

Charter of rights for children and young people in care

Purpose

This policy describes Access4u's commitment to:

- provide an environment for all children and young people which ensures their safety, health and wellbeing.
- provide an environment for all children and young people in which they are aware of their rights.
- involve children and young people in discussions about their rights, safety and wellbeing.

Responsibilities and delegations

This policy applies to	Governing Body. Staff and Volunteers
Specific responsibilities	The Board – Responsible for ensuring effective governance mechanisms are in place. The CEO and Managers – Responsible for monitoring and ensuring adherence to Policy and related procedures. Ensure due diligence and take reasonable steps to ensure Access4u are meeting their obligations. Ensure objectives of the policy are achieved. Staff – Responsible for adherence to this and related policies, procedures and forms that support this policy.
Policy approval	CEO

Policy context – this policy relates to:

Standards	• Family and Community Services Act 1972 • National Disability Insurance Scheme Quality and Safeguarding Framework • National Standards for Out-of-Home care (NOOHCS) • The Office of the Guardian for Children and Young People - Charter of Rights
Legislation	• Children and Young People (Safety) (Transitional Provisions) Regulations 2017 • Children and Young People (Safety) Act 2017 • Children's Protection Law Reform (Transitional Arrangements and Related Amendments) Act 2017 • Criminal Law Consolidation Act 1935 (SA) • Disability Discrimination Act (DDA) 1992 • National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018 • National Disability Insurance Scheme Act 2013 • The Disability Act 2006 • The Disability Services Act SA 1993

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Conventions	• Convention on the Rights of the Child 1989 • Convention of Rights of Persons with Disabilities 2006 • The Universal Declaration of Human Rights 1948
Contractual obligations	• Government of SA, DCP Contract Management Framework • NDIS Code of Conduct
Organisation policies and procedures	• Child and Young Persons Safe Environments policy • Code of Conduct policy • Duty of Care and Dignity of Risk policy • Staff recruitment policy • Worker clearance policy and procedure • Protection of Human Rights & Freedom from Abuse policy • Child Abuse Report Line (CARL) procedure • Incident Management Flowchart • Staff induction policy and procedure • Whistle blower policy • Management of care concerns policy • Employee assistance procedure
Forms, record keeping, other documents	

Policy Statement

Access4u endorses the Charter of Rights for Children and Young People in Care. We have a strong commitment to supporting all children and young people in understanding their rights and ensuring their safety and wellbeing.

Underpinned by the United Nations Conventions on the Rights of the Child and developed with support of individuals who have lived in care, the Charter of Rights for Children and Young People in Care outlines the rights of children and young people who are under a guardianship order with the Chief Executive of the Department for Child Protection.

The Children and Young People (Safety) Act 2017 (SA) outlines that all individuals who are formally involved with children and young people in care must work in line with the Charter of Rights for Children and Young People, empowering them and ensuring they are aware of their rights.

While the Charter's implementation focuses on children and young people under the guardianship of the Chief Executive of the Department for Child Protection, Access4u ensures the principles of the Charter are also applied when working with children and young people in other out of home care arrangements.

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The Charter of Rights for Children and Young People in Care outlines the following principles. I have the right to:

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- be safe and well cared for
- be listened to and have a say in decisions that affect me
- be myself and to be treated with respect
- connect with my culture
- have contact with people who matter to me
- good health, fun and play
- privacy
- a good education
- get the support I need so I'm ready to leave care and feel good about my future

Implementation

Access4u's commitment to the Charter of Rights for Children and Young People in Care (the Charter) is evidenced through:

- Endorsement of the Charter
- Ensuring all employees have a current satisfactory Working with Children Check prior to commencement of duties and updated as required, complying with the requirements of the Child Safety (Prohibited Persons) Act 2016 (SA) and the Child Safety (Prohibited Persons) Regulations 2019 (SA).
- Ensuring all employees working with children and young people under the with the Chief Executive of the Department for Child Protection have completed a psychological assessment and has been assessed as being psychologically suitable.
- Ensuring all policies, procedures, practices and employee handbooks make reference to the Charter and are in line with charter principles and all employees comply with these.
- Ensuring all Access4u employees are aware of their responsibilities as mandated notifiers to report any reasonable belief that a child or young person is, or may be, at risk of harm.
 - Under the *Children and Young People (Safety) Act 2017 (SA)* (Section 31), to report suspicion that a child or young person may be at risk.
 - Under the *Criminal Law Consolidation Act 1935 (SA)* (Section 64), to report any known or suspected sexual abuse.
- Providing all employees with information about the Charter prior to commencement of duties and throughout their employment.
- Displaying information on the Charter and our commitment to its principles on our website, intranet and throughout our premises.
- Ensuring employees are confident and able to have discussions with children and young people regarding their concerns.
- Ensuring all children and young people have information on their rights and the channels for complaining

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where required, through contact with their carer, worker, a supervisor, the Office of the Guardian for Children and Young People (1800 275 664) or the Department of Child Protection complaints line (1800 003 305.)

- Ensuring all children and young people have access to additional supports relating to their concerns.