

Policy: Child Protection

Purpose

The purpose of this policy is to guide Achieve Australia in creating a safe environment for children and young people who use our services and comply with State legislation requirements, including mandatory reporting obligations.

Achieve Australia is committed to protecting children from abuse, neglect and exploitation which is the shared responsibility of all people who work within our organisation including employees, volunteers, contractors, managers, and Board members. Legislation mandates that any person working directly with children and young people (regardless of their position i.e. paid or voluntary) must have a Working with Children Check (WWCC).

Achieve Australia has a strict screening and selection procedure for all staff to ensure that people working with children and young people are cleared to do so via a WWCC, do not have current barriers via criminal records and are competent to report suspicions of abuse and neglect.

Our policies and procedures promote the rights of children during service delivery as well as within the communities that support them, to

- safeguard the health and wellbeing of children supported by Achieve Australia, with a focus on services that support children, young people, and families to thrive using evidence based, developmental approaches
- demonstrate a commitment to providing a safe environment for all children including providing cultural safety for Aboriginal and Torres Strait Islander (ATSI) people and people from culturally and/or linguistically diverse (CALD) backgrounds
- meet mandatory reporting requirements to external bodies including (but not limited to) the NDIS Quality and Safeguards Commission, Office of the Children's Guardian, Department of Communities and Justice (DCJ) and Police.
- outline the general roles and responsibilities employees have in relation to the safety and wellbeing of children who receive services from Achieve Australia and specific responses to concerns of child abuse
- support the delivery of high quality services through appropriate documentation of individual service planning, delivery, and monitoring and evaluation as well as full and transparent reporting of adverse events, incident investigation and review.

Scope

This policy relates to all employees, agency staff members, contractors, volunteers, and students on placement who deliver services to clients on behalf of Achieve Australia.

Legislative Context

- National Disability Insurance Scheme (NDIS) Act 2013
- Disability Discrimination Act 1992
- Disability Inclusion Act 2014
- Privacy Act 1988
- Children and Young Persons (Care and Protection) Regulation 2012
- Children’s Guardian Act 2019

Reference Documents

- United Nations Convention on the Rights of Persons with Disabilities
- NDIS Code of Conduct
- National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018
- Office of Children’s Guardian Fact sheet 10 Information for employers
- Achieve Australia Human Resources Policy
- Achieve Australia Employment Related Child Protection Procedure
- Achieve Australia Freedom from Violence, Abuse and Neglect Policy and Procedure
- Achieve Australia VOOHC Principles of Care
- Achieve Australia Client Incident Management and Reporting Policy and Procedure
- Achieve Australia Complaints and Feedback Policy and Procedure
- Achieve Australia Responding to Suspicion or Report of Sexual Assault Procedure
- Achieve Australia Responding to Report of Abuse and Neglect Procedure
- Achieve Australia Code of Conduct Policy
- Achieve Australia Whistleblower Policy

Policy Owner	Chief Operations Officer
Approved By	Chief Executive Officer
Date Approved	22/06/2020

Definitions	Details
Child abuse	<p>Child abuse is defined as an act by parents, caregivers, other adults, or older adolescents that endangers a child's physical or emotional health or development. It can be a single incident or take place over time.</p> <p>Child abuse is also understood as the failure by adults or older adolescents to provide for a child's essential needs. It is also recognised that certain actions, or the failure to act, by governments and other authorities, can breach children's rights and result in serious harm to children.</p> <p>Child abuse includes</p> <ul style="list-style-type: none"> • physical abuse - the use of physical force against a child that results in harm to the child. Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling, and poisoning • neglect - the failure by a parent or caregiver to provide a child (where they are able to do so) with the conditions that are culturally accepted as being essential for the child's physical and emotional development and well-being. Neglect of a child occurs when there is a consistent pattern of behaviours by adults or older adolescents that involve failure to provide a child's basic needs such as food, clothing, shelter, and supervision to the extent that the child's health and development are placed at risk. It can also involve abandonment and withholding of necessary medical treatment. • emotional abuse - refers to a parent or caregiver's inappropriate verbal or symbolic acts toward a child or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts have a high probability of damaging a child's self-esteem or social competence • sexual abuse - the use of a child for sexual gratification by an adult or significantly older child or adolescent. Sexually abusive behaviours can include fondling genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling breasts, voyeurism, exhibitionism and

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	<p>exposing the child to, or involving the child in, pornography.</p>
<p>Child exploitation</p>	<p>Child exploitation includes</p> <ul style="list-style-type: none"> • child labour • committing or coercing another person to commit an act or acts of abuse or exploitation against a child • possessing, controlling, producing, distributing, obtaining, or transmitting child exploitation material • committing or coercing another person to commit an act or acts of grooming or online grooming • child soldiers.
<p>Child pornography</p>	<p>In accordance with the Optional Protocol to the Convention on the Rights of the Child, 'child pornography' means 'any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.'</p>
<p>Grooming</p>	<p>Generally, grooming refers to behaviour that makes it easier for an offender to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualise that relationship (for example by encouraging romantic feelings or exposing the child to sexual concepts through pornography).</p> <p>Grooming includes online grooming, which is the act of sending an electronic message by an adult to a recipient who the sender believes to be under 18 years of age, with the intention of establishing a sexual relationship.</p>
<p>Sex tourism</p>	<p>Child sex tourism is a serious problem encountered in countries where Achieve Australia operates. It is defined as the commercial sexual exploitation of children by men and women who travel from one place to another, and there engage in sexual acts with children.</p>
<p>Contact with children</p>	<p>Contact with children is defined as working on an activity or in a position that involves or may involve contact with children. This includes indirect contact with children in the community.</p> <p>Working with children is a higher level of contact with children and is defined as being engaged in an activity</p>

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	where the contact with a child would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. This definition applies to remunerated or non-remunerated work.
Inappropriate content	Inappropriate content is defined as visual depictions that are obscene, child pornography, or material that could be harmful to minors, for instance depicting violence or illegal activity, and online advertising.
Staff	Staff includes paid employees and volunteers of Achieve Australia.
Stakeholders	Stakeholders include partner organisations, consultants, contractors, suppliers and other third- party organisations that are involved in the delivery of Achieve Australia projects.
Responsibilities	<p>Our Human Resources (HR) department will ensure Achieve Australia is a registered employer for the purpose of verifying Working with Children Checks. HR personnel gather, at recruitment, verify status, and maintain information about staff status regarding WWCC and criminal record checks.</p> <p>A person cannot verify their own WWCC.</p> <p>The CEO's office maintains information about the status of WWCC for the Principal Officer and all Board members.</p>

Objective	Policy Description
Working with Children Checks (WWCCs)	<p>Achieve Australia has mandatory pre-employment WWCC's for staff working where supports are delivered to children and young people.</p> <p>Only staff who receive a 'cleared' status on verification can be employed in child-related work. All staff who receive a 'barred' status on their WWCC prior to, or during their employment at Achieve Australia will be removed from all child-related work.</p> <p>"A WWCC is a requirement for people who work or volunteer in child-related work. It involves a national criminal history check and a review of findings of workplace misconduct. The result of a WWCC is either a clearance to work with children for five years, or a bar against working with children. Cleared applicants are subject to ongoing monitoring and relevant new records may lead to the clearance being revoked." (Children's Guardian).</p>
Criminal Record Checks	<p>Achieve Australia's recruitment processes include pre-employment criminal record checks and the completion of staff screening every three years for prescribed criminal offences.</p>
Mandatory reporting	<p>Mandated reporters are required to make a report of suspected abuse when they have reasonable grounds to suspect that a child is at risk of significant harm and those grounds arise during the course of, or from their work.</p> <p>Risk of Significant Harm is defined as "what is significant, is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child's or young person's safety, welfare, or wellbeing."</p> <p>This policy should be read in conjunction with Achieve Australia's incident management policies and procedures and work instructions.</p>
Senior management responsibilities	<p>Senior management is responsible for promoting children's rights and championing the protection of children and are accountable for the implementation of Achieve Australia's Child Protection Policy and related procedures.</p>

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	<p>Their specific responsibilities include</p> <ul style="list-style-type: none"> • child safe recruitment including screening of all personnel • induction for new staff, including information and training on child protection • arranging or providing in-service child protection training, as required • screening and risk assessment of partners • monitoring and supervising interactions between supporters and children/communities • undertaking child protection risk assessment as part of project design • monitoring and managing child protection risks during program implementation • safeguarding information held about children • reporting suspected or known instances of abuse to relevant authorities.
Staff responsibilities	<p>Achieve Australia staff and volunteers are required to comply with the Achieve Australia Child Protection Policy and related procedures.</p> <p>Staff are expected to remain alert and responsive to any child protection risks, and to acquire relevant knowledge and skills / training which will enable them to understand child protection related procedures and promote sound child protection practices.</p>
Stakeholder obligations	<p>Achieve Australia’s partner organisations, contractors, consultants, and suppliers who have ‘contact with children’ or who are ‘working with children’ are required to meet the requirements of Achieve Australia’s Child Protection Policy.</p> <p>Achieve Australia staff will inform stakeholders of the obligations, undertake partner risk assessment, and require that stakeholders undertake procedures, including screening of personnel, to reduce child protection risks.</p>
Voluntary Out of Home Care	<p>Where children who are in voluntary out-of-home care (VOOHC) are found to have suffered abuse, neglect, or exploitation the matter must be reported to the Child Protection Helpline on 132 111 and to the Office of the</p>

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	Children's Guardian as part of the Reportable Conduct Scheme https://www.kidsguardian.nsw.gov.au/child-safe-organisations/reportable-conduct-scheme