

## QMS P5 - Child Safe Environments Policy

### Purpose

The purpose of this policy is:

1. To ensure the safety and wellbeing of children and young people at all times.
2. To promote a mutually respectful relationship between children and young people and NEVC employees. This policy will assist NEVC employees in understanding what behaviours, attitudes and communications are expected and appropriate in their dealings with young people.
3. To promote an environment and a process within NEVC which enables young people to feel safe, respected, valued, listened to and welcomed regardless of their abilities, sex, gender or social economic or cultural background.
4. To demonstrate NEVC's commitment to creating an environment which ensures young people feel comfortable, supported, and confident in reporting to NEVC staff, any incident or conduct which is, or which may lead to, harm of a child or young person.

### Commitment to safety of children and young people

All children and young people have a right to feel and be safe, valued, and respected.

NEVC is strongly committed to actively promoting and providing a safe environment to all children and young people who access our services and will not tolerate any incidents where a child or young person is bullied, harassed, is or is at risk of harm.

All NEVC employees, contractors, volunteers, students, or any person working with or for NEVC, either employed or engaged have a responsibility to treat children with dignity and respect, to act with propriety, and to protect children and young people.

This policy and related documents and forms outline our systems in place to ensure the safety and welfare of children and young people and our compliance with the Children and Young People (Safety) Act 2017, the Child Safety (Prohibited Persons) Act 2016 and aligns with the national Principles for Child Safe Organisations.

### Scope

A "Child or Young Person" is as defined by the Children and Young People (Safety) Act 2017, as being a person under 18 years of age.

This policy and related documents apply to all employees, including management, staff under any form of tenure (paid, unpaid, permanent, fixed term, casual, labour hire employees working at the NEVC site), volunteers, work experience participants, contracted trainers, students, and any person for whom NEVC has responsibility by law, referred to throughout the policy collectively, as employees. It covers the recruitment, selection, induction and training of all employees and students, and reporting procedures including mandatory notification. A mandated notifier is legally required to report to the Department of Child protection (DHS) suspected harm or risk of harm of a child or young person.

It should be read in conjunction with QMS P20 Children and Young People Code of Conduct, the Children and Young People (Safety) Act 2017, the Child Safety (Prohibited Persons) Act 2016 and the national Principles for Child Safe Organisations.

### Communication

This Child Safe policy and related documents is available on our internal Quality Management System, our website, on request, and are referred to as part of our employee and student induction.

All children and young people will be informed of their rights at induction and will be encouraged to participate in building and maintaining a safe, secure, and inclusive environment. We will encourage young people to provide feedback or make a complaint if they have any concerns either through our student surveys, our student support officer, our trainer/case managers or via our grievance and complaints processes.

All employees as part of their induction following recruitment, are provided this Child Safe policy and related documents, and are required to confirm in writing that they have read, understood and will abide by this policy and related documents. This confirmation is stored in the individual's electronic personal file.

## Code of Conduct

All children and young people have a right to feel and be safe, valued, and respected.

NEVC is committed to the safety and wellbeing of all children and young people accessing our services and our Children and Young People Code of Conduct outlines the duties and expectations to ensure the safety and protection of children and young people at all times.

Employees are not to meet with a young person outside of the work environment unless approval in advance is gained from a Manager. Additionally, employees should not take a young person in a vehicle. For those unusual emergency situations, the Manager must be notified in advance, the details of travel documented on QMS F11 Authority to Transport Person Under 18 Years, and where reasonably practicable, two staff must be present in the course of the travel.

All employees are required to sign that they have read, understand and will abide by our Children and Young People Code of Conduct at all times. Confirmation of this commitment is stored in the individual's electronic personal file.

Any breaches or suspected breaches of the Code of Conduct are to be reported as soon as practicable to management either in person, by phone on 8397 9500, or by email to [principal@neda.asn.au](mailto:principal@neda.asn.au). Breaches or suspected breaches of the Code of Conduct will be taken seriously and dealt with quickly, fairly and transparently.

Any employee who breaches the Code of Conduct will face disciplinary action and depending on severity of the breach, the employee(s) may have their employment/contract terminated and notification made to the Department of Child Protection and SAPOL.

## Recruitment

NEVC will screen all potential employees at the recruitment and induction stage. The screening will include requiring the prospective employee to provide details of at least two (2) referee checks and proof of a current or obtain a Working with Children Check. **No persons will work with a young person, or be eligible to work with a young person, unless they have provided NEVC with a current 'Working with Children Check' (WWCC) from the Department of Human Services (DHS) Screening Unit which clears the person as not posing a risk to the safety of children and young people.**

For existing employees the renewal of a 'not prohibited' Working with children Check issued by then Department of Human Services (DHS) Screening Unit, is required at least every 5 years with the status remaining as 'not prohibited'. Verification of this will be done through the organisation portal.

## Training, supervision and support for workers

Together with our commitment to actively promoting the safety and welfare of young people, we acknowledge that training and support in child protection is essential.

All NEVC employees will act in a positive way to ensure a safe environment for children and young people enrolled with the college. All employees who have direct contact with young people, or work in close proximity to young people on a regular basis, or have access to records relating to young people, are considered a **'mandatory reporter'** and to hold a **'prescribed position' with NEVC**, and are required to undergo Safe Environments for Children and Young People - 'Through their eyes' training prior to working with a child or young person, and to update at least every 3 years.

## Reporting and responding to harm or risk of harm - Child Abuse Report Line (CARL), Phone 13 14 78

It is essential that all NEVC employees understand what reportable conduct is, in relation to harm or risk of harm of a child or young person. Reasonable grounds to notify suspected harm or risk of harm may include the following:

- Disclosure of abuse from a child/young person
- When an employee's observation of a child's/young person's behaviour or injuries leads the employee to suspect that harm is occurring or has occurred
- A child/young person tells an employee he or she knows someone else who has been harmed (a child/young person could be referring to himself or herself)
- Disclosure by a young person or an adult that a young person is being harmed.

If a Mandated Notifier believes they have reasonable grounds to suspect that a young person has been harmed or is at risk of harm they **are required to directly report** any allegations as soon as possible using the **Child Abuse Report Line (CARL), Phone 13 14 78**.

(A notifier's identity is required to be kept confidential by the person receiving the notification.) If an employee is unsure whether a report is founded, they can discuss the matter confidentially with their Manager or the Chief Executive Officer.

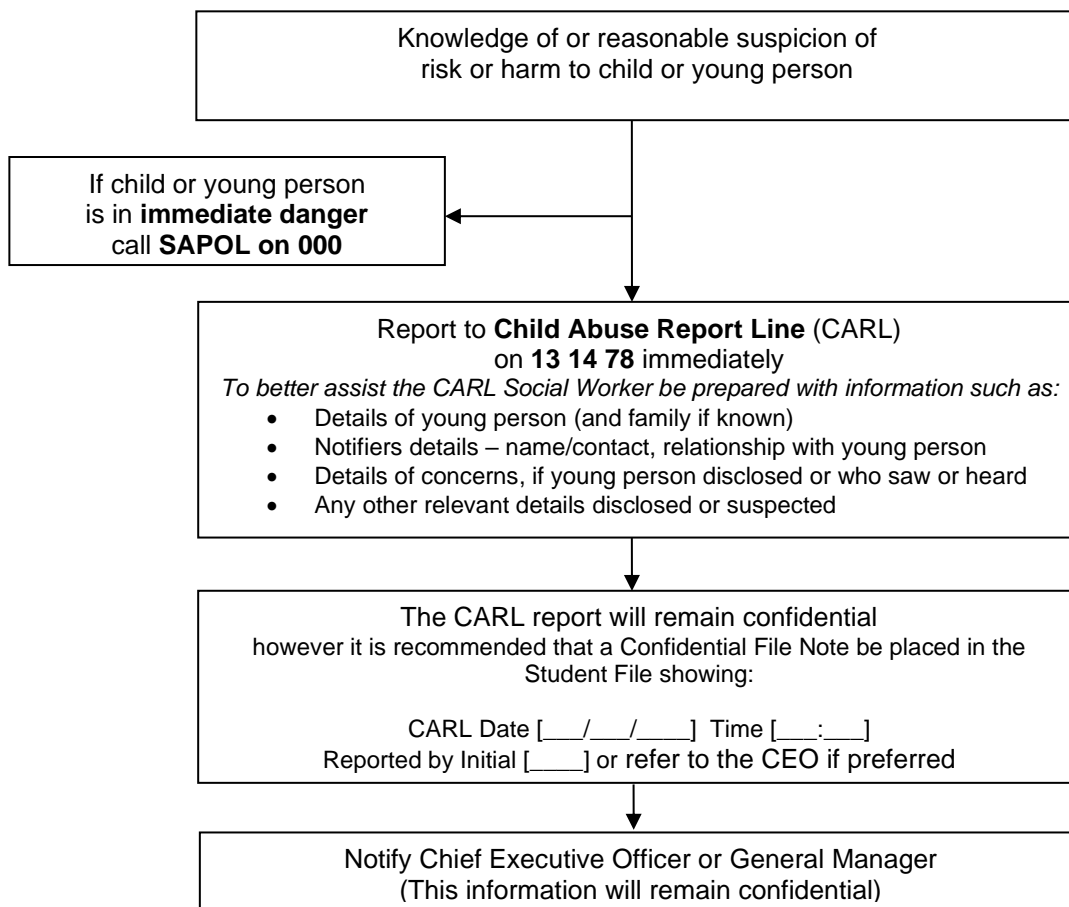
## Child Protection Notification Flowchart

The CARL (Child Abuse Report Line) phone line is available 24 hours a day 7 days a week by contacting **13 14 78** or online <https://www.childprotection.sa.gov.au/reporting-child-abuse>. All serious concerns must be reported via the report line and not via the online reporting system.

If the **child or young person is in an immediate risk**, report to **SAPOL by calling 000**.

Mandated notifiers have a legal obligation to notify **CARL on 13 14 78** as soon as practicable if they have a reasonable belief that a child or young person is or may be at risk of harm.

Even if not a mandated reporter, any person can report harm or risk of harm to a child or young person. The individual who identifies the harm or risk is encouraged to make the report to authorities and is also encouraged to seek support from another worker or the Chief Executive Officer, if required.



## Reporting and responding to general complaints or feedback

NEVC strives to foster open communications throughout the organisation and promotes an open-door policy to encourage healthy and productive communication. We encourage students, clients and employees to communicate, both with ideas and suggestions, or if a grievance, complaint or dispute does arise through our feedback survey or direct to either their trainer/case manager, our student support officer or our General Manager on 8397 9500.

The responsible officer for NEVC will, upon request from a parent, guardian and/or caregiver of a child or young person to whom our services are delivered, produce inspection evidence of the Working with Children Check. The parent, guardian and/or caregiver must make the request in writing and provide, their name, the name of the child, and their relationship to the child at the time of the request.

## Risk Management

A risk is anything that can cause harm or risk of to a child or young person. Risk of harm is the likelihood of inflicting harm to children (either directly or as a consequence of other actions) and the severity of that harm.

A young person would be considered to be at risk if they are in a situation where there is a high likelihood that the young person's safety and/or wellbeing will be severely compromised.

Harm in the child protection context is defined as the detrimental impact on the physical, psychological, emotional or social safety, wellbeing and development of a child or young person as a result of the actions or inactions of another person.

Risk management is identifying and assessing all potential sources of harm and taking steps to decrease the likelihood that harm will occur.

The following risk management plan should be considered as listed below.

- **Establish the goals and objectives** – clarify objectives and areas of operation where risks may occur. Assess the situation, is there a risk of harm?
- **Identify risks** – including how they may happen. Determine what risks are or could be present and the way they could occur.
- **Analyse risks** – determine the likelihood and magnitude of consequences.
- **Evaluate risks** – which risks are acceptable.
- **Implement strategies to minimise and prevent risk** – actions to be taken and who is responsible.
- **Review and revise risks and preventative measures** – detect and manage new risks.

In order to help build commitment and increase compliance, all parties involved will be consulted and communicated accordingly after the 6 stages of Risk Management have been followed.

## Policy Review

This policy and related documents are reviewed at least annually.

## Definitions

### Child and Young Person

As defined by the Children and Young People (Safety) Act 2017, as being a person under 18 years of age.

### Meaning of Harm

Section 17 of the Safety Act defines 'Harm' to mean physical or psychological harm (whether caused by an act or omission), including harm caused by sexual, physical, mental or emotional abuse or neglect.

### Physical Harm

Physical harm is commonly characterised by any non-accidental physical injury resulting from practices such as punching, beating, shaking, biting, burning or otherwise harming a child/young person, but could also be caused through the omission or failure to act to protect a child from abuse by others or from injury as a consequence of the nature of a particular environment in which the child may have been placed.

### Neglect

Neglect is characterised by the failure to provide for the child's basic needs or by any omission or commission by a person that jeopardises or impairs the child's psychological, intellectual or physical development. This can occur through direct and deliberate action or be omission or deliberate inaction to care for the child.

### Psychological or Emotional Harm

Emotional harm tends to be a chronic behavioural pattern or attitude directed at the child which is detrimental to or impairs the child's psychological or physical development or as a consequence of which their self-esteem and social competence are undermined or eroded either immediately or over time. A child can also experience emotional abuse by being exposed to a dysfunctional environment which includes **Domestic or Family violence**.

### Sexual Abuse and 'Grooming'

Sexual abuse occurs when someone, usually (but not always) in a position of power over the child, involves the child in sexual activity. This can include a range of behaviours including:

showing pornography, sexual suggestion, exhibitionism, fondling, mutual masturbation, oral sex, penile or other penetration of the genital or anal region.

Grooming occurs when a person tries to form a bond or a friendship with a child to gain their trust and create opportunities to start, maintain and hide their sexual abuse of the victim. Grooming may involve the significant adults in the child's life to enable sexual abuse.

**Related Forms/Documents**

QMS P20 – Children and Young People Code of Conduct

QMS F11 - Authority to Transport Person Under 18 years

QMS F27 – Student Handbook

QMS F8 – Employee Handbook

**References**

Children and Young People (Safety) Act 2017

Children and Young People (Safety) Regulations 2017

Child Safety (Prohibited Persons) Act 2016

Child Safety (Prohibited Persons) Regulations 2019

Child Sex Offenders Registration Act 2006

Child Sex Offenders Registration Regulations 2007

Department for Child Protection

Department for Education

Department of Human Services

National Principles for Child Safe Organisations