Child safe

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Introduction

The protection of children and young people is a cornerstone in safeguarding and improving the lives of children and young people with disability. While providing supports and services under the NDIS, workers are uniquely placed to identify and respond to the needs and vulnerabilities of children or young people with disability. Everyone has a responsibility to protect the wellbeing and safety of children or young people whom they have contact, and report any case a child or young person is suspected to be at risk of significant harm.

When
• applies to all sites and services involved in providing supports to children and young people.

Who
• applies to all representatives involved in providing services for children and young people including key management personnel, directors, full time workers, part time workers, casual workers, contractors and volunteers.

Definitions

Term	Description
child	Anyone under the age of 16 years.
reasonable grounds	Defined by: • first hand observations of the child, young person or family • what the child, young person, parent or another person has disclosed • what can reasonably be inferred based on professional training and/or experience.

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significant harm	Any case where there is reasonable grounds to suspect a child or young person is experiencing, or has experienced:
	• physical abuse
	• sexual abuse
	• neglect, including:
	  ○ supervision
	  ○ physical shelter/environment
	  ○ food
	  ○ medical care
	  ○ mental health care
	  ○ education
	• problematic sexual behaviour
	• psychological harm
	• relinquishing care
	• carer concerns, such as:
	  ○ parent/carer substance abuse
	  ○ parent/carer mental health
	  ○ parent/carer domestic violence
	• or there are concerns for an unborn child.

young person	A person over 16 years but under 18 years.

Regulations relevant to this policy

- National Disability Insurance Scheme Act 2013 (Cth)
- NDIS (Quality Indicators) Guidelines 2018 (Cth)

Child safe commitment

- maintain professional and courteous relationships with children and their families
- provide services in a way that does not exploit or abuse our position
- listen to the views of children or young people and respect what they say and involve them when we make decisions, especially about matters that will directly affect them
- respect children and young people's rights, background, culture and beliefs as set out in the UN Convention on the Rights of the Child
- comply with all relevant commonwealth, state or territory laws protecting children and young people
- follow mandatory reporting requirements for children or young people suspected to be at risk of significant harm
- report any concerning staff conduct towards children or young people, including any suspected risk of significant harm to a child, to the key management personnel
- safeguard children or young people at all times and not place them at risk of abuse, or condone behaviour which is unsafe
- use appropriate language for the age and understanding of the child or young person, and avoid confusing or age-inappropriate discussions with sexual, discriminatory or violent references
- avoid any actions or words intended to threaten, intimidate, shame, humiliate, belittle, embarrass or degrade children or young people

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- not attend work affected by illegal drugs or alcohol, consume them whilst on duty or supply them to children or young people in our care
- not smoke whilst on duty.

Recruiting for child safe

- we will maintain rigorous and consistent recruitment with worker screening and selection process.

Communication of child safe policy

- we will discuss this policy with all new staff and volunteers
- we will discuss this policy with all new participants under 18 years of age and their families.

Breach of child safe policy

- failure to disclose—all adults in Australia with a reasonable belief that an adult has committed a sexual offence against a child have an obligation to report that information to the police
- failure to protect—key management personnel will 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
- breach of this policy may result in disciplinary action; however, a serious breach may be deemed a criminal offence under relevant legislation.

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