

Purpose and Scope

This policy demonstrates Access4u's commitment to

- provide an environment for all children and young people which ensures their safety, health and wellbeing
- establish and maintain child safe and child-friendly environments
- identify, reduce and remove risks of harm to children and young people
- involve children and young people in child safety, including listening to and incorporating their views
- ensuring all employees are aware of their legal obligations to report child harm or risk of harm
- taking appropriate steps to establish if a position is a prescribed position in accordance with the *Child Safety (Prohibited Persons) Act 2017 (SA)* and Regulations.

Compliance with this policy is mandatory for our Board, staff, volunteers, student placements and contractors, collectively referred to as 'employees' throughout this policy, in the specific context of their work and their actual or potential interaction with children and young people, whether in a physical or digital environment.

We acknowledge it is everybody's responsibility to protect children and young people from harm and are committed to a community response to both prevent harm and support individuals that have been exposed to harm.

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	• Child Safety (Prohibited Persons) Act 2016 • 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 • Convention of Rights of Persons with Disabilities 2006 • Convention of the Rights of a Child 1989 • Criminal Law Consolidation Act 1935 (SA) • Disability Discrimination Act (DDA) 1992 • National Disability Insurance Scheme (Code of Conduct) Rules 2018 (Cth) • 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 • The Universal Declaration of Human Rights 1948 •
Contractual obligations	• NDIS Code of Conduct • Government of SA, DCP Contract Management Framework
Organisation policies and procedures	• Charter of Rights for Children and Young People in Care policy • Child Abuse Report Line (CARL) procedure • Code of Conduct policy • Complaint Management and Feedback policy • Duty of Care and Dignity of Risk policy • Worker clearance policy and procedure • Incident management policy • Incident, hazard and near miss management procedure • Internal training requirements • Disciplinary procedure • Learning and development procedure • Protection of human rights and freedom from abuse policy • Staff recruitment policy • Zero tolerance policy
Forms, record keeping, other documents	

Policy Statement

Children and young people have a right to always be safe and protected. Child protection legislation ensures all children are safe from harm and are cared for in a way that allows them to reach their full potential. The *Children and Young People (Safety) Act 2017* and the *Child Safety (Prohibited Persons) Act 2016* contain obligations for people who work or volunteer with children and young people. The *Criminal Law Consolidation Act 1935 (SA)* also

contains obligations for people who work with children and young people in institutional and out of home care to protect them from sexual abuse, and to report any suspected sexual abuse.

We apply consistent and compliant processes for recruitment and employment screening to:

- establish if a position is a prescribed position; that is, a person who works, or is likely to work with children or who is in a position of a class prescribed by the Child Safety (Prohibited Persons) Act (SA) 2016; and
- ensure employees who require a Working with Children Check are covered at the time of recruitment and maintain coverage throughout their employment.

As an organisation that supports children and young people, we are committed to ensure they are always safe. We acknowledge that children and young people with disability are at higher risk of harm and as a service provider we must reduce that risk.

We have adopted and apply the National Principles for Child Safe Organisations (National Principles) to support child safety and wellbeing. Implementation of the National Principles supports us to create a culture, adopt strategies and take action to promote child wellbeing and prevent harm to children and young people.

Child safe environments are safe and friendly settings where children and young people are protected and feel respected, valued and encouraged to reach their full potential. Through our commitment to providing child safe environments we will

- take a preventative, proactive and participatory approach on child wellbeing and safety issues
- value and embrace the opinions and views of children and young people
- assist children and young people to build skills that will assist them to participate in society
- be focused and take action to protect children and young people from harm.

National Principles for Child Safe Organisations

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety and wellbeing.
4. Equity is upheld and diverse needs respected in policy and practice.
5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
6. Processes to respond to complaints and concerns are child focused.
7. Employees are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
9. Implementation of the national child safe principles is regularly reviewed and improved.

10. Policies and procedures document how the organisation is safe for children and young people

Implementation

Children and young people's participation

When children and young people are involved in planning and decision-making, they feel empowered and are more likely to let people know when they feel unsafe. We strongly encourage and provide opportunities for children and young people to express their views, make suggestions and provide feedback.

Feedback and suggestions made by children and young people about our employees and services are acknowledged and acted upon.

We value and respect the opinions of the children and young people we support. We acknowledge a child safe environment is not just about reducing the risk of harm but also about allowing children and young people to feel comfortable and empowered to have their say.

We endorse 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. While the Charter's implementation focuses on children and young people under the guardianship of the Chief Executive of the Department for Child Protection, we ensure the principles of the Charter are also applied when working with children and young people in other out of home care arrangements. Refer to our Charter of rights for children and young people in care policy (SDS-POL-020) for more information.

Choosing and developing the right people

Under the *Criminal Law Consolidation Act 1935 (SA)* (Sections 65), failure to protect children and young people from sexual abuse carries a penalty of up to 15 years imprisonment.

We have a safe and fair recruitment and selection process for our employees. Prior to and during employment our employees are appropriately screened using a range of methods to ensure they are appropriate to work with children and young people. This includes

- Working with Children Check, in compliance with the *Child Safety (Prohibited Persons) Act 2016*.
- NDIS Worker Screening Check, in compliance with the *National Disability Insurance Scheme (Practice Standards – Worker Screening) Rules 2018*.
- Psychological assessment for all employees working with children and young people under the guardianship of the Chief Executive of the Department for Child Protection, in compliance with the *Children and Young People (Safety) Act 2017*.

Refer to our Staff recruitment and worker clearance policies for more information.

Reporting

Child protection is everybody's responsibility. All employees are encouraged to report a reasonable belief that a child or young person is at risk of harm, regardless of whether they are legally obliged to or not.

Child and young person safe environments policy



All our employees are mandated notifiers and required by law to report any reasonable belief that a child or young person is, or may be, at risk of harm. Refer to the Child Abuse Report Line procedure for more information.

We are committed to ensuring our employees who experience incidents of a critical or distressing nature have access to timely and appropriate support. Our employees are encouraged to contact their line manager, Executive Manager, or the Chief Executive Officer for support. Employees are also encouraged to contact our Employee Assistance Program, facilitated by an external provider. Refer to the Employee assistance procedure for more information.

Under the *Children and Young People (Safety) Act 2017* (SA) (Section 31), failure to report suspicion that a child or young person may be at risk carries a penalty of up to \$10,000.00.

Under the *Criminal Law Consolidation Act 1935* (SA) (Section 64), failure to report any known or suspected sexual abuse carries a penalty of up to 3 years imprisonment.

Bullying and harassment

We are committed to providing an environment which is free from harassment, bullying, intimidation and unfair treatment and where all individuals (customers and employees) are treated with dignity, courtesy and respect. We will not tolerate unacceptable behaviour and any such report is investigated and a breach may lead to termination of employment.

Refer to our Zero tolerance policy, Protection of human rights and freedom from abuse and Investigations and disciplinary management policy for more information.

Complaints management and disciplinary action

We actively encourage our customers, their families, our community and employees to provide feedback, including compliments and complaints in relation to any aspect of our organisation. The effective management of feedback is essential for improvement of our organisation and to prevent adverse outcomes.

We have mechanisms in place to recognise and support people who are vulnerable or have cultural, language or disability needs to receive appropriate information and assistance to navigate our feedback process.

Our feedback and complaint management processes are transparent, visible and accessible on our webpage. Refer to Feedback and complaint management policy for further information. We communicate alternative options for customers to make a complaint, including seeking support from an advocacy service, or providing contact details for external agencies such as the Office of the Guardian for Children and Young People.

Where a complaint investigation substantiates a Code of Conduct breach, or non-compliance with other policies, disciplinary action is taken, and this may lead to termination of employment. Refer to our Investigations and disciplinary management policy for more information.

Code of Conduct

Our Code of Conduct outlines our expectations for the minimum standards of behaviour expected from our employees. Employees receive training on the Code of Conduct and are expected to be familiar with this and use it always. It applies in all circumstances when working or otherwise representing us. Our code of conduct obligations are

- Honesty and integrity

- Respect and courtesy
- Admiration
- Customer obsessed
- Creative
- Exceed expectations
- Service orientated
- Success driven

Further information on each of these obligations and examples of behaviour that demonstrate what this looks like in practice is included in our Code of Conduct, which is available for all employees on our web portal.

As an NDIS provider, Access4u employees must adhere to the NDIS Code of Conduct. The NDIS Code of Conduct requires all employees to be responsible for promoting the safety and well-being of children and young people by:

- always adhering to this policy
- taking all reasonable steps to ensure the safety and protection of children and young people
- treating everyone with respect and honesty
- being a positive role model to children and young people in all conduct with them
- setting clear boundaries about appropriate behaviour with children and young people
- listening and responding appropriately to the views and concerns of children and young people
- ensuring another adult is always present or in sight when conducting one to one coaching, instruction or other activities
- responding quickly, fairly and transparently to any serious complaints made by a child, young person or their guardian
- encouraging children and young people to have a say on issues that are important to them
- providing feedback to children and young people and their guardians
- being alert to children and young people who are, or may be at risk, and reporting this to the Child Abuse Report Line by phone 13 14 78 or online.

Employees must not:

- engage in rough physical games
- develop any 'special' relationships with children and young people that could be seen as favouritism or inappropriate, such as the offering of gifts or special treatment
- do things of a personal nature that a child or young person can do for themselves, such as toileting or changing clothes
- discriminate against any child or young person because of age, gender, cultural background, religion, vulnerability or sexuality.

Incident and risk management

All customer incidents must be reported on our incident management system. Any reportable incident involving an NDIS customer must also be notified to the NDIS Quality and Safeguarding Commission. Any incident involving a child or young person under the guardianship of DCP must be reported to DCP.

Refer to the Incident, hazard and near miss management procedure for detailed information on incident reporting and management.

Incident data is reported to the Quality, Risk and Compliance Committee, and analysed to identify trends or emerging risks. Risks are identified, documented on our risk register and strategies implemented to mitigate the risk.

Education and training

All employees (in the specific context of their work and their actual or potential interaction with children and young people) are provided with child and young person safeguarding training prior to commencement of duties and throughout their employment. All employees must complete refresher training at least every 3 years. This training is in line with the National Principles for Child Safe Organisations and Charter of Children and Young People in Care. This supports our employees understanding of their mandatory notification obligations. It includes information to support employees to recognise, report and response to children and young people who may be at risk of harm and to build their capacity to provide safe environments for children and young people across our organisation.

Refer to our Learning and development procedure and Internal training requirements guidance for more information.

Child safe environments compliance statement

Access4u lodges a child safe environments compliance statement with the Department of Human Services each time our policy is reviewed and updated.