

**Child Safe Environments Organisational Policy  
QLT-STD-0028 Version 9.1**

<b>APPROVAL</b>	
<b>Executive General Manager, People and Culture</b>	<b>Approval Date:</b> 5/05/2020
<b>Responsible Officer:</b>	Head of Business Assurance and Risk
<b>Delegated Officer</b>	Quality and Risk Business Partner
<b>Next review due:</b>	5/05/2023
<b>Parent Document:</b>	Quality Lead Policy

## **1 POLICY STATEMENT**

AnglicareSA is committed to the safety and wellbeing of all children and young people accessing our services and sites. AnglicareSA recognises the importance of establishing and maintaining a safe, child friendly environment where all children and young people are valued and feel safe.

In order to strengthen this commitment AnglicareSA is working towards embedding the *National Principles for Child Safe Organisations* across the organisation.

This policy complies with AnglicareSA's obligations under the South Australian *Children and Young People (Safety) Act 2017*, including Sections 114 and 115 of the Act, which requires organisations to establish and periodically review policies and procedures to ensure that:

- Child safe environments are maintained within the organisation ; and
- Appropriate reports of risk of harm are made under Section 30 of the Act.

## **2 AIM**

All persons working within AnglicareSA, including Board members and Workers, 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 safe, child friendly environments where safeguarding children is embraced and embedded in appropriate principles, behaviours and practices.

This policy will support all persons working within AnglicareSA to effectively respond and consistently apply legislative and funder requirements in relation to the safety of children and young people.

## **3 SCOPE**

This policy applies to all AnglicareSA sites and all persons working within AnglicareSA, including Board members and Workers.

## **4 POLICY PRINCIPLES**

The following policy principles guide AnglicareSA's Board members and Workers 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 AnglicareSA 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. Policies and standards support the provision of child safe environments including:

- *Code of Conduct Lead Policy*
- *Safeguarding Children and Young People Organisational Standard*
- *Person Centred Care Organisational Policy*
- *Candidate Checks, Clearances and Renewals Organisational Standard*
- *Equity, Diversity and Inclusion Lead Policy*
- *Professional Boundaries Policy*
- *Customer Feedback Policy and Organisational Standard*
- *Recruitment Policy*
- *Mandatory Reporting Children and Young People Safety Organisational Standard.*

Specific expectations in relation to acceptable behaviour when working with children and young people is set out in the *Safeguarding Children and Young People Organisational Standard*.

## 4.2 Engaging Children and Young People

AnglicareSA encourages and respects the views of children and young people who access our services. We involve children and young people in making decisions that affect them. We listen to and act upon any disclosures, feedback or complaints that children, young people or their families/carers raise with us.

AnglicareSA 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.

Where there is contact with children and young people in State Care, the *Charter of Rights for Children and Young People in Care* will be observed and upheld.

## 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 to children and young people is highly sensitive and must be treated in such a way. All records are stored in accordance with AnglicareSA's *Privacy Policy*.

The release of images 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, AnglicareSA will obtain consent from a child or young person, and their parent/guardian before taking an image of the child.

When gaining consent, the child or young person and their parent/guardian are informed about the nature of the use of the image, how the image will be stored and their rights to withdraw consent for its use. The parent/guardian can access the image.

All images are held and stored in accordance with the *Privacy Policy*.

## 4.4 Recruitment practices

AnglicareSA ensures that it engages the most suitable and appropriate people to work with children and young people through vigorous human resource selection and checking processes to safeguard children and young people. The following screening measures are undertaken:

- Referee checks on all Workers.

- National Criminal History Record Check.
- Working with children check (also known as *Child Related Employment Screening*) for people working with children and young people, as required in the South Australian *Children and Young People (Safety) Regulations 2016*.
- Psychological/Psychometric testing (where required for the role).

 These measures are outlined in the *Recruitment Policy* and *Candidate Checks Clearances and Renewals Organisational Standard*.

#### **4.5 Support, develop, supervise and enhance performance of AnglicareSA Workers**

AnglicareSA promotes a child safe environment through provision of Worker development programs that ensure mandated notifiers are equipped and supported to enhance and maintain child safe environments. Via education and ongoing professional development, the workforce will have the required skills, knowledge and attitudes to meet the mandated requirements of their position insofar as it relates to their interaction with children. The organisation will create opportunities to ensure that staff embed the principles and practice of child safety and protection into their work. Workers will ensure that the safety and wellbeing of children and young people is promoted.

People in AnglicareSA who work with children and young people are provided with supervision, support and training to ensure they can maintain child safe environments and are able to identify and respond to harm or risk of harm.

Workers attend continuing training and updates as outlined below:

-  New Workers who are mandated notifiers undergo Child Safe Environment training and are provided access to the AnglicareSA *Child Safe Environments Policy and Safeguarding Children and Young People Standard*. There are on-line learning modules on these as part of essential training.
- All Workers who are mandated notifiers receive appropriate and regular training sessions that include a focus on ongoing learning about child protection practices and requirements.
-  Workers who do not have direct contact with children are orientated to the AnglicareSA *Child Safe Environments Policy and Safeguarding Children and Young People Standard*.

Volunteers and Students who are working with children are required to show evidence of completion of the full Child Safe Environments Introductory Course prior to commencing a placement in AnglicareSA.

#### **4.6 Mandatory Reporting**

AnglicareSA ensures that all Workers:

- Who are mandated notifiers as per the South Australian *Children and Young People (Safety) Act 2017* understand their obligations to notify the Department for Child Protection's Child Abuse Report Line (CARL) on 13 14 78 as soon as practicable if they have a suspicion on reasonable grounds that a child and young person has, or is being harmed or is at risk of harm in accordance with the *Mandatory Reporting Children and Young People Safety Organisational Standard*.
- Are able to identify, report, and respond to children and young people at risk of harm.

AnglicareSA recognises that the duty of care is not exhausted by making a notification and support might be required to enhance the child or young person's wellbeing when a notification is made and will identify appropriate services for the child, young person and/or their family.

Failure by mandated professionals and Workers to report a reasonable suspicion that a child has or is being harmed or is at risk of harm is in breach of the *Child Safe Environments Policy* and may result in disciplinary action being initiated against the Worker. Failure by mandated

 notifiers to report is also an offence under the South Australian *Children and Young People (Safety) Act 2017* and carries a **maximum penalty of a \$10,000 fine**.

## 4.7 Professional protection and support for reporters

### 4.7.1 Protection Under the South Australian *Children and Young People (Safety) Act 2017*

Reporters of harm or risk of harm to children 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 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 harm or risk of harm to a child or young person.

Disclosure of the name or any identifying information in relation to a person who has made a report to the Child Abuse Report Line will not be made unless:

- The reporter chooses to inform the child, young person or family.
- The reporter consents, in writing that their identity can be disclosed.
- The case proceeds to court. In these circumstances the source of the information may be provided in evidence to the court.
- The identity of the reporter may be provided to a service if there is significant concern for the wellbeing of the child; however the other service will not disclose the reporter’s identity to others.

### 4.7.2 Protection of reporters by AnglicareSA

 AnglicareSA’s *Whistleblower Policy* provides a mechanism whereby Workers and others can report their concerns freely and without fear of reprisal or intimidation.

AnglicareSA opposes all forms of harassment and bullying. Anyone who believes that they or another person has been harassed or bullied can raise the issue with their Manager or as outlined in the *Management of Poor Performance and Misconduct Standard* or *Fair Treatment Policy*.

AnglicareSA ensures that support is also available for Workers making notifications. The following services are available to AnglicareSA Workers:

- Employee Assistance Program (EAP).
- Chaplaincy.

## 4.8 Strategies to minimise risk

AnglicareSA will identify, assess and monitor all potential and actual sources of harm and take steps to minimise the risk to children and young people who use our services. Risk assessment tools are used where appropriate to determine if a child or young person is at risk. Strategies to minimise risks to children and young people occur as part of AnglicareSA’s ongoing risk management process.

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

-  • *Risk Management Policy and Organisational Standard*
- *Mandatory Reporting Children and Young People Safety Organisational Standard*
- *Information Sharing Guidelines*
- *Service Provision Organisational Standard*
- *Positive Behaviour Support Organisational Standard*.

## 4.9 Communication

AnglicareSA ensures that this policy is publicly available on the AnglicareSA website and that all clients and carers/families are informed of the policy and how to access it.

 AnglicareSA Workers are required to sign that they have read, understood and will abide by the AnglicareSA *Child Safe Environments Policy* and *Safeguarding Children and Young People Organisational Standard*. This is managed and documented through the on-line learning portal My Learning Hub.

## 4.10 Respect diversity

Lifestyles, family structures and customs vary across different cultural groups. Working with the strengths and support systems available within families, ethnic groups and communities is essential to ensuring cultural factors do not disadvantage children and young people or place them at harm or risk of harm.

To respond appropriately to the needs of people from diverse backgrounds, Workers will seek advice and guidance whenever they are involved with families whose culture is unfamiliar to them.

AnglicareSA Workers can seek assistance from the following:

### 4.10.1 Internal:

- [Aboriginal Resources site](#) on the Matrix
- Director, Aboriginal Services
- Manager, Cultural Services

### 4.10.2 External:

#### **Aboriginal Health Council of South Australia Inc.**

Address: 9 King William Road, Unley SA 5061  
Telephone: (08) 8273 7200  
Email: [ahcsa@ahcsa.org.au](mailto:ahcsa@ahcsa.org.au)

#### **Interpreting and Translating Centre**

Address: Level 4, 44 Pirie Street, Adelaide  
Telephone: 1800 280 203 (Toll Free)  
Email: [itc@sa.gov.au](mailto:itc@sa.gov.au)

#### **Migrant Resource Centre of South Australia**

Address: 59 King William Street, Adelaide  
Telephone: (08) 8217 9500  
Email: [admin@mrcsa.com.au](mailto:admin@mrcsa.com.au)

#### **Multicultural SA**

Address: Level 8, Riverside Centre, North Terrace, Adelaide  
Telephone: (08) 8207 0751  
Email: [dcsmulticultural@sa.gov.au](mailto:dcsmulticultural@sa.gov.au)

## 5 RESPONSIBILITIES

### 5.1 Chief Executive Officer

- Provide leadership that models and reinforces attitudes and behaviours that value children and young people.
- Ensure the organisation makes a public commitment to child safety, child wellbeing and cultural safety.
- Ensure the policy is implemented, monitored, reported and evaluated
- Ensure mandatory reporting requirements, procedures and associated legal responsibilities are adhered to.
- Support activities that embed the National Principles for Child Safe Organisations.

## 5.2 Executive General Managers

- Model leadership that reinforces attitudes and behaviour that values children and young people.
- Understand mandatory reporting requirements, procedures and associated legal responsibilities.
- Ensure Workers are aware of their obligations as mandated notifiers and have appropriate skills and knowledge to identify children or young people at risk.
- Ensure all Workers receive regular training sessions that include a focus on ongoing learning regarding child protection.
- Ensure safe recruitment and selection practices are adopted.
- Ensure all criminal history reports obtained for Workers who work with children are dealt with in a manner that reflects associated legal responsibilities.
- Support activities that embed the National Principles for Child Safe Organisations.

## 5.3 Senior Managers / Managers

- Model leadership that reinforces attitudes and behaviour that values children and young people.
- Ensure Workers have appropriate training and supervision to understand and fulfil their obligations as mandated notifiers and provide a child safe environment for children and young people.
- Ensure staff apply risk assessment processes as required and feel supported to make mandatory notifications.
- Support activities that embed the National Principles for Child Safe Organisations.

## 5.4 Mandated Notifiers

- Mandated Notifiers have obligations under the South Australian *Children and Young People (Safety) Act 2017* to:
- Notify the Child Abuse Report Line (CARL) if they suspect, on reasonable grounds, that a child has been harmed or at risk of harm.
- Ensure they are aware of the obligations and the consequences of the obligations and the consequences of failure to comply.
- Ensure they are able to identify report and respond to children and young people at risk of harm.
- Support activities that embed the National Principles for Child Safe Organisations.

## 5.5 Workers

- All AnglicareSA Workers will apply the principles of this policy.
- Support activities that embed the National Principles for Child Safe Organisations.

## 6 ICONS

Icon	Description
	A tool to help implement this document. Tools include flowcharts, forms, diagrams and templates.
	Important information.
	A reference that provides further information or assistance.

## 7 LEGISLATIVE REFERENCES / STANDARDS

Title / Description
Children and Young People (Safety) Act 2017 (South Australia)
Child Safety (Prohibited Persons) Act 2016 (South Australia)
Privacy Act 1988 (Commonwealth)
Whistle-blowers Protection Act 1993 (South Australia)
Charter of Rights for Children and Young People
Child safe environments – Principles of good practice (Issued by the Chief Executive of the Department for Education, Updated 2018)

## 8 RELATED DOCUMENTS

Document Title
Mandatory Reporting Children and Young People Safety Organisational Standard
Code of Conduct Policy
Candidate Checks Clearances and Renewals Organisational Standard
Privacy Policy
Information Sharing Organisational Standard
Positive Behaviour Support Organisational Standard
Risk Management Policy
Risk Assessment and Management Standard
Incident Near Miss and Hazard Reporting and Investigation Procedure
Safeguarding Children and Young People Standard

## 9 DEFINITIONS / ABBREVIATIONS

Term / Abbreviation	Definition / Description
Harm	The <i>Children and Young People (Safety) Act 2017</i> defines harm: Section 17 (1) states that harm will be taken to be a reference to physical harm or psychological harm (whether caused by an act or omission) and, without limiting the generality of this subsection, includes such harm caused by sexual , physical, mental or emotional abuse or neglect.
Child or young person	Person under the age of 18.
Child Safe Environment	The <i>Children and Young People (Safety) Act 2017</i> , Section 114, requires prescribed organisations to provide a child safe environment. A child safe environment that is both child-safe and child-friendly, where children are valued and feel respected and encouraged to reach their full potential.
Criminal History Assessment	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. (Refer to Criminal History Assessment Procedure for additional information).
Child Related Employment Screening	Criminal history assessment for people working with children, as required under Section 17 of the <i>Child Safety (Prohibited Persons) Act 2016</i> .
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. This report can be obtained from: <ul style="list-style-type: none"> <li>• South Australian Police (SAPOL) reports are referred to as National Police Certificates (NPC); or</li> <li>Australian Criminal Intelligence Commission - reports are referred to as a National Criminal History Record Check (NCHRC).</li> </ul>
Mandatory notifiers	People who are obliged by law to notify the Department for Child Protection SA via the Child Abuse Report Line (CARL) if they suspect on reasonable grounds that a child is or has been harmed or is at risk of harm. Section 31 (1) of the <i>Children and Young People (Safety) Act 2017</i> establishes mandated notifiers. The following are relevant to AnglicareSA: All AnglicareSA Workers who are: <ul style="list-style-type: none"> <li>• Prescribed health practitioners including registered or enrolled nurses, psychologists</li> <li>• Social Workers</li> <li>• Minister of religion</li> <li>• Teachers</li> <li>• Employees of, or volunteers in, an organisation that provides health, welfare, education, sporting or recreation, child care or residential services wholly or partly for children and young people, being a person who —                             <ol style="list-style-type: none"> <li>(i) Provides such services directly to children and young people; or</li> <li>(ii) Holds a management position in the organisation the duties of which include direct responsibility for or direct supervision of, the provision of those services to children and young people.</li> </ol> </li> </ul> This applies when the suspicion is formed during the course of the person’s work or official duties.
Non–mandated notifiers	All other Workers who are not mandatory notifiers.
Volunteer	A person who volunteers for a service or activity which is of benefit to the community where there is no financial gain for the individual. For the purpose of this policy and associated procedures foster carers are volunteers.

Term / Abbreviation	Definition / Description
Worker	As defined in the <i>WHS Act (SA) 2012</i> a worker includes workers, volunteers, contractors, subcontractors, workers of contractors or subcontractors, labour hire, outworkers, apprentices, trainees, work experience students.

## 10 DOCUMENT CONTROL INFORMATION

### 10.1 Summary of Changes

Below is a brief summary of the changes made to the document since the previous issued version.

Version #	Description	Date
1	New.	October 2005
2	Reviewed.	December 2007
3	Interim Review Child abuse report line for incidents involving Aboriginal children added	November 2009
4	Reviewed <ul style="list-style-type: none"> <li>Title changed to reflect broader child safe and child friendly philosophy</li> <li>In line with amendments to South Australian <i>Children's Protection Act 1993</i>, 2006 and requirements under Dept. for Education</li> </ul> Child Development' Child Safe Environments and Information Sharing Guidelines for promoting the safety and wellbeing of children, young people, and their families.	September 2013
5	Reviewed Reviewed and updated to ensure compliance with <i>Children's Protection Act 1993</i> and Child Safe Guidelines.	March 2015
6	Reviewed and updated for implementation of the Child Safe Procedure and Commitment to Safeguarding Children and Young People Guideline.	December 2015
7	Reviewed and updated.	January 2016
8	Reviewed to reflect requirements of the office of the Guardian for Children and Young People and to include reference to the Charter of Rights for Children and Young People in Care.	August 2016
9	Updated to new Organisational Policy template. Consulted across the organisation. Reviewed and updated to ensure compliance with: <ul style="list-style-type: none"> <li>Children and Young People (Safety) Act 2017,</li> <li>Children and Young People (Safety) Regulations 2017</li> <li>Child Safety (Prohibited Persons) Act 2016</li> <li>National Principles for Child Safe Organisations</li> </ul>	May 2019
9.1	Minor updates to references and language. No change to the intent of the content. Updated to most recent template with new ASA logo.	May 2021

### 10.2 Control

Controlled organisational documents including templates are published into the Matrix.

All native copies of published controlled documents are managed through [policy@anglicaresa.com.au](mailto:policy@anglicaresa.com.au).