

Policy #18	SerD - POL - Customer and Child Safety and Duty of Care
------------	---

Applies to: Whole of Organisation	Version: 4
Specific responsibility: Chief Executive Officer, Program Managers	Last Date approved: 31/07/2023
Definitions: Child Sexual Abuse or Molestation is a form of child abuse in which an adult or older adolescent uses a child for sexual stimulation.	Next review date: 15/07/2025

POLICY STATEMENT

Social Futures has zero tolerance for abuse and molestation of people who use our services. We are committed to the right of all people to be safe and live without fear of threat or harm, in an environment free from all types of harm, abuse, neglect or exploitation. We maintain strategies to identify and manage potential risks to the cultural safety of specific groups including Aboriginal and Torres Strait Islander peoples, CALD, and LGBTIQSB consumers, among others.

We have a duty of care to all people who use our service and our other stakeholders. We will apply the National Principles for Child Safe Organisations to promote the safety, protection and prevention of harm to children and young people and guide staff on how to work with them. Staff should also refer to the Social Futures guideline Protective Practices for Staff in their Interactions with Children and Young People, which is located in the company document library.

OBJECTIVES

To uphold Social Futures duty of care and respond to and manage risk of harm, abuse and neglect by:

- Aiming to protect all people who use our service and other stakeholders from harm or loss (physically, financially or psychologically) due to any action or inaction by our organisation, staff or volunteers. We will do this while also considering the dignity of risk (the right of informed individuals to take calculated risks) and supporting the choices and independence of people who use our service using a risk management framework.
- Recording all client related information, risks and incidents in relevant systems as soon as practicable after an interaction and certainly within timeframes defined in relevant procedures and guidelines.
- Responding appropriately to any concerns, disclosures, allegations or suspicions

- Ensuring that incident management is timely, consistent and effective.
- Immediate notification to the relevant senior staff and Board and the reporting of all reports of abuse, neglect or exploitation.
- Reporting incidents of significant harm, abuse, neglect and/or exploitation to relevant authorities and assuring the privacy and confidentiality of reporters.
- The automatic suspension of an employee or volunteer from work or other duties, if they are under investigation (internally, or by the police) for committing sexual abuse.
- The automatic termination of employment or involvement with the organisation if an employee or volunteer is found to have committed sexual abuse (either by an internal investigation or by a court)
- Ensuring health, safety and well-being are primary considerations.
- Training all relevant staff to help identify and respond to abuse, neglect or exploitation.
- Encouraging program participants to demonstrate self-protective behaviours.
- Promoting a culture of no retribution
- Providing support to program participants, their family, carers or guardians.
- Providing information on how to access legal services and advice.

To apply the National Principles for Child Safe Organisations through:

Leadership, Governance and Culture:

- A culture of child safety championed and modelled at all levels of the organisation.
- A Code of Conduct upheld and modelled by all staff that specifies our standards when dealing and interacting with children and young people.
- Risk management strategies that focus on identifying, assessing, preventing, and mitigating risks to children and young people.
- Staff and volunteers understanding their obligations regarding preserving privacy as well as information sharing and record keeping.
- Clear communication to promote awareness of risks to children and young people, our commitment, actions and processes to minimise harm.
- Not being a bystander and taking a proactive approach to support a child safe culture.
- Policies and procedures that document how the organisation is safe for children and young people.

Mandatory Reporting, Exchanging Information and Complaint Handling:

- Identifying, responding to and reporting all risks of significant harm. Reports will be made in line with the relevant State legislation. In New South Wales call the Child Protection Helpline 132 111, in Queensland contact a Child Safety Services' Regional Intake Service in the Department of Children, Youth Justice and Multicultural Affairs and in South Australia report to the Child Abuse Report Line on 131 478. Where concerns are below the threshold for reporting risk of significant harm, we will respond to and manage the risk. When we

make a report of significant harm we will tell parents, carers and significant others, unless this would compromise the safety of a child, young person or worker.

- Collaborating and coordinating with individuals and organisations to keep children safe in line with any information sharing and multiagency response guidelines or legislation.
- Seeking, supporting and acknowledging feedback or complaints and managing and acting on complaints and allegations focusing on the child or young person.

The involvement of Children and Young People:

- Active participation from children to inform our service child safe environments.
- Children and young people being informed about all their rights, including to safety, information and participation in decision making.
- Encouraging children and young people to use self-protective strategies and understand the difference between appropriate, inappropriate and criminal behaviour and how to discuss or disclose concerns.
- Staff and volunteers being attuned to signs of harm and facilitating child-friendly ways for children to express their views, participate in decision-making and raise their concerns.
- Carefully listening to the views of children and respecting what they say.

The involvement of Families and Communities:

- Engagement and open communication with families and the community about our child safe approach and involving families in promoting child safety and wellbeing.
- Incorporating feedback from families and communities into our policies and procedures.

Upholding Equity and Diversity in Policy and Practice:

- Anticipating children and young people's diverse circumstances and providing support and responding to those who are vulnerable.
- Paying particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people.

A Suitable and Skilled Workforce:

- Suitable staff and volunteers selected using rigorous recruitment practices and screening including: Working with Children Checks, National Police Checks, NDIS Worker Screening Checks and reference checks
- Staff who are supported and trained in child safe practices, trained to recognise indicators of child harm, receive regular supervision, and are actively engaged in child safe thinking, responses and action
- Staff who are inducted in record keeping, information sharing and reporting obligations
- The nomination of two child safety officers

Safe Environments:

- Providing environments – both physical and online - that promote safety and wellbeing and minimise opportunities to harm.

Review and Analysis:

- Regular review and monitoring of our compliance with the National Child Safe Principles and taking a collaborative approach to reviewing our policies and procedures
- Regular analysis of complaints, concerns and safety incidents to identify causes and systemic failures to inform continuous improvement

Policy context: This policy relates to	
Standards or other external requirements	<p>Australian Service Excellence Standards 2.1, 2.2, 2.4, 4.3, 5.1, 6.1 8.1, 8.2</p> <p>Family Relationships Services Standards 13</p> <p>National Home Care Standards 1.8</p> <p>National Standards for Disability Services</p> <p>NSW Disability Services Standards 6</p> <p>Home Care Standards 1.3</p> <p>NSW Good Practice Guidelines 1.2</p> <p>Keeping Them Safe Guidelines (NSW)</p> <p>Information Sharing Guidelines for promoting safety and wellbeing (SA)</p> <p>Interagency Code of Practice – Investigation of Suspected Child Abuse or Neglect (SA)</p> <p>National Standards for Mental Health Services 1, 2, 3, 4, 5, 7</p>
Legislation or other requirements	<p><i>Table 1 (Legislation)</i></p> <p>Privacy Act 1988 (Clth)</p> <p>Child Protection (Working with Children) Act 2012 (NSW)</p> <p>Children and Young Persons (Care and Protection) Act 1998 (NSW)</p> <p>Guardianship Act 1987 (NSW)</p> <p>Ombudsman Act 1974 (NSW)</p> <p>Work Health and Safety 2011 (NSW)</p> <p>Working with Children (Risk Management and Screening) Act 2000 (QLD)</p> <p>Children and Young People (Safety) Act 2017 (SA)</p>

	Child Safety (Prohibited Persons) Act 2016 (SA) Ombudsman Act 1972 (SA) Work Health and Safety Act 2012 (SA) Civil Liability Act 1936 (SA) Family and Community Services Act 1972 (SA)	
Reviewing and approving this policy		
Frequency	Person responsible	Approval
Two years	Chief Executive Officer	Board

Policy review and version tracking				
Review	Date Approved	Document Reviewed	Approved by	Next Review Due
	03/11/2020	Child Safety	Board	Reviewed 13/04/2021 as one merged policy – Customer Safety and Duty of Care
	03/11/2020	Duty of Care	Board	
	13/06/2019	Abuse and Neglect	Board	
1	11/05/2021	Customer and Child Safety and Duty of Care	Board	15/06/2022
2	15/07/2022	Customer and Child Safety and Duty of Care	Board	7/11/2022
3	23/11/2022	Customer and Child Safety and Duty of Care	Board	23/11/2023
4	14/07/2023	Customer and Child Safety and Duty of Care	Board	14/07/2025

Documents related to this policy	
Related policies	Values, Vision and Purpose Ethics, Conduct and Conflict of Interest Compliance and Risk Management Privacy, Information and Knowledge Management Recruitment,

	<p>Induction and Staff Planning Workforce Management Employment, Equity and Diversity Monitoring Quality and Performance Participant Rights Service Access, Intake, Referral, Delivery and Transition</p>
Related procedures	<p>Child, Young Person and Vulnerable Person Safe Statement of Commitment and Code of Conduct Guideline – Protective Practices for Staff in their Interactions with Children and Young People Practice Framework Risk Management Framework Code of Ethics and Conduct Agreement Child Protection Risk of Significant Harm (ROSH) Reports procedure and flowchart Client Incident Reporting and Management – Flowchart Incident and Critical Incident Response Procedures Risk Management Manage and Respond to Allegations against Staff Probity Checks Personal Records – Clients Information Release Confidentiality and Personal Privacy Breach of Policy or Procedure</p>