

Policy statement

Therapy Connect recognises that children have a right to be protected from physical and mental harm and neglect and upholds the United Nations Convention on the Rights of the Child (CROC). Therapy Connect is committed to:

- the safety and wellbeing of all children and young people;
- zero tolerance for child abuse and discrimination;
- providing an environment where children and young people are safe, feel safe and their voices are heard about decisions that affect their lives; and
- the particular attention needed to ensure the cultural safety of children and young people who identify as Aboriginal and/or Torres Strait Islander or as being from culturally and/or linguistically diverse backgrounds, as well as the safety of children with a disability or who have diverse gender identities or sexualities.

Scope

This policy applies to all Therapy Connect representatives, both paid and unpaid, including employees, directors, contractors and board members.

Responsibilities

It is the responsibility of directors to:

- promote a culture that protects children and young people from abuse;
- ensure that employees, contractors and board members are supported to understand Therapy Connect's commitment to child safety and their role, responsibilities and the behaviours expected in protecting children and young people from abuse and neglect;
- ensure all employees and contractors in child-related work undergo a National Criminal History Record check and maintain a valid Working with Children Check (or equivalent) for the state or territory in which they usually reside;
- encourage employees, contractors and board members to raise, discuss and scrutinise concerns making it more difficult for abuse to occur and remain hidden; and
- respond quickly and appropriately to allegations of child abuse or neglect, including making necessary reports and minimising risk where an allegation of child abuse or neglect has been made about an employee or contractor.

It is the responsibility of employees and contractors to:

- hold and maintain a valid Working with Children Check and notify a director immediately if they are barred from working with children or any allegation is made against them of child abuse or neglect;
- ensure they understand and uphold their role, responsibilities and the behaviours expected in protecting children and young people from abuse and neglect;
- maintain a professional relationship at all times when working with families, children and young people;
- raise, discuss and scrutinise concerns about child safety; and
- respond quickly and appropriately to allegations of child abuse or neglect, including making necessary reports.

Definitions

Child abuse - Any act committed against a child involving: a sexual offence or an offence under section 49M(1) of the *Crimes Act 1958* (grooming); or the infliction, on a child, of physical violence, serious emotional or psychological harm or serious neglect of a child.

Child safety - Matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.

Child-related work - Work performed by an adult in an environment while children are present or reasonably expected to be present.

Mandatory reporting - A term used to describe the legislative requirement for selected groups of people to report suspected cases of child abuse and neglect to government authorities. Parliaments in all Australian states and territories have enacted mandatory reporting laws of some description.

Recruitment of a suitable workforce

Therapy Connect applies best practice standards in the recruitment and screening of employees and contractors and takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children. All prospective employees and contractors in child-related work are required to undergo a National Criminal History Record check and maintain a valid check for the state or territory in which they reside relating to working with children.

Therapy Connect will keep a register of work checks and ensure their currency. National Criminal History Record checks will be renewed every three years.

Appropriate behaviours

Appropriate behaviours are outlined in the *Therapy Connect Code of Conduct* and *Therapy Connect Practice Handbook* and should be maintained at all times when working with children, young people and families.

Mandatory reporting of child abuse

All Therapy Connect employees and contractors in child-related work are considered to be mandatory reporters. The parameters of what needs to be reported differs across states and territories but can generally be summarised as reasonable grounds to suspect that a child is at risk of significant harm and the belief arises from information obtained by the person during the course of, or because of, the person's work (whether paid or unpaid). For the purposes of mandatory reporting, in all states and territories a child is defined as a person under the age of 18 years, except for NSW where it is a person under the age of 16 years.

Reports should be made to the responsible authority in the state or territory where the child or young person resides (please refer to *Therapy Connect Practice Handbook*).

Allegations against an employee or contractor

Where an allegation of child abuse has been made about a Therapy Connect employee or contractor, directors will ensure that: risk is assessed, actions are taken to safeguard the child or children, the allegations are investigated fairly and in line with procedural fairness, the employee or contractor is supported through the process, actions are implemented and necessary reporting

completed (see below). For more information, please refer to *Therapy Connect Practice Handbook*.

Reportable conduct

NSW, Victoria and the ACT have reportable conduct schemes governed by the NSW Ombudsman, the Victoria Commissioner for Children and Young People and the ACT Ombudsman for the reporting of substantiated allegations of child abuse by employees and service providers.

Therapy Connect will notify the agency relevant to the state or territory where the employee or contractor resides as soon as possible and no later than 30 days (three business days for Victoria) after being made aware of the reportable conduct by submitting a Part A Notification (NSW), the relevant Commission for Children and Young People webform (VIC) or a 17G Notification (ACT).

In all circumstances, allegations of criminal conduct must be reported to the relevant Police agency as the first priority.

Relevant legislation

Australian Capital Territory

- Children and Young People Act 2008 (ACT)
- Working with Vulnerable People (Background Checking) Act 2011 (ACT)
- Reportable Conduct and Information Sharing Legislation Amendment Act 2016 (ACT)

New South Wales

- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Child Protection (Working with Children) Act 2012 (NSW)
- Part 3A Ombudsman Act 1974 (NSW)

Northern Territory

- Care and Protection of Children Act 2007 (NT)
- Children's Commissioner Act 2013 (NT)

Queensland

- Child Protection Act 1999 (Qld)
- Child Protection and Education Legislation (Reporting of Abuse) Amendment Bill 2017
- Commission for Children and Young People and Child Guardian Act 2000 (Qld)
- Working with Children (Risk Management and Screening) Act 2000 (Qld)

South Australia

- Children's Protection Act 1993 (SA)
- Child Safety (Prohibited Persons) Act 2016 (SA)
- Children and Young People (Safety) Bill 2017 (SA)

Tasmania

- Children, Young Persons and their Families Act 1997 (TAS)
- Registration to Work with Vulnerable People Act 2013 (TAS)

Victoria

- Children, Youth and Families Act 2005 (VIC)
- Child Wellbeing and Safety Act 2005 (VIC)

- Working with Children Act 2005 (VIC)
- Children Legislation Amendment (Reportable Conduct) Act 2017 (VIC)

Western Australia

- Children and Community Services Act 2004 (WA)
- Working with Children (Criminal Record Checking) Act 2004 (WA)

Document control

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