

## Commitment to Child Safety

### Policy Statement

Pinarc believes that children have the right to be happy, safe and encouraged to reach their full potential. We have zero tolerance of child abuse, and all allegations and safety concerns will be handled according to our policies. Any concerns are to be reported to management or the immediate supervisor. We will ensure that mandatory reporting requirements are met.

Pinarc have assessed the risks of child abuse and have effective controls in place to prevent child abuse from occurring or going undetected. These risks and controls are reviewed annually in November.

Our staff are subject to safety screening checks. Those engaged in child-related work, are required to provide evidence of their Working with Children Check.

Staff and volunteers are informed about;

- child abuse risks;
- cultural safety\* of Aboriginal children and children from a culturally and/or linguistically diverse backgrounds;
- providing a safe environment for children with a disability.

\* Cultural safety can be defined as an environment that is spiritually, socially, emotionally and physically safe for children; 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. Cultural safety empowers individuals and enables them to contribute to the achievement of positive outcomes.

Staff and volunteers who work with children are expected to function within the documented standards that Pinarc has made available to new and existing staff.

We include children when making decisions about matters that directly affect them by actively listening and respecting their views.

If an allegation of abuse or a safety concern is raised, we provide updates to children and families on progress and any actions we take.

### Responsibilities

Staff contact with children must adhere to the expectations of Pinarc's policies on Social Media and Professional Boundaries. If staff are unsure of their obligations they must discuss with their manager to seek clarification.

Pinarc expects that staff work within the Code of Conduct policy.

Staff will;

- promote the cultural safety, participation and empowerment of Aboriginal children;
- promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds;
- ensure that children with a disability are safe and can participate equally.

Pinarc informs staff about;

- how to look and listen for signs of child abuse;
- and to minimise risks of child abuse.
- How to report suspected or confirmed child abuse

Staff working in Risk Assessed roles must complete *Protecting Children: Mandatory Reporting and Other Obligations* online training. These roles are listed on the Training Matrix

The recruitment process and ongoing monitoring of staff who work with children, demonstrates our commitment to child safety through screening processes and safety checks.

## Therapy Principle

Pinarc has a duty of care to keep children safe and a key principle of our therapy practice is building the capacity of a child along with their parents and carers. This means that parents and carers are a vital component in the delivery of therapy service and are expected to remain with their children. The exception to this is when a parent or carer may observe their children remotely as part of a therapy program's design, in these instances staff will discuss expectations before the program begins.

## Reporting

Pinarc takes all allegations seriously and has practices in place to investigate concerns thoroughly and quickly. If an adult has a reasonable belief that an incident has occurred then they must report the incident. 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);
- someone else has raised a suspicion of abuse but is unwilling to report it;
- staff observe or hear of suspicious behaviour.

## NDIS Reportable Incidents

In accordance with NDIS Incident Management & reportable Incidents Rules 2018 certain incidents that happen, or are alleged to have happened, in connection with the provision of supports or services are known as NDIS Reportable Incidents. These incidents include the death, serious injury, abuse or neglect of a person with disability and the use of restrictive practices.

- An NDIS reportable incident means:
- the death of a person with disability; or
- serious injury of a person with disability; or
- abuse or neglect of a person with disability; or
- unlawful sexual or physical contact with, or assault of, a person with disability; or
- sexual misconduct committed against, or in the presence of, a person with disability, including grooming of the person for sexual activity; or

- the use of a restrictive practice in relation to a person with disability, other than where the use is in accordance with an authorisation (however described) of a State or Territory in relation to the person
- An incident that occurs in relation to a person with disability is not a reportable incident if the act is unlawful physical contact with a person with disability; and the contact with, and impact on, the person with disability is negligible.

The use of an authorised restrictive practice in relation to a person with disability is not a reportable incident where the use is in accordance with a behaviour support plan.

More information can be found in Incident Reporting policy.

### **Reportable Conduct Scheme**

In addition to the NDIS Quality and Safeguarding Commission Reportable Incidents obligations, Pinarc has reporting obligations under the Reportable Conduct Scheme.

The Victorian Reportable Conduct Scheme seeks to improve organisations' responses to allegations of child abuse and neglect by their workers and volunteers. The scheme is established by the *Child Wellbeing and Safety Act 2005* (the Act). The Reportable Conduct Scheme has been designed to ensure that the Commission for Children and Young People will be aware of every allegation of certain types of misconduct involving children in relevant organisations that exercise care, supervision and authority over children.

There are five types of 'reportable conduct':

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

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

The CEO is responsible for ensuring:

- systems are in place to prevent child abuse and, if child abuse is alleged, to ensure allegations can be brought to the attention of appropriate persons for investigation and response
- that the Commission is notified and given updates on the organisation's response to an allegation.

The CEO must follow the below steps, as prescribed by the CCYP, when dealing with allegations of reportable conduct:

- Notify CCYP within 3 business days of becoming aware of the allegation
- Investigate the allegation (subject to clearance from Police where the conduct has been reported to police)
  - Advise CCYP who is undertaking the investigation
  - Control any risks to children (this may include standing down staff members for the duration of the investigation)
- Within 30 days, provide detailed information about the reportable allegation and any action that has been taken to CCYP

- Notify CCYP of the investigation findings and any disciplinary action taken by the CEO (or the reasons no action was taken)

In the event the allegation is made against the CEO, the Chair of the Board will assume the CEO's responsibilities listed in this policy.

### **Receiving reports and Responding to suspected abuse of children**

Staff must immediately report any suspicions or allegations of abuse to their manager or directly to the CEO. Managers will immediately escalate any allegations or suspicions of abuse to the CEO.

Staff, children, families, carers and general public can report suspicions of abuse in a number of ways, including:

- Emailing [zerotolerance@pinarc.org.au](mailto:zerotolerance@pinarc.org.au)
- Talking with a trusted staff member
- Talking with a manager
- Calling us
- Using our 'contact us' webform at [www.pinarc.org.au](http://www.pinarc.org.au)
- Posters are displayed at all sites with information on how to report abuse
- Information is included in Information Packs provided to customers through the intake/service agreement process

The CEO will ensure:

- The child is safe – this may include standing down any staff member accused of perpetrating abuse
- The matter is reported Child Protection, Child First, Orange Door and/or Police as relevant
- All regulatory reporting requirements are met
- Report to the Board where a staff member, volunteer, contractor or student is the subject of the allegation