

Child Safety and Wellbeing Policy

Purpose

The purpose of this Child Safety and Wellbeing Policy is to ensure that all leaders, employees, students, contractors and volunteers engaged by Grampians Health are aware and understand the organisation's commitment to Child Safety and Wellbeing to create a Child Safe Organisation.

This policy outlines how Grampians Health prioritises the safety and wellbeing of children and the organisation's expectations about child safe practices.

The Child Safe Standards

The Child Safe Standards (the Standards) were introduced via amendment to the *Child Safety and Wellbeing Act 2005* and are compulsory for all Victorian organisations that provide services or facilities for children. Compliance with the Standards is regulated and monitored by the Commission for Children and Young People. As a provider of services to children, Grampians Health has a legal obligation to comply with the Standards.

There are eleven Standards to drive cultural change so that protecting children from harm and abuse is embedded in the everyday practice of all staff and volunteers. The eleven Standards are as follows:

Standard 1: Establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.

Standard 2: Child safety and wellbeing is embedded in organisational leadership, governance and culture.

Standard 3: Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.

Standard 4: Families and communities are informed, and involved in promoting child safety and wellbeing.

Standard 5: Equity is upheld and diverse needs respected in policy and practice.

Standard 6: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

Standard 7: Processes for complaints and concerns are child focused.

Standard 8: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

Standard 9: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.

Standard 10: Implementation of the Child Safe Standards is regularly reviewed and improved.

Standard 11: Policies and procedures document how the organisation is safe for children and young people.

Our Commitment to Child Safety & Wellbeing

Grampians Health is committed to child and young people safety and wellbeing. Our organisation:

- has a zero tolerance for child abuse
- has systems to protect children from abuse
- actively listens to and empowers children and young people
- recognises that child victim survivors of family violence are victims in their own right
- promotes and respects the cultural safety for Aboriginal children, for those from other culturally and/or linguistically diverse backgrounds, and for children with a disability
- provides safe physical and online environments
- takes all allegations, complaints and concerns very seriously, responding to them consistently and in line with the organisations policies and procedures.

Definitions

Adult: A person who is aged 18 years and over.

Child/Children/Adolescent/Young Person: A person who is under the age of 18 years.

Child Abuse: is defined in the *Child Wellbeing and Safety Act 2005* (Vic) as including:

Any act committed against a child which endangers their health, wellbeing and/or development, involving:

- a sexual offence committed against a child
- an offence committed against a child under section 49M(1) of the Crimes Act 1958 (Vic), such as grooming
- physical violence against a child
- causing serious emotional or psychological harm to a child
- serious neglect of a child.

Child Information Sharing Scheme (CISS): Child Information Sharing Scheme (CISS) prioritises the rights of children and their safety over any persons right to privacy, promoting wellbeing and preventing the potentially devastating consequences of not sharing information.

Child Safety: Measures to protect children from abuse.

Child Victim Survivor: Children who witness or experience family violence.

Cultural abuse: Actions and attitudes that deliberately ignore, denigrate or attack the culture of a person or community.

Cultural Safety (Aboriginal and Torres Strait Islander children): the child being provided with a safe, nurturing and positive environment where they are comfortable with being themselves, expressing their culture, their spiritual and belief systems, and they are supported by the carer, who respects their Aboriginality and therefore encourages their sense of self and identity.

Family Violence: Behaviour by a person towards a family member of that person if that behaviour is:

- physically or sexually abusive; or
- is emotionally or psychologically abusive; or
- is economically abusive; or
- is threatening; or is coercive; or
- in any other way controls or dominates the family member and causes that family member to feel fear for the safety or wellbeing of that family member or another person; or
- behaviour by a person that causes a child to hear or witness, or otherwise be exposed to the effects of, behaviour referred in the above dot points.

Family Violence Information Sharing Scheme (FVISS): The scheme enables the sharing of information between authorised organisations to assess and manage family violence risk.

Intersectionality: Understanding that different aspects of a child's identity that can expose them to overlapping forms of discrimination and marginalisation. These aspects can include gender, class, ethnicity and cultural background, religion, disability and sexual orientation.

Mandatory Reporting: A legal requirement of certain groups of people (such as doctors, nurses, police officers and school teachers) to report a reasonable belief of child physical or sexual abuse to child protection authorities.

Multi Agency Risk Assessment and Management Framework (MARAM): The Family Violence Multi-Agency Risk Assessment and Management Framework (MARAM) ensures services are effectively identifying, assessing and managing family violence risk.

Reportable Conduct Scheme: The Reportable Conduct Scheme has been designed to ensure that the Commission will be aware of every allegation of certain types of misconduct involving children in relevant organisations that exercise care, supervision and authority over children.

Our Children

This policy is intended to empower children and young people, who are vital, valued and active participants at Grampians Health. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We welcome children from diverse backgrounds and understand that different aspects of a child's identity can expose them to overlapping forms of discrimination and marginalisation. These aspects can include gender, class, ethnicity and cultural background, religion, disability and sexual orientation. Grampians Health is committed to promoting cultural safety, participation and empowerment of all children by:

- using an intersectional lens to identify barriers children face from diverse backgrounds
- understanding the importance of providing a culturally safe environment for Aboriginal children and their parents
- ensuring children with a disability can participate equally and that staff and volunteers have a focus on the child and what they can do, as well as provide support with a goal of achieving the child's aspirations that is tailored to their needs and unique circumstances
- applying culturally sensitive practice and support to children from linguistically diverse backgrounds.

Grampians Health has a zero tolerance of child abuse, and all allegations and safety concerns will be treated seriously and consistently in line with our policies and procedures. We understand that we have legal and moral obligations to contact relevant authorities when we have concerns about a child's safety or wellbeing and are committed to following processes to keep children safe.

Our organisation is committed to the prevention of child abuse and have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks which include risks posed by physical environments and online environments to keep children safe.

Children and Family Violence

Grampians Health recognise that children and adolescents who witness or experience family violence are victims in their own right and as such child victim survivors should be supported through direct engagement where appropriate, safe and reasonable to do so. Engaging directly with children and young people can help them to feel safe (MARAM).

Adolescents and children who have witnessed/experienced family violence may have complex needs related to mental health and behaviour management.

Our organisation is committed to identifying and responding to family violence early to prevent serious harm to children and adolescents and lessen the impact of trauma. We do this by using the Multi-Agency Risk Assessment and Management Framework (MARAM) to assess and respond to risk as well as sharing risk relevant information with internal and external Information Sharing and Risk Assessment Entities through the Child Information Sharing Scheme (CISS) or Family Violence Information Sharing (FVISS).

Adolescents or young people (10 to 18 years) who use family violence require a distinct response, given their age and developmental stage and their concurrent safety and developmental needs and circumstances. In addition, it is common for the adolescent or young person to have experiences of past or current family violence perpetrated by other family members.

Our Staff and Volunteers

This policy guides our staff and volunteers on the expectations for the standard of behaviour expected to keep children safe. All staff and volunteers must abide by our Child Safe Code of Conduct which specifies the standards of conduct required when working with children.

Training and Supervision

Training and education are important to ensure that all staff and volunteers understand that child safety and wellbeing is everyone's responsibility. All board members, employees, volunteers, students, contractors, families and children should feel confident in discussing allegations of child abuse or child safety concerns. Training is provided to staff to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We also support our leaders, staff and volunteers through education and ongoing supervision to develop their skills to protect children from abuse and promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.

New staff and volunteers will be supervised to ensure they understand the Grampians Health commitment to child safety and wellbeing and that everyone has a role to play in protecting children from abuse. This will include checking that their behaviour towards children is safe and appropriate (please refer to Grampians Health Child Safe Code of Conduct for information about appropriate behaviour). Any inappropriate behaviour will be reported.

Recruitment

We take all reasonable steps to employ skilled people to work with children. Selection criteria and advertisements clearly demonstrate our commitment to child safety and an awareness of our social and legal responsibilities. We encourage applications from Aboriginal people, people from culturally and/or linguistically diverse backgrounds and people with a disability.

All employees at Grampians Health, including volunteers, are required to hold a Working with Children Check and to provide evidence of this check. Reference checks and police record checks are conducted for new staff.

Fair procedures for staff and volunteers

The safety and wellbeing of children is our primary concern. All allegations of child abuse and safety concerns will be securely recorded and stored using the Victorian Health Incident Management System (VHIMS). If an allegation of abuse or a safety concern is raised, updates to children and families on progress and actions taken will be provided by the area manager.

Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety. Everyone is entitled to know how information is recorded, what will be done with it and who will have access to it. Grampians Health have practices in place to ensure any personal information is protected. This is intended to protect reporters and to ensure that all staff are comfortable to disclose any allegations or concerns in relation to child safety without repercussions.

Legislative responsibilities

Failure to disclose: All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police. Any person who believes on reasonable grounds that another form of abuse has occurred or the child is in need of protection is required to report. A reasonable belief is formed if a reasonable person in the same position would have formed the belief on the same grounds. It does not require proof.

Mandatory reporting: Any board members, leader, staff or volunteers who are mandatory reporters (doctors, nurses, midwives) must comply with their duties, noting that reporting may need to occur to regulatory authorities (i.e. AHPRA - Australian Health Practitioner Regulation Agency, NDIS Commission).

Failure to protect: Where there is a substantial risk that a child under the care, supervision or authority of Grampians Health may become victim of a sexual offence committed by an adult associated with Grampians Health, staff commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

Reportable conduct: The Chief Executive Officer must be made aware of any allegations of physical and sexual abuse, sexual misconduct, significant emotional or psychological harm or significant neglect by an employee or volunteer towards a child. The Commission for Children and Young People must also be notified of the allegation.

Duty of care: If a child is abused by an individual associated with Grampians Health, our organisation is presumed to have breached its duty of care unless it can prove that it took reasonable precautions to prevent the abuse in question.

Relevant legislation and standards

- The Child Safe Standards 2022
- National Principles for Child Safe Organisations
- The United Nations Convention on the Rights of the Child
- Child Wellbeing and Safety At 2005 (Vic)
- Reportable Conduct Scheme
- NDIS Practice standards and quality indicators 2021

Allegations, concerns and complaints

Grampians Health takes all allegations seriously and has practices in place to investigate thoroughly and quickly. People and culture staff are trained to deal with allegations appropriately. We work to ensure all children, families, leaders, staff and volunteers know what to do if they observe abuse or are a victim, and if they notice inappropriate behaviour.

References

AHPRA Notification www.ahpra.gov.au

Child Information Sharing Scheme www.vic.gov.au/child-information-sharing-scheme

Child Wellbeing and Safety Act 2005 www.legislation.vic.gov.au/in-force/acts/child-wellbeing-and-safety-act-2005/035

Commission for Children and Young People (2022) Child Safe Standards <https://ccyp.vic.gov.au>

Failure to Disclose Offence www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-protect-a-new-criminal-offence-to

Mandatory Reporting <http://providers.dffh.vic.gov.au/mandatory-reporting>

National Principles for Child Safe Organisations <https://childsafe.humanrights.gov.au/national-principles>

NDIS Practice Standards and Quality Indicators 2021 <https://www.ndiscommission.gov.au>

Reportable Conduct Scheme <http://ccyp.vic.gov.au>

SNAICC www.supportingcarers.snaicc.org.au

Victorian Legislation - Child Wellbeing and Safety Amendment Act 2021 www.legislation.vic.gov.au

Working with Children Check www.workingwithchildren.vic.gov.au