

Child Safe Environment Procedure

1. Policy Title

Child Safe Environment Policy

2. Preamble

This Procedure supports the *Child Safe Environment Policy* by explaining the legal and moral roles and responsibilities of adults engaged as staff, contractors or volunteers at Carclew. It outlines the responsibilities of a mandated notifier and the process of making a report to the Department of Child Protection under the *Children and Young People (Safety) Act 2017*.

3. Duty of Care

Children and young people have a right to be treated with respect and to be protected from harm. As a representative of Carclew you are responsible for protecting the safety and wellbeing of children and young people in your care.

It is important to understand your legal obligations in regard to mandatory reporting. You must act with integrity, respect and accountability whilst adhering to Carclew's child safe policies and procedures and ensure that you have undertaken all the relevant training.

It is also very important to set clear boundaries about appropriate behaviour between yourself and the children and young people you are interacting with, and at the same time being a positive role model.

Carclew encourages children and young people to 'have a say' and express their views on issues that are important to them. You can do this by listening and responding appropriately to the views and concerns of children and young people.

You must refrain from activities that might lead to injury, and act to maintain health and safety. You could be found to be negligent if assistance was not provided to an ill or injured child/young person. You must always ensure another adult is present or in sight when you are interacting one to one with a child or young person.

It is morally and legally unacceptable to form sexual relationships with the young people with whom we work. This includes all behaviours such as expressing attraction, flirting, touches, gestures or advances. Developing any 'special' relationship with a child or young person that could be seen as favouritism such as offering gifts or special treatment will not be accepted. Your language must be appropriate for the age group, and there must be an awareness of the sensitivity of appropriate language including, but not limited to, blasphemy and swearing.

If in the course of your work you suspect or a child/young person discloses information which indicates that they or someone else may be at risk of harm, your responsibility is to provide support and not to investigate the claim. You **must** notify the Department for Child Protection (DPC) Child Abuse Report Line (CARL) on 13 14 78 as soon as practicable after the suspicion is formed. A report must also be made to SA Police on 000 if the child or young person is at immediate risk of harm. Failure to report is a criminal offence and may result in being prosecuted under the *Children and Young People (Safety) Act 2017*.

4. Responsibilities of a mandated notifier

- Complete the required Responding to Risk of Harm, Abuse and Neglect – Education and Care (RRHAN-EC) training prior to working with, or in the close proximity of, children.
- Be familiar with www.childprotection.sa.gov.au to support your role and responsibility.
- It is your personal responsibility to notify the Department of Child Protection (DCP) by calling the Child Abuse Report Line (CARL) or Yaitya Tiramangkotti on 13 14 78 when there are reasonable grounds to suspect that a child or young person is, or may be, at risk of harm. This is not the responsibility of your manager or employer.
- You must also report to SA Police on 000 if the child or young person is at immediate risk of harm.
- Seek advice and support from a social worker by calling CARL.
- You may consult your supervisor for support and advice but are not required to do so.
- Maintain confidentiality throughout the entire process, in accordance with legislation.
- Inform the Chief Executive after a report has been made.

5. Suspicion on reasonable grounds

If you are unsure whether you have a suspicion on reasonable grounds that requires notification, consult with a social worker by calling CARL or Yaitya Tiramangkotti. DCP will assess the notification and determine whether action is warranted.

Reasonable grounds to report suspected abuse and/or neglect may include:

- When your own observations of a particular child's behaviour and/or injuries lead you to suspect a child is or may be at risk of harm.
- When a child tells you they have been harmed.
- A child tells you that they know of someone who has been harmed (they may possibly be referring to themselves).
- When your own observations about the behaviour of the child, or their adult caregivers, give you cause to suspect that a child is being, or is at risk of being harmed.
- When you hear about it from someone who is in a position to provide reliable information, perhaps a relative or friend, neighbour or sibling of a child who is at risk.
- Further information on 'suspicion on reasonable grounds', 'indicators of abuse or neglect' and 'what not to report' can be found here www.childprotection.sa.gov.au

6. Reporting suspicions to the Child Abuse Report Line (CARL)

If you suspect that a child or young person is, or may be at risk of harm you are legally obliged to notify the DCP Child Abuse Report Line on 13 14 78 as soon as practicable after the suspicion is formed. You do not need to seek approval from your supervisor or manager.

6.1 Making a report to CARL

If you become aware of an incident or concern:

- take confidential notes on what you have observed
- report the incident to CARL on 13 14 78 (24 hour service)
- request to speak with someone from Yaitya Tiramangkotti in cases involving an Aboriginal or Torres Strait Islander child
- follow advice received from DCP, including any necessary steps to avoid jeopardising any investigation or prosecution
- a report must also be made to SA Police on 000 if the child or young person is at immediate risk of harm
- inform the Chief Executive that a report is made to the DCP

When making a notification, if possible, you will need to provide:

- the child's name, age, date of birth, address
- description of injury, abuse and/or neglect (current and previous)
- the child's current situation
- the location of the child, parent or caregiver and alleged perpetrator
- when and how did you find out about the abuse or neglect

You will also be asked to provide details about yourself:

- your full name, job title, agency name, address, contact number
- your relationship to the child/ren or young person of concern
- type of contact you have with the family, frequency and last time you saw the child/ren or young person
- if you are working with the child/ren, young person or family, and if so in what capacity

You will also need to provide your reasons for contacting CARL. Questions may include:

- Are the caregivers aware that a report is being made?
- Have you given any expectation of action to the child?
- What action are you expecting the department to take?
- What action can you take?
- What action have you already taken, what impact has that had and how has it helped?

6.2 Ongoing role of mandated notifier making the report

After making a notification you may have some ongoing responsibilities such as:

- Acting as a support person for the child/young person.
- Attending and participating in case meetings.
- Providing written report of incident if required.

7. Responsibilities

7.1 Responsibilities of Carclew Board

- Ensures the protection of children/young people from abuse or neglect.
- Responds promptly to advice received from the Chief Executive or other sources in relation to any suspected case of abuse or neglect.
- Individually and personally responsible for reporting immediately to CARL any suspicion on reasonable grounds that a child or young person is, or may be, at risk of harm.
- Inform the Chief Executive after a report has been made.
- Maintain confidentiality throughout the entire process, in accordance with legislation.
- Review and endorse policies and supporting documents regularly.

7.2 Responsibilities of the Chief Executive

- Responsible to the Board for policy implementation, monitoring, review and reporting.
- Ensure risk assessment and management plans for the organisation and projects, activities and events are completed.
- Ensure staff/contractors/volunteers receive induction and ongoing training as required.

- Ensure recruitment of staff/contractors/volunteers is in accordance with Carclew's policies supporting documents.
- Promote acceptable behaviour when dealing with children/young people.
- Report immediately any suspicion on reasonable grounds that a child or young person is, or may be, at risk of harm.
- Ensure that a mandated notifier receives appropriate support and debriefing, and if required, access to professional counselling.
- Maintain confidentiality throughout the entire process, in accordance with legislation.

7.3 Responsibilities of manager/supervisor/staff

- Accountable to the Chief Executive that staff/contractors/volunteer recruitment and selection is carried out in accordance with Carclew's *Child Safe Environment Policy and Procedure*.
- Complete Risk Assessment Plan for projects, activities and events.
- Ensure new staff/contractors/volunteers receive induction and ongoing training as required.
- Promote acceptable behaviour when dealing with children/young people.
- Report to CARL immediately any suspicion on reasonable grounds that a child or young person is, or may be, at risk.
- Support staff and all parties involved if such a case is reported.
- Maintain confidentiality throughout the entire process, in accordance with legislation.

8. Allegations involving staff members

If a report is made against a staff member, the Chief Executive must be informed, who will inform the Carclew Board which may result in temporary change to employment/volunteering arrangements balancing the needs of:

- The ongoing safety of children/young people
- Any investigations
- Maintaining privacy of all involved
- Reputations at risk

9. Legislation and supporting documents

Child and Young People (Safety) Act 2017

Child and Young People (Safety) Regulations 2017

Child Safety (Prohibited Persons) Act 2016

South Australian Public Sector Enterprise Agreement: Salaried 2021

Code of Ethics for the South Australian Public Sector

Work Health and Safety Act 2012

Code of Conduct and Procedures

Respectful Behaviours Policy and Procedures

Acknowledgment

In developing this policy Carclew has drawn on resources prepared by the Department for Education, Department for Child Protection and Department of Human Services.