

Safeguarding children and young people policy

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Purpose

Relationships Australia Canberra & Region (RACR) has zero tolerance for child abuse and is committed to promoting and protecting the rights, interests and safety of all children and young people. This includes providing a safe environment for young people who identify as LGBTIQ+ or who have a disability, and a culturally safe environment for children and young people of Aboriginal and Torres Strait Islander and culturally and linguistically diverse backgrounds.

This policy demonstrates RACR's adherence to its legislative requirements and the National Principles for Child Safe Organisations. It outlines how RACR prevents and responds to risks to children and young people and the role all staff play in creating a child safe environment.

This policy is supported by numerous policies and procedures (listed at the end of this document) and should be read alongside these documents.

Scope

This policy applies to all RACR staff, including those working at headspace Batemans Bay and Wagga Wagga, and board members, interns, students, and volunteers.

Definitions

For the purposes of this policy:

Child/children – for the purposes of this policy, a child will be defined as a person 12 years and under.

Child protection – any responsibility measure or activity undertaken to safeguard children and young people from harm.

Cultural safety - the recognition, protection and continued advancement of the inherent rights, cultures and traditions of a particular culture. For Aboriginal and Torres Strait Islander children and young people, cultural safety involves providing children and young people with a safe, nurturing and positive environment where they are comfortable being themselves, expressing their culture, their spiritual and belief systems and they are supported by people who respect their Aboriginality and encourage a sense of self and identity.

Harm or abuse – includes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to a child or young person's health, survival, development or dignity in the context of a relationship or responsibility, trust or power.

Mandatory/external reporting - when the law requires you to report (to an organisation or body outside RACR such as the police or child protection) known or suspected cases of abuse and neglect. It mainly relates to children and young people but can also relate to adults if the person involved is living in a residential service.

Neglect - is one of the forms of child abuse and occurs when a child or young person is not provided with adequate food or shelter, effective medical, therapeutic or remedial/treatment, and/or care, nurturance or supervision to a severe and/or persistent extent.

Young person/people – For the purposes of this policy, a young person will be defined as a person who is over 12 years but under 18 years of age.

Responsibilities

1. **RACR Board** has ultimate responsibility for the processes of detection and prevention of child abuse within the organisation. It is responsible for ensuring RACR has appropriate and effective internal control systems in place, and policies, procedures, and a code of conduct to manage risks to children and young people.
2. **CEO** is responsible for:
 - a. embedding a culture of safety and openness so staff can safely disclose risks of harm to children and young people including racism, discrimination, and cultural abuse,
 - b. ensuring all staff and volunteers are aware of relevant laws, policies and procedures and their obligation to observe the code of conduct (particularly as it relates to child safety),
 - c. making available resources and support to enable staff to protect children and young people (such as training, policies, and procedures),
 - d. promoting child safety and cultural safety, and providing leadership in relation to children and young people,
 - e. ensuring staff at all levels build their cultural safety skills and cultural awareness, and
 - f. developing and maintaining a child safe culture where the rights, participation, safety, and wellbeing of children and young people are prioritised.
3. **Senior Executive Team** is responsible for:
 - a. Supporting the CEO to embedding a culture of safety and openness so staff can safely disclose risks of harm to children and young people including racism, discrimination, and cultural abuse.
4. **Director of Governance** is responsible for:
 - a. ensuring contractual and accreditation compliance requirements are met or exceeded,
 - b. assessing complaints and subpoenas as they relate to child safety and wellbeing, and
 - c. ensuring this policy and its related policies and procedures remain current and fit for purpose.
5. **Director of Human Resources** is responsible for:
 - a. overseeing child safe recruitment and screening practices to ensure the organisation recruits the most appropriate staff,
 - b. tracking staff completion of child safe and cultural training and informing managers when not complete,
 - c. maintaining records of recruitment practices and professional development for child safe reporting compliance for various regulatory and accreditation purposes, and
 - d. working with other Directors to identify and source specific training that equips staff to keep children and young people safe.
6. **Operational Directors** are responsible for:
 - a. understanding, promoting, and demonstrating adherence to the relevant policies and practices,
 - b. ensuring risks of harm to children and young people are monitored and reported,
 - c. ensuring adequate training and supervision is provided to all RACR practitioners and other operational staff in relation to child protection, cultural safety, and diversity,
 - d. ensuring that all operational staff understand the application of the policies and procedures, and
 - e. monitoring and reviewing staff practices relating to identify and reporting risks to children and young people.

7. **All Managers and Centre Managers** are responsible for:
 - a. supporting anyone who brings forward a suspicion, concern, knowledge or allegation, past or present, which relate to their or another's safety,
 - b. understanding and complying with all policies, procedures, and processes in relation to the safety of children and young people and providing guidance to their staff,
 - c. identifying the types of abuse that may occur within their area of responsibility,
 - d. supporting and debriefing with staff who have identified risks to children and young people, whether they have made an external report,
 - e. ensuring staff follow internal and external reporting processes,
 - f. completing, and ensuring their staff complete, child safe and cultural training,
 - g. providing staff with learning opportunities to build their knowledge and cultural competency, and
 - h. regularly discussing child safety with staff, including as part of supervision.
8. **All staff** are responsible for:
 - a. championing attitudes and behaviours that respect the rights of children and young people,
 - b. understanding RACR's obligations to children and young people,
 - c. understanding and following this policy and its associated policies and processes, including mandatory reporting processes across jurisdictions, confidentiality, privacy, and information sharing protocols,
 - d. reporting any suspicion that a child or young person is at significant risk of harm (as defined in RACR's mandatory reporting processes for the ACT and NSW) to their manager and the relevant authorities,
 - e. adhering to the behavioural standards in the staff code of conduct and reporting any breaches,
 - f. completing child safe training and any other training identified as necessary for their position,
 - g. seeking the views of children and young people (if they work directly with them) or understanding the impacts on, and needs of, the children of their adult clients,
 - h. identifying children and young people and their families who are vulnerable, at risk or in distress and facilitating access to appropriate supports,
 - i. being alert to signs of abuse or neglect in children and young people, and
 - j. ensuring clinical records comply with case note and file procedures.

Policy

Principles

9. RACR:
 - a. prioritises the safety, welfare and wellbeing of children and young people in all decisions and acts in the best interests of the child or young person.
 - b. upholds the rights accorded to all children and young people under the [United Nations Convention on the Rights of the Child](#) (regardless of age, gender, racial origin, religious belief, sexual identity or disability). Of particular focus in RACR's work is:
 - i. the right to be free from child abuse, neglect and discrimination
 - ii. the rights of children and young people from Aboriginal and Torres Strait Islander and other cultural and linguistically diverse backgrounds to learn about and practice their culture, language and religion with their family and communities
 - iii. the right of children and young people to have their views heard and taken seriously about issues that impact them

- iv. the right of children and young people to information and privacy.
- c. understands that being connected to culture and community is a protective factor for children and young people from Aboriginal and Torres Strait Islander and other culturally and linguistically diverse backgrounds and is integral to their safety and wellbeing. RACR is committed to embedding cultural safety in leadership, governance and daily operations.
- d. adheres to the:
 - i. [National Principles for Child Safe Organisations](#), which informs its action on safeguarding children and young people
 - ii. *Child and Young Persons (Care and Protection) Act 1998* (NSW) and *Children and Young People Act 2008* (ACT), which informs its mandatory reporting processes.
 - iii. *Family Law Act 1975*, which guides our mediation work.
 - iv. *Child Protection (Working with Children) Act 2012* and *Working with Vulnerable People (Background Checking) Act 2011*, which informs RACR's recruitment processes.
 - v. *Human Rights Act 2004* (ACT), which provides for children and young people to be accorded additional protections by virtue of their status as a child or young person.
- e. takes a preventative, proactive and participatory approach to child safety and wellbeing.
- f. recognises that child abuse is a crime, and any form of child abuse and neglect is unacceptable.
- g. promotes child safety and wellbeing with the families we work with and in the community.

Child and Young Person Safe Culture

10. RACR's strategic plan identifies 'Supporting people across the lifespan' as a priority area. This includes building capacity, skills and practice wisdom to work with children and young people who have complex needs.
11. RACR's action on the National Principles for Child Safe Organisations is a standing agenda item at each Board meeting. The Board also expects to receive progress reports on implementation of the National Principles for Child Safe Organisations annually.
12. Safeguarding children and young people is a standing agenda item at Senior Leadership team meetings and all staff meetings to encourage staff to ask questions and contribute to the continuous improvement of policies, procedures and practices.
13. RACR will regularly consult with children and young people of diverse backgrounds to ensure its physical and online environments are engaging, welcoming, accessible and safe, including culturally safe, for children and young people.
14. RACR publicly displays the rights of children and young people and how the organisation keeps them safe on its website. This policy and the complaints policy are also publicly available.

Cultural Safety

15. RACR's strategic plan identifies truth and storytelling as central to its work towards reconciliation with Australia's first peoples.
16. RACR expects its staff to be culturally competent. All staff are provided with cultural competency training during induction to understand Aboriginal and Torres Strait Islander history, the ongoing impacts of colonisation and intergenerational trauma and to learn practices that enhance Aboriginal and non-Aboriginal relationships. This training is ongoing, provided annually as a refresher.
17. Managers must give their staff sufficient time to complete the required training during working hours and provide staff with other learning opportunities to build their knowledge and cultural competency.

18. Staff concerned about the safety of an Aboriginal or Torres Strait Islander child or young person should engage early with members of RACR's Dhunlung Yarra team to ensure they understand the best way to support the child or young person and involve the child or young person's family, elders or other significant people.

Recruiting Suitable Workers

19. RACR maintains a rigorous and consistent recruitment, screening and selection process to employ the safest people who share RACR's values and commitment to protect children and young people.
20. RACR's publicly states its commitment to child safety on its website, in all job advertisements and job descriptions. This helps to deter those who may seek to harm children and young people.
21. Recruitment for positions that work directly with children and young people must include targeted questions in interviews and as part of referee checks to determine the candidate's suitability to work with children and young people, including those of Aboriginal and Torres Strait Islander or other cultural backgrounds and those with diverse needs. This may include questions on:
 - a. knowledge of child safety and reporting protocols
 - b. reasons for working with children and young people
 - c. cultural competency
 - d. understanding of the needs of diverse groups
22. All staff and volunteers must have a Working with Children (NSW) and Working with Vulnerable People (ACT) clearance and a national police clearance before they can commence their engagement with RACR.
23. The Human Resources team will maintain a register to ensure all staff have current clearances at all times and will report the status of all staff to the Board annually and by exception.

Staff Behavioural Standards

24. The staff code of conduct sets out behavioural standards in relation to children and young people. It also outlines expectations in relation to respect for, and cultural sensitivity towards, all races and ethnicities.
25. All staff, including non-paid staff such as board members, volunteers and trainees, must agree to abide by this code before commencing with RACR. These standards are reinforced during induction.

Equipping and Supporting Our Staff

26. All staff must complete two child safe training modules as part of induction, and annually as a refresher. Managers must give their staff sufficient time to complete the required training during working hours.
27. The Human Resources team will track staff completion of training and notify managers of non-completion. The Senior Executive Team will be notified of any staff who have not completed training during their probation period – the reason will be investigated and a deadline of two weeks will be set unless there are extenuating circumstances.
28. Refresher training on child safety, wellbeing and inclusive practice will be provided every two years for all staff. Specialist knowledge training will be provided for certain positions.
29. Child safe policies and procedures will be discussed routinely during team meetings.
30. All managers must provide opportunities for staff to debrief when they identify, respond to and/or report the abuse or neglect of a child or young person. This should occur as part of supervision however it must not wait for scheduled supervision sessions.

31. Supervision must be a safe space for staff to:
 - a. raise concerns about children and young people or the behaviour of other staff members.
 - b. discuss safety, wellbeing, diversity, discrimination and risks in relation to children and young people.
 - c. identify knowledge, skills or training gaps in relation to safety and working with children and young people.
32. Refer to the Supervision policy for further detail.

Risk Management

33. An assessment of risks to children and young people and mitigation strategies must be included as part of program and service design.
34. Service delivery, contract and program support staff are expected to proactively assess and manage risks to children and young people receiving RACR services to reduce the risk of harm and address gaps.
35. A child or young person at risk should be supported at all times, regardless of whether or not a report has been made. This may include referring them to specialised support externally.

Reporting Risks to Children and Young People

36. All RACR staff have a duty to report to their manager if, through their role, they identify a child or young person is at significant risk of harm. If their manager does not acknowledge the risk or take immediate action, staff should raise this with their manager's manager.
37. Wherever appropriate, risks to a child or young person should be discussed with the child or young person and their parent/guardian. This includes involving them in the reporting process, where safe to do so.
38. Staff must refer to the mandatory reporting process guides, which provides step-by-step guidance on what to report, when to report, who to report to and record keeping in the client management system.
39. All risks to children and young people, regardless of whether they have led to an external report, must be recorded on the client's file in the client management system.
40. The Director of Governance will provide to the Board, a report on clients at risk (including children and young people) at every meeting, and a progress report on RACR's action against the National Principles for Child Safe Organisations annually.
41. All allegations or reports of abuse or misconduct by RACR staff involving a child or young person must be:
 - a. dealt with immediately, seriously, sensitively and confidentially
 - b. reported to the CEO and
 - c. dealt with as a formal complaint and acted on immediately in line with RACR's complaints policy and the Reportable Conduct Scheme.
42. Refer to the Client at Risk policy, Mandatory Reporting process guides and Complaints policy.

Complaints Management

43. A simple complaints form and easy-read complaints process is available on the website. A child/young person or their parent/guardian can also make a complaint verbally by calling or visiting RACR and will be supported to lodge a complaint.
44. A risk assessment is conducted upon receipt of a complaint to identify if the complaint involves a child or young person and any risks to their safety. Action is then taken to address these risks.
45. Complaints from all children and young people, regardless of age, will be taken seriously. A complaint by a young person aged 14 years old does not require the involvement of their parent or guardian.

46. The complaints policy outlines how to respond if a complaint contains criminal allegations or significant risks to the safety of a child/young person (including if the child/young person has a disability). This includes the escalation process and referral to the police, community services and/or other relevant body.
47. Senior Practice Managers or Centre Managers must support children and young people involved in a complaint by:
 - a. developing a plan with the child or young person to determine the involvement of their guardian, parent or another person and any additional support needs
 - b. using the 'Interviewing children and young people' guide before meeting with the child or young person.
48. The following additional support must be offered to children and young people with diverse needs or backgrounds. For children and young people:
 - a. who identify as Aboriginal or Torres Strait Islander – support from RACR's Dhunlung Yarra team or staff from a suitably qualified Aboriginal Community Controlled Organisation
 - b. who have a disability – support from RACR's disability team
 - c. from culturally and linguistically diverse backgrounds – a translator or staff from a suitably qualified CALD organisation.
49. Refer to the Complaints policy and procedure for further detail.

Photos of Children and Young People

50. Staff must consider safety when deciding to take or use photos, particularly if the photos involve children or young people who are already at risk (for example in domestic and family violence situations). Photos can identify the location of a child or young person or their involvement with RACR.
51. RACR will not use any photos of children and young people without their express permission and will ensure that any stock photos used will be diverse and depict them respectfully.
52. Permission must be sought from the child/young person before taking and using any photos/videos of young people.

Record Keeping and File Management

53. Staff must understand the processes for proper documentation of records. The Case Notes policy and procedure outlines what should and should not be included in case notes and how to record when a report is made.
54. When a child or young person's file is closed, they must be stored for 7 years after they have reached the age of 21 years (with the exception of files relating to minors who have been in out-of-home care, whose files are stored permanently). Files for Aboriginal and Torres Strait Islander clients and for clients involved in Royal Commission and Find and Connect services are also kept indefinitely.
55. For further information, including on document disposal, refer to the File Management and Confidentiality policies and the Safe Hands Destruction of Client Files and Information document.

Confidentiality and Privacy

56. All staff must inform children and young people of their right to confidentiality and the limitations of this right before receiving a service. They must also adhere to confidentiality, as required by the staff code of conduct and confidentiality agreement signed upon commencement.

57. Use plain language when discussing confidentiality and privacy with young people, particularly those from Aboriginal and Torres Strait Islander and culturally diverse backgrounds. All staff must consider the young person's health literacy and ensure they understand the information provided and any documentation they must sign.
58. All electronic client files must be password protected. These files must not be left open or unattended. Any hard copy client files must be kept in a locked cabinet
59. Information about a child or young person should only be shared with other RACR staff when necessary to support that child or young person. The child or young person must provide written or verbal permission before information is shared with any non-RACR workers.
60. Staff must understand how information can be shared lawfully including how requests from the Family Court and other courts must be handled. Refer to the Case Notes policy and procedures for more information including exemptions under the Family Law Act.
61. Where RACR practitioners must provide reports or letters to external bodies, these reports must only be made with the full knowledge and consent of all clients involved. This may also require discussion with the parent or guardian, if the client is a child or young person, or the Chief Executive Officer. Clients should be consulted on the content and a senior manager or Centre Manager must authorise the report before it is submitted.
62. Refer to the Privacy, Confidentiality, File Management and Case Notes policies for further details.

Participation of Children and Young People

63. All children and young people must be informed of, and receive an easy read explanation of, their rights and responsibilities during their first session. They must also be given information on how to make a complaint and what to expect when making a complaint.
64. RACR values and empowers children and young people to participate in decisions affecting their lives. Practitioners must:
 - a. involve children and young people in decision-making, especially about matters that will directly affect them,
 - b. provide children and young people with information on their rights and how to make a complaint including plain language versions of this and other information,
 - c. provide a calm and safe environment where children and young people can express their views freely,
 - d. ensure children and young people know their involvement is voluntary and that they can leave at any time,
 - e. respect the views of children and young people, and
 - f. consider the child/young person's views, age, maturity and risks in making decisions affecting the child or young person to ensure their safety and best interests are the primary concern.
65. Practitioners should ensure that parents, guardians (and/or support workers in the case of children and young people with a disability) do not speak for the child or young person, while respecting the responsibilities and duties of a parent or guardian.
66. RACR supports the active participation of children and young people in its groups and services. Groups focused on children and young people should provide opportunities for them to contribute to the agenda.
67. Staff should seek feedback from children and young people on services they access, listen to their views and respond respectfully.

Relevant Legislation and Standards

- The United Nations Convention on the Rights of the Child
- National Principles for Child Safe Organisations
- Keeping our kids safe: Cultural Safety and the National Principles for Child Safe Organisations
- *Child Protection (Working with Children) Act 2012* (NSW)
- *Working with Vulnerable People (Background Checking) Act 2011* (ACT)
- Child and Youth Protection Services and the *Children and Young People Act 2008* (ACT)
- Department of Communities and Justice and the *Child and Young Persons (Care and Protection) Act 1998* (NSW)
- *Human Rights Act 2004* (ACT)
- *Privacy Act 1988*