

Document Status	DRAFT	FOR APPROVAL	APPROVED
Document Number:	6.1.29		
Version:	4		
Policy owner:	General Manager Practice Development and Innovation		
Policy category:	Programs		
Level of approval:	Executive		
Policy Approved by:	Executive		
Date Approved:	May 2022		
Effective date:	January 2016		
Review Frequency:	Three Years		
Review Date:	May 2025		
Purpose:	To demonstrate Jesuit Social Services' commitment to child safety and the establishment of child safe and child friendly environments. This includes promoting the cultural safety of Aboriginal children, children from culturally and/or linguistically diverse backgrounds and children with a disability.		
Relevant legislation and/or standards:	<p>Commonwealth</p> <ul style="list-style-type: none"> - Family Law Act 1975 (Cth) <p>NSW</p> <ul style="list-style-type: none"> - Children and Young Persons (Care and Protection Act) 1998 (NSW) - Children's Guardian Act 2019 - Children's Guardian Amendment (Child Safe Scheme) Bill 2021 - Child Protection (Offenders Registration) Act 2000 (NSW) - Child Protection (Working with Children) Act 2010 (NSW) - Commission for Children and Young People Act 1998 (NSW) - Crimes Act 1900 (NSW) - Office of the Children's Guardian - Child Safe Standards - The Ombudsman Act 1974 (NSW) - Work Health and Safety Act 2011 (NSW) <p>NT</p> <ul style="list-style-type: none"> - Care and Protection of Children Act 2007 (NT) - Criminal Code Act 1983 (NT) - Disability Services Act 1993 (NT) - Domestic and Family Violence Act 2007 (NT) - Information Act 2002 (NT) - Work Health and Safety (National Uniform Legislation) Act 2011 (NT) <p>Victoria</p> <ul style="list-style-type: none"> - The Charter of Human Rights & Responsibilities Act 2006 (Vic) - Child Wellbeing and Safety Act 2005 (VIC) - Children Youth and Families Act 2005 (VIC) - Crimes Act 1958 (VIC) - Crimes Amendment Act (Grooming) 2014 (VIC) - Crimes Amendment (Protection of Children) Act 2014 (VIC) - Occupational Health and Safety Act 2004 (VIC) - Victorian Child Safe Standards - Working with Children Act 2005 (Vic) 		
Risk Awareness:	Governance, Commercial and Legal, Programs and Services, Systems and Infrastructure, Financial, Human Resources		

Related Documents:	<ul style="list-style-type: none"> • Code of Conduct • Corporate Governance Practices • Duty of Care • Induction • Participant Consultation and Engagement, Feedback and Complaints • Participant Rights and Responsibilities poster • Practice Orientation Manual • Quality and Safety Framework • Recruitment • Responding to suspected and disclosed sexual and other criminal abuse. • Staff Professional Development, Performance Reviews and Training • Staff Support and Supervision • Working with Children, Young People and Families • Workplace Behaviours Policy • Child Wellbeing and Safety Training Plan
Scope:	All staff, students on placement and volunteers.
Definitions:	NIL
Policy:	<p>Jesuit Social Services is committed to the safety and wellbeing of children and young people who access our services. We aim to create a child safe, child friendly environment where all children are valued, supported and empowered..</p> <p>All Australian States and Territories have laws that aim to protect children and young people and Jesuit Social Services and staff are required to comply with the relevant laws in their jurisdiction.</p>
Responsibilities:	Child Safety and Professional Standards Officer

1. PROCEDURE

Each State and Territory in which we operate has responded to local and national enquiries into the care and protection of children including the Royal Commission into Institutional Responses to Child Sexual Abuse. All jurisdictions, through the Council of Australian Governments (COAG) have endorsed National Principles for Child Safe Organisations. The principles aim to provide a nationally consistent approach to creating organisational cultures that foster child safety and wellbeing. Jesuit Social Services is committed to embedding the National Principles and State/Territory standards into its procedures and ensuring this through accreditation under the Australian Childhood Foundation (ACF) processes.

In NSW, the Northern Territory and Victoria it is a criminal offence to fail to report harm or abuse of a child.

In NSW, all adults are required to report information to the police if they know, believe or reasonably ought to know that a child has been abused or know, believe or reasonably ought to know that they have information that might materially assist in securing the apprehension, prosecution or conviction of the offender. This is a legal responsibility under the Crimes Act 1900 and is called failure to report. This offence covers sexual abuse, serious physical abuse and extreme neglect of a child (under 18 years). It has a maximum penalty of imprisonment for two years.

In the Northern Territory, you must make a report if you reasonably believe a child has been harmed or exploited, or that a child is likely to be harmed or exploited. This is a legal responsibility under the Care and Protection of Children Act 2007 and is called mandatory reporting. In the Northern Territory, failure to report suspected or disclosed child abuse is a criminal offence under the Care and Protection Act 2007, punishable by a fine of up to 200 penalty units.

In the Northern Territory, it is also mandatory to report Family Violence. This includes if someone has been hurt or is in danger of being hurt. Failure to report suspected or disclosed Family Violence is a criminal offence punishable by a fine of up to 200 penalty units. Where a Family Violence risk concerns a child, reports must be made to both Territory Families (Child Protection) and the police.

In Victoria, failure to report suspected or disclosed child abuse is a criminal offence (Refer to Responding Appropriately to Disclosures or Allegations of Sexual or Other Criminal Abuse policy and attached fact sheets).

In Victoria, failure to protect children is also a criminal offence and people in a position of authority (including the Board, CEO, managers and social workers) can face a maximum penalty of 5 years imprisonment for failing to protect a child.

1.1 Strategies to identify and reduce or remove risks of child abuse

Jesuit Social Services is committed to being a Child Safe Organisation and strives to identify, reduce or remove the risks of child abuse through a range of strategies including: effective leadership; rigorous staff recruitment and robust human resources practices; involving children in program review and development; strategies for cultural safety to meet the needs of Aboriginal and Torres Strait Islander children, children from Culturally and Linguistically Diverse communities, children with disabilities and other intersectionalities that are known to marginalise; practice strategies to minimise risk; safe physical and online environments, involving families and community; accessible and child-focused complaints processes; and the appointment of a Child Safety and Professional Standards Officer to resource and support programs in this area.

1.2 Cultural safety

Jesuit Social Services promotes the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds through employment practices and staff training. We recognise the ongoing overrepresentation of Aboriginal children in the Child Protection system; and acknowledge that Aboriginal children are more likely to have notifications made about their care and treatment to Child Protection than non-Aboriginal children. We recognise that connection to land, language and kin is central to the ongoing cultural safety of Aboriginal children involved in our programs.

Further, the diversity of families is taken into account to reduce barriers to inclusion they may experience.

1.3 Effective leadership

- Accountable governance – *Refer to Governance Practices*
- Reporting processes – *Refer to Quality & Safety framework*
- Supervision – *Refer to Staff Support and Supervision policy*
- Training and Professional Development – *Refer to Staff Professional Development, Annual Performance Review & Training policy.*

1.4 Children's participation

Jesuit Social Services provides opportunities for children to participate to their full potential by paying attention to equity by taking into account children's diverse circumstances including if children are living with a disability, have been exposed to trauma, feel vulnerable because of their gender identity or sexuality. We encourage and respect the views of children and young people who access our services through our practice framework and Participant Consultation & Engagement processes. Processes for complaints and concerns are child focused. *Refer to Participant Consultation and Engagement, Feedback and Complaints policy.* We listen to and act upon any complaints or concerns that children, young people or their families raise with us and we teach children what they can do if they feel unsafe.

We ensure that children, young people and their families know their rights and how to access the complaints procedures available to them. Where a child, young person or their family speaks a

language other than English or speaks English as a second language, we ensure interpreting services are available to ensure this process is communicated effectively.

We value diversity and do not tolerate any discriminatory practices. *Refer to Participant Rights and Responsibilities poster.*

Further to the participation of children, Jesuit Social Services seeks input from families and communities in the decisions that impact on children and young people. This includes involving families and communities in the development and review of child safe policies and practice.

1.5 Staff recruitment and staff management practices

Jesuit Social Services seeks to attract and retain the best employees, volunteers and students on placement. We ensure that all staff, volunteers and students on placement have a current Police Check and Working with Children's Check or Ochre Card if employed in the Northern Territory and undergo appropriate screening, supervision and training to reduce the risk of child abuse by new and existing personnel.

Reference checks are a mandatory part of selection at Jesuit Social Services and staff must ensure that the applicant's previous and most recent direct line manager is contacted as one of the referees prior to a person's employment. *Refer also to Recruitment policy.*

Jesuit Social Services also has robust staff induction and orientation procedures to ensure staff are oriented to the organisation's policies, procedures and practice approach. *Refer to Induction policy.*

We provide support and supervision so people feel valued, respected and fairly treated. We ensure that employees/volunteers/students on placement who work with children have ongoing supervision, support and training so that their capacity is developed and enhanced to promote the establishment and maintenance of a child safe environment. Further, all staff participate in robust professional development processes. *Refer to Staff Professional Development, Annual Performance Review and Training policy.*

1.6 Strategies to minimise risk in physical and online environments

Jesuit Social Services maintains a safe environment for children by reviewing organisational risks regularly and implementing strategies to minimise and manage these risks.

Our policies and procedures address:

- Transportation
- Taking images of children
- Supervision of children
- Child Safety and Professional Standards Officer
- Feedback and Complaints procedures
- Physical contact
- Responsibilities
- Procedure for breaches of policy
- Training\cyber safe guidelines
- Protecting privacy and confidentiality
- Procedures for dealing with situations where a staff member is being investigated for, or is charged with, a serious criminal offence.
- Procedures to guide practice in working with children, young people and families.

Evaluation of these strategies and the development of additional strategies to minimise and control risks to children and young people occur as part of our ongoing quality improvement and risk management processes.

1.7 Child Safety and Professional Standards Officer

Jesuit Social Services has an appointed Child Safety and Professional Standards Officer (General Manager, Practice Development & Innovation) whose role is to support the Board and Executive in their leadership of child wellbeing through overseeing the adherence to practice and policy standards and to act as a resource for staff, students on placement and volunteers regarding the

safety and wellbeing of children in our organisation. The Child Safety and Professional Standards Officer supports programs to respond appropriately to disclosed and suspected child abuse and to ensure that programs are delivered in a child safe and child friendly way. *Refer also to Responding to suspected and disclosed sexual and other criminal abuse policy and the Working with Children, Young people and Families policy.*

1.8 Communication

Jesuit Social Services will ensure that everyone to whom this policy applies is aware of and has had an opportunity to read the policy.

We also ask employees, students on placement, volunteers and parents (where appropriate) to sign a written statement indicating that they have read and will abide by our child-safe policy. We retain a copy of all signed statements.

Jesuit Social Services communicates how the organisation operates and how to raise child safety concerns effectively with families and communities.

END OF DOCUMENT

Document history table

Version	Reason for update	Date approved
2	Revised appendices & put in new Policy format	March 2017
3	Updated to include NT requirements	May 2019
4	Updated to include NSW and Victorian child safety standards and removed the appendix	May 2022