



Child Safe and Wellbeing Policy

1. Purpose and Scope:

1.1 Purpose:

- 1.1.1 This policy demonstrates the strong commitment of the Board, staff and volunteers of the Taillem Bend Community Centre Incorporated (TBCC) to promoting children's safety and wellbeing and in establishing and maintaining child safe and child friendly environments. The Centre will ensure that it has policies and guidelines in place that uphold this commitment.
- 1.1.2 It also provides guidelines to the Board, staff and volunteers of the Centre to recognise the duty of care that it holds for the protection of children participating in programs and services at the centre.
- 1.1.3 In this policy, the term "child" refers to any person less than 18 years of age.

1.2 Scope:

- 1.2.1 This policy, from the date of endorsement, applies to all people who conduct work for the TBCC in a paid or unpaid capacity. This may include, for example, board members, staff, volunteers, interns, trainees, contractors and consultants, children, parents, carers and other individuals involved in the Centre.

2. Definitions:

- 2.1 **Abuse or neglect** - in relation to a child, means— sexual abuse of the child; or physical or emotional abuse of the child, or neglect of the child, to the extent that - the child has suffered, or is likely to suffer, physical or psychological injury detrimental to the child's wellbeing; or the child's physical or psychological development is in jeopardy, and "abused" or "neglected" has a corresponding meaning (Children's Protection Act 1993)
- 2.2 **Child/Children** - means a person/s under 18 years of age;
- 2.3 **Duty of Care** - The law says that if it is foreseeable that a person might suffer some sort of harm or loss because of something someone else does, or fails to do, then they owe that person a duty of care; the responsibility of organisations to provide children in their care with an adequate level of protection against harm.
- 2.4 **Mandatory Reporting** – A requirement, by law, that a person must notify the Child Abuse Report Line when it is suspected, on reasonable grounds, that a child has been, or is being abused or neglected.
- 2.5 **Mandated Notifier** – A person who must, by law, report suspected abuse or neglect of a child formed during a person's work, regardless of whether it is paid or voluntary work, or in the carrying out of official duties. Those currently required to report include teachers, medical practitioners, health professionals, child care workers, day care providers, social workers and workers, volunteers and managers within government departments or non-government agencies that provide services to children.

The *Children's Protection Act 1993* widens mandatory reporting to include a priest or other minister of religion, a person who is an employee of, or volunteer in, an organisation formed

for religious or spiritual purposes, and a person employed by, or volunteering in, organisations that provide sporting or recreational services that provide services wholly or partly for children.

- 2.6 **Participants/groups** - may be vulnerable because of their age, have a disability, or because of their circumstances and may include children, youth, older people, people with physical, developmental, social, emotional or other disabilities and people who have been victims of trauma, crime or torture.
- 2.7 **Negligence** – where the standard or duty of care owed to a person by an organisation has been breached, causing that person to suffer some form of damage. Examples of negligence might include failure to perform adequate referee checks, not responding to complaints or allegations, lack of adequate supervision or guidance for staff.
- 2.8 **National Police Check** (also known as a National Police Certificate (NPC) or National Criminal History Record Check) - An application made to SAPOL to see if an individual has a criminal history record receives a NPC. SAPOL conducts a national check which will show a proven court outcome in Australia.
- 2.9 **A criminal history assessment** – requires an organisation to use the information in a police check to conduct an assessment of the person's criminal history and to make a decision about whether to employ the person in a paid or volunteer capacity working with children or vulnerable groups.
- 2.10 Other forms of evidence for a criminal history check could be a valid criminal history assessment on a person's suitability to work with children conducted by: e.g. other accredited Crimtrac Agencies e.g. DHS Screening Unit or a current interstate working with children check.

3. **Statement of Intent:**

- 3.1 All children who come to The Centre have a right to feel safe have their rights respected, participate in decision-making and have their voices heard. The Centre is committed to the safety and well-being of all children and young people accessing our services and the welfare of the children in our care will always be our first priority. We aim to create a child safe and child friendly environment where all children are valued and feel safe.
- 3.2 The Centre has adopted comprehensive policies, procedures, practices and risk management strategies that are clear, meaningful and accessible and demonstrate a commitment to creating and maintaining a child safe environment.
- 3.3 It is a critical aspect of our duty of care to children that staff, volunteers, parents and children are informed and provided with guidance on how to maintain a child safe environment.
- 3.4 TBCC strives to maintain effective communication and participation strategies for engaging with and responding to the diverse needs of families and communities.
- 3.5 Effective recruitment and staff development policies including screening, induction and supervision ensure that staff and volunteers reflect child safety and wellbeing values.


4. **Background:**

- 4.1 This policy reflects the TBCC's commitment to provide a safe environment where every person has the right to be treated with respect and is safe and protected from abuse.
- 4.2 The TBCC owes a duty of care to children while they are under the care or supervision of Centre staff and volunteers. This duty of care requires the TBCC to take reasonable steps to protect children from foreseeable risks. The TBCC recognises that failing to provide children with an adequate level of protection from harm can result in immeasurable psychological, emotional, social, physical and financial cost to the child and their family.

- 4.3 The TBCC believes that actively promoting the organisation as a child safe organisation and educating and informing, staff, volunteers and the community on the risks and forms of child abuse and neglect will assist in maintaining a child safe environment.
- 4.4 The TBCC complies with our obligations under the Children’s Protection Act 1993, including:
- Section 8B - 8D – Child Safe Environments and criminal history assessments for people working with children
 - Section 11 – Mandatory reporting
- 4.5 It also complies with the Child Safe Environments: Principles of Good Practice and Standards for dealing with information obtained about the criminal history of Board members, staff and volunteers who work with children, issued by the Chief Executive of the Department for Communities and Social Inclusion (DHS).

5. **Policy:**

- 5.1 TBCC is committed to the safety and well-being of all children and young people accessing our services in accordance with its obligations under the Children's Protection Act 1993 Section 11(1) & (2) to report any incidents of abuse or neglect.
- 5.2 TBCC will conduct DHS Screenings for all people working with children, as set out in Act as well as screening and referee checks for each volunteer and staff appointment in accordance with the standards developed by the Department for Communities and Social Inclusion and the TBCC Police Check DHSI Screening – Flow chart.
- 5.3 TBCC will include information on mandatory reporting in its induction process and will provide Child Safe Environments training to all staff and volunteers working with children.
- 5.4 TBCC will not tolerate incidents of child abuse and all staff and volunteers have an obligation to notify the Child Abuse Report Line (13 1478) as soon as practicable if they have a reasonable suspicion that a child has been, or is being, abused or neglected by a member of their family or any other person.
- 5.5 Staff and volunteers must report to the TBCC CEO any reasonable suspicion that a child has been, or is being, abused or neglected by another member of staff, or volunteer.
- 5.6 TBCC may resolve to take protective action that will include reporting any incident to the police, to keep the child and others safe. Confidentiality and natural justice principles apply to the implementation of this policy.
- 5.7 TBCC staff, members and volunteers will encourage children to express their views, and make suggestions where appropriate, especially on matters that directly affect children. TBCC will teach children what they can do if they feel unsafe and listen to and acts on any concerns children, or their parents raise.
- 5.8 To help maintain a safe and culturally diverse environment for children, TBCC will review its risks regularly and implement strategies to minimise and manage processes.
- 5.9 TBCC will promote child safety and wellbeing in physical and online environments in order to reduce the risk of harm.
- 5.10 TBCC will report incidents to the Minister where required using the DHS Client Incident Assessment Table
- 5.11 National Principles for Child Safe Principles will be displayed at TBCC.
- 5.12 Staff and volunteers will complete the National Principles for Child Safe Organisation training modules.
- 5.13 Staff will complete Safe environments for children and young people “Through their eyes” Full day training program.

Date first formulated	June 2015	
Dates approved by Board	V1 July 2015 V2 June 2016 V3 May 2018 V4 April 2020	V5 June 2021
Next Review Date	June 2023	
Related Documents	<p>Harassment, Sexual Harassment, Victimisation and Bullying Strategy Information Technology and Social Media Policy ISG Practice Guide https://www.childprotection.sa.gov.au/child-protection-initiatives/information-sharing-guidelines Definition of privacy: ehrweb.aaas.org/ehr/books/glossary.html Aged care Charter of rights https://www.agedcarequality.gov.au/consumers/consumer-rights Child safe environments https://dhs.sa.gov.au/services/community-and-family-services/child-safe-environments Principles of Good Practice https://www.health.gov.au/health-topics/aged-care/providing-aged-care-services/delivering-quality-aged-care-services#charter-of-aged-care-rights Aged care Standards https://www.health.gov.au/health-topics/aged-care/providing-aged-care-services/delivering-quality-aged-care-services#aged-care-quality-standards National Principles for Child Safe Organisations https://childsafeforhumanrights.gov.au/national-principles Rights of every child https://www.unicef.org/au/our-work/information-for-children/un-convention-on-the-rights-of-the-child Know your rights and responsibilities https://sites.unicef.org/rightsite/files/Know_your_rights_and_responsibilities.pdf Children's rights and responsibilities flyer https://sites.unicef.org/rightsite/files/rights_leaffet.pdf Overview of child protection legislation across state and territory jurisdictions, Resource sheet developed by the Australian Institute of Family Studies https://aifs.gov.au/cfca/publications/australian-child-protection-legislation Australian and New Zealand Standard</p>	
Legislation	<p>Equal Opportunity Act 1984 https://www.legislation.sa.gov.au/LZ/C/A/EQUAL%20OPPORTUNITY%20ACT%201984.aspx Work Health & Safety Act https://www.legislation.sa.gov.au/LZ/C/A/WORK%20HEALTH%20AND%20SAFETY%20ACT%202012.aspx Children and Young People (Safety) Act 2017 https://www.legislation.sa.gov.au/LZ/C/A/Children%20and%20Young%20People%20(Safety)%20Act%202017.aspx Aged Care Act 1997 https://www.legislation.gov.au/Details/C2021C00185 Commonwealth Privacy Act 1988 https://www.legislation.gov.au/Series/C2004A03712 Department Human Service DHS Critical Client Incidents Policy Coronial Policy https://www.sa.gov.au/topics/housing/public-and-community-housing/community-housing-organisations/managing-a-community-housing-organisation/managing-critical-client-incidents State Records Act 1997 https://www.legislation.sa.gov.au/LZ/C/A/STATE%20RECORDS%20ACT%201997.aspx Guardianship and Administration Act 1993 https://www.legislation.sa.gov.au/LZ/C/A/GUARDIANSHIP%20AND%20ADMINISTRATION%20ACT%201993.aspx Information Sharing Guidelines for Promoting the Safety and Well-being of Children, Young People and their Families 2008. https://www.childprotection.sa.gov.au/child-protection-initiatives/information-sharing-guidelines Workplace Gender Equality Act 2012 https://www.legislation.gov.au/Details/C2016C00895 Australian Human Rights Commission Act 1986 (Federal) https://www.legislation.gov.au/Details/C2019C00030 Crimes Act 1914 (Federal) https://www.legislation.gov.au/Series/C1914A00012 Criminal Law Consolidation Act 1935 (SA) https://www.legislation.sa.gov.au/LZ/C/A/CRIMINAL%20LAW%20CONSOLIDATION%20ACT%201935/CURRENT/1935.2252.AUTH.PDF Fair Work Act 2009 https://www.legislation.gov.au/Details/C2021C00189 Volunteers Protection Act 2001 (SA) https://www.legislation.sa.gov.au/LZ/C/A/VOLUNTEERS%20PROTECTION%20ACT%202001/CURRENT/2001.65.AUTH.PDF Return to Work Act 2014 https://www.legislation.sa.gov.au/LZ/C/A/RETURN%20TO%20WORK%20ACT%202014/CURRENT/2014.16.AUTH.PDF</p>	
<p>Signed on behalf of TBCC Board of Management by: Name: Jack Hunt Position held: Chairperson Signature:  4 June 2021</p>		