

Child Safety and Wellbeing Policy

Purpose

Early Start Australia (ESA) is committed to the safety and wellbeing of children and young people.

This policy outlines actions we require of staff to:

- Keep children safe; and protect their rights;
- Prevent, identify, and report child harm (or risk of harm), or abuse.

This policy is informed by:

- National Disability Insurance Scheme Practice Standards
- National Standards for Disability Services
- National Principles for Child Safe Organisations (National Framework for Protecting Australia’s Children 2009-2020).
- Commission for Children and Young People (Victoria) Child Safe Standards (2022)
- The Child Safe Standards (New South Wales)

Scope

This policy applies to employees, volunteers, students, and contractors for all activities which involve or relate to contact with children.

Please note there are different legislative requirements across Australia for reporting harm, risk of harm, abuse, and neglect. Ensure you read the entire document and refer to the listed legislation.

Definitions

Child / children / young person: a human between the ages of birth and 18 years of age.

Adult: a human over the age of 18 years. For this purpose, this term is not intended to classify capacity for independent decision making


Mandatory reporting: the legislative requirement for certain groups of people to report suspected cases of child abuse, harm, risk of harm, or neglect to authorities.

Voluntary reporting: refers to a notification made out of moral obligation rather than legislative obligation. Refer to the External Reporting Policy and Procedure.

Cultural safety: refers to an environment which is safe (physically, socially and emotionally, and spiritually) for people

Abuse and neglect: any act or failure to act that results in a breach of a person’s human rights, civil liberties, physical and mental integrity, dignity or general well-being, whether intended or through negligence. Abuse includes but is not limited to:

- Physical abuse (any non-accidental physical injury or injuries. Examples include rough physical handling, sudden movements of bedding, pushing and pulling, over-medication, unnecessary or excessive use of restraints, and ignoring dietary restrictions),
- Sexual abuse (any sexual contact between an adult and child or young person 16 years of age and younger; or any sexual activity with an adult who is unable to understand, has not given consent, or is threatened, coerced or forced to engage in sexual behaviour. It includes discussions of a sexual nature including unwanted jokes, inappropriate touching, gestures, or comments.),




Early Start Australia controlled document. Refer to LogiqcQMS for document management.		Page 1 of 8
Filename	Doc_041_Child Safety and Wellbeing Policy.docx	
Version	7	
Published Location	Staff Intranet and ESA Website	

Child Safety and Wellbeing Policy

- Child sexual abuse (any act that exposes a child or young person to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals or breasts, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography or sexting. Child sexual abuse also includes grooming (see definition below),
- Psychological or emotional abuse (verbal assaults, threats of maltreatment, harassment, humiliation or intimidation, or failure to interact with a person or to acknowledge that person’s existence. This may also include denying cultural or religious needs and preferences. Emotional abuse can also include: ignoring a person when they ask for help, making a person beg for help, providing help in a way that makes the person feel like a burden or feel guilty, intentionally making a person wait for help, providing physical care in way that is unnecessarily rough or careless.
- Constraints and restrictive practices (restraining or isolating a child for reasons other than medical necessity or the absence of a less restrictive alternative to prevent harm. This may include the use of chemical or physical means or the denial of basic human rights or choices such as religious freedom, freedom of association, access to property or resources or freedom of movement.),
- Financial abuse, (the improper use of another person’s assets or the use or withholding of another person’s resources.),
- Legal or civil abuse (denial of access to justice or legal systems available to other citizens.),
- Systemic abuse (failure to recognise, provide or attempt to provide adequate or appropriate services, including services that are appropriate to that person’s age, gender, culture, needs or preferences.),
- Physical neglect (failure to provide adequate food, shelter, clothing, protection, supervision and mental and dental care, or to place persons at undue risk through unsafe environments or practices.),
- Passive neglect (a caregiver’s failure to provide or wilful withholding of the necessities of life including food, clothing, shelter or medical care.),
- Wilful deprivation (wilfully denying a person who, because of age, health or disability, requires medication or medical care, shelter, food, therapeutic devices or other physical assistance – thereby exposing that person to risk of physical, mental or emotional harm.), and
- Emotional neglect (the failure to provide the nurturance or stimulation needed for the social, intellectual and emotional growth or wellbeing of an adult or child.).

Grooming: actions deliberately undertaken to engage and influence a child, or other individual, for the purpose of sexual activity with a child. Grooming actions establish an emotional connection to lower the child’s inhibitions. Grooming involves psychological manipulation that is usually very subtle, drawn out, calculated, controlling and premeditated. Grooming offences may target online or other electronic communications, subjecting children to pornography, and/or using intoxicating substances to engage children for the purpose of sexual activity.

Harm: in relation to a child or young person, is physical harm or psychological harm (whether caused by an act or omission) including harm caused by sexual, physical, mental, or emotional abuse or neglect (but excludes regular emotional reactions that are a response to ordinary life).



Early Start Australia controlled document. Refer to LogiqQMS for document management.		Page 2 of 8
Filename	Doc_041_Child Safety and Wellbeing Policy.docx	
Version	7	
Published Location	Staff Intranet and ESA Website	

Child Safety and Wellbeing Policy

Principles

ESA has aligned its principles to the National Principles for Child Safe Organisations; along with the specific state / territory requirements as outlined below.

Principle	National Principles for Child Safe Organisations	Victorian Child Safe Standards	New South Wales Child Safe Standards	Early Start Australia's Commitment
Child safety and wellbeing in leadership, governance and culture	Child safety and wellbeing is embedded in organisational leadership, governance and culture.	Child safety and wellbeing is embedded in organisational leadership, governance and culture.	Child safety is embedded in organisational leadership, governance and culture	<p>Everything we do is orientated towards child safety and wellbeing – we train our staff; we report incidents; and clinical delivery is child orientated. Child safety and wellbeing is embedded in organisational leadership, governance and culture through this policy and:</p> <ul style="list-style-type: none"> • Upholding of children's rights (including Client Rights and Safeguards Policy); • Code of Conduct and Values; • Incident reporting processes, investigation and monitoring of trends (including External Reporting Policy); • Risk assessment processes (including Risk Management Policy and Framework and Client Risk Management Policy and Procedure); • Regular training and professional development including mandatory reporting, and clinical documentation; and • Client Rights and Safeguards Policy; and • Cultural Security for Clients Policy.
Children's rights	Children and young people are informed about their rights, participate in decisions affecting them, and are taken seriously	Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.	Children participate in decisions affecting them and are taken seriously	<p>Children and young people engaged with us have their rights respected, individually participate in decision making about their own goals and have their voices heard. This is supported by this policy and:</p> <ul style="list-style-type: none"> • Friendly and welcoming clinic spaces where children and young people may feel safe; • Staff are supported to know that children and adult clients have different needs and therefore require supervision when together at any time in the clinic space;

Early Start Australia controlled document. Refer to LogiqcQMS for document management.		Page 3 of 8
Filename	Doc_041_Child Safety and Wellbeing Policy.docx	
Version	7	
Published Location	Staff Intranet and ESA Website	

Principle	National Principles for Child Safe Organisations	Victorian Child Safe Standards	New South Wales Child Safe Standards	Early Start Australia's Commitment
				<ul style="list-style-type: none"> Children are invited to participate in the Goal Setting and Therapy Service Plan process and to sign the Client Consent Form, where appropriate Goal setting processes which are inclusive of the child's input; and Children's rights video on our website.
Family and community involvement in promoting child safety and wellbeing	Families and communities are informed and involved in promoting child safety and wellbeing	Families and communities are informed and involved in promoting child safety and wellbeing.	Families and communities are informed and involved	<p>We communicate with our families and communities. This is supported by this policy and:</p> <ul style="list-style-type: none"> Involvement of children and families in development of the Goal Setting and Therapy Service Plan. Model Operations Standards (referral network management); Availability of a range of relevant corporate documentation on our website (including opportunity to provide feedback on such), including: <ul style="list-style-type: none"> Client Rights and Safeguards Policy and Client Consent Form; Code of Conduct and Values; Feedback and Complaints Policy; Privacy Policy; Cultural Security for Clients Policy; Client and Family Reference Group.
Diversity and Cultural safety	Equity is upheld and diverse needs respected in policy and practice	<p>Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.</p> <p>Equity is upheld and diverse needs respected in policy and practice</p>	Equity is upheld and diverse needs are taken into account	<p>We have a culturally safe environment and celebrate and support diversity and children feel safe, welcome and included at our clinics. This is supported by this policy and:</p> <ul style="list-style-type: none"> Cultural Safety for Clients Policy; Access, Eligibility and Equity Policy; Appropriate Workplace Behaviour Policy; Code of Conduct and Values; and

Principle	National Principles for Child Safe Organisations	Victorian Child Safe Standards	New South Wales Child Safe Standards	Early Start Australia's Commitment
				<ul style="list-style-type: none"> • Training on cultural safety and other equity and diversity topics, including "Your Mob" training. • Asking our clients about their culture in the Service Agreement.
Suitability of staff	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.	People working with children are suitable and supported.	<p>Our robust recruitment, induction, supervision and professional development processes support our engagement with quality staff who are suitable to ensure the safety and wellbeing of children and young people engaged with our services. This is supported by this policy and:</p> <ul style="list-style-type: none"> • Employee Registration and Screening Policy and Procedure; • Code of Conduct and Values; • Supervision Policy; • Performance Counselling, Discipline and Termination Policy; and • Induction and ongoing training and professional development.
Complaints processes	Processes for complaints and concerns are child focused	Processes for complaints and concerns are child focused	Processes to respond to complaints of child abuse (or other concerns) are child-focused.	<p>Our complaints review processes are focussed on best outcomes for our clients, including children and young people engaged with our services. This is supported by this policy and:</p> <ul style="list-style-type: none"> • Complaints and Feedback Policy; • Incident Management Policy and Procedure; • Code of Conduct and Values; and • Annual mandatory training on mandatory reporting, complaints, and incident management.
Education and training to ensure children and young people are kept safe	Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training	Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training	Staff are equipped with the knowledge, skills and awareness to keep children safe, through continual education and training	<p>Our staff are provided with relevant knowledge and skills in relation to child and young person safety and wellbeing through this policy and:</p> <ul style="list-style-type: none"> • Professional Development policy; • ELMO (Learning Management System) monthly training modules; • Supervision processes; • Annual training calendar; • Code of Conduct and Values;

Principle	National Principles for Child Safe Organisations	Victorian Child Safe Standards	New South Wales Child Safe Standards	Early Start Australia's Commitment
				<ul style="list-style-type: none"> • Client Rights and Safeguards Policy; • Cultural Safety for Clients Policy; • External Reporting Policy and Procedure (including support for staff who disclose harm or risk to children or young people).
Safety within environments (physical and online)	Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed	Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed	Physical and online environments minimise the opportunity for abuse or other kinds of harm to occur.	Child safety is promoted both in physical and online spaces, supported by this policy and: <ul style="list-style-type: none"> • Safe Environment for Participants Policy and Procedure; • Privacy Policy; • Code of Conduct and Values; • Risk Management Policy and Framework; • Clinic Risk Management Plan; • Client Risk Management Policy and Procedure; • Incident Management Policy and Procedure
Review of implementation of principles	Implementation of the national child safe principles is regularly reviewed and improved	Implementation of the Victorian Child Safe Standards is regularly reviewed and improved	Implementation of the Child Safe Standards is continually reviewed and improved	We commit to review this policy and associated policies and documents in accordance with the review schedule outlined on LogiqcQMS. Review might occur sooner where required as a result of legislative / regulatory change or improvement. Where possible, children, young people, families, and staff will be invited to participate in the review process.
Policies and procedures	Policies and procedures document how the organisation is safe for children and young people	Policies and procedures document how the organisation is safe for children and young people	Policies and procedures document how the organisation is child safe	Documents relevant to child safety and wellbeing are referenced within this policy.

Child Safety and Wellbeing Policy

Policy Statement

Preserving Child Safety and Wellbeing

At any time, should an employee believe there is an immediate threat to a client or any other child or young person, they must take appropriate action to ensure their safety and wellbeing.

Any employee who becomes aware of an incident or event which will, has, or might negatively impact a child's safety or wellbeing, including suspected, observed or alleged harm, risk of harm, abuse or neglect, must immediately respond and report this in accordance with the Incident Management Policy and Procedure and the External Reporting Policy and Procedure (which includes specific requirements for mandatory reporting). Failure to do so is a breach of duty of care and this policy. Should suspected, observed or alleged harm, risk of harm, abuse or neglect of a client be reported to ESA as a complaint, then any additional requirements set out in the ESA Complaints and Feedback Policy must also be complied with.

Record keeping

Full, timely and accurate client notes must be kept about cases of suspected, observed or alleged harm, risk of harm, abuse or neglect of clients.

Any incident or complaint related documentation generated as a result of this policy must be kept in accordance with the Incident Management Policy and Feedback and Complaints Policy.

Roles and Responsibilities

The Director of Business Services is responsible for:

- Ensuring that policies are in place to support the principles of this policy.
- Ensuring that Regional Managers and Practice Principals comply with this policy and its associated documents.

Regional Managers and Practice Principals are responsible for:

- Ensuring that staff comply with this policy and its associated documents.

All staff are responsible for complying with this policy and its associated documents.

Compliance

Employees found to be non-compliant with this policy are subject to appropriate disciplinary action by ESA including, but not limited to one or more of the following:


- Counselling;
- Further training and development;
- Demotion;
- Suspension;
- Warning;
- Referral to appropriate legal and regulatory bodies as appropriate;
- Termination of employment (with or without notice or any payment); or
- Termination of engagement (in the case of contractors)

Associated Documents

Client Rights and Safeguards Policy

Safe Environment for Participants Policy and Procedure

Incident Management Policy and Procedure



Early Start Australia controlled document. Refer to LogiqcQMS for document management.		Page 7 of 8
Filename	Doc_041_Child Safety and Wellbeing Policy.docx	
Version	7	
Published Location	Staff Intranet and ESA Website	

Child Safety and Wellbeing Policy


Risk Management Policy and Framework
 Client Risk Management Policy and Procedure
 Complaints and Feedback Policy
 Code of Conduct and Values
 Client Records Management Policy
 Privacy Policy
 Employee Registration and Screening Policy
 Cultural Security for Clients
 Supervision Policy
 Model Operations Standards
 Positive Behaviour Support
 Eliminating Restrictive Practices
 External Reporting Policy and Procedure
 APM Child Safety Champions Terms of Reference

National Disability Insurance Scheme Practice Standards
 National Standards for Disability Services
 National Principles for Child Safe Organisations (National Framework for Protecting Australia’s Children 2009-2020)
 United Nations Convention on the Rights of the Child
 New South Wales Child Safe Standards
 Victorian Child Safe Standards

Family Law Act 1975 (Commonwealth)
 Children and Community Services Act 2004 (WA)
 Family Court Act 1997 (WA)
 Education and Care Services National Law (WA) Act 2021
 Children and Young People (Safety) Act 2017 (SA)
 Children Youth and Families Act 2005 (Vic)
 Child Wellbeing and Safety Act 2005 (Vic)
 Children and Young Persons (Care and Protection) Act 1998 (NSW)
 Children and Young People Act 2008 (ACT)
 Child Protection Act 1999 (Qld)
 Care and Protection of Children Act 2007 (NT)
 Children, Young Persons and Their Families Act 1997 (Tas)

Source:

Child Safe Organisations: Child Safety and Wellbeing Policy Template



Early Start Australia controlled document. Refer to LogiqcQMS for document management.		Page 8 of 8
Filename	Doc_041_Child Safety and Wellbeing Policy.docx	
Version	7	
Published Location	Staff Intranet and ESA Website	