**POLICY STATEMENT**

***[****Organisation]* is committed to upholding the rights of children and young people to grow and develop in safe, caring environments free from abuse and harm, based on the National Principles and Child Safe Standards for Child Safe Organisations.

*[Organisation*] will:

* promote a consistent child centred approach to ensure the voices of children and young people’s voices are heard;
* protect children and young people from harm and abuse;
* provide principles to guide decisions and identify strategies to ensure child safety and development;
* inform staff and volunteers of their responsibilities to ensure [*Organisation]* name is a child safe organisation.

**PURPOSE**

The purpose of this Policy is to ensure [*Organisation]* is a child safe organisation that provides a safe, inclusive, and transparent environment that promotes children’s participation, safety, and wellbeing.

**Background**

In 2014 the Commissioner for Children and Young People commenced a project to encourage and support the implementation of principles and practices of child safe organisations.

Child Safe Organisations WA was developed through consultation with children and young people and from information provided by a variety of sources, including a multi-agency expert reference group, the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) and the 2012 St Andrews Hostel Inquiry.

The Royal Commission Final Report recommended that Child Safe Standards be adopted as part of a new National Statement of Principles for Child Safe Organisations (the National Principles). The development of ten National Principles was led by the National Children’s Commissioner and endorsed by the Council of Australian Governments in February 2019 [National Principles | Child Safe Organisations (humanrights.gov.au)](https://childsafe.humanrights.gov.au/national-principles)

The National Principles give effect to ten Child Safe Standards recommended by the Royal Commission that go beyond child sexual abuse to include other forms of abuse or potential harm for children and young people. This reflects the understanding that the prevention of sexual abuse is best approached as part of broader efforts to prevent other forms of abuse and neglect. The Royal Commission recommended the Child Safe Standards be mandatory for organisations that undertake child-related work.

The National Principles are underpinned by a child rights strengths-based approach and are designed to allow for flexibility in implementation across all sectors engaging with children and young people, and in organisations of various sizes.

This policy provides a framework to support [O*rganisation]* commitment to child safety and the measures that will be taken to improve accountability, adopt strategies and take action to prevent harm to children.

**Safer Environments for Children-minimising risk**

A key component of [*Organisation]* commitment to child safety is compliance with the Working with Children (WWC) Check legislation which strengthens human resource management and supports employers to build organisations that are safer for children.

Compliance with the WWC Check legislation allows [Organisation] to promote safer environments for children using their services.

The WWC Check is a screening strategy that aims to safeguard children by deterring people with criminal histories that pose a risk of harm to children. The WWC Check identifies and prohibits people from engaging in certain types of work that involve children. Engagement includes any form of physical contact, oral communication (eg telephone) and electronic communication (eg email or internet).

Key elements of the WWC Check include a National Police History and the ongoing collection and assessment of information that is relevant to whether a child may be exposed to a risk of harm should the person engage in child-related work.

The WWC Check applies to people who engage in certain paid and unpaid work with children, described as ‘child related work’ under the *Working with Children* *(Criminal Record Checking) ACT 2004.*

Employees and volunteers of [*Organisation]*who engage in child-related work have an obligation to have applied for or hold a valid WWC Card. [O*rganisation]* will ensure this has occurred.

For more information visit [www.workingwithchildren.wa.gov.au](http://www.workingwithchildren.wa.gov.au)

**SCOPE**

This Policy applies to all employees of [O*rganisation]* whether by way of appointment, contract, temporary arrangement, volunteering, or student placement who work either directly or indirectly with children and young people.

**DEFINITIONS**

These definitions apply to all documents in the Child Safe Organisation policy suite.

**A child**

All children and young people under the age of 18.

**Allegation**

A claim of OR assertion that someone has done something wrong, which has not been proven.

**Child Protection**

The measure and structure to prevent and respond to abuse, neglect, exploitation, coercion, and violence affecting children.

**Child related work**

Under Section 6 of the Working with Children (Criminal Record Checking) Act 2004 people in child related work require a WWC Check only if the usual duties of the work involve, or are likely to involve, contact with a child.

**Code of Conduct**

Conduct and behaviour expected of all employees of [*Organisation]* whether by way of appointment, contract, temporary arrangement, volunteering, or student placement.

**Child Safe Code of Conduct**

Conduct and behaviour expectations of all employees working for [*Organisation]*whether by way of appointment, contract, temporary arrangement, volunteering, or student placement that promotes the safety, wellbeing, and empowerment of children in line with [O*rganisation]* culture and values.

**Complaint**

Any suggestion of abuse or harm that is disclosed, witnessed, or demonstrated by a child. Typically, three categories of behaviour are the subject of a complaint: –

* **concerning conduct** – behaviours or patterns of behaviour that are a risk to the safety of children. This also refers to ambiguous behaviours that are potentially inappropriate for children to be exposed to but may not necessarily be indicators of abuse occurring. The sharing of inappropriate jokes may be an example of this.
* **misconduct** – behaviours that constitute a breach of [*Organisation]* Code of Conduct
* **criminal conduct** – conduct that, if proven, would constitute a criminal offence.

**Criminal Act**

An act harmful not only to an individual or individuals but also to a community, society, or the state (‘a public wrong”). Such acts are forbidden and punishable by law.

**Disclosure**

A child tells you they or someone else is being abused or harmed.

**Duty of Care**

A moral or legal obligation to ensure the safety or wellbeing of others.

**Exemption**

Free from an obligation or liability imposed on others.

**Grooming**

A process by which a person prepares a child, significant adults, and the environment for the abuse of the child. Specific goals include gaining access to the child, online communication. Pornography can be used as tools for grooming.

**Inappropriate person**

A person who may pose a risk to the safety, health or wellbeing of any child or children, or whose behaviour or state of mind, or whose pattern of behaviour or common state of mind is such that it would be inappropriate for him or her to be on the premises where children are.

**Interim Negative Notice**

The WWC Screening Unit receive information relevant to the immediate safety of children (eg a charge or conviction for a relevant offense). This prohibits a person from engaging in child-related work during the assessment or a re-assessment until a final decision is made. (See also Negative notice)

**Mandatory Reporting**

Mandatory reporting describes the legal obligation of certain professionals and community members to report incidences of child sexual abuse. These people are called ‘mandated reporters’ and they MUST report to the Department of Communities, Child Protection and Family Support if they believe on reasonable grounds that a child needs protection. Penalties apply to mandated reporters who fail to report a suspected abuse.

**NB:** While [*Organisation]* staff are not identified as mandated reporters and have an obligation to treat information provided by clients as confidential, child safety concerns will take precedence over this right.

**Mandated reporters**

* Doctors
* Nurses and midwives
* Teachers
* Police Officers
* Boarding supervisors

**Negative Notice**

The WWC Screening Unit has identified a risk of harm to a child should the person engage in child- related work. A Negative Notice prohibits a person from engaging in any child-related work and remains current unless cancelled under the WWC Act.

**Organisational Culture**

Organisational culture means the organisation’s values as demonstrated on a day-to-day basis by its leaders and staff, and as experienced by the children they care for. It is founded on the organisation’s values and supported by leadership and governance.

**Reasonable Grounds**

Where a child or young person discloses that he or she has suffered or is suffering non accidental physical injury or sexual abuse.

Someone else advises you that a child or young person has been sexually abused or non- accidentally injured, or your own observation of the child or young person’s physical condition or behaviours lead you to reasonably suspect that the child or young person has suffered or is suffering non- accidental physical injury, emotional, psychological, or sexual abuse.

**Young Person**

A person between the ages of 12-25 years.

**Wellbeing of a child**

The care, development, health, and safety of the child.

**Working with Children Check**

The Working with Children (WWC) Check is a screening strategy that aims to safeguard children by deterring and prohibiting people with criminal histories that pose a risk of harm to children.

**United Nations Convention on the Rights of the Child**

A human rights treaty which sets out an international agreement on childhood that includes the civil, political, economic, social, health and cultural rights of children.

**RESPONSIBILITIES**

**Board and CEO**

Board members and CEO are responsible for ensuring that child safety and participation is embedded in [*Organisation]* organisational leadership, governance, and culture.

**Management**

Managers have responsibility for monitoring and supporting the implementation of child safe policies by reviewing current practice and developing procedures to support child safe environments on an ongoing basis. Managers work with staff to build their capacity and knowledge to ensure Child Safe policies and practices are implemented.

**Staff**

Staff are required to understand and adhere to their role and responsibilities in accordance with [*Organisation]* suite of Child Safe Organisation policy and procedures.

**EVALUATION AND REVIEW**

This policy will be reviewed in accordance with ***Document Control Procedure*** as part of a formal evaluation process or as practical application requires it. Comments and suggestions from our stakeholders, including staff, children and families will be incorporated.

**RELATED POLICIES AND PROCEDURES**

*[List your related policies and procedures here]*

**RELATED DOCUMENTS**

* A Guide to Child Safe Standards, NSW Office of the Children’s Guardian
* Commissioner for Children and Young People WA (2013), Are you Listening, Guidelines for making complaints systems accessible and responsive to children.
* Commissioner for Children and Young People WA (2016), Child Safe Organisations WA: Guidelines, Commissioner for Children and Young People Perth.
* Commissioner for Children and Young People WA (2021), Involving Children and Young People, Participation Guidelines
* Consulting with children and young people Resource Toolkit, Starick in partnership with the Perth Metropolitan Eastern Corridor Refuges.
* Creating Safe Environments for Children-Organisations, Employees and Volunteers, National Framework, Community and Disability Services Ministers’ Conference (2005)
* United Nations 1989, Convention on the Rights of the Child.
* United Nations 2007, Declaration on the Rights of Indigenous Peoples.

**RELEVANT ACTS AND REGULATIONS**

* Children and Community Services Act 2004
* Equal Opportunity Act 1984 (the Act)
* Working with Children (Criminal Record Checking) Act 2004
* Working with Children (Criminal Record Checking) Regulations 2005

DISCLAIMER: The content of this policy is for educational and informational purposes. It is not intended as a substitute for professional advice.

While the information has been verified to the best of our abilities, we cannot guarantee there are no mistakes or errors.

We recommend that users exercise their own judgment and use their skills, knowledge, and experience to evaluate the accuracy, currency, completeness, relevance, and suitability of the information for their needs.

We reserve the right to change this information at any time.