

# Child Safety Policy

POLHR+GV001

HR+ is committed to providing services that are safe for children and youth and to ensuring that this is reflected in all aspects of the business. HR+ have a zero-tolerance policy for child abuse, harm and neglect. This policy outlines how HR+ will prioritise the safety of children and is intended to empower any child that HR+ has contact with. HR+ recognises that it is everyone's responsibility to ensure the safety of children and this includes all HR+ staff. We aim to create an environment where all children and young people are valued and feel safe. HR+ is committed to creating and maintaining a child safe organisation where protecting children and preventing and responding to child abuse is embedded in the everyday thinking and practice of all levels of the organisation. HR+'s primary contact with children is through the provision of NDIS Support Coordination and this provides the focus for a Child Safe policy. The same principles outlined, however, apply to all contact a HR+ staff member has with a child through work related activities. This can include attending medical practices, attending schools, meeting health professionals' families and managing events and conferences with children in attendance.

## Definitions

**Child:** A person under the age of 18 (unless otherwise specified in relevant legislation).

**Child abuse:** "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<sup>1</sup>"

**Child protection:** Any measure taken to safeguard children from abuse or harm.

**Grooming:** 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 might include inappropriately giving gifts or special attention or touching that is inappropriate in the context or setting, such as tickling or wrestling. The main difference between acceptable behaviours and grooming behaviours is the motivation behind them.

**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.

**Reasonable grounds for belief:** "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 taken into account 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.

A reasonable belief is formed if a reasonable person believes that:

- (a) the child is in need of protection,
- (b) the child has suffered or is likely to suffer "significant harm as a result of physical injury," or

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<sup>1</sup> World Health Organization (2016), *Child abuse and neglect by parents and other caregivers*.

(c) the parents are unable or unwilling to protect the child.

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation.

A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds<sup>2</sup>."

**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.

## Procedures

### **Commitment to child safety within all level of the organisation, including roles and responsibilities of governing body, management and staff.**

All children and young people who access the services of HR+ have the right to feel and be safe. All members of the governing body, management, and staff are made aware of and must act in accordance with the National Principles of Child Safe Organisations as well as HR+'s Working with Children Code of Conduct as part of their induction into the organisation, to commit to keeping children safe within the organisation and acting in their best interests.

#### **Governing body**

Board members are responsible for understanding the principles of child safe organisations and ensuring that these principles are implemented within the organisation. They must also be aware of their legal liability for failure to disclose abuse or failure to reasonably protect based on known risks.

#### **Management**

Management should be aware of all mandatory and voluntary reporting obligations and ensure that all staff and volunteers are made aware of the obligations that apply to them. Management is also responsible for being aware of and managing any risks to children, and to facilitate internal and/or external reporting by any members of staff/volunteers.

#### **Staff**

Staff have a responsibility to act in accordance with the National Principles of Child Safe Organisations and the HR+ Working with Children Code of Conduct, and to be aware of and comply with their obligations relating to reporting concerns, allegations and incidents of child abuse, including internal and external reporting.

#### **Taking child participation and empowerment seriously**

HR+ ensures that children and young people are informed of their rights, including to safety, information and participation. Rights-based Information is included in the welcome pack of all NDIS clients, and extra information specific to children is included in any welcome pack for children. Children and young people accessing HR+ services are afforded the opportunity to provide feedback and the feedback process is deliberately accessible and simplified. All welcome packs also contain information on this feedback process and there are anonymous avenues for making complaints.

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<sup>2</sup> Our Community (2018) *Child Protection Policy*

<https://www.communitydirectors.com.au/files/policybank/ChildProtectionPolicy2018-02.doc>



### **Involving families and communities**

HR+ recognises the important role that community support plays, whether that is from family, friends, carers or nominees. HR+ involves a young person's nominee through every stage of services delivered. HR+ encourage families and nominees to provide feedback by completing a complaints and feedback form, which can be done confidentially online or by getting in touch with their Support Coordinator within the organisation. HR+ provides information to families and nominees, and where applicable to nominated decision makers, to ensure that they are involved in decision-making with a child. Within the NDIS teams, information is distributed by:

- ▶ Providing details on incident and hazard reporting, feedback and complaints directly to clients on sign-up
- ▶ including in our information manual, information on our approach to child safety and our complaints management system; and
- ▶ Direct discussion with families and nominees.

HR+ further involves families and communities by:

- ▶ creating an inclusive environment for all families and nominees
- ▶ ensuring information is easy to understand and accessible
- ▶ seeking input on decisions affecting children and young people
- ▶ providing opportunities to provide feedback on policies and procedures and
- ▶ ensuring transparent complaints handling and discipline processes.

### **Respecting Equity and Diversity**

Many of the children that HR+ work with are NDIS clients with diverse needs. Staff are trained in working with people, including children, with diverse needs. HR+ recognises the increased vulnerability of children with disabilities and ensures that this is considered in all interactions with children.

HR+ also recognise the increased vulnerability of CALD and Indigenous children, and specific training in inclusion and diversity is completed by all staff on induction. Staff must encourage and support children to express their culture and enjoy their cultural rights.

Staff must actively support and facilitate participation and inclusion within the organisation by Aboriginal and Torres Strait Islander children and their families. HR+ supports staff 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. All staff are required to read the "Cultural Respect Framework for Aboriginal and Torres Strait Islander Health" and the Tasmanian Aboriginal Corporation's publication "Social Justice for Tasmanian Aboriginal People through Knowledge, Understanding and Action." Specific modules on cultural diversity are included in the training completed on induction.

### **Staff Recruitment, Supervision and Training**

#### **Worker screening**

All staff are required to provide a WWVP Clearance, and reference checks are performed on all staff. NDIS staff require a further NDIS endorsed WWVP clearance.

Interviews of potential employees should be conducted by a panel of staff members who are familiar with child safe principles. Interview questions should be designed to elicit information about the candidate's values, attitudes, aptitudes and work history.

### **Staff training and development**

All new staff and volunteers will be required to read the organisation's Child Safe policy, Child Safe Code of Conduct, and Complaints Management policy, and will be guided through the application of these policies and procedures throughout the staff induction process.

NDIS staff training includes modules on mandatory and voluntary reporting and duty of care obligations, how to identify and minimise risks of child abuse, how to protect children with disability from abuse, and promoting the cultural safety of Aboriginal and Torres Strait Islander children and CALD children. Training around the National Principles for Child Safe Organisations is completed by all staff members.

### **Ongoing supervision**

All staff undertake regular supervision, whether internal and external. Ongoing supervision will include supporting staff to implement child safe practices and ensuring that they are complying with their child safety related obligations and behavioural expectations.

Regular staff performance reviews will also include an assessment of staff members' adherence to child safety and wellbeing procedures.

### **Identifying and managing child abuse risks**

Child safety risks are included in the organisation's risk assessment process and strategies for reduction of risk are implemented. This includes consideration of risks in physical and online environments. HR+ staff do not contact children via phone or email directly, contact takes place through their nominee. HR+ also do not have contact in a physical environment with a child alone, in the case of NDIS participants, there is always a nominee present. This is a deliberate risk reduction strategy and significantly decreases the risk of any child safety concerns involving HR+ staff.

All NDIS staff and managers are trained in identifying, assessing and detecting signs of abuse. Mandatory reporting training is provided, understanding abuse specific to NDIS training is provided and a culture of reporting is maintained.

### **Reporting, handling and investigating child abuse concerns, complaints and allegations**

HR+ 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.

### **Mandatory reporting obligations**

In Tasmania mandatory reporting obligations necessitate that HR+ staff report any "belief, suspicion, or knowledge on reasonable grounds, formed in carrying out official duties or in the course of his or her work (whether paid or voluntary) that:

- ▶ a child has been or is being 'abused' or 'neglected' or is an affected child within the meaning of the Family Violence Act 2004 (a child whose safety, psychological wellbeing or interests are affected or likely to be affected by family violence) or
- ▶ there is a reasonable likelihood of a child being killed or abused or neglected by a person with whom the child resides
- ▶ while a woman is pregnant, that there is reasonable likelihood that after the birth of the child: the child will suffer abuse or neglect, or may be killed by a person with whom the child is likely to reside; or that the child will require medical treatment or other intervention as a result of the behaviour of the woman or another person with whom the woman resides or is likely to reside, before the birth of the child.



The types of abuse that are required to be reported in Tasmania include:

- ▶ Sexual abuse (any)
- ▶ Physical abuse
- ▶ Emotional/psychological abuse
- ▶ Neglect
- ▶ Exposure to family violence

Staff are to report any incident that falls within the above definitions to the General Manager, who is responsible for assisting in the process of mandatory reporting.

### **Voluntary reporting**

While it is not a legal requirement to make a report which falls under the category of voluntary reporting of abuse under relevant state/territory legislation, it is good practice to do so to reduce the risks to children of potential abuse or neglect.

HR+ encourages all staff and volunteers to report any concern they may have and will commit to protecting those who make a report in good faith and in accordance with organisational policy.

### **Conducting investigations**

Where external authorities have been contacted about a concern, allegation or incidence of child abuse, they may undertake an investigation. All employees must fully cooperate with any internal or external investigation that takes place.

Even when an external investigation is not required, it is recommended that an internal investigation is conducted to prevent future occurrences of similar incidents. Internal investigations will be conducted in accordance with the principles of natural justice, and will remain confidential (however there may be a need to interview or consult other staff members during the investigation).

While an investigation is in progress, the employee against whom an allegation is made may be stood down until a decision is made about whether an offence has been committed. If the investigation concludes that an offence has been committed, or is likely to have been committed, disciplinary action will be taken proportionate to the severity of the offence.

Where a person is terminated from the organisation due to being found to have committed an offence, HR+ has responsibility for notifying the relevant bodies for child protection and safety.

### **Procedures for review of this policy**

This policy will be reviewed and updated if necessary annually, by the compliance officer and any changes made will be approved by Senior Management and the CEO.

The policy will also be reviewed after any reportable incident, to ensure that it is up-to-date with current best practice in preventing and responding to child abuse incidents and allegations.



Record of policy development		
Version	Date approved	Date of review
V1.1	28/09/2023	September 2024

Responsibilities and delegations	
This policy applies to	All people who conduct work for or are connected to HR+ in a paid or unpaid capacity. This may include board members, management, staff, volunteers, contractors, and consultants.  All activities within HR+ that involve, result in or relate to contact with children.
Policy approval	CEO

Policy context – this policy relates to:	
Standards	National Principles for Child Safe Organisations NDIS Adaptation of the National Principles for Child Safe Organisations UN Convention on the Rights of the Child
Legislation	Family Law Act 1975 (Cth) Children, Young Persons and Their Families Act 1997 (TAS) Children Legislation Amendment (Reportable Conduct) Act 2017
Organisation policies	Risk Management Policy Health and Safety Policy Incidents Policy Complaints Policy Trauma-Informed Practice Policy
Forms, record keeping, other documents	Incident Reporting Form Complaints Form



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Authorised by the CEO		
Signature		Date Adopted: 28/09/2023 Date Reviewed: 28/09/2023
Name	Peter Barns	Review Due: September 2024

## Child Safe Code of Conduct

All staff of HR+ are responsible for the safety and wellbeing of children and young people who engage with the organization. All staff are expected to act in accordance with this Code of Conduct in their physical and online interactions with children and young people under the age of 18 years.

### **I will:**

- ▶ Act in accordance with the HR+ child safety policy at all times.
- ▶ Behave respectfully, courteously and ethically towards children and their families and towards other staff.
- ▶ Listen and respond to the views and concerns of children, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well.
- ▶ Promote the human rights, safety and wellbeing of all children in HR+.
- ▶ Demonstrate appropriate personal and professional boundaries.
- ▶ Consider and respect the diverse backgrounds and needs of children.
- ▶ Create an environment that promotes and enables children's participation and is welcoming, culturally safe and inclusive for all children and their families.
- ▶ Involve children in making decisions about activities, policies and processes that concern them wherever possible.
- ▶ Contribute, where appropriate, to HR+'s policies, discussions, learning and reviews about child safety and wellbeing.
- ▶ Identify and mitigate risks to children's safety and wellbeing as required by HR+'s child safe policy or process.
- ▶ Respond to any concerns or complaints of child harm or abuse promptly and in line with the HR+ policy and procedure for receiving and responding to complaints.
- ▶ Report all suspected or disclosed child harm or abuse as required by mandatory reporting requirements and by the HR+ policy and procedure on internal and external reporting.
- ▶ Comply with HR+ protocols on communicating with children.

### **I will NOT:**

- ▶ Engage in any unlawful activity with or in relation to a child.
- ▶ Engage in any activity that is likely to physically, sexually or emotionally harm a child.
- ▶ Unlawfully discriminate against any child or their family members.
- ▶ Be alone with a child unnecessarily.
- ▶ Arrange personal contact, including online contact, with children I am working with for a purpose unrelated to HR+ activities.
- ▶ Disclose personal or sensitive information about a child, including images of a child, unless the child and their parent or legal guardian consent or unless I am required to do so by HR+ policy and procedure on reporting.
- ▶ Use inappropriate language in the presence of children or show or provide children with access to inappropriate images or material.
- ▶ Work with children while under the influence of alcohol or prohibited drugs.
- ▶ Ignore or disregard any suspected or disclosed child harm or abuse.





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**If I think this Code of Conduct has been breached by another person in HR+ I will:**

- ▶ Act to prioritise the best interests of children.
- ▶ Take actions promptly to ensure that children are safe.
- ▶ Promptly report any concerns to my manager, another team manager or the CEO.
- ▶ Follow HR+ policies and procedures for receiving and responding to complaints and concerns.
- ▶ Comply with mandatory reporting guidelines if relevant, and with HR+ policy and procedure on internal and external reporting.