

Child Safe Environments Policy

Document Number	303
Policy Group	Governance and Risk
Summary	Emerging Minds is committed to the safety and well-being of all children and young people accessing our services and resources. The welfare of children will always be of a high priority. This policy will support all persons working within Emerging Minds to effectively respond and consistently apply legislative requirements to ensure the fundamental rights of children are respected and safeguarded.
Applies to:	All Emerging Minds' employees, Board members, volunteers, students & contractors
Exceptions	No exceptions
Replaces	No prior policy
Lead Writer / Key Contact	Brad Morgan
Accountable Direct / Committee	Leadership Team
Compliance Review Date	Annually
Review Date	October 2023
Risk Rating	Moderate
Key Words	Child, children, young, youth, safe, safety, Act, legislation, prescribed, environment, conduct, mandatory, notification, protection, abuse, neglect, negligent
Status	Approved
Approved by	Philip Robinson
Approval Date	8 December 2020

Child Safe Environments Policy

1. Purpose

This policy will support all persons working within Emerging Minds to effectively respond and consistently apply legislative requirements. All persons working within Emerging Minds, including Board members, employees, volunteers, contractors and students, will ensure the fundamental rights of children are respected and safeguarded. This will be achieved through establishing and promoting an organisational wide commitment to maintaining a safe, child friendly environment where safeguarding children is embraced and embedded in appropriate principles, behaviours and practices.

2. Scope

This policy applies to all Emerging Minds' sites and all persons working within Emerging Minds, whether they are mandatory reporters or not, including, Board members, employees, volunteers, contractors and students.

3. Policy Statement

Emerging Minds is committed to the safety and well-being of all children and young people accessing our services and resources and the welfare of children will always be of a high priority. Emerging Minds' acknowledges that the National Principles for Child Safe Organisations 2019 define an environment that is safe for children and young people as being one where:

- Child safety and wellbeing is consciously considered and promoted.
- Engagement with children and young people is genuine and valued.
- Conditions within the environment reduce the likelihood of harm while increasing the likelihood that any risks of harm will be identified.
- Any concerns, allegations or disclosures made about the risk of harm are dealt with appropriately.

This policy complies with Emerging Minds' obligations under applicable State and Commonwealth Policy and Legislation which requires organisations to establish policies and procedures to ensure that:

- Child safe environments are maintained within the organisation; and
- Appropriate reports of abuse or neglect are made.

4. Principles

The following policy principles guide Emerging Minds' Board members, employees, volunteers, contractors and students in their commitment to child safety and strengthen the organisation's capacity to be child safe:

4.1 Safeguarding Culture

Safeguarding of children and young people in Emerging Minds is promoted through a range of strategies and initiatives aimed at developing an organisational culture, environment and activities that are safe for all children and young people.

4.2 Children's Empowerment and Participation

Emerging Minds' encourages and respects the views of children and young people who access our services. We involve children and young people in decision-making and listen and act upon any feedback or complaints that children, young people or their families/carers raise with us.

Emerging Minds' ensures that children, young people and their families/carers know their rights and how to access services, advice and the complaints processes available to them.

4.3 Confidentiality and Privacy of Children and Young People

Maintaining the privacy and confidentiality of children and young people who participate in our services is paramount in ensuring their safety and wellbeing. Any issues relating to suspected or alleged harm and/or abuse to children, young people, is highly sensitive and must be treated in such a way.

All records are stored in accordance with Emerging Minds' Privacy Policy. The release of images of, or other personal information of a child or young person to the public has the potential to adversely impact their safety and well-being as it could disclose their whereabouts to a potential perpetrator. As such, Emerging Minds will obtain permission from a child or young person where possible, and their parent/guardian before taking an image of the child or using personal information supplied.

When gaining consent, the child or young person and their parent/guardian are informed about the nature of the use of the image as well as how the image will be stored and how the image can be accessed by the parent/guardian.

All personal information and images are held and stored in accordance with Emerging Minds' Privacy Policy.

4.4 Recruitment Practices

Emerging Minds ensures that it engages the most suitable and appropriate people to work with children and young people through a comprehensive human resource selection and checking process to safeguard children and young people. The following screening measures are undertaken:

- Referee checks for all prospective employees.
- National Criminal History Record Check.
- Criminal history assessment for people working with children, as required under various State Children's Protection Legislation.

4.5 Support, Development & Supervision

Emerging Minds promotes a child safe environment through provision of employee development programs that ensure mandated notifiers are equipped and supported to enhance and maintain a child safe environment:

- All employees of Emerging Minds who work with children and young people are provided with supervision, support and training to ensure they can maintain a child safe environment and are able to identify and respond to suspicions of abuse or neglect.
- All employees who are mandated notifiers attend continuing training and updates on their mandatory reporting obligations.

- New employees who are mandated notifiers undergo Child Safe Environment Training and receive a copy of the Emerging Minds' Child Safe Environments Policy, Privacy Policy and Code of Conduct.
- All employees who are mandated notifiers receive appropriate and regular training sessions that include a focus on ongoing learning about child protection practices and requirements.
- Volunteers and Students who work with children and young people must provide evidence of completion of the required Child Safety training before commencing a placement in Emerging Minds and receive a copy of the Emerging Minds' Child Safe Environments Policy, Privacy Policy and Code of Conduct.

4.6 Identify, Report & Respond

Emerging Minds' ensures that all relevant employees and people are:

- able to identify, report and respond to children and young people at risk of harm; and
- understand their obligations to notify the appropriate State Child Abuse Report Line immediately if they have a suspicion on reasonable grounds that a child and young person has or is being abused or neglected.

Employees and people who are mandated notifiers as per the various State Children's Protection Legislation have access to the relevant information resources for each State or Territory, contact information which is outlined below.

Emerging Minds recognises that support may be required for the child or young person when a notification is made and will identify appropriate services for the child, young person and/or their family.

Failure by mandated employees and people to report a reasonable suspicion that a child has or is being abused or neglected is in breach of the Child Safe Environments Policy and may result in disciplinary action being initiated against the employee/person. Failure by mandated notifiers to report is also an offence under the various State Children's Protection Legislation and can carry penalties and fines.

SOUTH AUSTRALIA

<https://www.sa.gov.au/topics/education-and-learning/health-wellbeing-and-special-needs/report-child-abuse/report-child-abuse>

For more information about mandatory reporting, refer to:

<https://www.childprotection.sa.gov.au/reporting-child-abuse/report-child-abuse-or-neglect>

Child Abuse Report Line (CARL) 131 478.

VICTORIA

<https://services.dhhs.vic.gov.au/reporting-child-abuse>

After Hours Child Protection Emergency Service - Ph: 13 12 78

For a list of regional and metropolitan phone numbers:

<https://services.dhhs.vic.gov.au/child-protection-contacts>

NEW SOUTH WALES

<https://www.facs.nsw.gov.au/families/Protecting-kids/reporting-child-at-risk>

For information about mandatory reporting, refer to:

<https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters>

Child Protection Helpline - Ph: 13 21 11 (24 hours) (TTY/voice calls: 133 677; Speak & Listen: 1300 555 727; SMS: 0423 677 767)

QUEENSLAND

<https://www.csyw.qld.gov.au/child-family/protecting-children>

For more information about mandatory reporting, refer to:

<https://www.csyw.qld.gov.au/child-family/protecting-children/about-child-protection/mandatory-reporting>

Child Safety After Hours Service Centre - Ph: 1800 177 135 or (07) 3235 9999.

For a list of contact numbers during business hours, refer to:

<https://www.csyw.qld.gov.au/contact-us/department-contacts/child-family-contacts/child-safety-service-centres/regional-intake-services>

WESTERN AUSTRALIA

<http://mandatoryreporting.dcp.wa.gov.au/Pages/Home.aspx>

Central Intake Team - Ph: 1800 273 889

After Hours - Ph: (08) 9223 1111 or Country Free Call: 1800 199 008

NORTHERN TERRITORY

In the Northern Territory, every person is required to report suspected child abuse and neglect.

For further information refer to: <https://nt.gov.au/law/crime/report-child-abuse>

Child Abuse Hotline - Ph: 1800 700 250 (24 hours)

ACT

<https://form.act.gov.au/smartforms/csd/child-concern-report/>

For further information on mandatory reporting, refer to:

<https://www.communityservices.act.gov.au/ocyfs>

General Public - Ph: 1300 556 729 (24 hours)

Mandated Reporters - Ph: 1300 556 728 (24 hours)

TASMANIA

https://www.communities.tas.gov.au/children/child_protection_services

For further information on mandatory reporting, refer to:

https://www.communities.tas.gov.au/children/child_protection_services/what_can_i_expect_when

Child Safety Service - 1800 000 123 (24 hours)

4.7 Professional Protection and Support for Reporters

Protection under various State Children's Protection Acts provides that reporters of abuse or neglect will not be held legally liable for the report or any investigation of the report if a report is made in good faith and does not constitute unprofessional conduct or a breach of professional ethics.

Mandated notifiers are also protected from threats, intimidation, damage, loss or disadvantage because they have reported or propose to report suspected abuse or neglect of a child or young person.

Emerging Minds' ensures that support is also available for employees making notifications. The following service is available to Emerging Minds' employees:

Employee Assistance Program - Converge International

www.convergeinternational.com.au

If you need immediate support, or would like to make an appointment, please call
1300 687 327

4.8 Strategies to Minimise Risk

Emerging Minds will identify and assess all potential and actual sources of harm and take steps to minimise the risk to children and young people who use our services. Strategies to minimise risks to children and young people occur as part of Emerging Minds ongoing risk management process.

Emerging Minds have implemented the following policies and procedures to assist in managing risk and safeguarding children and young people:

- Child Safe Environments Policy
- Privacy Policy
- Employment Screening Policy

4.9 Communication

Emerging Minds' communicates their commitment to maintaining a Child Safe Environment by:

- Ensuring that The Child Safe Environment Policy and Privacy Policy are publicly available on the Emerging Minds' website and that all clients and carers/families are informed of these policies and how to access them.
- Ensuring that Emerging Minds' employees are required to sign that they have read, understood, and will abide by the Emerging Minds' Child Safe Environments Policy and Code of Conduct. These documents will be filed in the employee's personal file.

5. Roles and Responsibilities

The Program Director is responsible for ensuring that appropriate policies, procedures and effective internal control systems are in place, and:

- Ensuring that all employees, volunteers, contractors and students are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct.
- Ensuring that all adults within the Emerging Minds community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures.
- Ensuring that all employees, volunteers, contractors and students are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety).

- Providing support for employees, volunteers, contractors and students in undertaking their child protection responsibilities.

All Managers must ensure that they:

- Promote child safety at all times.
- Assess the risk of child abuse within their area of control and eradicate / minimise any risk to the extent possible.
- Educate employees about the prevention and detection of child abuse.
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

Management should be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct.

All employees, volunteers, contractors and students share in the responsibility for the prevention and detection of child abuse, and must:

- Familiarise themselves with the relevant laws, the Code of Conduct, and Emerging Minds' policy and procedures in relation to child protection; and comply with all requirements.

Version	Date	Writer	Amendment/s	Status
V 1.0	July 2020	Brad Morgan		Draft
V1.1	October 2020	Leadership Amendments		Draft
V1.1	3 November 2020	2 week Consultation – ended 24/11/20	No Amendments	Consultation
V1.1	8 December 2020			Approved
V 1.1	December 2021	Review		Active
V 1.2	October 2022	Review		Active
V 1.3	October 2023	Review	Legislative amendments	Active

RISK ASSESSMENT

CATEGORY	Clinical	Financial	Workforce	Legislative	Organisation	Reputation
Consequence				4 - High	4 - High	4 - High
Likelihood				1 - Low	1 - Low	1 - Low
Risk Rating				Moderate	Moderate	Moderate
Description						

Overall Risk rating:	Moderate
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COMPLIANCE EVALUATION

Compliance Measures
Nil

REFERENCING	
National Standard/s	National Principles for Child Safe Organisations National Framework for Protecting Australia's Children 2009–2020 United Nations Convention on the Rights of the Child
Definitions and Acronyms:	<p>Child abuse and neglect - Abuse or neglect is defined as:</p> <ul style="list-style-type: none"> • sexual abuse of the child; or • physical or emotional abuse of the child, or neglect of the child, to the extent that: <ul style="list-style-type: none"> • the child has suffered, or is likely to suffer, physical or psychological injury detrimental to the child's wellbeing; or • the child's physical or psychological development is in jeopardy. <p>Child or young person – Person under the age of 18</p> <p>Child Safe Environment – State and Commonwealth Legislation requires organisations to provide a child safe environment. A child safe environment which</p>

REFERENCING

	<p>is both child-safe and child-friendly, where children are valued and feel respected and encouraged to reach their full potential.</p> <p>be actively involved with service delivery to children or young people but have access to their records.</p> <p>Criminal History Assessment & Working with Children Employment Screening – Is a decision about whether a person is suitable to work with children based on the person’s criminal history (if any) and the risk assessment of harm to children who receive a service from the organisation. <i>(Refer to Employment Screening Procedure for additional information)</i></p> <p>Employee - a person employed for remuneration under a contract of employment (Definition under the Fair Work Act 1994)</p> <p>National Criminal History Record Check – also known as National Police Certificate or National Police Check provides a national summary of an individual’s offender history. <i>(Refer to Employment Screening Procedure)</i></p> <p>Mandatory Notifiers – People who are obliged by law to notify relevant State if they suspect on reasonable grounds that a child is or has been abused or neglected:</p> <ul style="list-style-type: none"> • This applies whether or not their job involves direct work with children, provided only that the suspicion is formed during the course of the person’s work or official duties, (not necessarily being work involving providing services to children). • All Emerging Minds’ employees and people who are engaged in providing services to children, including the Managers of such workers and other workers who may not necessarily <p>Volunteer – a person who volunteers for a service or activity which is of benefit to the organisation where there is no financial gain for the individual.</p>
<p>Legislation:</p>	<p>Child Protection</p> <p>Children and Young People Act 2008 (ACT)</p> <p>Children and Young Persons (Care and Protection) Act 1998 (NSW)</p> <p>Care and Protection of Children Act 2007 (NT)</p> <p>Child Protection Act 1999 (Qld)</p> <p>Children’s Protection Act 1993 (SA)</p> <p>Children, Young Persons and their Families Act 1997 (Tas)</p> <p>Children, Youth and Families Act 2005 (Vic)</p> <p>Children and Community Services Act 2004 (WA)</p> <p>Working with Children</p> <p>ACT</p> <p>Working with Vulnerable People (Background Checking) Act 2011 (ACT)</p> <p>NSW</p> <p>Child Protection (Working with Children) Act 2012 (NSW)</p> <p>NT</p> <p>Provisions under the Care and Protection of Children Act 2007 (NT)</p> <p>QLD</p>

REFERENCING

	<p>Working with Children (Risk Management and Screening) Act 2000 (Qld)</p> <p>SA</p> <p>Children's Protection Act 1993 (SA)</p> <p>TAS</p> <p>Registration to Work with Vulnerable People Act 2013 (Tas)</p> <p>VIC</p> <p>Working with Children Act 2005 (Vic)</p> <p>WA</p> <p>Working with Children (Criminal Record Checking) Act 2004 (WA)</p> <p>Child Employment</p> <p>ACT</p> <p>Children and Young People (Employment) Standards 2011 (No. 1)</p> <p>Children and Young People Act 2008 (ACT)</p> <p>NSW</p> <p>Provisions under the Children and Young Persons (Care and Protection) Act 1998 (NSW) in Chapter 13</p> <p>Industrial Relations (Child Employment) Act 2006 (NSW)</p> <p>NT</p> <p>Care and Protection of Children Act 2007 (NT) includes two parts pertaining to child employment in Part 3.1 Screening for child-related employment and Part 3.2 Employment of children.</p> <p>QLD</p> <p>Child Employment Act 2006 (Qld)</p> <p>Child Employment Regulation 2016 (Qld)</p> <p>SA</p> <p>Education Act 1972 (SA) governs the age at which a child attends compulsory schooling and stipulates that children cannot be employed during school hours.</p> <p>TAS</p> <p>Children, Young Persons and their Families Act 1997 (Tas) includes provisions for child labour in s. 93 public entertainment by children and s. 94 trading by children in public places.</p> <p>VIC</p> <p>Child Employment Act 2003 (Vic)</p> <p>WA</p> <p>Children and Community Services Act 2004 (WA)</p>
References:	Nil
Related Documents:	<p>Emerging Minds' Code of Conduct</p> <p>Emerging Minds' Privacy Policy</p> <p>Emerging Minds' Child and Family Partnership Policies and Procedures</p>

REFERENCING	
	Emerging Minds' Employment Screening Policy
Consumer Health Information	Nil