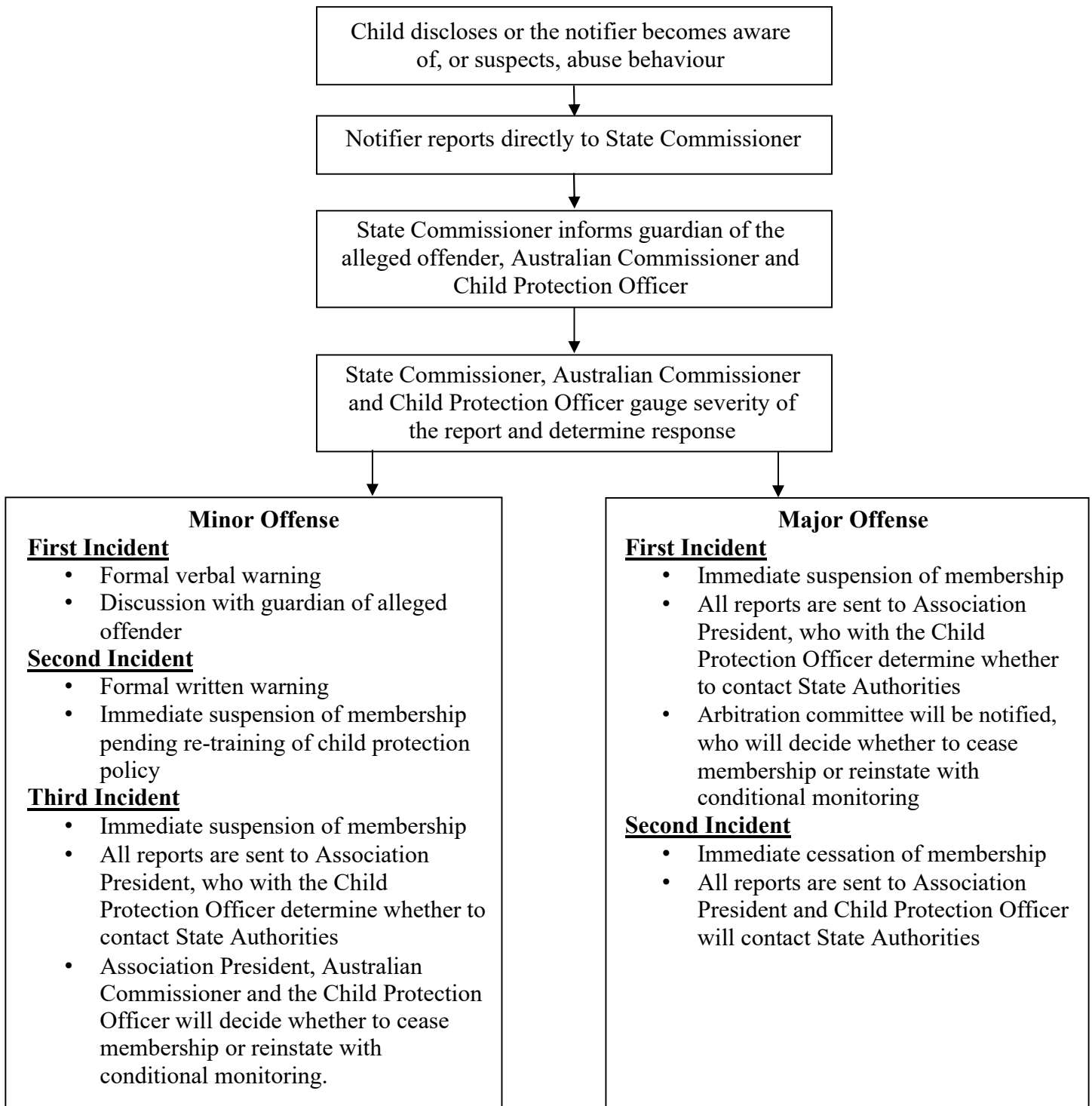
Alleged offender is over 18 and **NOT** an Adult
Member or Associate Member



Alleged offender is suspected of Grooming Behaviour



Alleged offender under 18 and is a Youth Member



Appendix 3. Polish Scouting Association – Incident Report

**INCIDENT REPORT – CHILD PROTECTION POLISH SCOUTING
ASSOCIATION Z.H.P. IN AUSTRALIA INC. Incorporated in Victoria**

ABN 96 655 314 335

ARBN 105 459 096

Reg No A0038164F

Complete the report and send to the Child Protection Officer, Executive Committee of the Polish Scouting Association ZHP in Australia.

Sprawozdanie wydarzenia należy przesłać do Referentki/ta d/s Ochrony Praw Dziecka w Okręgu.

Details of person submitting report <i>Dane osoby składającej sprawozdanie</i>	Name/ <i>Imię i nazwisko</i> Position/ <i>Funkcja</i> (if applicable) Address/ <i>adres</i> Telephone contact details/ <i>numer telefonu</i>
Young person's personal details <i>Dane osobiste młodej osoby</i>	Name of young person concerned/ <i>Imię i nazwisko młodej</i> Address/ <i>adres</i> Telephone contact details/ <i>numer telefonu</i> Date of birth/ <i>data urodzenia</i>
<u>Statement/sprawozdanie wydarzenia</u> Write careful notes of what you witness, heard or were told, including dates and places (if applicable). <i>Spisz stranne notatki wszystkich faktów: co usłyszałeś, widziałeś i co zostało powiedziane.</i>	
Date of report/ <i>data</i> Signature/ <i>podpis</i>	

Appendix 4: Behavioural and Physical Indicators of Abuse

The following lists include common behavioural and physical indicators of abuse. It should be noted that in most instances the appearance of one or more of these indicators do not necessarily indicate that abuse is taking place and that caution should be exercised in drawing conclusions based on only a few indicators.

Some behavioural indicators associated with children who have been victims of **sexual abuse** include:

- engaging in persistent and inappropriate sexual activities eg. rubbing genitals against an adult, playing games that echo the abuse, sexual themes in artwork or stories;
- having a detailed understanding of sexual behaviour beyond what would be expected at their age;
- displaying regressive behaviour (bedwetting, speech loss, infantile or immature behaviour);
- suffering sleep disturbance or night terrors;
- inhibition to play;
- serious difficulty relating to peers and/or adults;
- constant complaints of headaches or abdominal pains;
- sudden appearances of material goods (given as presents);
- using sexually inappropriate language;
- onset of fears and phobias;
- waning of outside interest;
- lack of concentration or significant changes in school performance.

As they become older, the child may present with some of the following in addition to the above:

- exhibit delinquent or aggressive behaviour;
- show signs of depression
- display injurious behaviour such as drug and alcohol abuse, self-mutilation or attempts at suicide.

Some physical indicators associated with **sexual abuse** are bruising and bleeding in genital areas, chest, or in the lower abdomen or thighs, or complaints of soreness in those areas. Sexual abuse may also be indicated in cases of early pregnancy or infections including STDs.

Some behavioural indicators associated with **physical abuse** include:

- exhibiting undue wariness of physical contact with others;
- unduly frightened by a parent or caregiver;
- expressing little or no emotion when hurt;
- unduly compliant, shy, withdrawn, passive and uncommunicative.
- offering unlikely explanation of injury;
- unusually nervous or hyperactive, aggressive, disruptive and destructive (both to self and others).

Some physical indicators associated with **physical abuse** include:

- bruising;

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- bleeding;
- bite marks;
- swelling;
- welts; and
- burn-marks.

Some behavioural indicators associated with **emotional abuse** include:

- withdrawal;
- unduly complaint, passive and undemanding;
- having low self-esteem;
- extremely demanding, aggressive and angry;
- anti-social and destructive;
- depressed and suicidal;
- attention-seeking.

Some behavioural indicators associated with **neglect** include:

- constantly sick or tired;
- indiscriminate use of affection;
- constantly miserable and irritable;
- alienated from peers, withdrawn, pale, listless, beg or steal food;
- engaging in delinquent acts, vandalism, drug and alcohol abuse;
- poor social skills.

Some physical indicators associated with **neglect** include:

- dirty;
- skin problems;
- careless dress.

Appendix 5: Polish Scouting Association Code of Conduct

All youth members, adult Members and Associate Members agree to abide by the following code of conduct contained in our Scout Promise (*Przyrzeczenie Harcerskie*) and Scout Law (*Prawo Harcerskie*).

Scout Promise (*Przyrzeczenie Harcerskie*)

It is my sincere wish to serve God and Poland with the whole of my life, to give my willing help to other people, and to obey the Scout Law.

Mam szczerą wolę całym życiem pełnić służbę Bogu i Polsce, nieść chętną pomoc bliźnim, i być posłusznym Prawu Harcerskiemu.

Scout Law (*Prawo Harcerskie*)

1. A Scout serves God and Poland and conscientiously fulfils his/her duties.
 2. A Scout's word is to be trusted like that of Zawisza the Knight.
 3. A Scout is useful and helps others.
 4. A Scout is a friend to everybody and a brother/sister to every other Scout.
 5. A Scout behaves like a knight.
 6. A Scout loves nature and tries to get to know it.
 7. A Scout is well disciplined and obedient to her/his parents and superiors.
 8. A Scout is always cheerful.
 9. A Scout is thrifty and generous.
 10. A Scout is pure in thought, in word and in deed, and resists harmful addictions.
-
1. Harcerz służy Bogu I Polsce, i sumiennie spełnia swoje obowiązki.
 2. Na słowie harcerza polegaj jak na Zawiszy.
 3. Harcerz jest pożyteczny i niesie pomoc bliźnim.
 4. Harcerz w każdym widzi bliźniego, a za brata uważa każdego innego harcerza.
 5. Harcerz postępuje po rycersku.
 6. Harcerz miłuje przyrodę i stara się ją poznać.
 7. Harcerz jest karny i posłuszny rodzicom i wszystkim swoim przełożonym.
 8. Harcerz jest zawsze pogodny.
 9. Harcerz jest oszczędny i ofiarny.
 10. Harcerz jest czysty w myśli, mowie i uczynkach i zwalcza szkodliwe nałogi.