



CHILD SAFE ENVIRONMENTS POLICY

Policy number	Operations 4	Version	3
Drafted by	Fiona Endacott	Approved by CEO on	August 2021
Responsible person	Fiona Endacott	Scheduled review date	August 2023

INTRODUCTION

Children and young people have a right to be safe and protected at all times, including when accessing services in the community.

A child safe environment is a safe and friendly setting where children feel respected, valued and encouraged to reach their full potential. Child safe environments promote the safety and wellbeing of children.

Organisations providing a child safe environment:

- Take a preventative, proactive and participatory stance on child protection issues;
- Value and embrace the opinions and views of children and young people;
- Demonstrate commitment to diversity (i.e. children and young people of different race, ethnicity, gender, gender identity, sexual orientation, age, social class, physical ability and religious beliefs) is respected and equity is upheld;
- Assist children and young people to build skills that will assist them to participate in society;
- Are focused on the protection of children and young people and take action to protect them from harm;
- Provide parents, guardians or carers with evidence of their child safe environments policies and procedures when requested; and
- Must consider how they can continue to respond to the needs of the child and family post mandatory notification.

PURPOSE

The Child Safe Environments Policy demonstrates the strong commitment of Connecting Foster & Kinship Carers – SA Inc (CF&KC-SA) to child safety and establishing and maintaining child safe and child friendly environments. It also meets the requirements as set out in the *Children and Young People (Safety) Act 2017* requiring CF&KC-SA to provide a child safe environment.

All children who come into contact with CF&KC-SA have a right to feel and be safe. We are committed to the safety and well-being of all children and young people accessing our services and this will always be our first priority.

POLICY

This policy is intended to establish a child safe environment as per the National Principles for Child Safe Organisations (Appendix 2). CF&KC-SA aims to:

- Show employees, volunteers, students, parents, guardians, carers and children that CF&KC-SA is committed to the safety of children;



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- Set out appropriate standards of behaviour and practices for people working and volunteering with children;
- Listen to the input from children and young people through their feedback and involvement through agencies such as the Office of the Guardian for Children & Young People and the CREATE Foundation;
- Increase employee, volunteer and student awareness of risks to children and the strategies in place to minimise them; and
- Build employee, volunteer and student knowledge of how to identify suspected harm or risk of harm of a child or young person and respond appropriately.

Relevant history obligations for child safe environments

CF&KC-SA will ensure that an assessment of person's relevant history is conducted in accordance with the *Child Safety (Prohibited Persons) Regulations 2019* for each person who occupies, or will occupy, a prescribed position.

A relevant history assessment involves undertaking an assessment of certain background information about a person for the purpose of determining whether the person may, if appointed to, or engaged to act in, a position, pose a risk to the safety of children. This is also known as a Working with Children Check.

Relevant history information requirements apply for people who perform child-related work as follows:

- Have contact with children and are not directly supervised at all times;
- Work in close proximity to children and are not directly supervised at all times;
- Have access to records relating to children in connection with child protection services, education services, health services, disability services or court orders and proceedings;
- Undertake functions of a type prescribed by regulation, currently the provision of overnight care or a prescribed passenger transport service;
- Supervise or manage persons who have contact with children or work in close proximity to children on a regular basis

Information about Working with Children Check, including the screening process, FAQ's and Fact Sheets are available at <https://screening.sa.gov.au/types-of-check/new-working-with-children-checks/frequently-asked-questions>

Any person charged with a criminal offence must advise the Board Chairperson (if a board member or CEO), or the CEO (if an employee, volunteer, student, contractor or sub-contractor) at the earliest possible opportunity. Failure to meet this requirement may lead to immediate action and termination of any agreement or connection with CF&KC-SA.

Appropriate reporting of suspected child abuse or neglect

CF&KC-SA aims to ensure that appropriate reports of suspected child abuse or neglect are made to the child abuse report line (CARL) **Ph 13 14 78** or to SA Police on 000 if a child or young person is in immediate danger by mandated notifiers, meeting their legal obligation under the *Children and Young People (Safety) Act 2017* to report child abuse or neglect.

Mandated notifiers need to be aware that:

- It is their personal responsibility to report suspected harm or risk of harm of a child or young person – it is not the responsibility of the employer, supervisor or chairperson;
- They do not have to be able to prove that harm or risk of harm of a child or young



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person has occurred;

- They must accompany their notification with a statement of the observations, information and opinions on which their suspicions are based;
- They are immune from civil liability for reporting their suspicion in good faith;
- They are entitled to feedback on a “need to know” basis about how their notification is being dealt with by the Department for Child Protection (DCP); and
- Failure to notify is a criminal offence and currently carries a maximum penalty of \$10,000. It is the individual who is fined, not the organisation.

It is the role of DCP to assess the notification and determine whether departmental action is warranted. It is important to remember that child protection is everyone’s responsibility and that even if a report has been made, CF&KC-SA may still have a role in supporting the individual, family, child or young person.

Mandated notifiers will have:

- Adequate information to help people identify children at risk of harm and procedures for reporting suspected abuse or neglect;
- Knowledge of what support is available for children (i.e. GP, psychologist, school counsellor, LifeLine, Kids Helpline, Office of the Guardian for Children & Young People, Headspace – all depending on age of the child), employees and volunteers when a report is made; and
- Procedures for dealing with concerns of abuse or neglect perpetrated by an employee or volunteer.

Information about mandated notifiers and their role, including reasonable grounds for reporting, indicators of abuse or neglect, and what not to report, is specified within the Structured Decision Making System: Mandatory Reporting Guide (Appendix 3) available at <https://www.childprotection.sa.gov.au/reporting-child-abuse/mandated-notifiers-and-their-role>.

Training requirements

A condition of employment with CF&KC-SA requires employees to maintain current Child Safe Environment Training through a registered training provider. Child Safe Environment training is to be refreshed three years from date of initial obtainment. Certification of training is required for employment and a copy retained within employee records. Expiry dates for training is monitored of regular basis by the Administration and Events Coordinator.

Information Sharing Guidelines for promoting safety and wellbeing (ISG)

The ISG (Appendix A) provide a consistent state-wide approach to appropriate information sharing practice wherever there are threats to safety and wellbeing. They aim to:

- Reduce the risk of different service providers adopting conflicting information sharing practices
- Increase the likelihood that the actions taken are based on a complete understanding of clients’ circumstances and needs
- Respect the privacy of individuals to the extent possible when furthering the aims above.

In this way, agencies and organisations limit the possibility of working at cross-purposes to each other or missing vital details that could expose clients to harm.



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The ISG summarise the legal and practical framework that supports and guides service providers in appropriate information sharing practices. They provide guidance where there are threats to safety and wellbeing, when consent is and is not given; and they outline the process and professional judgements that should underpin their decision making in both these circumstances.

The following principles underpin the ISG:

- The safety and wellbeing of people are the primary considerations when making information sharing decisions
- Information sharing decisions are made on a case-by-case basis using best interest principles and are supported by sound risk assessment
- Gaining a client's consent for information sharing is the ideal and recommended practice, except where to do so would place a person at risk of serious harm or where it is not practicable or reasonable to do so
- Working in partnership with parents and other adults to provide safe and supportive family environments directly protects children's and young people's wellbeing
- When information is shared about people, in both verbal and written communication, it is done so respectfully
- 'Respecting cultural difference' means having the same aims for people's wellbeing and safety but finding appropriate ways of achieving them
- An adult's wellbeing needs should not compromise a child's safety and wellbeing.

Child & Young Person participation and communication

CF&KC-SA is committed to ensuring the participation of children and young people. CF&KC-SA values the involvement and feedback from children and young people and invite the opportunity to raise complaints and concerns regarding the organisation practice.

The voice of children and young people is encourage through submitting feedback via our website or social media platforms, with the support of their family based carers should this be required.

CF&KC-SA commits to the voice of Children and young people through Board representation and within reference groups.

The Children and Young People (Safety) Act 2017 requires that an organisation must provide a copy of the child safe environments policies and procedures adopted by the organisation. CF&KC-SA complies with legislation by ensuring the most recent policy and procedure is available on the organisation website.

Charter of Rights for Children and Young People in Care

The Charter of Rights for Children and Young People in Care states the rights of children and young people who are under the Guardianship of the Chief Executive (DCP).

CF&KC-SA endorses the Charter of Rights for Children and Young People in Care, and supports and encourages children and young people to exercise their rights under this charter.

The Charter of Rights for Children and Young People in Care is promoted and monitored by the Office of the Guardian for Children and Young People. Information about this charter is available at <http://www.gcyp.sa.gov.au/charter-of-rights-2/> .



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Child Safe Environment Compliance

CF&KC-SA complies with the national Principles for Child Safe Organisations and as such will lodge a new child safe environments compliance statement with the Department of Human Services each instance this policy is reviewed and updated.

Privacy

CF&KC-SA complies with the *Privacy Act 1988* and *Australian Privacy Principles*, which regulate the management of personal information.

AUTHORISATION

Fiona Endacott

Chief Executive Officer

August 2021

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CHILD SAFE ENVIRONMENTS PROCEDURES

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Drafted by	Fiona Endacott	Approved by CEO on	August 2021
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RESPONSIBILITIES

It shall be the responsibility of the Board to establish and maintain policies and procedures, systems of financial control, internal control and performance reporting.

It shall be the responsibility of the CEO to address key management and operational issues within the direction and the policies laid down by the Board, including:

1. Maintaining an effective risk management framework; and
2. Managing day-to-day operations in accordance with agreed standards for social, ethical and environmental practices.

PROCEDURES

Assessment of relevant history

Before a person is engaged or appointed to a prescribed position, an assessment of their relevant history is required.

Any person who does not consent will not be screened, however they may not be able to be engaged by CF&KC-SA unless an exemption applies.

This procedure applies to any person who will be appointed or engaged as an employee, volunteer, student, contractor, sub-contractor or agent in a prescribed position.

A person cannot perform a prescribed function unless in the past 5 years they have obtained:

- A Working with Children (WWC) Check issued by the Department for Human Services (DHS) Screening unit
- A National Police Clearance prepared by South Australia Police (SAPOL)

If a person does have a criminal history, CF&KC-SA will assess this history, and any information provided by the person, in accordance with the Children and Young People (Safety) Act 2017

Any decisions made will be clearly documented, based on the principles of procedural fairness, and have an overriding purpose to minimise the risk of harm to children.

The Board Chairperson is responsible for ensuring all board members and CEO have a current WWC Check and SAPOL National Police Clearance and have attended Child Safe Environments (Mandatory Notification) training.

The CEO is responsible for ensuring all employees, volunteers, students, contractors and sub-contractors performing a prescribed function have a current WWC Check, SAPOL National Police Clearance and have attended Child Safe Environments (Mandatory Notification) training.



All records held will be stored securely and held confidentially with personnel records or contractor agreements.

A parent, guardian or carer can make a written request to see the certificate, letter or report of any CF&KC-SA representative.

The cost of Working with Children Check, SAPOL National Police Clearance and Child Safe Environments (Mandatory Notification) training will be reimbursed for all existing CF&KC-SA employees and volunteers.

New employees, volunteers, students, contractors and sub-contractors will be required to provide the relevant screening assessments prior to joining CF&KC-SA at their own expense.

Reporting of suspected child abuse or neglect

There is a legal requirement for mandated notifiers to notify DCP if they suspect on reasonable grounds that a child is, or may be at risk and this suspicion is formed in the course of their work.

Notifiers may have suspicion on reasonable grounds if:

- The child tells you they have been abused
- Observations of a particular child's behaviour or knowledge of the child leads you to suspect that abuse is occurring
- A child tells you that he/she knows someone who has been abused
- Someone reliable such as relative, friend, neighbour or sibling tells you of the abuse to a child

If you suspect on reasonable grounds that a child is being abused or neglected:

- Do not interrogate either the child, parent and/or suspected perpetrator or ask leading questions;
- Do not investigate – it's not your role and you could taint important information or evidence;
- If a child discloses abuse and/or neglect, remember to:
 - Listen carefully and support the child by allowing the child to talk;
 - Reassure the child that the abuse is not his/her fault;
 - As soon as possible write down in detail what the child has said and their emotional state;
 - Don't make promises you are unable to keep; and
 - Let them know that telling someone was the right decision and that you want to help.

All reasonable suspicions of abuse or neglect should be reported to the Child Abuse Report Line on 13 14 78 without delay.

If there is a potential life threatening situation call Police or other emergency services **Ph 000** immediately and try to ensure own and child's safety.

Complete a report of the incident using the Notification Checklist (Appendix 4) as a guide and speak with the CEO or Board Chairperson who will ensure employees receive appropriate support following a mandatory notification.



Information Sharing for promoting safety and wellbeing

In instances where a threat to safety and wellbeing could be reduced by adopting an information sharing approach, a summary should be provided to the CEO or Board Chairperson to support decision making and to ensure process and professional judgement is sound.

Complete a report of the incident using the ISG Guide (Appendix A) and speak with the CEO or Board Chairperson who will ensure that appropriate support is provided throughout this process.

Charter of Rights for Children and Young People in Care

A link to the Charter of Rights for Children and Young People in Care will be made available through the CF&KC-SA website www.cfc-sa.org.au. All new board members, employees, volunteers and students will familiarise themselves with all the information presented on the organisation's website, including this charter.

Where CF&KC-SA engages contractors to provide services to children and young people in care, such as through crèche services, CF&KC-SA will ensure they have endorsed this charter by checking the GCYP website link: <http://www.gcyp.sa.gov.au/charter-of-rights-2/whos-endorsed-the-charter/>.

Where there is no endorsement, we will make contractors aware of the existence and activities of the Office of the Guardian for Children and Young People.

Privacy

Any concerns regarding privacy should be directed to the CEO or Board Chairperson to review in accordance with the *Privacy Act 1988* and *Australian Privacy Principles*.

AUTHORISATION

Fiona Endacott

Chief Executive Officer

August 2021

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