

Manual:	Service Delivery
Policy:	Keeping Children and Young People Safe
Related Documents:	Code of Conduct Recruitment, Selection & Employment Policy Child Safety (Prohibited Persons) Act 2016 Child Safety (Prohibited Persons) Regulations 2019 Children and Young People (Safety) Act 2017 Employment - Child Protection (Human Resources) Making a report to the Child Abuse Report Line Child Safe Code of Conduct Client Complaint Resolution.dotx Employment – Performance Improvement, Counselling and Discipline Policy
Date Ratified:	2023/06
Previous Review Dates:	2021/11, 2019/12
Review Due:	2025/06
Approved by:	Board
Date of Meeting Minutes:	27 th June 2023

The intent of this policy is to articulate the commitment of FocusOne Health management and employees to the safety of children and young people. This policy applies to all employees, volunteers, students, children, young people, visitors and individuals who access the services of FocusOne Health.

Specifically, this policy relates to the obligations of an employer and employee as these roles pertain to section 35 (3) of the “Child Safety (Prohibited Persons) Act 2016” and the “Children and Young People (Safety) Act 2017”. The National Principles for Child Safe Organisations were referred to in forming FocusOne Health’s approach to Child Safe environments.

This policy contains information on the following:

- Commitment to the safety of children and young people
- Children and young people’s rights to safety and participation
- Recruitment and Support of Employees
- Who is a mandated notifier
- Reporting and responding to suspected harm or risk of harm
- Accessing FocusOne Health’s Child Safe Environment Policy
- Definition of key terms

Commitment to safety of children and young people

All children and young people who access the services of FocusOne Health have a right to feel and be safe. FocusOne Health’s commitment to the safety and wellbeing of all children and young people accessing our

services will always be our first priority. We aim to create a safe and friendly environment where children and young people feel safe and receive appropriate services.

We value the input of children and young people in the development of their care and service provision. Children and young people's diversity is respected and acknowledged through all service interactions. Bullying and harassment of children and young people won't be tolerated.

Children and young people's rights to safety and participation

FocusOne Health management and employees encourage children and young people to express their views, and make suggestions, especially on matters that directly affect children and young people. We actively encourage all children and young people who access our services to 'have a say' about those things that are important to them. We value diversity and do not tolerate any discriminatory practices.

We advise children and young people about what they can do if they feel unsafe. We listen to and act on any concerns children, young people, or their parents or guardians, raise with us. When children and young people access our services FocusOne Health staff members are responsible for informing them and their carers of a client's rights and responsibilities including their right to make a complaint to FocusOne Health. The FocusOne Health's Complaints policy, Child Safe Policy and Child Safe Code of Conduct is available to children, young people and families at commencement of care.

Where physical contact is required as part of the services provided, the appropriate procedures will be explained to the child / young person prior to the services being delivered (e.g. the provision of immunisations).

Recruitment and Support of employees

FocusOne Health applies the following practices in the recruitment and screening of employees.

- a statement that FOH organisation meets the requirements of the *Child Safety (Prohibited Persons) Act 2016* which requires that staff and volunteers have a current, 'not prohibited' Working with Children Check issued by the DHS Screening Unit is included in each Job Description and in all advertisements of vacant positions.
- At least two referee checks are undertaken on all preferred candidates
- Interviews are undertaken face to face or via visual-tele-aided technology (where possible one panel member at least will meet with each candidate face to face).

In addition:

Working With Children Checks (WWCC) and National Police Screening (NPS) checks are conducted for all staff, students & volunteers over the age of 14 years undertaking activity on behalf of or for FocusOne Health, as per regulation 19 of the Child Safety (Prohibited Person) Regulations 2019 (SA). Evidence of valid, Not Prohibited WWCC and NPC are provided prior to employment and then again every 5 years as prescribed in the Child Safety (Prohibited Person) Regulations 2019 (SA). FocusOne Health utilise South Australian Governments (DHS) Screening Unit online to verify the accuracy of WWCC results.

FocusOne Health will immediately contact the Department of Human Services Screening Unit when we become aware of certain information regarding any person involved with our organisation, including any serious criminal

offence, child protection information, or disciplinary or misconduct information.

FocusOne Health seeks to attract and retain the best employees. We provide support and supervision to ensure employees feel valued, respected and fairly treated. We have a Code of Conduct and a specific Child Safe Code of conduct that provide guidance to our employees and volunteers, all of whom acknowledge the requirements of the code.

In the event of a complaint, accusation or allegation of child harm or risk of harm, unsafe or inappropriate behaviour toward or in the presence of a child or young person be made by a client or family member in regards to an employee, volunteer, or student of FocusOne Health, the matter will be dealt with, in the most serious regards.

All Staff, students and volunteers of FocusOne Health are required to read and acknowledge their willingness to abide by FocusOne Health approach to Child Safety by signing the Child Safe Code of Conduct.

Who is a Mandated Notifier?

Mandated Notifiers as per Section 30 of the [Children and Young People \(Safety\) Act 2017](#) include nurses, social workers, psychologists and any employee of, or volunteer in, an organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children or young people, being a person who:

- provides such services directly to children or young people
- holds a management position in the organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children or young people

Therefore, any person working at FocusOne Health is a Mandated Notifier and is required by law to notify the Department for Child Protection if they suspect on reasonable grounds that a child has being harmed or is at risk of harm.

This obligation arises when a mandated notifier forms this suspicion in the course of their work (whether paid or voluntary) or in carrying out their official duties. If a mandated notifier forms a suspicion outside of their work (whether paid or voluntary) that a child has been harmed or is at risk of being harmed, they are encouraged to make a notification to the Department for Child Protection voluntarily.

Reporting and responding to suspected harm or risk of harm

FocusOne Health will not tolerate any form of harm or risk of harm posed to children / young people.

FocusOne Health is responsible for ensuring that employees are aware how to make appropriate reports of harm or risk of harm posed to children / young people.

An employee who identifies the harm or risk of harm to a child/young person must notify the Child Abuse Report service via either:

- telephone on 13 14 78
- online <https://my.families.sa.gov.au/IDMProv/landing.html>

(staff are encouraged to set up a user profile)

Where a child or young person are in immediate risk of harm SA Police should be contacted on 000.

Notifications are to be made as soon as practicable if there is a reasonable suspicion that a child or young person has been or is being harmed or is at risk of harm.

Under the new provisions of Criminal Law Consolidation Act 1935, FocusOne Health must report all forms of child sexual abuse to the Police. Failure to report child sexual abuse and failure to protect a child from sexual abuse is a criminal offense.

The child or young person may or may not be a direct client of FocusOne Health; **however, FocusOne Health's responsibility extends beyond the direct client base in regards to the safety, care, suspected harm or risk of harm of children and young people.**

A person does not necessarily exhaust his or her duty of care to a child by making a report to the Child Abuse Report Line – they may still have a role in supporting the child or young person. Children and young people may need further support following a disclosure of harm or risk of harm. The Department for Child Protection provides further information on support young people in these circumstances: [Responding to a child about abuse or neglect | Department for Child Protection](#)

Service provision in most cases will continue following a CARL report, and consideration is given to any other specialist services that should be involved as a result. Subsequent CARL reports are made when further information / circumstances are understood through ongoing interactions with the child / young person.

Harm caused to children and young people by a staff member or volunteer is not tolerated and will be dealt with in accordance with the Employment – Performance Improvement, Counselling and Discipline Policy, fairly and with immediacy.

FocusOne Health will support any employee who makes a report to the Child Abuse Report Line by way of Line Manager and Clinical Supervisor and collegiate support. FocusOne Health staff have an Employee Assistance Program which can be activated should further support be needed.

FocusOne Health has an identified Child Protection Contact Person(s), being Melanie Gilgen RN based in the Riverland office, however Melanie is available to all staff across the organisation to provide education and support in matters relating to children and young people being harmed or at risk of harm. The decision and responsibility of reporting to CARL remains with the person who came to know the information in the first place. Where the Child Protection Contact Person is not available staff are advised to seek the support a member of the management team.

FocusOne Health will provide opportunities for employees to undertake "Through their Eyes' training. With successful completion of the full day training, staff are supported to access three hours of re-fresher content every three years to maintain currency of knowledge and processes in regard to harm or risk of harm for young people and children.

Accessing FocusOne Health's Keeping Children and Young People Safe Policy

This policy is included in all staff and volunteer induction readings.

At the commencement of services for children and young people the policy is made available.

The policy is available upon request at any time during care and specifically in an instance where a child / young person or family member / guardian raises concern about FocusOne Health's approach to harm or risk of harm to young people and children.

Definitions

Child (Young person) – A child means a person under 18 years of age (Section 16 of the Children and Young People (Safety) Act 2017 (SA))

Harm or Risk of Harm to Children – Children can be harmed or at risk of harm in different ways, including a wide range of acts of omission and commission. The following is based on definitions in 'Guideline for Mandated Notifiers' produced by the Government of South Australia – Department for Child Protection.

Physical Harm – is commonly characterized by physical injury resulting from practices such as hitting, punching, kicking (marks from belt buckles, fingers); shaking (particularly young babies); burning (irons, cigarettes), biting, pulling out hair; alcohol or other drug administration.

Sexual Abuse – occurs when someone in a position of power to the child uses his/her power to involve the child in sexual activity. Behaviour can include sexual suggestion; exhibitionism, mutual masturbation, oral sex; showing pornographic material e.g. DVDs, internet; using children in the production of pornographic material; penile or other penetration of the genital or anal region; child prostitution.

Emotional Harm – tends to be a chronic behavioural pattern directed at a child whereby a child's self esteem and social competence are undermined or eroded over time. Behaviours may include devaluing, ignoring, rejecting, corrupting, isolating, terrorising, chronic or extreme domestic violence in the children's presence.

Neglect – is characterized by the failure to provide for the child's basic needs. Behaviours may include inadequate supervision of young children for long periods of time; failure to provide adequate nutrition, clothing or personal hygiene; failure to provide needed or appropriate health care/medical treatment; disregard for potential hazards in the home; forcing the child to leave home early; allowing children to engage in chronic truancy.

Child Protection Contact Person – a person appointed by the CEO, to be responsible for educating staff on child protection matters and to ensure that child protection procedures conform to the requirements of the relevant jurisdiction.

Young person – term used instead of the word child to describe a person under the age of 18.

Harm - harm will be taken to be a reference to physical harm or psychological harm (whether caused by an act or omission) and, without limiting the generality of this subsection, includes such harm caused by sexual, physical, mental or emotional abuse or neglect.

National Police Check – is a document which includes all, if any, information relating to the offender history of the person applying for a NPC.

Working with Children Check - is an assessment of whether a person poses an unacceptable risk when working with children

Policy Review

FocusOne will review this policy annually and will lodge a new compliance statement with the Department of Human Services after each review/update or each 5 years whichever occurs first.