

## CHILD SAFETY AND WELLBEING POLICY

### Purpose

WEmpower Services is committed to the safety and wellbeing of children and young people.

This policy outlines actions we require of staff to:

- Keep children safe; and protect their rights.
- Prevent, identify, and report child harm or abuse.

This policy is informed by:

- National Disability Insurance Scheme Practice Standards
- National Standards for Disability Services
- National Principles for Child Safe Organisations (National Framework for Protecting Australia's Children 2009-2020).
- NSW Child Safe Standards in the promotion of a child safe organisation

### Scope

This policy applies to employees, volunteers, students, and contractors for all activities which involve or relate to contact with children.

### Definitions

**Child / children / young person:** a human between the ages of birth and 18 years of age.

**Mandatory reporting:** the legislative requirement for certain groups of people to report suspected cases of child abuse or neglect to authorities.

**Voluntary reporting:** refers to a notification made from moral obligation rather than legislative obligation. Refer to the Mandatory Reporting Policy and Procedure.

**Cultural safety:** refers to an environment which is safe (physically, socially, and emotionally, and spiritually) for people.

**Abuse and neglect:** any act or failure to act that results in a breach of a person's human rights, civil liberties, physical and mental integrity, dignity, or general well-being, whether intended or through negligence. Abuse includes but is not limited to:

- **Physical abuse** (any non-accidental physical injury or injuries. Examples include rough physical handling, sudden movements of bedding, pushing, and pulling, over-medication, unnecessary or excessive use of restraints, and ignoring dietary restrictions),
- **Sexual abuse** (any sexual contact between an adult and child or young person 16 years of age and younger; or any sexual activity with an adult who is unable to understand, has not given consent, or is threatened, coerced, or forced to engage in sexual behaviour. It includes discussions of a sexual nature including unwanted jokes, inappropriate touching, gestures, or comments.),
- **Child sexual abuse** (any act that exposes a child or young person to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals or breasts,

masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography or sexting. Child sexual abuse also includes grooming (see definition below),

- **Psychological or emotional abuse** (verbal assaults, threats of maltreatment, harassment, humiliation or intimidation, or failure to interact with a person or to acknowledge that person's existence. This may also include denying cultural or religious needs and preferences. Emotional abuse can also include ignoring a person when they ask for help, making a person beg for help, providing help in a way that makes the person feel like a burden or feel guilty, intentionally making a person wait for help, providing physical care in way that is unnecessarily rough or careless.
- **Constraints and restrictive practices** (restraining or isolating a child for reasons other than medical necessity or the absence of a less restrictive alternative to prevent harm. This may include the use of chemical or physical means or the denial of basic human rights or choices such as religious freedom, freedom of association, access to property or resources or freedom of movement.),
- **Financial abuse**, (the improper use of another person's assets or the use or withholding of another person's resources.),
- **Legal or civil abuse** (denial of access to justice or legal systems available to other citizens.),
- **Systemic abuse** (failure to recognise, provide or attempt to provide adequate or appropriate services, including services that are appropriate to that person's age, gender, culture, needs or preferences.),
- **Physical neglect** (failure to provide adequate food, shelter, clothing, protection, supervision, and mental and dental care, or to place persons at undue risk through unsafe environments or practices.),
- **Passive neglect** (a caregiver's failure to provide or wilful withholding of the necessities of life including food, clothing, shelter, or medical care.),
- **Wilful deprivation** (wilfully denying a person who, because of age, health, or disability, requires medication or medical care, shelter, food, therapeutic devices, or other physical assistance – thereby exposing that person to risk of physical, mental, or emotional harm.), and
- **Emotional neglect** (the failure to provide the nurturance or stimulation needed for the social, intellectual, and emotional growth or wellbeing of an adult or child.).
- **Grooming:** actions deliberately undertaken to engage and influence a child, or other individual, for the purpose of sexual activity with a child. Grooming actions establish an emotional connection to lower the child's inhibitions. Grooming involves psychological manipulation that is usually very subtle, drawn out, calculated, controlling, and premeditated. Grooming offences may target online or other electronic communications, subjecting children to pornography, and/or using intoxicating substances to engage children for the purpose of sexual activity.

### Staff Requirements for Recruitment

We conduct extensive checks for qualifications, background, and child safety when we recruit staff. Our forms used in in the process of recruitment demonstrate the information and qualifications we require to ensure our clients are safe. Please see the list of related forms below.

### Principles

WEmpower has aligned its principles to the National Principles for Child Safe Organisations as outlined below.

***Child safety and wellbeing is embedded in organisational leadership, governance, and culture.***

We have a child safe culture, supported by this policy and:

- Upholding of children's rights (including Client Rights and Safeguards Policy).
- Code of Conduct and Values.
- Risk assessment processes (including Risk Management Policy and Framework and Client Risk Management Policy and Procedure).
- Client Records Management Policy; and
- Mandatory Reporting Policy and Procedure

***Children and young people are informed about their rights, participate in decisions affecting them, and are taken seriously***

Children and young people engaged with us have their rights respected, individually participate in decision making about their own goals and have their voices heard. This is supported by this policy and:

- Welcome information specific for children and young people (under development).
- Friendly and welcoming clinic spaces.
- Goal setting processes which are inclusive of the child's input; and
- Children's rights video on our website.

***Families and communities are informed and involved in promoting child safety and wellbeing***

We communicate with our families and communities. This is supported by this policy and:

- Model Operations Standards (referral network management).
- Availability of a range of relevant corporate documentation on our website, including:
  - Client Rights and Safeguards Policy and Client Consent Form.
  - Code of Conduct and Values.
  - Feedback and Complaints Policy.
  - Privacy and Confidentiality for Clients Policy.
  - Cultural Security for Clients Policy.
- Family newsletter (under development) and social media channels.
- Child safety and wellbeing brochure (under development); and
- Family Reference Group.

***Equity is upheld and diverse needs respected in policy and practice***

We celebrate and support diversity and children feel safe, welcome, and included in all of our services. This is supported by this policy and:

- Access, Eligibility and Equity Policy.
- Cultural Safety for Clients Policy.
- Appropriate Workplace Behaviour Policy.
- Code of Conduct and Values; and
- Training on cultural safety and other equity and diversity topics.

***People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice***

Our robust recruitment, induction, supervision, and professional development processes support our engagement with quality staff who are suitable to ensure the safety and wellbeing of children and young people engaged with our services. This is supported by this policy and:

- Employee Registration and Screening Policy and Procedure which includes:
  - All staff have current Working with Children Checks
  - All staff have NDIS Worker Screening Checks
  - All Disability Support Staff have current First Aid and CPR Certificates
  - All staff complete Child Protection Training every two years.
  - Reference Checks are conducted for all new employees.
  - 100 points of ID including Driver's Licence and Proof of Birth are collected from all new employees.
  - All staff complete Child Safe Standards Training every year.
- Code of Conduct and Values.
- Supervision Policy; and
- Induction and ongoing training and professional development.

### ***Processes for complaints and concerns are child focused***

Our complaints review processes are focussed on best outcomes for our clients, including children and young people engaged with our services. This is supported by this policy and:

- Complaints and Feedback Policy.
- Incident Management Policy and Procedure.
- Code of Conduct and Values; and
- Annual mandatory training on mandatory reporting, complaints, and incident management.

### ***Staff and volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe through ongoing education and training.***

Our staff are provided with relevant knowledge and skills in relation to child and young person safety and wellbeing through this policy and:

- Code of Conduct and Values.
- Child Safety and Wellbeing Policy
- Client Rights and Safeguards Policy.
- Cultural Safety for Clients Policy.
- Mandatory Reporting Policy and Procedure (including support for staff who disclose harm or risk to children or young people); and
- Periodic training and professional development including mandatory reporting, abuse and neglect, cultural awareness etc.

### ***Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed***

Child safety is promoted both in physical and online spaces, supported by this policy and:

Safe Environment for Participants Policy and Procedure.

Privacy and Confidentiality for Clients Policy.

Code of Conduct and Values.

Risk Management Policy and Framework.

Incident Management Policy and Procedure.

### **Implementation of the national child safe principles is regularly reviewed and improved**

We commit to review this policy and associated policies and documents in accordance with the review schedule outlined in the Document Register. Review might occur sooner where required

because of legislative / regulatory change or improvement. Where possible, children, young people, families, and staff will be invited to participate in the review process.

Complaints, feedback, and incidents are reviewed in accordance with their respective policies and causes identified. Systemic improvements are implemented where appropriate.

*Policies and procedures document how the organisation is safe for children and young people*

Documents relevant to child safety and wellbeing are referenced within this policy.

## Policy Statement

### **Preserving Child Safety and Wellbeing**

At any time, should an employee believe there is an immediate threat to a client or any other child or young person, they must take appropriate action to ensure their safety and wellbeing.

Any employee who becomes aware of an incident or event which will, has, or might negatively impact a child's safety or wellbeing, including suspected, observed, or alleged abuse or neglect, must immediately respond and report this in accordance with the Incident Management Policy and Procedure and the Mandatory Reporting Policy and Procedure. Failure to do so is a breach of duty of care and this policy. Should suspected, observed, or alleged abuse or neglect of a client be reported to WEmpower as a complaint, then any additional requirements set out in the WEmpower Complaints and Feedback Policy must also be complied with.

### **Record keeping**

Full, timely and accurate client notes must be kept about cases of suspected, observed, or alleged abuse or neglect of clients.

Any incident or complaint related documentation generated because of this policy must be kept in accordance with the Incident Management Policy and Feedback and Complaints Policy.

### Roles and Responsibilities

The Directors and General Manager are responsible for:

- Ensuring that policies are in place to support the principles of this policy.
- Ensuring that The Directors and the General Manager comply with this policy and its associated documents.

The Directors and the General Manager are responsible for:

- Ensuring that staff comply with this policy and its associated documents.

All staff are responsible for complying with this policy and its associated documents.

## Staff Training for Child Protection

### **1. Pre-Employment Training**

To be eligible for a Support Worker Position with WEmpower Services an applicant (as part of our usual pre-employment requirements) MUST have completed the following Child-Related Training:

- Child Protection – In Safe Hands - <https://www.insafehands.net.au/course/level-1-2020-legal-practical-response-child-abuse-outside-school-hours-care-nsw>
- Guide to Child Safe Standards – Read through and Acknowledgement

### **2. Induction Training**

To complete their Induction into a Support Worker Position with WEmpower Services, a new employee (as part of our usual Induction requirements) MUST have completed the following tasks:

- Reading of the following Child Specific Policies:
  - Child Safety Policy
  - Mandatory Reporting Policy

### 3. Mandatory Annual NDIS Required Training

To maintain compliance with the NDIS all of our staff MUST complete a number of NDIS required courses each year which including the following:

- Child Safe Standards
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### 4. SSRC Specific Induction Training

To be eligible to provide SSRC Services to a client, a Support Worker MUST have completed the following tasks:

- Reading of the SSRC Policies as per the SSRC Induction Policy Reading Checklist
- Completion of the SSRC Worker Screening

## Compliance

Staff found to be non-compliant with this policy are subject to appropriate disciplinary action by WEmpower including, but not limited to one or more of the following:

- Counselling.
- Further training and development.
- Demotion.
- Suspension.
- Warning.
- Referral to appropriate legal and regulatory bodies as appropriate.
- Termination of employment (with or without notice or any payment); or
- Termination of engagement (in the case of contractors)

## Related Forms:

1. Support Worker Employment Requirements
2. Support Worker Position Description
3. Dress Code Policy
4. Staff Employment Agreement
5. Code of Ethics
6. Mobile Phone Policy
7. New Employee Recruitment Checklist
8. Employee Evaluation & Review
9. SSRC Induction Policies Checklist
10. Induction Policies Checklist
11. New Employee Induction Checklist
12. SSRC Induction Checklist

## Related Policies

- Child Protection Policy
- Child Safety and Wellbeing Policy
- Client Records Management Policy and Procedure
- Client Rights and Safeguards Policy
- Complaints & Feedback Policy and Procedure
- Conflict of Interest Policy and Procedure

- Consent Forms
- Cultural Security for Clients Policy
- Eliminating Restrictive Practices Policy and Procedure
- Incident Management Policy & Procedure
  
- Information Exchange Policy and Procedure
- Intake and Assessment (and Service Planning) Policy and Procedure
- Mandatory Reporting Policy and Procedure
- Positive Behaviour Support Policy
- Privacy & Confidentiality for Client Policy
- Quality Policy
- Reportable Conduct Policy and Procedure
- Reportable Incident Policy & Procedure
- Risk Assessment & Management Policy
- Service Agreements Policy
- Staff Code of Conduct Policy
- Staff Recruitment and Induction Policy
- Supervision of Children Policy
- Specialised Substitute Residential Care Policy
- SSRC Welcome Pack

## Legislation:

Carer's Recognition Act 1974

Children & Young Persons (Care & Protection) Act 1988

- Children & Young Persons (Care & Protection) Act 1988 Chapter 16A
- Children & Young Persons (Care & Protection) Act 1988 Section 27
- Protection of Persons who make a Report
- Children & Young Persons (Care & Protection) Act 1988 Restrictive Practices

S158

- Children & Young Persons (Care & Protection) Act 1988 Section 23 ROSH

Children & Young Persons (Care & Protection) regulation 2012 S75-79

- Protection of Persons who make a Report
- Children's Guardian Act 2022
- Children's Guardian Act 2022 Section 28

Child Safe Standards NSW

NSW & Commonwealth Privacy Laws

Commonwealth Privacy Act 1988

Community Services (Complaints, Review & Monitoring) Act 1993

Disability Inclusion Act 2014

Health Records & Information Protection Act 2002

National Disability Insurance Scheme Act (NDIS) 2013

National Disability Insurance Scheme Rules (NDIS) 2018

Ombudsman Act 1974

Principles for Child Safe Organisations

Privacy & Personal Information Protection Act 1998

SSRC Code of Practice 2022

Statutory Procedures – Specialised Substitute Residential Care in NSW 2020

NSW Restrictive Practices Authorisation Policy

NDIS (Restrictive Practices and Behaviour Support) Rules 2018

**Document Control**

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