

AnglicareSA POLICY:

Child Safe Environment

ORGANISATIONAL

AnglicareSA POLICY STATEMENT

AnglicareSA is committed to the safety and well-being of all children and young people accessing our services and the welfare of the children in our care will always be a priority. AnglicareSA recognises the importance of establishing and maintaining a safe, child friendly environment where all children and young people are valued and feel safe.

This policy complies with AnglicareSA's obligations under the *Children's Protection Act 1993(the Act)*, including Section 8C(1) of the Act, 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 under Part 4 of the Act

Current version approved	Executive (date)	10 July 2015
	Chief Executive Officer	Signature: Signed on Original Date:7/7/2015

Responsible Officer	General Manager, Governance, Quality and Risk
Next review due	10 July 2020

1 AIM

All persons working within AnglicareSA, 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.

This policy will support all persons working within AnglicareSA to effectively respond and consistently apply legislative and funder requirements.

2 SCOPE

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

3 DEFINITIONS

Child abuse and neglect – The *Children's Protection Act 1993* defines the type of abuse or neglect:

Section 6 (1) states that abuse or neglect in relation to a child means:

- a) sexual abuse of the child; or
- b) physical or emotional abuse of the child, or neglect of the child, to the extent that
 - (i) the child has suffered, or is likely to suffer, physical or psychological injury detrimental to the child's wellbeing; or
 - (ii) the child's physical or psychological development is in jeopardy.

Child or young person – person under the age of 18

Child Safe Environment – The *Children's Protection Act 1993* requires organisations to provide a child safe environment. A child safe environment which is both child-safe and child-friendly, where children are valued and feel respected and encouraged to reach their full potential.

Criminal History Assessment – 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. (Refer to Criminal History Assessment Procedure for additional information)

Department of Communities and Social Inclusion (DCSI) Child Related Employment Screening - Criminal history assessment for people working with children, as required under Section 8B of the *Children's Protection Act 1993*

Employee - a person employed for remuneration under a contract of employment (Definition under the *Fair Work Act 1994*)

Guidelines: The Child Safe Environment Guidelines issued pursuant to the Children's Protection Act 1993.

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. (Refer to Criminal History Assessment Procedure for additional information).

This report can be obtained from:

- *South Australian Police* - reports are referred to as National Police Certificates (NPC); or
- *CrimTrac accredited agency* - reports are referred to as a National Criminal History Record Check (NCHRC).

Mandatory notifiers – People who are obliged by law to notify Families SA via the Child Abuse Report Line if they suspect on reasonable grounds that a child is or has been abused or neglected. Section 11 (2) of the *Children’s Protection Act 1993* establishes mandated notifiers.

The following are relevant to AnglicareSA:

1. All AnglicareSA workers who are:
 - Registered and enrolled nurses
 - Social workers
 - Minister of religion
 - Teachers
 - Any “approved family day care provider”

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).

2. All AnglicareSA workers who are engaged in providing services to children, including the Managers of such workers and other workers who may not necessarily be actively involved with service delivery to children or young people but have access to their records.

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.

Worker - as defined in the WHS Act (SA) 2012 a worker includes employees, volunteers, contractors, subcontractors, employees of contractors or subcontractors, labour hire, outworkers, apprentices, trainees, work experience students

4 POLICY PRINCIPLES

The following policy principles guide AnglicareSA's 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 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.

AnglicareSA's Safeguarding Children, Young People and Adults at Risk Policy outlines these strategies and initiatives.

Expectations in relation to acceptable behaviour when working with children and young people is set out in the Working with Children Procedure.

4.2 Children's empowerment and participation

AnglicareSA 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.

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.

4.2 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 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 permission from a child or young person where possible, 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 as well as how the image will be stored and how the image can be accessed by the parent/guardian.

All images are held and stored in accordance with AnglicareSA's Privacy Policy.

4.3 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 employees
- National Criminal History Record Check

- Criminal history assessment for people working with children, as required under Section 8B of the *Children's Protection Act 1993* (also known as *DCSI Child Related Employment Screening*)
- Criminal history assessments have a validity period of a maximum of three years.

These measures are outlined in the *Employee Recruitment and Retention Policy* and *Criminal History Assessment Procedure*.

4.4 Support, develop, supervise and enhance performance of AnglicareSA workers

AnglicareSA 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.

People in AnglicareSA 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.

Workers attend continuing training and updates on their mandatory reporting obligations as outlined below:

- New workers who are mandated notifiers undergo Child Safe Environment training and receive a copy of the AnglicareSA Child Safe Environments Policy, Working with Children Procedure and Code of Conduct
- 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, Working with Children Procedure and Code of Conduct.

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

4.5 Identify, report and respond to suspected child abuse and neglect

AnglicareSA ensures that all workers:

- are able to identify, report and respond to children and young people at risk of harm; and
- understand their obligations to notify the Child Abuse Report Line (CARL) on 13 14 78 immediately if they have a suspicion on reasonable grounds that a child and young person has, or is being abused or neglected.

Workers who are mandated notifiers as per the Children's Protection Act (1993) have access to the following relevant information resources:

- Child safe environment: Guidelines for mandated notifiers and information for organisations [click here](#) to view.
- Families SA reporting child abuse website [click here](#) to view.

AnglicareSA 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 professionals and workers 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 worker. Failure by mandated notifiers to report is also an offence under the Children's Protection Act 1993 and carries a maximum penalty of a \$10,000 fine.

4.5 Professional protection and support for reporters

Protection Under the Children’s Protection Act 1993

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 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.

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.

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 Policy* 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) 1800 337 068
- Chaplaincy [click here](#) to view employee support services

4.6 Strategies to minimise risk

AnglicareSA 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. Risk assessment tools are used 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:

- Child Safe Environment Procedure
- Privacy Policy
- Information Sharing Guidelines
- Transporting Clients Procedure
- Criminal History Assessment Procedure
- Preventing, De-escalating and Managing High Risk Behaviours Policy (in development)

4.7 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. This document is filed in the employee file.

4.9 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 risk of harm, abuse or neglect.

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

AnglicareSA workers can seek assistance from the following:

Internal:

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

External:

Aboriginal Health Council of South Australia Inc.

9 King William Road, Unley SA 5061

Telephone: (08) 8273 7200

Email: ahcsa@ahcsa.org.au

Interpreting and Translating Centre

Level 4, 44 Pirie Street, Adelaide

Telephone: 1800 280 203 (Toll Free)

Email: itc@sa.gov.au

Migrant Resource Centre of South Australia

59 King William Street, Adelaide

Telephone (08) 8217 9500

Email: admin@mrdsa.com.au

Multicultural SA

Level 8, Riverside Centre, North Terrace, Adelaide

Telephone (08) 8207 0751

Email: dcsimulticultural@sa.gov.a

5 RESPONSIBILITIES

Chief Executive Officer

- The Chief Executive Officer is responsible for ensuring the policy is implemented, monitored, reported and evaluated
- Is responsible for ensuring mandatory reporting requirements, procedures and associated legal responsibilities are adhered to.

General Managers

- Understand mandatory reporting requirements, procedures and associated legal responsibilities
- Ensure staff and volunteers 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.

Managers

- Ensure staff and volunteers 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.

Mandated Notifiers

Mandated Notifiers have obligations under the *Children's Protection Act 1993* to:

- Notify Families SA if they suspect, on reasonable grounds, that a child has been or is being abused or neglected.
- 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 abuse or neglect.

Workers

- All AnglicareSA workers will apply the principles of this policy.

6 RELEVANT LEGISLATION AND ORGANISATIONAL DOCUMENTATION

6.3 Legislation

- Children's Protection Act 1993 (South Australian)
- Privacy Act 1988 (Commonwealth)
- Whistle-blowers Protection Act 1993 (South Australian)

6.4 Related Policies and Procedures

- Child Safe Environment Procedure
- Code of Conduct Policy

- Criminal History Assessment Procedure
- Privacy policy
- Information Sharing Guidelines
- Preventing, De-escalating and Managing High Risk Behaviours Policy (in development)
- Risk Management Policy
- Risk Assessment and Management Procedure
- Transporting Clients Procedure
- Working with Children Procedure

6.5 References (to other key documents, internal or external)

- Child safe environments – Reporting Child Abuse and Neglect (issued by the Chief Executive of the Department for Education and Child Development)
- Child safe environments – Principles of good practice (issued by the Chief Executive of the Department for Education and Child Development)

7 Policy Review

This Policy will be reviewed every three years, but may be actioned earlier by the Responsible Officer according to feedback received and or contextual changes.

8 POLICY HISTORY

HISTORY	
Date approved	Amendments made (<i>summary of major changes</i>)
October 2005	New
December 2007	Reviewed
November 2009	Interim Review <ul style="list-style-type: none"> • Child abuse report line for incidents involving Aboriginal children added
September 2013	Reviewed <ul style="list-style-type: none"> • Title changed to reflect broader child safe and child friendly philosophy • In line with amendments to South Australian Children’s Protection Act 1993, 2006 and requirements under Dept. for Education Child Development’ Child Safe Environments and <i>Information Sharing Guidelines for promoting the safety and wellbeing of children, young people, and their families.</i>
March 2015	Reviewed <ul style="list-style-type: none"> • Reviewed and updated to ensure compliance with Children’s Protection Act 1993 and Child Safe Guidelines.
December 2015	Reviewed and updated for implementation of the Child Safe Procedure and Commitment to Safeguarding Children and Young People Guideline.