

Policy & Procedure Number:	OP016	Version:	004
Responsible person:	Chief Executive Officer	Approval date:	March 2023
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CHILD SAFE POLICY AND PROCEDURE

Purpose & Scope

This policy demonstrates the strong commitment of the management, staff and volunteers to child safety and provides an outline of the policies and practices DSV has developed to keep everyone safe from any harm, including abuse.

Legislation, regulations and standards relevant to this policy and procedure include:

- *National Principles for Child Safe Organisations*
- *Child Wellbeing and Safety Act 2005 (Vic)*
- *NDIS Practice Standards and Quality Indicators v4 2021*
- *Victorian Child Safe Standards 2022*

Documents relevant to this policy and procedure include:

- *Participant Charter*
- *Participant Handbook*
- *Staff Code of Conduct*
- *Human Resources Policy and Procedure*
- *Participant Rights and Responsibilities Policy and Procedure*
- *Feedback, Compliments and Complaints Policy and Procedure*
- *Records and Information Management Policy and Procedure*
- *Privacy and Confidentiality Policy and Procedure*
- *Diversity and Inclusion Plan*
- *Governance Policy and Procedure*
- *Risk Management Plan*
- *Protecting Participants from Harm Policy and Procedure*
- *Service Access Policy and Procedure*
- *Decision Making and Choice Policy and Procedure*
- *Assessment, Planning and Review Policy and Procedure*
- *Service Exit Policy and Procedure*
- *Participant Incident Management Policy and Procedure*
- *Risk Management Policy and Procedure*

Applicable NDIS Practice Standard

Violence, Abuse, Neglect, Exploitation and Discrimination

Outcome: Each participant accesses supports free from violence, abuse, neglect, exploitation or discrimination.

To achieve this outcome, the following indicators should be demonstrated:

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- Policies, procedures and practices are in place which actively prevent violence, abuse, neglect, exploitation or discrimination.
- Each participant is provided with information about the use of an advocate (including an independent advocate) and access to an advocate is facilitated where allegations of violence, abuse, neglect, exploitation or discrimination have been made.
- Allegations and incidents of violence, abuse, neglect, exploitation or discrimination, are acted upon, each participant affected is supported and assisted, records are made of any details and outcomes of reviews and investigations (where applicable) and action is taken to prevent similar incidents occurring again.

Incident Management

Outcome

Each participant is safeguarded by the provider's incident management system, ensuring that incidents are acknowledged, responded to, well-managed and learned from.

To achieve this outcome, the following indicators should be demonstrated :

- An incident management system is maintained that is relevant and proportionate to the scope and complexity of supports delivered and the size and scale of the organisation. The system complies with the requirements under the National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018.
- Each participant is provided with information on incident management, including how incidents involving the participant have been managed.
- Demonstrated continuous improvement in incident management by regular review of incident management policies and procedures, review of the causes, handling, and outcomes of incidents, seeking of participant and worker views, and incorporation of feedback throughout the provider's organisation.
- All workers are aware of, trained in, and comply with the required procedures in relation to incident management

This policy applies to all staff, volunteers, children and individuals involved in the organisation.

Down Syndrome Victoria's Commitment to Child Safety and Wellbeing

Down Syndrome Victoria is committed to the safety and wellbeing of children and young people.

Down Syndrome Victoria wants children and young people to be safe, well, happy and empowered. We support and respect all children and young people, as well as our staff.

Down Syndrome Victoria is committed to the safety, wellbeing, participation and empowerment of all children and young people. We want to promote and protect their rights.

Down Syndrome Victoria has zero tolerance of placing children or young people at risk of harm, including abuse and neglect, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.

Down Syndrome Victoria is committed to preventing risks of harm to children and young people, including abuse, by identifying risks early and removing and reducing these risks.

Down Syndrome Victoria has legal and moral obligations to contact authorities when we are concerned about a child or young person's safety or wellbeing, which we follow rigorously.

All Down Syndrome Victoria's staff and volunteers have obligations to act ethically towards children and young people to ensure their safety and wellbeing.

Down Syndrome Victoria has robust human resources and recruitment practices for all staff. Down Syndrome Victoria is committed to regularly training and educating our staff on identifying and responding to potential risks of harm to children and young people, including abuse risks.

Down Syndrome Victoria is committed to the cultural safety of Aboriginal and Torres Strait Islander children and young people, the cultural safety of children and young people from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children and young people with a disability.

Down Syndrome Victoria has specific policies, procedures and training in place that support our staff to achieve these commitments.

All relevant policies and procedures are made clear and accessible to children and young people, their families, and other relevant parties through:

- access in other languages and formats as required
- being detailed within *Participant Handbook* and discussed during intake, planning, and review meetings and
- being available upon request

- ****Staff who believe a child is at immediate risk of harm or abuse must phone 000.****

Definitions

Child and Young Person – a child is a person who is under the age of 16 years. A young person is a person who is aged 16 years or above but who is under the age of 18 years.

Child harm or abuse – an intentional action towards a child or young person that has resulted in or appears likely to result in:

- physical abuse or injury,
- emotional abuse,
- neglect,
- sexual abuse, or
- exposure to family violence.

Child Safe Environment – are safe and friendly settings where children and young people are protected and feel respected, valued, and encouraged to reach their full potential.

Child Safety - protecting children from harm as well as promoting wellbeing in face-to-face and online environments, informing children on what their rights are, and empowering children and young people to have a say in decisions that affect them.

Cultural Safety – an environment that is spiritually, socially, and emotionally safe, as well as physically safe for children and young people; where there is no assault challenge or denial of their

identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge, and experience of learning together.

Mandatory Reporting – the legal obligation of certain professionals and community members to report when they believe, on reasonable grounds, that a child or young person needs protection from harm.

Neglect – the failure to provide a child or young person with the basic necessities of life, such as food, clothing, shelter, medical attention or supervision, to the extent that their health and development is, or is likely to be, significantly harmed.

Policy

Commitment to child safety

All children who come to Down Syndrome Victoria activities and events have a right to feel and be safe in accordance with [Victoria's Child Safety Standards](#) and the [National Principals for Child Safe Organisations](#).

This policy and procedure is intended to empower children and young people who are vital and active participants in Down Syndrome Victoria. Down Syndrome Victoria involves them when making decisions, especially about matters that directly affect them. Down Syndrome Victoria listens to their views and respects what they have to say.

Down Syndrome Victoria promotes diversity, inclusion and tolerance in our organisation, and people from all walks of life and cultural backgrounds are welcome.

In particular, Down Syndrome Victoria:

- ensures all children and young people receiving services are provided with a safe environment, minimising the opportunity of harm, including in physical and online environments
- promotes children's wellbeing as paramount and embeds it in organisational leadership, governance, and culture
- ensures children and young people are actively involved in decision making that affects them, are empowered about their rights, and are taken seriously
- promotes the cultural safety, awareness, participation and empowerment of Aboriginal and Torres Strait Islander children and young people and their needs (see the *Inclusion, Diversity, and Inclusion Action Plan*)
- promotes the participation and empowerment of children and young people who are unable to live at home and their needs
- promotes the participation and empowerment of lesbian, gay, bisexual, transgender and intersex children and young people and their needs
- ensures families and communities are informed and involved in promoting child safety and wellbeing
- ensures people working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice, and are equipped with the knowledge, skills, and awareness to keep children safe through ongoing education and training

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- promotes the cultural safety, participation and empowerment of children and young people from culturally and/or linguistically diverse backgrounds and their needs (see the *Diversity and Inclusion Action Plan*) and
- ensures that children and young people with a disability are safe and can participate equally.

This policy and procedure guides Down Syndrome Victoria's staff on how to behave with children and young people accessing Down Syndrome Victoria's services.

All Down Syndrome Victoria staff must agree to abide by the Down Syndrome Victoria *Staff Code of Conduct*, which specifies the standards of conduct required when working with children and young people. All staff, as well as children and young people and their families, are given the opportunity to contribute to the continuous improvement of the *Staff Code of Conduct*.

As a Victorian disability service provider, Down Syndrome Victoria understands that it has a Statutory Duty of Care, to take reasonable precautions to prevent the abuse of children by people associated with the organisation, while children are under the care, supervision, or authority of the organisation. If child abuse occurs, the organisation will be presumed to have breached this duty, unless it can show it took reasonable precautions to prevent the abuse.

Procedures

Organisational Leadership and Culture

Down Syndrome Victoria's Board is responsible for establishing and maintaining an organisational culture focused on the delivery of safe, high quality and continuously improving services. It reviews its effectiveness regularly, as per the *Governance Policy and Procedure*.

Involvement of Children and Young People

Down Syndrome Victoria regularly seeks the views of children and young people and encourages their participation in decision-making, including on safety and wellbeing issues.

Down Syndrome Victoria regularly reviews opportunities for children and young people's participation and welcomes feedback from children, young people, their carers or family, staff, and other stakeholders.

As detailed in its *Service Access, Assessment, Planning and Review, Service Delivery and Participation, Decision Making and Choice*, and *Service Exit* policies and procedures, staff must make all reasonable efforts to involve children and young people in decisions that affect them and their service delivery.

Recruiting staff and volunteers

Down Syndrome Victoria applies the best practice standards in the recruitment and screening of staff and volunteers. All people engaged in child-related work, including volunteers, are required to hold a Working with Children Check and to provide evidence of this Check. Down Syndrome Victoria carries out interviews, reference checks and police record checks to ensure that it recruits the right people. See Down Syndrome Victoria's *Human Resources Policy and Procedure* for more information on this process.

Down Syndrome Victoria provides induction training for all staff and volunteers on their child safety and wellbeing responsibilities, this policy and procedure, external reporting obligations (Mandatory Reporting) and the *Staff Code of Conduct*

Training and Supervision

Training and education are important to ensure that everyone in Down Syndrome Victoria understands that child safety is everyone's responsibility.

Down Syndrome Victoria's culture aims for all staff (in addition to parents/carers and children and young people) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

Down Syndrome Victoria trains staff on the following topics:

- ensuring child-safe environments, including identifying and responding to bullying, cyberbullying, and other online risks
- what constitutes, harm, abuse, and neglect and how to respond in a manner that is consistent with any legislative requirements
- how to record and report allegations or incidents, including reporting harm, abuse, and neglect through internal processes and to any external agencies, as appropriate
- their responsibilities to support people, or make referrals to appropriate supports
- the importance of responding to allegations of harm, abuse and/or neglect in a manner that observes the principles of natural justice, and for all parties to be supported during the investigation of an allegation of harm, abuse, or neglect
- how to recognise signs of harm or abuse, responding to disclosures and how to minimise risks of child harm or abuse
- understanding and responding to harmful behaviours by a child or young person towards another child or young person
- external reporting obligations
- understanding child rights-based approaches
- how to engage with children and young people about their rights, safe environments, protective strategies for staying safe and seeking help when needed
- child development and
- this policy and procedure.

Down Syndrome Victoria supports staff ongoing professional development and information exchange opportunities relating to child safety and wellbeing.

Down Syndrome Victoria supports staff through ongoing supervision to develop their skills to protect children and young people from harm and abuse, to promote the cultural safety of Aboriginal and Torres Strait Islander children and young people, the cultural safety of children and young people from linguistically and/or diverse backgrounds, and the safety of children and young people with a disability.

Staff will be trained in how to identify harm and abuse, and how to competently respond if a child or young person discloses abuse or neglect. This includes responding in a calm manner and reassuring them that getting help will keep them safe.

Parents and other family members may disclose concerns to staff about not coping with their parenting responsibilities. As such, Down Syndrome Victoria will also ensure staff are trained in how to listen and provide support and practical help, while assessing whether there is a child at risk of abuse or neglect.

New employees will be supervised regularly to ensure they understand Down Syndrome Victoria's commitment to child safety and that everyone has a role to play in protecting children and young people from harm and abuse, as well as checking that their behaviour towards children and young

people is safe and appropriate (please refer to Down Syndrome Victoria's *Staff Code of Conduct* to understand appropriate behaviour further).

Any inappropriate behaviour must be reported through appropriate channels, depending on the severity and urgency of the matter. See Down Syndrome Victoria's *Participant Incident Management Policy and Procedure*.

Creating a Child-safe Environment

Down Syndrome Victoria works to create a safe and friendly setting where children and young people are protected and feel respected, valued, and encouraged to reach their full potential.

The CEO or Delegate will ensure staff:

- take a proactive and preventative approach for managing child wellbeing and safety issues
- value and embrace the opinions and views of young people through encouraged and active participation in decision making
- assist children and young people to build skills to assist them to participate in the community and
- act on protecting children and young people from harm or being placed at risk of harm.

Safe Physical and Online Environments

Down Syndrome Victoria is committed to ensuring children and young people have access to and participate in safe online environments, as per its *Protecting Participants from Harm Policy and Procedure*.

Child-focussed Complaints Handling

Down Syndrome Victoria's *Feedback and Complaints Policy and Procedure* details its approach to child-focused complaints handling, including supporting people to access any external avenues or appropriate supports for feedback, complaints, or appeals processes, and assisting them to understand how to access them.

Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children and young people, unless there is a risk to someone's safety.

Down Syndrome Victoria has processes in place to seek parental and children and young people's consent for relevant activities and information gathering (where appropriate).

Down Syndrome Victoria has safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it, as per Down Syndrome Victoria's *Privacy and Confidentiality Policy and Procedure*.

Risk Management

In addition to general work health and safety risks, Down Syndrome Victoria proactively manages risks of harm and abuse to children and young people accessing its services.

Down Syndrome Victoria has risk management strategies in place to identify, assess, and take steps to minimise child harm and abuse risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments (for example, no staff member is to have contact with a child supported by the organisation on social media). As per the *Risk Management Policy and Procedure*, risk assessment and management is undertaken at the organisational and service level, with reviews undertaken regularly, and relevant risks escalated to the CEO and/or Board.

Reporting, (including Mandatory Reporting)

Staff do not need to be certain that there has been abuse or neglect of a child or young person to contact these authorities. If you suspect a child is at risk of harm, you should call the authority to discuss your concerns, and they will decide whether an investigation is required.

Staff will receive the appropriate training, support, and supervision to be able to effectively recognise signs of risk or harm, and what to do if a child or young person discloses harm.

Down Syndrome Victoria understands that the staff member who identified the risk is the person required to make the report, and no other staff member can complete this on their behalf. Down Syndrome Victoria understands that for mandatory reporters, this is a legal requirement.

Reporting Authority

[Department of Families, Fairness, and Housing](#)

Phone

A list of regional numbers can be found on the [Child Protection Contacts](#) webpage

After hours child protection emergency service: 13 12 78

The following professional groups are required to make a report to child protection where they form a reasonable belief, that a child has been or is at risk of significant harm, as a result of physical or sexual abuse, and the child's parents have not protected or are unlikely to protect the child from that abuse:

- registered medical practitioners
- nurses including midwives
- Victorian police officers
- registered teachers and school principals
- out of home care workers (excluding voluntary foster and kinship carers)
- early childhood workers
- youth justice workers
- registered psychologists
- school counsellors and
- people in religious ministry.

As a mandated reporter, you are legally obliged to:

- make a report to Child Protection if you believe on reasonable grounds that a child needs protection from physical injury or sexual abuse
- make the report as soon as practicable after forming your belief and
- make a report each time you become aware of any further grounds for your belief.

For more information on how to make a report, or on mandatory reporting, refer to the [reporting child abuse](#) page, or the [mandatory reporting](#) page.

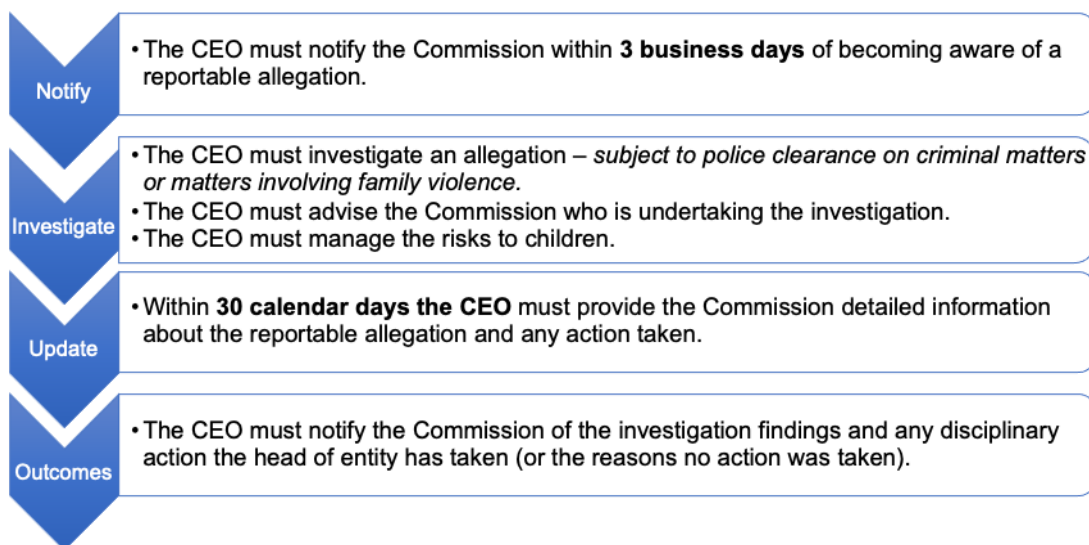
Reportable Conduct Scheme

The Reportable Conduct Scheme has been designed to ensure that the Victorian Commission for Children and Young People (CCYP) is aware of every allegation of certain types of misconduct involving children in relevant organisations that exercise care, supervision and authority over children.

The Commission will also be able to share information where appropriate, including with the Working with Children Check Unit, the NDIS Quality and Safeguard Commission, relevant regulators and Victoria Police, to better prevent and protect children from abuse.

The Reportable Conduct Scheme does not replace the need to report allegations of child abuse, including criminal conduct and family violence to Victoria Police.

DSV's Chief Executive Officer's obligations under reportable conduct



A reportable allegation can be made about certain workers or volunteers over 18 years of age who are or were:

- an employee of DSV
- a minister of religion, religious leader or officer of a religious body
- a foster or kinship carer
- a volunteer, contractor, office holder, officer or other position directly engaged by DSV to provide services.

There are five types of 'reportable conduct' listed in the *Child Wellbeing and Safety Act 2005*:

- sexual offences (against, with or in the presence of, a child)
- sexual misconduct (against, with or in the presence of, a child)
- physical violence (against, with or in the presence of, a child)
- behaviour that causes significant emotional or psychological harm
- significant neglect.

For further information about the Reportable Conduct Scheme, the Child Safe Standards, to talk through issues of concern, or to make a notification:

- Telephone: 1300 782 978
- Email: contact@ccyp.vic.gov.au
- Visit the Commission's website: www.ccyp.vic.gov.au

Allegations, Concerns and Complaints

Down Syndrome Victoria takes all allegations concerns and complaints seriously and has practices in place to investigate them thoroughly and quickly. Down Syndrome Victoria's staff are trained to deal appropriately with allegations, concerns, and complaints.

Down Syndrome Victoria works to ensure all children and young people, families and staff know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

Down Syndrome Victoria staff and stakeholders all have a responsibility to report an allegation of harm or abuse if they have a reasonable belief that an incident took place. Factors contributing to reasonable belief may be:

- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- behaviour consistent with that of an abuse victim is observed
- someone else has raised a suspicion of harm or abuse but is unwilling to report it and
- observing suspicious behaviour.

See Down Syndrome Victoria's *Participant Incident Management Policy and Procedure* for more information.

Monitoring and Review

This policy will be reviewed every two years by the Chief Executive Officer or Delegate and DSV will undertake to seek views, comments and suggestions from children, parents, carers, staff and volunteers.

Down Syndrome Victoria's *Continuous Improvement Plan* will be used to record improvements identified and monitor the progress of their implementation. Where relevant, this information will be considered as part of Down Syndrome Victoria's service planning and delivery processes.