Satyananda Yoga Rocklyn Ashram

Yoga Association of Victoria

Child Protection Policy

2014
Related YAV Documents

- YAV Register of National Policy Checks
- YAV Longterm Resident Application
- YAV Resident Handbook
- YAV Register of Working With Children Checks
- YAV Incident Reporting Log

Please note that all related YAV documents are included in the Appendices as listed below in the Provenance.

Related Legislation

Principal Act:
- Children, Youth and Families Act 2005 (as amended 2011)

Other relevant Acts:
- Working with Children Act
- Child Wellbeing and Safety Act 2005
- Family Law Act 1975

To see other laws and acts relevant to children, youth and families, please see the Legislation section of the Department of Human Services website for more details at http://www.dhs.vic.gov.au.

For a useful overview of all issues relating to child sexual abuse and child protection mechanisms in VIC, see Protecting the Safety and Wellbeing of Children and Young people, a report released in 2010 by the Department of Human Services and the Department of Education and Early Childhood Development. Refer Appendix 1.
This Policy and it’s appendices have been compiled from input from the Department of Human Services and Child Protection website, the Child Wise website and from input from a Child Protection Team Leader at the regional office who was contacted on 1800 000 551 and a Team Leader from DoHSCP City Office who was contacted on 03 9096 0000.
Definitions

"Child" A person under the age of 18 years.

"Child Abuse" refers to a child "at risk of harm." This includes one or more of the following circumstances;
• the child's basic physical or psychological needs are not being met,
• necessary medical care has not been arranged for the child,
• the child has been or is at risk of being, physically or sexually abused or ill-treated,
• the child is living in a household where domestic violence occurs and, as a consequence, the child is at risk of serious physical and psychological harm,
• a parent or caregiver has behaved in such a way towards the child that the child has suffered or is at risk of suffering serious psychological harm,
• assault (including sexual assault) of a child, or ill-treatment or neglect of a child, or exposure or subjecting a child to behaviour that psychologically harms a child. A child abuse allegation can also include an allegation of misconduct that may involve child abuse e.g. an allegation involving possession of child pornography.

"Child Abuse Conviction" Any conviction of a person, in the State of Victoria or elsewhere, of an offence involving child abuse, and includes a finding by the court that a charge for such an offence is proven even though the Court does not proceed to a conviction. The term "allegation" must refer to a description of behaviour that may constitute child abuse and also refers to "conviction" for the purpose of this policy.


“Guest” Any person who visits Rocklyn Ashram for a specific program which could vary in duration from a few hours to upto six weeks. Guests do not require a Working With Children Check.

“Long-term resident” Any person who has resided at Rocklyn Ashram in excess of 6 months. All long-term residents are volunteers and require a Working With Children Check.

“Prohibited person” Any person convicted of a serious sex offence will not be permitted to work or seek work in employment which primarily involves direct contact with children where that contact is un-supervised (in either a paid or unpaid role).
“Short-term resident” Any person who has resided at Rocklyn Ashram for up to six months. Any short-term residents who have stayed for six weeks or longer require a Working With Children Check.

“Staff member” For the purposes of this policy this refers to any paid or unpaid or long-term volunteer residents of the Rocklyn Ashram community. Any paid staff member requires both a Working With Children Check and an National Police Clearance.

"Vexatious complaint" Any unfounded allegation of child abuse against a staff member.

“YAV” Yoga Association of Victoria Inc

Preamble

The Satyananda Yoga Rocklyn Ashram was established 1983 and incorporated as the Yoga Association of Victoria Inc in 1997.

From this time and up until recently Rocklyn Ashram relied on the guidance of the Satyananda Yoga Academy Australia for operating manuals and formal policies, however, these documents were used only as guidelines where appropriate as they were issued as Mangrove Mountain versions and not specific to Rocklyn Ashram. The YAV is a incorporated identity which is affiliated with SYAA. In the last few years the Yoga Association of Victoria has begun to create their own documentation and more recently this has prompted the creation of more formal policy documents. This is an ongoing process and reliant on volunteer assistance with areas of expertise.

Children are welcome to visit and stay at Rocklyn Ashram with their parents or carers. Between 1983 and 1996 there is no record of any child related maltreatment incident and since 1996 under the leadership of our current Director Swami Atmamuktananda Saraswati can verify of no such child related maltreatment incident either.

This Child Protection Policy has been compiled to formally demonstrate our commitment of how we intend to continue to protect children who stay at Rocklyn Ashram.
Policy

Satyananda Yoga Rocklyn Ashram is committed to ensuring the right of all children to be protected from abusive and neglectful maltreatment.

We are committed to cultivating an ethos of nurturing care towards children, and to assist in extending this attitude to every member of the community.

When any question of neglect or abuse is brought to the attention of any staff member, either directly or indirectly, the following procedures are to assist that staff member to deal with this appropriately and sensitively.

This policy will be applied in any situation where there is potential or actual maltreatment towards a child by any person either within or outside the Ashram community, and whether this maltreatment has arisen in the past or appears likely to occur.

Satyananda Yoga Rocklyn Ashram requires all documentation regarding suspected or actual child abuse or neglect to be submitted to the Human Resources Officer and to be kept as Ashram records. They will be kept confidential and secure.

Satyananda Yoga Rocklyn Ashram seeks to implement and carry out effective human resource practices to ensure all paid staff, short-term and long-term residents and regular volunteers are adequately screened and briefed on this Child Protection Policy. Further, all current staff seek or renew relevant Working With Children Checks and National Police Checks where required.

Processes

Satyananda Yoga Rocklyn Ashram only employs two paid staff members and therefore does not comply with Mandatory Reporting Requirements. For further information on Mandatory Reporting, please refer to Appendix 4. The majority of the work undertaken to maintain the upkeep of the Ashram is by long-term and short-term residents and volunteers.

- All paid staff and long-term residents are made aware of legislation regarding child protection.
- All paid staff and long-term residents have the opportunity to be directed to further resources on child protection and protective behaviours through the appendices in this policy or attend specific training workshops as appropriate. Please refer to Appendix 5 for training offered by Child Wise.
• A formal recruitment and selection process is carried out for every new paid staff member employed.
• The Ashram obtains National Police Clearances for all paid employees.
• The Ashram obtains Working with Children Checks for paid staff, all long-term residents and regular volunteers. Please refer to Appendix 15 for Working With Children information.

Responsibilities of Satyananda Yoga Rocklyn Ashram

• All current staff (paid staff or long-term residents) must have a current Working With Children Check as well as a current (less than 6 months old) National Police Check. The details of the Police Check must be noted on all employees’ files. The requirement to obtain a Working with Children (WWC) Check creates a mandatory minimum checking standard across Victoria. The WWC Check helps to keep children safe by preventing those who pose a risk to the safety of children from working with them, in either paid or volunteer work. All staff and volunteers of Satyananda Yoga Rocklyn Ashram must have a WWC Check with the exception of
  o any guest of the ashram who is residing for less than six weeks
  o any residential short term volunteer under the age of 18.

• All staff must undergo training in all aspects of child protection as per this policy and current legislation and its implications for their work. Ongoing information will also be provided where applicable. Rocklyn Ashram will ensure staff understand the importance of responding as set out in the policy and legislation, through staff orientation process and staff meetings.

• Satyananda Yoga Rocklyn Ashram must ensure that any situation regarding an allegation of child abuse or any concern for any child as being at risk of harm is treated with the utmost discretion and regard for the privacy and confidentiality of the persons concerned, however recognising that the rights of children to be free from abuse must be held paramount. Satyananda Yoga Rocklyn Ashram requires all notes and documentation regarding any actual or suspected child related abuse or neglect to be submitted to the Human Resources Officer to be kept as Ashram records. They will be kept confidential and secure. Please refer to Appendix 6 for Privacy and Confidentiality protocols and Appendix 7 for our Incident Report format.

• The management of staff will be organised so as to maximise protection of children from abuse and minimise opportunities for abuse, as well as minimise opportunities for vexatious allegations against staff.
• The Satyananda Yoga Rocklyn Ashram must ensure that all staff sign an acknowledgment that they have read, understood and are prepared to abide by Satyananda Yoga Rocklyn Ashram’s Child Protection Policy. Please refer to Appendix 8 for a sample of the sign off sheet.

• Satyananda Yoga Rocklyn Ashram will communicate to any families enrolling to stay at the Ashram that they are required to have a private room. These details are currently available on the Rocklyn Ashram website. Please refer to Appendix 9 for the relevant website information. In addition, all families who visit are given a handout regarding the care of children whilst at Rocklyn Ashram. Please refer to Appendix 10 for a copy of the handouts.

• Satyananda Yoga Rocklyn Ashram will work with any external Departments or Police Units in the event of being notified of any Sexual Offenders that have registered their address as being at the Ashram. In such cases, as a preventative measure, individuals will be asked to leave the Ashram and the relevant external agencies will be notified accordingly. In addition, the Human Resources Officer will be notified and the event will be recorded on the YAV Incident Reporting Log and individual Visitor file (in Vettrak). Please refer to Appendix 7 for the format of our Incident Log.

• Satyananda Yoga Rocklyn Ashram will seek permission on their arrival forms for permission to use photographs taken of any individuals whilst at the Ashram. This will include photographs of adults and/or children. Any staff involved in Ashram Marketing activities will be required to verify permissions prior to the use of any photographs / images on printed material, websites or social media sites. Please refer to Appendix 11 for a copy of the YAV Arrival Form. Further, signs are posted on Notice Boards within Rocklyn Ashram regarding the taking of photographs of guests and children. See Appendix 12 of the notice board sign.

• Satyananda Yoga Rocklyn Ashram have a locked computer lab onsite where residents and guests are able to access the internet. Access to the lab is by signing out a key from the reception area. Children under 16 are required to be accompanied by a parent to gain access to the computer lab. There are restrictions in place to internet content through our computer server. In addition, our location means that internet access is slow and unreliable at times as well as there being no mobile phone access within the Ashram grounds. This contributes to our commitment to restrict exposure to cyber predators to any of our guests and children. Please refer to Appendix 18 regarding Cyber Predators.
Procedures

This policy covers the following scenarios:

1. Where it appears a child has been subjected to sexual abuse
2. Suspected abuse or neglect of a child
3. The formal screening of Rocklyn Ashram staff (includes paid and long-term residents).
4. Formal notification given to the Ashram of a registered child sex offender on site.

1. Where it appears a child has been subjected to sexual abuse

At Satyananda Yoga Rocklyn Ashram staff are required to follow the step by step guide to making a report to Child Protection or Child FIRST as per Appendix 3.

'Sexual abuse' in relation to a child, includes sexual behaviour in circumstances where:

i. The child is the subject of bribery, coercion, a threat, exploitation or violence; or
ii. The child has less power than another person involved in the behaviour; or
iii. There is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.

Outcomes or actions from which children are in need of protection include; neglect, physical abuse, sexual abuse, domestic violence and psychological harm. These are all reportable offences.

Summary of Action

If any staff member believes on reasonable grounds that a child has been subjected to sexual abuse or neglect or a disclosure of sexual abuse or neglect is made to the staff member, then the staff member is required to follow the process as per Appendix 3 (A step-by-step guide to making a report to Child Protection or Child FIRST) attached to this Policy.

At all times the staff member will also be required to:

• record their observations
• follow appropriate protocols
• consult notes and records
• consult with appropriate colleagues if necessary
• consult with other support agencies if necessary

What are reasonable grounds?
You do not need to have proof to report any concerns you have about the safety of a child under 16. Indicators that represent reasonable grounds to report a suspected offence include:

• A child or young person discloses that he or she has suffered or is suffering non-accidental physical injury or sexual abuse
• Someone else advises you that a child or young person has been sexually abused or non-accidentally injured, or
• Your own observations of the child or young person’s physical condition or behaviours lead you to reasonably suspect that the child or young person has suffered or is suffering non-accidental physical injury or sexual abuse.

Ashram Staff may wish to consider the following questions to assist them in deciding if their belief is based on reasonable grounds:

• Can you describe the reasons why you believe a child has been, or is being sexually abused?
• What has the child said or done to suggest they are being sexual abused?
• Have you observed, or been told about, the presence of any of the ‘possible indicators’ of sexual abuse?
• Did the child disclose sexual abuse? What did they say happened? Who did they disclose to and when?
• What other behaviours have you observed and/or interactions with the child are of concern to you? What is the frequency and severity of the behaviour? How long has it been occurring?

Information on the indicators of sexual abuse is covered in Appendix 13 of this document.

Additionally, the Department of Human Services Child Protection in conjunction with the Department of Education and Early Childhood Development have also provided a step-by-step guide to making a report. Please refer to Appendix 3.

Who to report to and how?
If you need to report an offence that requires immediate police attention, please call the Police: 000

If you suspect on reasonable grounds that a child is suffering abuse or neglect or you wish to discuss your concerns about a child or young person, you should telephone

Satyananda Yoga Rocklyn Ashram YAV Child Protection Policy 2014
D:/Our Documents/YAV Policies and Procedures NEW 2014
Ratified October 2014
For Review October 2016
Child Protection Crisis Line: 131 278 (24hrs, 7 days a week, toll free)

For a list of Child Protection regional offices and their contact details see Appendix 3.
03 5333 6530  (Ballarat Rural Office)

Child FIRST (Child & Family Information, Referral & Support Teams): Find your local contact in Appendix 3.

There are also Support Services across Victoria that can assist and advise you through the process of making a report, and beyond including
Child Wise (Head Office)  Phone: +61 3 9645 8911  Email: office@childwise.net
Helpline (National Helpline) Phone: 1800 991 099  Email: helpline@childwise.net

Storage and retention of notes and documentation
Satyananda Yoga Rocklyn Ashram requires all notes and documentation regarding any actual or suspected child related abuse or neglect to be submitted to the Human Resources Officer to be kept as Ashram records. They will be kept confidential and secure.

Once the report has been provided to the Department of Human Services Child Protection, the report becomes a ‘government record’ held by the DoHSCP and must be treated by the DoHSCP in accordance with the requirements imposed on DoHSCP by the Act and any other statutory obligations.

The role of the Department of Human Services Child Protection and VIC Police
Mandatory reporting is a requirement in Victoria for occupations including school teachers to make reports when they have a reasonable belief that sexual abuse is occurring or has occurred. For other forms of child abuse mandatory reporting is not yet a requirement, however, this is currently under review and may have penalties applied if Non-Mandatory reporters knowingly do not report an incident of child abuse or neglect. The Department of Human Services Child Protection (DOHSCP) is the government department with the statutory authority to investigate concerns in Victoria. It is not the Ashram’s role to investigate child maltreatment issues, including concerns of sexual abuse once a report has been lodged with the DoHSCP. That is the responsibility of the DoHSCP. All disclosures or strong concerns of abuse or neglect should be reported to DoHSCP by the Human Resources Officer or Ashram Director. The DoHSCP will then decide on how to proceed.
The Victorian Police also have a role in responding to allegations of child abuse and neglect. The VIC Police Service Child Abuse Investigation Unit intervene in instances where it is believed that a criminal offence has occurred which may lead to criminal charges being laid. In the case of a report of child sexual abuse, DoHSCP will forward all reports to the VIC Police.

Where abuse and neglect has occurred within a family and there is the possibility of criminal charges being laid, the police and the DoHSCP may undertake a joint investigation to reduce the trauma of the interviewing process to the child or young person.

Under legislation, people who give information, in good faith, to the Department of Human Services Child Protection are protected from incurring any civil or criminal liability, from having breached any confidentiality imposed by law, or from having breached any professional ethics or standards.

2. Suspected abuse or neglect of a child (physical or emotional)

What are reasonable grounds?
You do not need to have proof to report any concerns you have about the safety of a child under 16. Indicators that represent reasonable grounds to report a suspected offence include:

- A child or young person discloses that he or she has suffered or is suffering non-accidental physical injury or sexual abuse
- Someone else advises you that a child or young person has been sexually abused or non-accidentally injured, or
- Your own observations of the child or young person’s physical condition or behaviours lead you to reasonably suspect that the child or young person has suffered or is suffering non-accidental physical injury or sexual abuse.

Summary of Action
If any staff member suspects that a child has been abused or neglected, or a disclosure of abuse/neglect is made to the staff member, then the Ashram has a duty of care and a moral obligation to follow the recommended procedures in cases of suspected child abuse/neglect as per Appendix 3.

If you need to report an offence that requires immediate police attention, please call the Police: 000

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D:/Our Documents/YAV Policies and Procedures NEW 2014
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There are also Support Services across Victoria that can assist and advise you through the process of making a report, and beyond including

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Helpline (National Helpline) Phone: 1800 991 099  Email: helpline@childwise.net

**Where it appears a child has been maltreated**

**Important note:**

All strong concerns for the welfare of children believed maltreated by parents/caregivers can be discussed with the contacts as outlined in Appendix 3. These agencies will then decide on the provision of advice to parents/caregivers and any further action. Police and other agencies as outlined in Appendix 3 are available to provide advice on child abuse concerns and may be contacted anonymously if needed.

Where an individual staff member or long-term resident makes observations and keeps note of concerns that exist that have led them to the belief that contact with an external agency may be necessary. (See Appendix 13 for "Possible Indicators of Abuse");

**OR**

A child discloses abuse or neglect of the types listed below:

- From someone with a responsibility to care for the student;
- Alleged sexual contact by staff;
- Indicated, or demonstrated signs of abuse or neglect; or
- Alleged sexual contact by another child.

Then:

**Step by step action**
Step 1

- The staff member’s or long-term resident’s observations or the child’s disclosure should be discussed, in the first instance, with the Human Resources Officer, and in the absence of the Human Resources Officer, the Ashram Director. If the matter is suspected to be sexual abuse or neglect, the staff member can and should follow the process as set out in Appendix 3.
- The Human Resources Officer may be consulted and provide support to the staff member in this situation.
- It is not the role of the staff member to investigate child abuse or neglect matters. They must report concerns to the Human Resources Officer.
- The staff member and Human Resources Officer may wish to consult with the Ashram Director.
- Note: It is vital to remember that confidentiality is paramount and that disclosure of this information should only be discussed with those in the Ashram who are required to know.

Step 2

- In cases of suspected sexual abuse or neglect a staff member has a duty of care and moral obligation to contact the relevant agencies as per Appendix 3. In cases of other forms of abuse or neglect, the Human Resources Officer and the staff member concerned will decide the appropriate actions to take and who should be contacted.

Step 3

- If following contact with an external agency a family approaches the Ashram it is recommended that any interview be conducted with a minimum of two members of Ashram management present (eg. The Ashram Director and one other) to provide support.

Note: It is important to remember that the focus of the meeting should be the welfare of the child.

Step 4

- The Human Resource Manager should ensure that ongoing support for the staff member, the child and anyone else affected is available. This may include counselling. Refer to Appendix 14 for a Support Service Directory from Child Wise.
Very important: Incidents will present with different circumstances and requirements as to how it is handled and which external agencies are contacted and when. The Human Resources Officer is required to liaise with the Ashram Director when gathering the internal information available to assist in any reporting to an external agency. From here, once an external agency is contacted (such as the Police or Child Protection), they will provide further guidance as to how the situation at hand should be managed. The Police should be the first point of contact should immediate assistance be required. The Police and Child Protection teams will liaise. Once a report is made to Child Protection, the incident will be assessed and responded to and depending on the severity of the incident will take responsibility for further communication with the other parties involved. The decision to progress the matter further is the responsibility of Child Protection. In cases of child sexual abuse, the legislation provides protection for the person reporting. Disclosure of the reporter's identity or identifying information to parents or any other party may have penalties.

3. The formal screening of Rocklyn Ashram staff
Satyananda Yoga Rocklyn Ashram is committed to ensuring that all current and future Rocklyn Ashram staff (paid employees and long-term residents) are appropriately screened with relevant checks as required.

- All paid employees are required to have a current Working With Children Check as well as a National Police check.
- All long-term residents will be required to have a current Working With Children Check.
- All visitors who are in residence for longer than six weeks will be required to have a current Working With Children Check.

Please refer to Appendix 15 for Working With Children Check references. Please refer to Appendix 16 for Procedures for Handling Allegations & Convictions of Child Abuse Against Staff.
Formal notifications given to Rocklyn Ashram of a registered child sex offender on site

In the event Rocklyn Ashram is notified by either the Police or a Government Department the details of an individual who has registered their residential address as Rocklyn Ashram, then the following process will be followed:

- The individual concerned will be approached by the Human Resource Officer and told of the notification and asked to leave the Ashram.
- An event will be recorded in the Human Resource Officers Incident Report Log
- The relevant departments who made the notification will be advised of the actions taken.