

# Child safe

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## Introduction

The protection of children and young people is a cornerstone in safeguarding and improving the lives of children and young people with a disability. While providing supports and services under the NDIS, workers are uniquely placed to identify and respond to the needs and vulnerabilities of children or young people with a disability. Everyone has a responsibility to protect the wellbeing and safety of children or young people whom they have contact, and report any case a child or young person is suspected to be at risk of significant harm.

Our organisation is committed to ensuring our practice is compliant with all relevant legislation for our state, as well as national legislation and regulations, including the National Principles for Child Safe Organisations

## Policy objective

This policy aims to ensure that the organisation provides supports and services in a child-safe environment and that concerns about the welfare or safety of children and young people are responded to appropriately. The purpose of this policy is to:

- adhere to the Child Safe Organisations National Principles
- set out appropriate standards of behaviour and practices for people working and volunteering with children and young people in a Child safe code of conduct
- provide standards by which the organisation can be held accountable to workers, volunteers, parents, guardians, carers, children and young people that are involved with the organisation
- increase worker awareness of factors that create a risk of harm to children and young people and the strategies in place to minimise risks
- build worker knowledge of how to identify if a child or young person is, or may be, at risk of harm and how to respond appropriately to allegations, concerns or instances of harm
- ensure that all workers understand reporting requirements and processes to be followed when making a report
- encourage organisational leaders to promote sharing good practice and learnings about child safety and wellbeing.

### When

- applies to all sites and services.

### Who

- applies to all representatives including key management personnel, directors, full time workers, part time workers, casual workers, contractors and volunteers.

Regulations relevant to this policy

-  National Disability Insurance Scheme Act 2013 (Cth)
-  NDIS (Quality Indicators) Guidelines 2018 (Cth)
-  Child Protection (International Measures) Act 2003 (Qld)
-  Childrens Court Act 1992 (Qld)
-  Working with Children (Risk Management and Screening) Regulation 2011 (Qld)
-  Children and Community Services Act 2004 (WA)
-  Child Wellbeing and Safety Act 2005 (Vic)
-  Care and Protection of Children Act 2007 (NT)
-  Child Protection Regulation 2011 (Qld)
-  Working with Children (Risk Management and Screening) Act 2000 (Qld)
-  Working with Children (Criminal Record Checking) Act 2004 (WA)
-  Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 (Qld)
-  Children and Young People Act 2008 (ACT)
-  Children and Young People (Safety) Act 2017 (SA)
-  Children, Youth and Families Act 2005 (Vic)
-  Children and Young People (Safety) Regulations 2017 (SA)
-  Family Services Act 1987 (Qld)
-  National Principles for Child Safe Organisations
-  Children, Young Persons and Their Families Act 1997 (Tas)
-  Child Safety (Prohibited Persons) Regulations 2019 (SA)
-  Child Protection Act 1999 (Qld)
-  Children and Young Persons (Care and Protection) Act 1998 (NSW)
-  NDIS (Children) Rules 2013 (Cth)
-  Child Safety (Prohibited Persons) Act 2016 (SA)

## When is a child or young person at risk?

A child or young person is at risk when they have suffered, or there is a likelihood they will suffer, harm. The relevant harm may be physical, emotional or psychological. A child or young person is also at risk where the parent or guardian is unable or unwilling to care for the person.

## Our commitment to child safety

We are committed to supporting an environment that promotes the safety and wellbeing of children and young people as our priority. This policy has been developed to ensure that our organisation is a safe and welcoming place for children and young people, and one where children and young people are equally valued, respected and encouraged to participate. This commitment extends to all children and young people regardless of their abilities, sex, gender, or background.

## Recruiting for child safe

We will maintain rigorous and consistent recruitment with worker screening and selection process.

## Reporting concerns about children and young people at risk

We are committed to providing a supportive and safe environment for staff and volunteers who disclose harm or risk to children and young people. All suspicions that a child or young person is at risk must be reported to key management and to the appropriate state/territory child protection hotline.

All concerns that do not meet the threshold of child at risk, but which involve a concern about the welfare or safety of a child are to be reported to key management.

The below table provides a reference for local state/territory authorities and legislation related to reporting children and young people at risk.

State/territory	Local authority	Relevant local legislation
ACT	<a href="#">Child and Youth Protection Services</a>	<a href="#">Children and Young People Act 2008 (ACT)</a>
NSW	<a href="#">Department of Family and Community Services</a>	<a href="#">Children and Young Persons (Care and Protection) Act 1998 (NSW)</a>
NT	<a href="#">Territory Families</a> <a href="#">Report child abuse</a>	<a href="#">Care and Protection of Children Act 2007 (NT)</a>
QLD	<a href="#">Department of Children, Youth Justice and Multicultural Affairs</a>	<a href="#">Child Protection Act 1999 (Qld)</a>
SA	<a href="#">Department for Child Protection</a>	<a href="#">Children and Young People (Safety) Act 2017 (SA)</a>
TAS	<a href="#">Department of Communities Tasmania</a>	<a href="#">Children, Young Persons and Their Families Act 1997 (Tas)</a>
VIC	<a href="#">Department of Health and Human Services</a>	<a href="#">Children, Youth and Families Act 2005 (Vic)</a>
WA	<a href="#">Department of Communities, Child Protection and Family Support</a>	<a href="#">Children and Community Services Act 2004 (WA)</a>

## National Principles for Child Safe Organisations

The National Principle for Child Safe Organisations this policy is based on are as follows:

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety and wellbeing.
4. Equity is upheld and diverse needs respected in policy and practice.
5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
6. Processes to respond to complaints and concerns are child focused.
7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
9. Implementation of the national child safe principles is regularly reviewed and improved.
10. Policies and procedures document how the organisation is safe for children and young people.

## Communication of child safe policy

We will discuss this policy with all new staff and volunteers.

We will discuss this policy with all new participants under 18 years of age and their families.

## What is a child safe environment?

Child safe environments are safe and friendly settings where children and young people are protected and feel respected, valued and encouraged to reach their full potential. To provide an environment safe for children and young people, we will:

- take a preventative, proactive and participatory approach on child wellbeing and safety issues
- seek out and embrace the opinions and views of children and young people on issues relating to our services that they consider important or impact them
- take action to protect children and young people from harm.

## Working with children and young people

The standards and requirements identified below in our commitment to child safety identify the professional boundaries, ethical behaviours that are accepted and behaviours that are unacceptable. All staff are required to abide by and follow these standards and requirements.

## Recruitment and worker screening

The organisation will comply with and carry out Working With Children Checks in accordance with state/territory requirements of the National Disability Insurance Scheme Act 2013 (Cth).

All WWCC will be validated online and verified by management prior to a new worker or board member commencing in a child-related role.

Any existing worker who cannot renew their WWCC must notify key management as soon as possible, and any worker or volunteer with a WWCC bar or interim bar will be removed from child-related employment immediately in line with the

standards outlined in the National Principles for Child Safety.

Our recruitment practices will take account of risks and other factors that impact on children and young people, and worker selection, referee checks and background checks will reflect our commitment to ensuring child safety and wellbeing. We will review our recruitment and human resources management practices regularly to make sure that we are aligned with best practice approaches for the protection of children and young people.

Any third party contractors engaged in providing supports to children will have appropriate measures in place to ensure the safety and wellbeing of children and young people.

## Child safe code of conduct

As part of our commitment to child safety, all workers and volunteers in the organisation will:

- Act in accordance with child safety and wellbeing policies and procedures at all times.
- Behave respectfully, courteously and ethically towards children and their families and towards other staff.
- Listen and respond to the views and concerns of children, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well.
- Promote the human rights, safety and wellbeing of all children in the organisation.
- Demonstrate appropriate personal and professional boundaries.
- Consider and respect the diverse backgrounds and needs of children.
- Create an environment that promotes and enables children's participation and is welcoming, culturally safe and inclusive for all children and their families.
- Involve children in making decisions about activities, policies and processes that concern them wherever possible.
- Contribute, where appropriate, to policies, discussions, learning and reviews about child safety and wellbeing.
- Identify and mitigate risks to children's safety and wellbeing as identified by risk assessments and Risk management policies and processes.
- Respond to any concerns or complaints of child harm or abuse promptly and in line with the Complaint management policy and Manage complaint process.
- Report all suspected or disclosed child harm or abuse as required by relevant state and federal legislation and the Report incident process.
- Comply with protocols on communicating with children.
- Comply with relevant state and federal legislation and policies and procedures on record keeping and information sharing.

All workers and volunteers in the organisation will not:

- Engage in any unlawful activity with or in relation to a child.
- Engage in any activity that is likely to physically, sexually or emotionally harm a child.
- Unlawfully discriminate against any child or their family members.
- Be alone with a child unnecessarily.
- Arrange personal contact, including online contact, with child participants for a purpose unrelated to work activities.
- Disclose personal or sensitive information about a child, including images of a child, unless the child and their parent or legal guardian consent or as a result of reporting requirements.
- Use inappropriate language in the presence of children, or show or provide children with access to inappropriate images or material.
- Work with children while under the influence of alcohol or prohibited drugs.
- Ignore or disregard any suspected or disclosed child harm or abuse.

## Communication and review of children and young people protection policy and systems

All new workers, including volunteers and contractors, will be trained on the requirements of this policy.

This policy will be made available to all participants and their families, along with any other additional information required.

## Staff training

All staff will be made aware of their responsibilities to children and young people as part of their induction and ongoing training and development and will be required to acknowledge this policy alongside their record keeping, information sharing and reporting responsibilities.

Staff supervision and management will support employees to maintain a focus on child safety and wellbeing and to draw attention to breaches of the Code of Conduct within the organisation. We will provide a safe and supportive environment for workers to identify and disclose risk of harm to children and young people.

## Online and social media safety

Online spaces provide additional challenges to maintaining the safety of children and protecting them from harm.

Social media also poses a variety of risks to children. It is vital that staff, parents and carers understand these risks and the responsibility to ensure there are codes of conduct in place for the use of social media when interacting with children and young people.

Each child's risk management plan will include risks relating to social media. These risks include:

- exposure to inappropriate content
- overfamiliar relationships between children and people in positions of power (e.g. children interacting with teachers on social media)
- cyber bullying
- the sharing of inappropriate images
- physical health challenges, such as headaches
- mental health challenges, such as depression and social isolation
- data breaches and data misuse
- grooming.

Our risk management plans will include an overview of each risk, as well as mitigation and management strategies. In addition, our risk management plans and strategies will be developed in conjunction with staff, the child, other professionals and advocates, as well as the child's support network. This will help ensure that all relevant parties are empowered to provide early help if online incidents occur.

Staff, parents and carers are responsible for teaching children social media safety. Some key principles of social media safety include:

- only sharing information the child would be happy for their grandparents, parents and teachers to see
- understanding that people online can lie about their identities
- remembering that a post, once published online, cannot always be taken back; even if a post has been removed, it may have already been saved and shared
- ensuring that all social media accounts are set to 'private'
- understanding the importance of secure passwords
- blocking people that exhibit negative behaviours, such as cyberbullying
- considering that content can always be shared, even if it is sent in a private message.

In addition to the above, it is vital to have appropriate online privacy settings and child safety filters in place and discuss with the child the reasons these are in place.

All staff at our organisation will be trained to:

- support children to engage with online spaces in a safe manner
- be engaged, open and supportive in relation social media use
- understand the devices and platforms children are using
- set reasonable rules around social media use
- understand the needs and preferences of each child in relation to social media use
- understand and manage the risks associated with social media
- respond to the misuse of digital devices and to unacceptable online behaviours in line with disciplinary policies
- maintain clear processes for reporting online safety issues or breaches of acceptable use in line with incident reporting requirements
- manage complaints and incidents in a compliant manner.

Any inappropriate use of social media by staff will be reported to the relevant authorities in line with the Complaints management and Disciplinary policies.

## Breach of child safe policy

Breach of this policy, or the Child safe code of conduct, may result in disciplinary action and/or referral to the appropriate government authority.

In addition to this, all adults in Australia with a reasonable belief that an adult has committed a sexual offence against a child have an obligation to report that information to the police (failure to report). Key management will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so (failure to protect).