

Child Safe Policy

Version: 7

Published: 20 Sep 2022, 5:13 PM

Last edited: 20 Sep 2022, 5:12 PM

Approved: 20 Sep 2022, Rachel Freeman

Next review: 14 Mar 2025

Introduction

For the purposes of this policy and procedure Central Highlands and Western Qld Family Support Association Incorporated shall be referred to by its trading name Yumba Bimbi Support Services (YBSS).

YBSS is committed to child safety. The protection of children and young people is a cornerstone in safeguarding and improving the lives of children and young people with 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 disability. Everyone has a responsibility to protect the wellbeing and safety of children or young people whom they have contact with and report any case a child or young person is suspected to be at risk of significant harm.

All children regardless of gender, race, religious beliefs, age, disability, sexual orientation, family or social background have equal rights to protection from abuse. YBSS has zero tolerance of child abuse and neglect. Everyone working or volunteering at YBSS is responsible for the care and protection of children within our care and reporting information about child abuse. All allegations and safety concerns will be treated seriously and consistently with our policies and procedures.

YBSS is committed to identifying risks early and removing or reducing those risks. The organisation has robust human resources and recruitment practices and is committed to training and educating our staff on child abuse risks. We have specific policies and procedures in place that support our leadership team, staff and volunteers to achieve these commitments.

The aim of this policy is to ensure the protection and safety of children and young people from exploitation and abuse. This policy sets out general principles and guidelines as well as specific obligations and responsibilities.

Applicability

When

- applies to all YBSS sites, services and activities.

Who

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

Definitions

Term	Description



abuse	<p>Abuse is the violation of an individual’s human or civil rights, through the actions of another person or persons.</p> <p>Abuse can include any of the following actions or behaviours by a person who has either a formal or implied bond or trust for service provision to another person. This bond or trust includes management, staff, volunteers, YBSS Board members and anyone else who has a role in service provision to a participant of YBSS.</p>
assault	<p>An act is called assault if a person strikes, touches, moves or applies any kind of force or threatens to apply any kind of force to another person directly or indirectly without the other person’s consent.</p>
child	<p>Child means a person below the age of 18 years unless under the law applicable to the child, majority is attained earlier.</p>
child protection	<p>Means any responsibility, measure or activity undertaken to safeguard children from harm.</p>
contractor	<p>An external provider contracted to provide goods or services.</p>
emotional neglect	<p>Restricting the social, intellectual and emotional growth or well-being of a person.</p>
grooming	<p>This is a term used to describe what happens when a perpetrator of abuse builds a relationship with a child or young person with a view to abusing them at some stage. Grooming can take place in any setting where a relationship is formed including social media and SMS.</p>
harm	<p>As stated in the Child Protection Act 1999</p> <ul style="list-style-type: none"> • “Harm” to a child, is any detrimental effect of a significant nature on the child’s physical, psychological and emotional wellbeing • It is immaterial how the harm is caused • Harm can be cause by: <ul style="list-style-type: none"> ◦ physical, psychological or emotional abuse or neglect, or ◦ sexual abuse or exploitation.

neglect	Neglect is a failure to provide the necessary care, aid or guidance to dependent adults or children by those responsible for their care. Types of neglect include but are not limited to any of the following actions or behaviours.
passive neglect	Withholding or failure to provide the necessities of life.
participant	For the purposes of this Policy, the participant is defined as the primary participant i.e. the person with the disability.
physical neglect	Failure to provide adequate food, shelter, clothing, protection, supervision and medical or dental care that places people at undue risk through unsafe environments or practices.
psychological/emotional abuse	The infliction of psychological or emotional suffering or fear, including actions that lead to fear of violence, to isolation or deprivation, feelings of shame, loss of dignity, humiliation, intimidation or powerlessness.
sexual abuse	The infliction of sexual assault, sexual harassment including all forms of illegal sexual activity such as molestation, rape and carnal knowledge
willful deprivation	Willfully denying a person assistance and thereby exposing that person to the risk of physical, mental or emotional harm.

Documents relevant to this policy

	Anti-Discrimination Act 1991 (Qld)	
	Australian Human Rights Commission Act 1986 (Cth)	
	Child Employment Act 2006 (Qld)	
	Child Protection Act 1999 (Qld)	
	Commission for Children and Young People and Child Guardian Act 2000 (Qld)	
	Disability Discrimination Act 1992 (Cth)	
	Disability Services Act 2006 (Qld)	
	NDIS (Code of Conduct) Rules 2018	
	NDIS (Incident Management and Reportable Incidents) Rules 2018	
	NDIS (Practice Standards - Worker Screening) Rules 2018 (Cth)	
	NDIS (Quality Indicators) Guidelines 2018	
	Participant Rights and Responsibilities Procedure	
	Privacy Act 1988 (Cth)	

Processes relevant to this policy

	Manage worker performance
	Authorise regulated restrictive practice (QLD)

1.0 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:

- set out appropriate standards of behaviour and practices for people working and volunteering with children and young people (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.

2.0 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.

3.0 Reporting concerns about children and young people at risk

All suspicions that a child or young person is at risk must be reported to key management in a manner consistent with Manage incident Process.

Suspicions that a child is at risk must also be reported to the Department of Child Safety.

YBSS has an obligation to notify the NDIS Quality and Safeguards Commission in a manner consistent with NDIS (Incident Management and Reportable Incidents) Rules 2018

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.

In Qld the [Child Protection Act 1999 \(Qld\)](#) is the relevant legislation related to reporting children and young people at risk.

4.0 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.

5.0 Working with children and young people

The standards and requirements below identified 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.

6.0 Child Safe Code of Conduct

- maintain professional and courteous relationships with children and their families
- provide services in a way that does not exploit or abuse our position
- listen to the views of children or young people and respect what they say and involve them when we make decisions, especially about matters that will directly affect them
- respect children and young people's rights, background, culture and beliefs as set out in the UN Convention on the Rights of the Child
- comply with all relevant commonwealth, state or territory laws protecting children and young people
- follow mandatory reporting requirements for children or young people suspected to be at risk of significant harm
- report any concerning staff conduct towards children or young people, including any suspected risk of significant harm to a child, to the key management personnel
- safeguard children or young people at all times and not place them at risk of abuse, or condone behaviour which is unsafe
- use appropriate language for the age and understanding of the child or young person, and avoid confusing or age-inappropriate discussions with sexual, discriminatory or violent references
- avoid any actions or words intended to threaten, intimidate, shame, humiliate, belittle, embarrass or degrade children or young people
- not attend work affected by illegal drugs or alcohol, consume them whilst on duty or supply them to children or young people in our care
- not smoke whilst on duty.

7.0 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).

Our recruitment practices will take account of risks and other factors that impact on children and young people. 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.

7.0 Managing child abuse reports or allegations

YBSS staff and volunteers have an important role to play in protecting children who are at risk of harm due to abuse, exploitation or neglect. A report of child exploitation or abuse may include a disclosure, concern or allegation made by a child or another person and includes suspected breaches of the Code of Conduct - Working with Children and Young People. The actions staff or volunteers are required to take in reporting and record keeping in these instances are outlined in - Preventing and responding to alleged abuse, neglect and discrimination Staff and Volunteers must also be familiar with their obligations in accordance with YBSS' Code of Conduct and Ethics NDIS (Code of Conduct) Rules 2018

YBSS requires that all incidents of suspected or alleged abuse are reported to the relevant authorities. This reporting relates to abuse occurring in the context of YBSS' services but also in the child and young person's home or family environment or in other places or organisations outside the home.

- Staff and volunteers are to promptly report to management all alleged or suspected instances of abuse, assault or neglect.
- Management is responsible for ensuring reports are responded to promptly and action taken as described in the associated procedures. This includes notification of appropriate authorities and fulfilling mandatory reporting obligations.
- In situations of suspected or actual harm the individual's right to privacy and protection are to be recognised and upheld where practicable and within legislative limits.
- Any concerned person, including a child or young person, parent, relative, another participant, friend or person from the community is able to make a report or an allegation without fear of retaliation or retribution.
- If a person making a report or allegation is dissatisfied with the response from YBSS or do not feel they are able to refer the matter to YBSS directly, they may refer the matter to a range of other organisations. These include but are not limited to the police, The Department of Child Safety, the Qld Family and Child Commission or the National Disability Service Abuse and Neglect Hotline, or the NDIS Quality and Safeguards Commission
- When responding to a report, allegation or suspicion of harm, the safety of the child or young person subjected to abuse, assault or neglect will be paramount. This can include seeking medical assistance where appropriate and taking all reasonable steps to avoid contact between the child and the alleged offender.
- Confidential records shall be maintained of all reports of suspicions of harm and/or reports of evidence of abuse and/or anecdotal reports of possible indicators including outcomes of any investigation. The Service Manager shall ensure that this information is recorded accurately and reported to the CEO.
- YBSS will provide support or counselling to victims and those who are accused of abuse, assault and neglect within the limits of its resources, natural justice and at the discretion of management.
- If an employee suspects that abuse is occurring within the Participant's family or support unit, but not directly involving the organisation's participant/s or employees, the matter shall be referred to management. In consultation with the CEO the Service Manager/s will determine and initiate a strategy which meets YBSS' wider Duty of Care including reporting of the matter to appropriate external authorities.
- Following the actioning of any complaint or disclosure on suspicion of harm, YBSS will conduct a review of our Child Protection and Safety Policy and other related policies and procedures.

8.0 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.

All participants under the age of 18 and their families will be provided with information about this policy.

9.0 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.

Review and history

The review Plan annually is set as required by the *Working with Children (Risk Management and Screening) Act 2000* and *Working with Children (Risk Management and Screening) Regulation 2008*.