



# **Child Safe Policy & Procedure**

**Document number: MGT-POL-005**

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### 1. Statement of Commitment

#### **Carrie's Place Commitment to Safeguarding Children and Young People.**

Our organisation provides a child safe culture by supporting children and young people, their parents, guardians, families and communities, and by ensuring all staff and volunteers who work with Carrie's Place are committed to safeguarding children and young people.

#### **Our commitment to children and young people**

We intend to:

- Provide a safe and supportive environment.
- Ensure that the experiences of children and young people are free from any form of harmful conduct, including child abuse, neglect or grooming.
- Empower children and young people so they feel able to respond to any behaviour that is not acceptable.
- Ensure children and young people know who to approach if they feel unsafe or have any child safety concerns, including abuse, neglect and grooming.
- Establish a reporting framework so reports are:
  - easy to make for anyone in the organisation.
  - responded to in a timely and fair manner.
  - recorded appropriately.
  - forwarded to relevant authorities as appropriate.
- Provide support for any children and young people who report or are suspected of being exposed to concerning conduct, including abuse, neglect or grooming.

#### **Our commitment to parents, carers, families, and their communities**

Carrie's Place is committed to supporting all adults involved in our organisation, to keep children and young people safe from harm and abuse.

We intend to:

- Communicate to adults involved in our organisation, our expectations around creating, maintaining, and improving a safe environment for children and young people.
- Share information with adults about keeping children and young people safe, including:
  - where they can find further information and advice; and
  - how to make a report if they suspect or know a child is being harmed, or if they observe a breach of our codes of conduct.

#### **Our commitment to being a child safe organisation**

We intend to:

- Ensure that Carrie's Place workforce and volunteers follow our *Code of Conduct* by:
  - making it publicly available; and

- educating all our stakeholders about the importance of following the Code of Conduct.
- Use child safe recruitment processes that include a Working with Children Check (WWCC) and other screening checks as appropriate for adults who require them.
- Induct all our stakeholders so they recognise their role in keeping children and young people safe and ensure they have ongoing learning and development opportunities related to child safety.
- Take steps to ensure Carrie's Place workforce and volunteers do not engage in concerning conduct with children and young people.
- Ensure that all Carrie's Place stakeholders know how and when to report any concerns, complaints, or allegations of concerning conduct, including abuse, neglect or grooming.
- Ensure that all Carrie's Place participants are provided with appropriate support if they are exposed to, or report abuse, neglect or grooming.

## 2. Scope

- 2.1. This Policy applies to all employees of the organisation and all persons performing work at the direction of Carrie's Place [**workers**].
- 2.2. Carrie's Place will be collectively referred to as [**the organisation**], or [**Carrie's Place**].
- 2.3. This Policy applies at all Carrie's Place workplaces and other places where a worker may be working or representing the organisation, for example, at external events, work endorsed functions, clients, or customer's premises [**workplace**].

## 3. Definitions

**“Child”** refers to any person under the age of 18 years old.

**“Employee”** refers to any employees, volunteers, contractors and management team members, as well as Governance Committee members.

**“Mandatory Reporting”** refers to the legislative requirements for selected groups of people to report suspected cases of child abuse and neglect to the Department of Communities and Justice (DCJ).

**“Reportable conduct”** is defined in the *Childrens Guardian Act 2019* as:

- a sexual offence,
- sexual misconduct,
- ill-treatment of a child,
- neglect of a child,
- an assault against a child,
- an offence under section 43B (failure to protect) or section 316A (failure to report) of the *Crimes Act 1900*,

- behaviour that causes significant emotional or psychological harm to a child.

**“Child abuse”** is 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 the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

**“Child protection”** refers to any measure taken to safeguard children from abuse or harm.

**“Grooming”** is any act with the aim of befriending, building rapport, and gaining the trust of a child for the purpose of subjecting them to abuse. Signs of grooming include giving gifts or special attention, or inappropriate touching such as tickling or wrestling with a child.

**“Harm”** Different states or territories may have differing definitions of harm in relation to child protection legislation, but in general it refers to any significant detrimental effect on a child's physical, psychological, or emotional wellbeing.

**“Balance of probabilities”** is a belief based on reasonable grounds (see below) that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are considered and these are objectively assessed.

Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

**“Sexual abuse”** Occurs when an adult or another child or young person uses power and authority to involve a child in sexual activity, and can be physical, verbal, or emotional.

#### 4. Child Rights to Safety & Participation

- 4.1. The organisation is a child and youth-centred organisation, actively seeking to include the voices of children in the delivery of services and understand what makes children feel safe in our organisation, as well as understanding what issues are important to them.
- 4.2. Carrie's Place commits to engaging with children and young people on an ongoing and regular basis to understand how we can best protect, support and promote their health, safety and wellbeing. Carrie's Place will:
  - Involve children in informal discussions;
  - Consult with children about any proposed changes; and
  - Survey children and young people on current issues impacting their lives.

The organisation fosters a culture of openness and respect where children and adults feel safe to disclose risk of harm to children. We take every concern and allegation seriously, in line with the principles of procedural fairness. We communicate with children about what they can do if they feel unsafe and believe children when they raise a concern or make an allegation.

### 5. Value Diversity

- 5.1. The organisation recognises that all children, regardless of their age, abilities, gender identity, sexual orientation, religion, beliefs, or social, economic, or cultural background, have equal rights to protection from abuse. Carrie's Place values diversity and adheres to cultural safety and does not tolerate discrimination.

### 6. Cultural safety for Aboriginal and Torres Strait Islander children

- 6.1. Staff and volunteers must encourage and support children to express their culture and enjoy their cultural rights. Staff and volunteers must actively support and facilitate participation and inclusion within the organisation by Aboriginal and Torres Strait Islander children and their families. Carrie's Place does not tolerate racism and the organisation will respond to any instances of racism by following our *Performance Management and Disciplinary Policy* and *Appropriate Workplace Behaviours Policy* for responding to racism including potential consequences.
- 6.2. Carrie's Place supports, guides and trains staff, volunteers and managers to understand, respect and value Aboriginal and Torres Strait Islander culture and to understand the importance of this to the wellbeing and safety of Aboriginal and Torres Strait Islander children. Carrie's Place actively supports and facilitates participation and inclusion of Aboriginal and Torres Strait Islander children and their families by following Carrie's Place Policies and Procedures. Carrie's Place recognises and celebrates Aboriginal and Torres Strait Islander peoples, their achievements, communities, and cultures.

### 7. Recruitment & Selection

- 7.1. The organisation applies the best practice standards in the recruitment and screening of personnel. Recruitment procedures comply with the *Recruitment and Selection Policy*, ensuring that child safety requirements are addressed.
- 7.2. Interviews of potential employees are conducted by a panel of staff members who are familiar with child safe principles, with at least one panel member who has a knowledge of the dynamics of child abuse, and on determining a values-fit with the organisation.
- 7.3. Interview questions are designed to elicit information about the candidate's values, attitudes, aptitudes, and work history.
- 7.4. National Police Checks and Working with Children Checks (or equivalent) are required for all personnel before commencing work with the organisation.
- 7.5. Referee checks include screening regarding working safely with children are also conducted.
- 7.6. Before commencing in their role, successful applicants sign the organisation *Code of Conduct* and *Appropriate Workplace Behaviour Policy*.

### 8. Training & Induction

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- 8.1. All new staff and volunteers will receive a copy of the organisation's *Child Safe Policy, Code of Conduct* and *Complaints, Grievance and Dispute Resolution Policy* and be guided through the application of these policies and procedures throughout the staff induction process and understand that child safety is everyone's responsibility.
- 8.2. All staff, volunteers and managers will be trained in identifying, assessing, and managing these risks, and detecting signs of abuse. Training will also include protective factors that reduce the risk of abuse, and ways to promote these protective factors in the context of the organisation.
- 8.3. Workers are also supported through ongoing supervision to:
  - 8.3.1. Develop their skills to protect children from abuse and
  - 8.3.2. Promote the cultural safety of Aboriginal children, children from linguistically and/or diverse backgrounds, and children with a disability.
- 8.4. New employees and volunteers will be supervised regularly to ensure they understand the organisation commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate.

## 9. Complaint Management and Reporting Process

- 9.1. Carrie's Place encourages, supports and promotes a culture of reporting in keeping children safe. If a member of the public would like to raise a concern or provide feedback in relation to child safety, we encourage them to report through:
  - 9.1.1. A face-to-face meeting
  - 9.1.2. An email
  - 9.1.3. A phone call

All concerns and reports are taken seriously and acted upon in a timely and child centred approach.

For more information refer to the *Complaints, Grievance and Dispute Resolution Policy*.

## 10. Risk Management

- 10.1. The organisation recognises the importance of a risk management approach to minimising the potential for child abuse or harm to occur and use this to inform our policies, procedures, and service planning.

Safety risk management planning is incorporated into risk management review and actions for the following:

- Each individual staffed facility where children attend;
- Each unique service offered to children (regardless of whether or not the service is exclusively for children); and
- Each event, program or service provided by Carrie's Place employees delivered outside of a Carrie's Place facility, where children are expected to attend or be present.

For more information refer to the *Risk Management Procedure* to guide risk management.

### 11. Record Keeping and Incident Monitoring

- 11.1. The organisation is committed to best practice record keeping including maintaining records on reports of child abuse. This ensures confidentiality and privacy for children and families according to legislation.
- 11.2. It is important that records about any child protection concerns are kept for future reference and case review activities. All records are kept in a secure location, with strictly limited access.
- 11.3. Workers should keep an electronic record of each interaction with a child, young person, or family in relation to which child protection concerns are held in each case.
- 11.4. Additionally, a detailed record of interventions and support offered to children, young people and families should be kept to allow:
  - 11.4.1. An exchange of appropriate information with the DCJ and other organisations, if requested through information exchange mechanisms (Section 248 and Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998* [NSW]);
  - 11.4.2. The recognition of a pattern of acts that may constitute a cumulative risk of significant harm and require reporting; and
  - 11.4.3. A record of attempted interventions to determine what has worked and what may need to change.
- 11.5. When a report has been made, the worker will make a record of the notification in the client's file.

### 12. Reporting, handling and investigating child abuse concerns, complaints and allegations.

Carrie's Place is defined as a Schedule 1 *Entity under the Children's Guardian Act 2019*. For the purposes of Reportable conduct an employee is defined as:

- All employees of the Organisation,
- Volunteers who provide a service to children,
- Contractors and third-party employers who hold a working with children check.

A reportable allegation is an allegation that an employee has engaged in conduct that may be reportable, whether the conduct is alleged to have occurred in the course of the employee's employment with the Organisation. Reportable conduct applies to every employee and volunteers and contractors who hold a working with children check. Reportable allegations are allegations that an employee has engaged in reportable conduct.



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Carrie's Place will report and investigate any allegation that occurs within or outside of an employee's work hours.

Reportable conduct is defined as:

- (a) a sexual offence, such as sexual grooming or sexual touching of a child,
- (b) sexual misconduct, such as sexual comments or conversations with or in the presence of a child,
- (c) ill-treatment of a child, such as making excessive or degrading demands of a child or a pattern of hostility towards a child,
- (d) neglect of a child, means significant failure to provide adequate food, supervision, clothing or medical attention,
- (e) an assault against a child, such as hitting, kicking, or threatening to physically harm a child,
- (f) an offence under section 43B or 316A of the [Crimes Act 1900](#), meaning failure to report instances of child abuse or failure to protect a child from harm,
- (g) behaviour that causes significant emotional or psychological harm to a child.

Any employee who knows or ought to know about an instance of a reportable allegation of another employee, must, as soon as possible, report the matter to their supervisor or the CEO. The CEO is responsible for investigation and reporting to the Office of the Children's Guardian (OCG).

If the allegation is against the CEO, it must be reported to the OCG and the Chair of the Governance Committee.

The CEO will report any reportable allegations to the OCG within seven days of becoming aware of the allegation.

### What to report

When reporting a reportable allegation to the OCG, the following information must be included:

- The type of reportable conduct alleged;
- The name of the employee;
- The name of the child (if known);
- Risk management action;
- If the Police and / or Department of Communities and Justice have been notified;
- The location of the alleged abuse; and
- Any other relevant information.

### **Risk Management following an allegation**

Following an allegation, an initial risk assessment must be undertaken and then revisited throughout the investigation process. The organisation must consider risks to:

- The child/ren involved in the incident;
- Other child/ren;
- The Organisation; and
- The employee.

At all times the health and safety of children should take priority above all else. The risk assessment must also take into consideration recommendations and advice from the NSW Police and Department of Communities and Justice. For example, it may not be appropriate to terminate an employee if it will interfere or jeopardise the investigation from Police.

See the OCG fact sheet – [Risk Management Planning following an allegation.](#)

### **Undertaking an investigation**

The CEO or delegate of the CEO will conduct the investigation, giving cause to procedural fairness and following advice from other agencies. Carrie's Place may defer or place their investigation on hold if NSW Police, Department of Communities and Justice, or the OCG request them to do so. At all times, Carrie's Place will consult with and follow guidance from NSW Police, DCJ and OCG to support the integrity of the investigation.

Pending the outcome of other agency investigations, and where appropriate, Carrie's Place may request information under a Section 16A, to inform their own investigation and to prevent parties being re-subjected to investigation processes.

Carrie's Place may elect to source an external investigator to undertake the investigation process. If the organisation elects to undertake the investigation internally, the following must be considered:

- An investigation plan;
- Ensuring procedural fairness;
- Informing the employee about the allegation;
- Informing the child and parent/ guardian about the investigation, including progress updates (where appropriate); and
- Gathering and securing information and evidence.

See The OCG Factsheet – [Planning and Conducting an investigation.](#)

### **Finalising a report**

As soon as practical, Carrie's Place will finalise their investigation and report their findings to the OCG. Findings will be based on the balance of probabilities, meaning the CEO or other decision maker is "reasonably satisfied" that the reportable conduct has occurred.

In making a decision of a reportable allegation, the CEO or other decision maker, must consider if the conduct is in breach of established standards applied to the employee, including:

- Professional Standards;
- Codes of Conduct, including professional or ethical codes; and
- Accepted community standards.

If the final report is not finalised within 30 days of initial notification, the CEO must provide an interim report to the OCG with details on the progress of the investigation. Following a 30-day report, the CEO must provide a final report containing an outcome of the investigation.

See OCG Factsheet – [Making a finding of Reportable Conduct](#).

Carrie's Place takes seriously all concerns, complaints and allegations of abuse or suspected abuse against any child or young person in the service. They will be handled sensitively, investigated in a timely manner, and with the safety of the child as the primary consideration.

Where allegations of criminal conduct under the *Crimes Act 1900*, are investigated and upheld on the balance of probabilities, the NSW police will be notified prior to reporting to the OCG and the police report number will be provided to the OCG.

### 13. Mandatory Reporting

- 13.1. Mandatory reporters must register on the [eReport Story Reporter](#) website to make and submit eReports. Once registered, mandatory reporters will be referred to the Mandatory Reporter Guide (MRG).
- 13.2. If you become concerned that a child/young person known to you in your capacity as a mandatory reporter is being abused or neglected, or is likely to be abused or neglected, refer to the [Mandatory Reporter Guide](#) (MRG). If your concern does not fit any of the [decision trees](#), it may not be reportable, but you can consult with your manager or the NSW Health, Child Wellbeing Unit (1300 480 420).
- 13.3. Follow the direction of the outcome from the MRG which will guide you to report or other interventions. If you do not feel that the outcome is an adequate response to your concerns and/or that you feel a report needs to be made based on your professional judgement, you can consult with your manager and/or make a report. or the NSW Health, Child Wellbeing Unit (1300 480 420).

### 14. Key Responsibilities

### **Governance Committee**

The Governance Committee has ultimate responsibility for policies and procedures to be in place that are appropriate for the size and type of services provided, and for ensuring that all staff and volunteers abide by these to prevent and respond to child abuse. The Governance Committee must also be aware of their legal liability for failure to disclose abuse or failure to reasonably protect based on known risks.

### **Executive Leaders/Managers**

14.1. Executive Managers and Leaders will always promote a child safe culture including but not limited to:

- 14.1.1.1. Ensuring compliance with mandatory training and other services of funding requirements are met;
- 14.1.2. Facilitating the reporting of any inappropriate behaviour or suspected abuse.
- 14.1.3. Performing risk assessments on activities requiring interaction with children; and
- 14.1.4. Ensuring policies are openly and widely available to all workers and actively promoted within the organisation including our *Code of Conduct* and highlighted during our onboarding processes for new staff and made available on the Carrie's Place Comms Hub.
- 14.1.5. The Carrie's Place Statement of Commitment to Child Safety is visible and available to all clients, staff, visitors, and volunteers at all sites.

### **Responsibilities of Workers (including volunteers)**

- 14.2. All workers working on behalf of the organisation are made aware of, read and comply with the *Child Safety Policy and Procedure*.
- 14.3. All staff within the organisation accept responsibility for the welfare of children who come into contact with the organisation in connection with its programs, tasks and/or functions, and that they will report any concerns about a child or somebody else's behaviour accordingly.
- 14.4. Considerations of confidentiality which might apply to other situations should not be allowed to override the right of children to be protected from harm. However, every effort should be made to ensure that confidentiality is maintained for all concerned when an allegation has been made and is being investigated.
- 14.5. Workers and anyone in paid or unpaid work on behalf of the organisation will be checked appropriately and will be required to comply with the Working with Children and the NSW Criminal Records Check procedure.

### **15. Review Requirements**

15.1. A review of this Policy will be conducted to evaluate its continued effectiveness

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considering relevant legislation, government policy, and/or Carrie's Place requirements, strategies, and values.

- 15.2. This Policy will be reviewed and updated annually or when necessitated by legislative or best practice changes, to ensure compliance with the Child Safe Standards, by the Carrie's Place CEO and any changes made will be approved by the Governance Committee.
- 15.3. The Policy will also be reviewed after any reportable incident, to ensure that it complies with current best practice in preventing and responding to child abuse incidents and allegations.
- 15.4. This Policy will be communicated via regular information sessions with staff and volunteers and be available on the Carrie's Place Comms Hub. All children and their families will receive a copy of the policy, and the Code of Conduct on commencement of service, and after it is updated.

## 16. Compliance

- 16.1. We seek and encourage the commitment of all workers regarding this Policy and are dedicated to ensuring that all workers are aware of and understand all elements of this Policy and associated policies and procedures.
- 16.2. Workers must comply with the requirements of this Policy. Any breach of this Policy may result in disciplinary action including, but not limited to, termination of employment.

## 17. Related documents

*Code of Conduct*  
*Recruitment and Selection Policy*  
*Staff Training and Development Policy*  
*Complaints, Grievance and Dispute Resolution Policy.*  
[Child Wellbeing and Child Protection – NSW Interagency Guidelines](#)  
[NSW Online Mandatory Reporter Guide](#)  
*Child Protection (Working with Children) Act 2012*  
*Child Protection (Working with Children) Regulation 2013*  
*Children and Young Persons (Care and Protection) Regulation 2012*  
*Children and Young Persons (Care and Protection) (Child Employment) Regulation 2015*  
*Children and Young Persons (Care and Protection) Act 1998*  
*Children's Guardian Act 2019*

## 18. Declaration

- 18.1. I have read and understood this Policy.

Workers Full Name:	
Workers Signature	
Date:	

**19. Revision History**

Rev	Date	Revision Description	Name
0	February 2023	Initial Policy Development	CEO and Skildare
01	March 2023	Policy Draft	CEO and PM