



Child Safe Environment Policy

POLICY STATEMENT

Legacy Lifestyle Supports is committed to the safety and well-being of all children and young people accessing our services. The welfare of the children in our care will always be a priority.

Legacy Lifestyle Supports recognises the importance of establishing and maintaining a safe, child friendly environment where all children and young people are valued and feel safe.

This policy complies with Legacy Lifestyle Supports obligations under the *Children and young people (safety) Act 2017* and *Child Safety (Prohibited Person) Act 2016* to ensure

- Child safe environments are maintained within the organisation; and
- Appropriate reports of harm or risk of harm are made and
- Children and young people (safety) Act 2017 section 5.a - Duty to safeguard and promote welfare of children and young people

1. AIM

All persons working within Legacy Lifestyle Supports, including employees, volunteers, contractors and students are ensured that the fundamental rights of children are respected and safeguarded. This will be achieved through establishing and promoting an organisation wide commitment to maintaining a safe, child friendly environment where safeguarding children is embraced and embedded in appropriate principles, behaviours and practices.

This policy will support all persons working within Legacy Lifestyle Supports to effectively respond and consistently apply legislative requirements.

2. SCOPE

This policy applies to all Legacy Lifestyle Supports sites and all persons working within Legacy Lifestyle Supports, whether they are mandatory reporters or not including employees, volunteers, contractors and students.

3. POLICY PRINCIPLES

The following policy principles guide Legacy Lifestyle Supports employees, volunteers, contractors and students in their commitment to child safety and strengthen the organisation's capacity to be child safe.

3.1. Safeguarding culture

Safeguarding of children and young people supported by Legacy Lifestyle Supports is promoted through a range of strategies and initiatives aimed at developing an organisational culture, environment and activities that are safe for all children and young people. This includes being a positive role model to children and young people and setting clear boundaries to guide behaviour between workers and the children & young people they work with.

Expectation in relation to acceptable behaviour when working with children and young people is set out in the Legacy Lifestyle Supports Code of Conduct.

This includes a requirement to ensure another adult is present or in line of sight when engaging in close 1:1 activities.

Employees and Volunteers must not

- Develop any special relationships with children or young people that could be seen as favouritism 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.

3.2. Children's empowerment and participation

Legacy Lifestyle Supports encourages and respects the views of children and young people who access our services, by collecting feedback via age appropriate surveys and face to face consultations (formal & informal).

We involve children and young people in decision making, and listen and act upon any feedback or complaints that children, young people or their families/carers raise with us. In the event of feedback and/or complaints being raised, the young person's perspective of their experience is collected by a senior team member. Information about our planned response is provided in a format that is considerate of their age and processing capacity, facilitating negotiations to ensure they are satisfied with the outcome.

Legacy Lifestyle Supports ensures that children, young people and their families/carers know their rights and how to access services, advise and the complaints processes available to them. This information is delivered at intake, as is reintroduced by support staff as needed.

3.3. Confidentiality and privacy of children and young people

Maintaining the privacy and confidentiality of children and young people who participate in our services is paramount in ensuring their safety and wellbeing. Any issues relating to suspected or alleged harm and/or risk of harm to children or a young person is highly sensitive and must be treated in such a way. All records are stored in accordance with Legacy Lifestyle Supports's Privacy Policy.

The release of images of a child or young person to the public has the potential to adversely impact their safety. As such, Legacy Lifestyle Supports will obtain permission from a child or young person where possible, and their parent/guardian before taking an image of the child.

When gaining consent, the child or young person and their parent/guardian are informed about the nature of the use of the image as well as how the image will be stored and how the image can be accessed by the parent/guardian.

All images are held and stored in accordance with Legacy Lifestyle Supports's Privacy Policy.

3.4. Recruitment practices

Legacy Lifestyle Supports ensures that it employs the most suitable and appropriate people to work with children and young people through vigorous human resources selection and checking processes to safeguard children and young people.

Each potential employee is screened prior to interview to ensure the person has appropriate training and clearances, and if deemed appropriate engages in an interview with two senior staff. Following the interview process, all interviewees selected for employment are reference checked prior to notification of successful selection. Where concerns are raised during reference check, investigations may occur to understand the concerns in relation to participant safety. Those deemed unsuitable to provide support to people with disabilities, including children with disabilities, are not offered employment.

All employees, volunteers and students are required to have a valid Working with Children Check and an NDIS Worker Screening prior to beginning their employment.

We 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.

3.5. Support, develop, supervise and enhance performance of Legacy Lifestyle Supports workers

Legacy Lifestyle Supports promotes a child safe environment through provision of employee development programs that ensure mandated notifiers are equipped and supported to enhance and maintain a child safe environment.

Legacy Lifestyle Supports employees and volunteers who work with children and young people are provided with supervision (routine performance reviews and/or performance management), support (debriefing with senior staff, team meetings, etc) and training (inductions, orientations and specialised training to improve practice) to ensure they can maintain a child safe environment and are able to identify and respond to suspicions of harm or risk of harm.

All new employees are provided a Staff Handbook, containing our Code of Conduct policy and this policy, with copies of both being available at all times. Employees and volunteers are also provided a copy of Mandatory Notification Information Booklet.

Workers are required to engaging in training and updates on their mandatory reporting obligation as outlined below

- New workers undergo a full day Safe Environments: Through Their Eyes Training.
- Current and ongoing workers undergo a 3 hour refresher Safe Environments: Through Their Eyes Training, every 3 years.
- Workers who do not have direct contact with children are orientated to the LLS Child Safe Environments Policy and Code of Conduct.

3.6. Identify, report and respond to suspected harm or risk of harm

Mandated notifiers in our organisation are employees of, or volunteers being a person who

- Provides such services directly to children or young people or.
- 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.

Even if they are not a mandated reporter, any person can report harm or risk of harm to a child or young person on moral grounds.

Legacy Lifestyle Supports ensures that all workers and volunteers, regardless of their role or legal requirement to report harm or risk of harm:

- Are able to identify, report and respond to children and young people at risk of harm; and
- Understand their obligations to notify the Child Abuse Report Line (CARL) on 13 14 78 immediately and directly (not via an internal notification), if they have suspicion on reasonable grounds that a child or young person has or is being harmed or at risk of being harmed, or SA Police on 000 is at immediate risk.
- Are supported to provide appropriate support to a child or young person who is identified as being harmed or at risk of harm, ensuring that supports are child focused and non-investigative.
- Maintain a system of transparency in recording & reporting a concern observed or raised by a child, young person or their guardian.

Failure to report a reasonable suspicion that a child is being harmed or is at risk of harm, is in breach of the Child Safe Environments Policy and may result in disciplinary action being initiated against the worker. Failure by mandated notifiers to report is also an offence under the Child and Young people (Safety) Act 2017 and carried a maximum penalty of a \$10,000 fine.

To ensure the ongoing safety of children and young people , if a person in our organisation causes harm to a young person they will be removed from any role that has contact with children and young people until authorities have concluded their investigations.

We will provide support to a child or young person following a report being made by

- Referring the child or young person or their family to other appropriate services
- Continuing to provide a service to the child or young person and their family and monitoring their circumstances.

3.7. Professional protection and support for reporters

Reporters of Harm or Risk will not be held legally liable for the report or any investigation of the report if a report is made in good faith and does not constitute unprofessional conduct a breach of professional ethics.

Mandated notifiers are also protected from 'threats, intimidation, damage, loss or disadvantage' because they have reported or propose to report suspected Harm or Risk of a child or young person.

Disclosure of the name or any identifying information in relation to a person who has made a report to the Child Abuse Report Line will not be made unless the case proceeds to court. In these circumstances the source of the information may be provided in evidence to the court.

3.8. Strategies to minimise risk

Legacy Lifestyle Supports will identify and assess all potential and actual sources of harm and take steps to minimise the risk to children and young people who use our service. Risk assessment tools are used to determine if a child or young person is at risk. Strategies to minimise risks to children and young people occur as part of Legacy Lifestyle Supports's ongoing risk management process.

Legacy Lifestyle Supports have implemented the following policies and procedures to assist in managing risk and safeguarding children and young people.

- Child Safe Environment Policy
- Information Management Policy
- Responding to Harm and Risk of harm

3.9. Communication

Legacy Lifestyle Supports ensures that this policy is publicly available on the LLS website and that all clients and carers/families are informed of the policy and how to access it.

Legacy Lifestyle Supports staff have access to this policy.

Legacy Lifestyle Supports workers are required to sign that they have read, understood, and will abide by the Legacy Lifestyle Supports Child Safe Environments policy.

3.10. Respect diversity

Lifestyles, family structures and customs vary across different cultural groups. Working with the strengths and support system available within families, ethnic groups and communities is essential to ensuring cultural factors do not disadvantage children and young people or place them at risk of harm.

To respond appropriately to the needs of people from diverse backgrounds, workers seek advice and guidance whenever they are involved with families whose culture is unfamiliar to them.

Legacy Lifestyle Supports workers can seek assistance from Legacy Lifestyle Supports Management and Leadership, and should report to senior staff, when feedback or a general complaint is received.

4. RESPONSIBILITIES

Director

- The Director is responsible for ensuring the policy is implemented, monitored, reported, and evaluated.
- Is responsible for ensuring mandatory reporting requirements, procedures and associated legal responsibilities are adhered to.

Service Manager

- Understand mandatory reporting requirements, procedures and associated legal responsibilities.
- Ensure staff and volunteers are aware of their obligations as mandated notifiers and have appropriate skills and knowledge to identify children or young people at risk.
- Ensure all workers receive regular training sessions that include a focus on ongoing learning regarding child protection.
- Ensure safe recruitment and selection practices are adopted.
- Ensure all Working with Children Checks obtained for workers who work with children are dealt with in a manner that reflects organisational legal responsibilities.
- Ensure this policy is reviewed and updated at least once in every 5-year period and a new compliance statement must be lodged with the Department of Human Services.

Leadership Team

- Ensure staff and volunteers have appropriate training and supervision to understand and fulfil their obligations as mandated notifiers and provide a child safe environment for children and young people.
- Ensure staff apply risk assessment processes as required and feel supported to make mandatory notifications.

Mandated Notifiers

Mandated Notifiers have obligations to:

- Notify DCP if they suspect, on reasonable grounds, that a child has been or is being harmed or is at risk of harm.
- Ensure they are aware of the obligations and the consequences of the obligation and the consequences of failure to comply.
- Ensure they are able to identify, report and respond to children and young people at risk of harm or have been harmed.

Workers

- All Legacy Lifestyle Supports staff will apply the principles of this policy.

5. RELEVANT LEGISLATION & ORGANISATIONAL DOCUMENTATION

5.1. Legislation

- Children and young people (Safety Act 2017)
- Privacy Act 1988 (Commonwealth)
- Child Safety (Prohibited Persons) Act 2016

2.2. Related Policies & Procedures

- Code of Conduct
- Privacy & Confidentiality Policy
- Participant Rights Policy
- Information Management Policy
- Risk Management Policy