

## Purpose

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Community Living & Respite Services (CLRS) is committed to providing an inclusive and welcoming environment that supports the safety, participation, empowerment and wellbeing of all children and young people.

The *Child Safety Policy* aims to:

1. protect the safety and wellbeing of children and young people in our care and prevent abuse from occurring;
2. ensure all allegations are dealt with promptly;
3. guide staff on how to behave with children; and
4. comply with the *Child Wellbeing and Safety Act 2015* and the *Victoria Child Safety Standards*.

This policy applies to all (ongoing, fixed term or casual) CLRS staff, volunteers, board members, students, contractors, and community members.

## Definitions

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**Child (Young Person)** refers to a person who is under the age of 18 years.

**Child abuse** refers to any act committed against a child involving:

- sexual offence committed against a child
- an offence committed against a child under section 49M(1) of the Crimes Act 1958 (Vic), such as grooming
- physical violence against a child
- causing serious emotional or psychological harm to a child
- serious neglect of a child.

**Child safety** in the context of this policy, refers to measures to protect children from child abuse.

**Harm** refers to damage to the health, safety or wellbeing of a child or young person, including as a result of child abuse by adults or the conduct of other children. It includes physical, emotional, sexual and psychological harm. Harm can arise from a single act or event and can also be cumulative, that is,

arising as a result of a series of acts or events over a period of time.

**Staff** refers to ongoing, fixed term or casual staff, volunteers, board members, students, and contractors.

**Reasonable belief** refers to a belief that is formed if a reasonable person in the same position would have formed the belief on the same grounds.

**Cultural safety** Cultural safety is about creating an environment that is safe for Aboriginal and Torres Strait Islander people. This means there is no assault, challenge or denial of their identity and experience. Cultural safety is about: Shared respect, shared meaning and shared knowledge (Department of Health , 2021).

## Policy

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### 1. Statement of commitment to child safety

CLRS is a child-safe organisation which welcomes all children, young people and their families.

We are committed to providing environments where children and young people are safe and feel safe, where their participation is valued, their views respected, and their voices are heard about decisions that affect their lives. Our child safe policies, strategies and practices are inclusive of the needs of all children and young people.

We have no tolerance for child abuse and take proactive steps to identify and manage any risks of harm to clients in any area of our service delivery.

We promote positive relationships between children and adults and between child to-child relationships. These relationships are based on trust and respect.

We take proactive steps to identify and manage any risk of harm to children and young people in our environment. When child safety concerns are raised or identified, we treat these seriously and respond promptly and thoroughly.

Particular attention is given to the child safety needs of Aboriginal young people, those from culturally and linguistically diverse backgrounds, those unable to live at home, children and young people who identify as lesbian, gay, bisexual, trans and gender diverse, intersex and

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queer (LGBTIQ+) and other young people experiencing risk or vulnerability. Inappropriate or harmful behaviour targeting children and young people based on these or other characteristics, such as racism or homophobia, are not tolerated at CLRS, and any instances identified will be addressed with appropriate consequences.

Child safety is a shared responsibility. Every person involved in our organisation has an important role in promoting child safety and wellbeing and promptly raising any issues or concerns about a child's safety.

We are committed to regularly reviewing our child safe practices, and seeking input from our children, young people, families, staff, and volunteers to inform our ongoing strategies.

## 2. CLRS approach to child safety

### 2.1 Building a child safe culture

CLRS leadership team will champion and model a child safe culture at CLRS, encouraging anyone involved with the organisation to report a child safety concern. The leadership team will work to create a positive culture around reporting so that people feel comfortable to raise concerns.

Everyone has a responsibility to promote the safety, participation, wellbeing and empowerment of children by:

- treating children with respect;
- complying with all relevant laws, regulations, policies, processes and guidelines;
- immediately reporting any concerns or allegations of child abuse or non-compliance; and
- complying with any child safety training, registration or accreditation requirements which may be relevant to their duties or activities.

Any staff member being investigated or who has been convicted of a child related offence must report immediately to the HR Manager. A failure to report may constitute a criminal offence, result in serious penalties and/ or termination of employment.

Document Owner: HR	Approval date: May 2023
Approved by (role title): Chief Executive Officer	Next review date: May 2026

## 2.2 Child Safe Code of Conduct

All staff must always display appropriate standards of behaviour towards children and young people, ensuring their rights are respected, they feel safe and protected and their concerns are taken seriously.

The CLRS *Child Safe Code of Conduct* outlines appropriate standards of behaviour by adults towards children and young people. It aims to protect children and young people and reduce opportunities for abuse or harm to occur. It also helps staff by providing them with guidance on how to best support children and young people and how to avoid or better manage difficult situations.

## 2.3 Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously

Supporting the empowerment and participation of children and young people with disability involves:

- communicating in a way that works best for them
- attending to any assistance that may be required for them to express themselves or raise concerns
- structuring spaces, processes, communications and activities to support them
- treating their views and insights with the same weight and respect as anyone else's.

For children and young people to be empowered, they need organisations to foster certain values and commitments, including:

- showing that they value children and young people and their contributions
- demonstrating a commitment to their rights
- taking their experiences seriously and responding to their views and insights
- demonstrating a commitment to keeping them safe.

(Commission for Children and Young People, 2021)

Document Owner: HR	Approval date: May 2023
Approved by (role title): Chief Executive Officer	Next review date: May 2026



(Commission for Children and Young People, 2021)

The *CLRS Client Handbook* or *out of home care welcome booklet (easy read)* is provided to children and young people and their parent/guardians to ensure they are informed about their rights, including safety, service information, and participation during the intake process.

CLRS actively involves children when making decisions, especially about matters that directly affect them by providing opportunities to be part of the support planning process. Supported decision-making frameworks are also used where appropriate in line with the support plan developed with the parent/guardian and young person.

In the Out of Home Care program, young people will have the opportunity to attend monthly feedback meetings with a staff member or team leader to discuss items of their choice.

CLRS values the voices of children and will act on safety concerns raised by children, their families, staff or members of the community. This is supported through strategies developed at each program including:

- Regular discussions with children, including child-led conversations on what makes them feel safe and unsafe.
- Feedback mechanisms that are developed with input from the young people, individualised to the setting, age and development of the young people involved. Young people are provided with feedback on their suggestions or concerns.
- Consultation with young people about any proposed significant changes to the physical environment, policies, procedures, programs, or staffing. Children’s and young people’s

Document Owner: HR	Approval date: May 2023
Approved by (role title): Chief Executive Officer	Next review date: May 2026

views are collected by staff, provided to management, and considered in the decision-making process.

## **2.4 The importance of friendships is recognised and support from peers is encouraged, to help children and young people feel safe and be less isolated**

CLRS recognises the importance of strong friendships and feeling part of a team for young people. Having friendships can be a safety mechanism for vulnerable children as they may be more likely to disclose abuse to a friend before an adult. This is why it is very important to empower all children and young people to act on concerns relating to themselves or to others.

CLRS will support young people to develop positive peer relationships and build skills to support each other, while also seeking out adults if required.

This is supported through strategies developed at each program including:

- Celebrate successes to strengthen a sense of team and individual value
- Identifying shared goals and expectations
- Spending time building trust and rapport
- Developing social skills as part of development
- Call out bullying or exclusion
- Discourage unacceptable behaviour
- Encourage positive team dynamics

(Commission for Children and Young People, 2021)

## **2.5 Providing a culturally safe environment for all Aboriginal children and young people**

CLRS is committed to creating environments where Aboriginal culture is celebrated, and Aboriginal children and young people are welcomed and included. Strategies to embed cultural safety for Aboriginal children and young people include:

- an Acknowledgement of Country at all staff meetings and events.
- consulting with families and members of the Aboriginal community to identify opportunities to promote Aboriginal culture and practices.
- providing opportunities for children to share their cultural identity and express their culture.
- supporting children who wish to explore their culture, including consulting with their family and relevant Aboriginal organisations.

Document Owner: HR	Approval date: May 2023
Approved by (role title): Chief Executive Officer	Next review date: May 2026

- providing training for staff and volunteers on the strengths of Aboriginal culture and its importance to the wellbeing and safety of Aboriginal children.
- celebrating NAIDOC Week and acknowledging significant events including National Sorry Day and National Reconciliation Week.
- seeking feedback from Aboriginal children, families and communities on their experience at CLRS particularly how safe they feel expressing their identity including their culture.

### 2.6 Valuing Diversity

CLRS values diversity and does not tolerate any form of discrimination. CLRS promotes and respects diversity by ensuring cultural safety, participation and empowerment of Aboriginal children, children from culturally and/or linguistically diverse backgrounds and children with a disability.

### 2.7 Recruitment

CLRS takes all reasonable steps to employ skilled people to work with children and young people. Selection criteria and advertisements clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities.

All staff who may work with children are required provide a Working with Children Check in accordance with the *Pre- Employment Screening Checks Procedure*. Staff working in the Out of Home Care environment are placed on the Department of Families, Fairness & Housing (DFFH) carer's register.

All staff must sign the *Child Safety Code of Conduct* outlining the standards of conduct required to work with children and others at the commencement of employment or at the time of implementation of the *Child Safety Code of Conduct*.

### 2.8 Education and Training

Training and education are important to ensure that everyone understands that child safety is everyone's responsibility.

CLRS aims for all staff to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. All staff are provided with ongoing training and education to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse. New staff will be provided with the *Child Safety Policy*, *Child Safety Code of Conduct* and an overview of the standards at induction.

Document Owner: HR	Approval date: May 2023
Approved by (role title): Chief Executive Officer	Next review date: May 2026

Ongoing supervision will be provided for all staff in accordance with the *Supervision Procedure*. This will include ensuring behaviour towards children are safe and appropriate.

Staff working in Out of Home Care are required to complete specific training in relation to child protection. All staff must complete the mandatory units of a Certificate IV in Children Youth and Families Intervention and are required to complete the full course as per DFFH requirements.

Reporting flow chart and 'Speak Up- it's your right' will be displayed in all settings where services are provided to children.

### 2.9 Complaints and reporting

***If there is concern for the immediate safety of a child, immediately call emergency services 000***

A child who discloses that they are feeling unsafe or being abused must be heard, must be taken seriously and treated with sensitivity and compassion. Oncall or a Senior Leader must be notified immediately and will access the appropriate response in accordance with policy and legislative requirements.

**The [Victorian Reportable Conduct Scheme](#):** requires CLRS CEO to report any alleged child abuse or misconduct by staff to Commission for Children and Young People within 3 days of becoming aware of the allegation in accordance with the Child Wellbeing and Safety Act. **An internal investigation is not to commence without clearance from Victoria Police.**

Staff subject to allegations may be suspended in accordance with the CLRS **Disciplinary and Counselling Policy** during any investigation.

### 2.10 Legislative Requirements

CLRS take legal responsibilities seriously, including Failure to Disclose, Failure to Protect, Mandatory Reporting and Duty of Care.

*Failure to Disclose:* Any adult must report a reasonable belief that an offence has been committed by an adult against a child under the age of 16 years to the Police. Failure to disclose the information to the police is a criminal offence.

*Failure to Protect:* Any CLRS person of authority will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

Document Owner: HR	Approval date: May 2023
Approved by (role title): Chief Executive Officer	Next review date: May 2026



*Mandatory Reporting:* Any staff who are mandatory reporters (doctors, nurses, midwives, teacher, principals and police officers) must comply with their duties.

*Duty of Care:* If a child is abused by an individual associated with our organisation, CLRS is presumed to have breached its duty of care unless it can prove that it took 'reasonable precautions' to prevent the abuse in question.

## 2.11 Risk Management

Risk assessments are to be conducted in accordance with the *Risk Assessment and Actions Procedure* to identify and minimise child abuse risks. We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks which include risks posed by physical environments and online environments.

Staff are required to report any risks or hazards in accordance with the incident reporting policy and procedures.

## 3. Monitoring and Evaluation

This policy will be reviewed every three years and following significant incidents if they occur.

## External Framework

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The Child and Wellbeing Policy illustrates CLRS's adherence to the NDIS Practice Standards and Quality Indicators (2021), specifically:

- Core module – 4. Provision of Supports Environment

and adherence with child related legislation:

- Child Wellbeing and Safety Act 2015
- Victoria Child Safety Standards
- Working with Children Act 2005 (Vic)

## References and associated documents

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### Relevant Reference

Child Wellbeing and Safety Act 2015;  
Crimes Act 1958 (Vic);  
Victorian Charter of Human Rights and Responsibilities;  
Victoria Child Safety Standards; and  
Working with Children Act 2005 (Vic)

Document Owner: HR	Approval date: May 2023
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# Child Wellbeing & Safety Policy



## Internal references

<b>Policy</b>	<b>Procedure</b>	<b>Form</b>
<i>Incident Reporting</i>	<i>NDIS Client Incident Reporting</i>	<i>Child Safety Code of Conduct</i>
Respect for Children	<i>Out of Home Care Incident Reporting</i>	
	<i>Pre-employment Screening Checks</i>	
	<i>Recruitment and On boarding</i>	
	<i>Risk Assessment and Actions</i>	
	<i>Supervision</i>	
	<i>Reportable Conduct Scheme</i>	
	<i>Child Safety Procedure</i>	

## Amendments

<b>Version Date</b>	<b>Author</b>	<b>Description of Key</b>
05/05/2023	A de Vrieze – HR Manager	Replaces Child Safety Policy

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