

CHILD AND YOUNG PERSON'S SAFETY AND WELLBEING POLICY

Policy Details

Document Group: Child and Family Safety and Wellbeing

Assigned Owner: Chief Operating Officer

Approved by: Board

1. Purpose

This policy aims to outline BCHS' commitment to child and young person's safety and wellbeing.

2. Scope

This policy applies to all BCHS employees, including Board Directors, volunteers, students, contractors and sub-contractors.

The policy applies to a broad range of situations where direct and indirect interaction with children and/or young persons may occur. These situations may be identified through BCHS' service and program delivery, operations and/or personal activities of BCHS employees.

All BCHS employees must comply with BCHS' Child and Young Persons Safety and Wellbeing Policy to support the safety and wellbeing of all children and young people. BCHS' Code of Conduct Policy articulates BCHS' expectations for appropriate behaviour and interactions with clients and other persons, including children and young people.

This policy should be read alongside BCHS' Family and Domestic Violence Policy.

3. Definitions

Child or young person - In Victoria, the Children Youth and Families Act 2005 defines a child or young person as a person under eighteen years of age.

Refer to BCHS Key Definitions for the definitions of key words used in BCHS policies, procedures and related documents.

4. Policy Overview

Statement of Commitment to Child and Young Person Safety and Wellbeing

Bendigo Community Health Services (BCHS) is committed to the safety and wellbeing of all children and young persons both in the community and through BCHS' service and program delivery, and operations.

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We act to both protect children and to proactively support their health, wellbeing and development. We value children's perspectives and support children's right to participate in decision making that affects them and to have their voice heard.

BCHS adopts zero tolerance to child and young person abuse or neglect. All children and young people accessing BCHS services, programs and sites have the right to feel safe, be safe, and be treated with dignity, respect, and equality.

BCHS is accountable for child and young people's safety and wellbeing through legislation (including but not limited to mandatory reporting requirements, reportable conduct requirements, Child Safe Standards, and the Child Information Sharing Scheme (CISS) and Family Violence Information Sharing Scheme (FVISS)). Through this legislation BCHS is required to report any cases of observed or suspected risk or harm to a child or young person when a reasonable belief is held that their health and wellbeing is at risk.

BCHS will respond to risk, safety and wellbeing needs in accordance this policy, BCHS' Family and Domestic Violence Policy, Child and Young Person's Safety and Wellbeing Procedure, and Information Sharing Scheme Procedure as well as other relevant legislative obligations.

Child Safe Standards

Victoria's Child Safe Standards are a set of mandatory requirements to protect children and young people from harm and abuse. The Child Safe Standards commenced in Victoria in January 2016, and revised standards were provided on 1 July 2022. BCHS commits to supporting child and young person safety and wellbeing in line with Victoria's Child Safe Standards:

Standard 1	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.
Standard 2	Child safety and wellbeing is embedded in organisational leadership, governance and culture.
Standard 3	Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
Standard 4	Families and communities are informed and involved in promoting child safety and wellbeing.
Standard 5	Equity is upheld and diverse needs respected in policy and practice.
Standard 6	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
Standard 7	Processes for complaints and concerns are child-focused.
Standard 8	Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

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Standard 9	Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
Standard 10	Implementation of the Child Safe Standards is regularly reviewed and improved.
Standard 11	Policies and procedures document how the organisation is safe for children and young people.

BCHS' Child and Young Person's Safety and Wellbeing Policy aims to:

- Provide a safe working environment where children and young people are protected, feel safe and contribute to decision making that affects their lives.
- Amplify the voices and experiences of children and young people within all aspects of service and program provision, through direct engagement with children and young people where possible and where safe and appropriate to do so.
- Ensure that all BCHS employees understand the important and specific role they play, individually and collectively, to ensure the safety and wellbeing of all children and young people;
- Support BCHS in demonstrating collective and organisational accountability, ensuring service and program delivery and operations allow for and encourage the safety and wellbeing of children and young people.

To support its commitment to this policy BCHS will:

- Ensure all BCHS employees are aware of BCHS' Child and Young Person's Safety and Wellbeing Policy and Procedure;
- Ensure BCHS' Child and Young Person's Safety and Wellbeing Policy is available on its website;
- Require all BCHS employees to have a valid Working with Children Check.
- Nominate a Child and Young Person's Safety Officer;
- Maintain an active Child and Young Person's Safety and Wellbeing Committee to support ongoing monitoring and quality improvements across the organisation
- Ensure BCHS employees receive appropriate training and support to support their role in ensuring the safety and wellbeing of all children and young people;
- Ensure BCHS has robust recruitment and selection systems and processes for employees to protect the safety and wellbeing of children and young people;
- Ensure appropriate systems and processes are in place to identify and promptly investigate any actual or alleged incidents relating to child or young person safety and/or wellbeing;
- Ensure appropriate systems and processes are in place to manage any complaints or feedback in relation to child or young person safety and/or wellbeing;
- Implement and monitor strategies to support child and young person safety and wellbeing in line with the Victorian Child Safe Standards;

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- Regularly review BCHS' Child and Young Person's Safety and Wellbeing Policy and Procedure;
- Report on incidents, child protection engagement and notifiable conduct within the BCHS clinical governance and risk management reporting frameworks.

Employees can refer to the BCHS Child and Family Safety and Wellbeing SharePoint Resource page for access to a broad range of resources and training in relation to child safety and wellbeing: [click here](#)

5. Policy

Child and Young Person's Safety Officer

BCHS' Child and Young Person's Safety Officer is the Operations Manager Family Services. The role of the Child and Young Person's Safety Officer is to:

- Provide a single point of contact for children, young people, family members, employees who are seeking advice or support regarding the safety and/or wellbeing of children and young people associated with BCHS;
- Ensure that child and young person's wellbeing and/or safety is prioritized and that any allegations or concerns are recorded and responded to consistently and in line with BCHS' legislative obligations and relevant policies and procedures.

Child and Young Person Safety and Wellbeing and Intersectionality

BCHS recognises the inherent risk and complexity faced by groups who identify as holding multiple identities, including systemic and social oppression and marginalisation. BCHS formally acknowledge the inherent strength, resourcefulness, and contribution of these groups of peoples to our organisation, our community and to society, including:

- Children and young people who identify as Aboriginal and Torres Strait Islander.
- Children and young people from culturally and linguistically diverse backgrounds.
- Children and young people who are living with a disability.
- Children and young people who identify as LGBTIQA+

BCHS commits to supporting intersectional systems and practice analysis to understand and reduce points of systemic harm and interpersonal risk that children and young people from these populations and identities face.

Principles of Child and Young Person Safety and Wellbeing

In its planning, decision-making, service and program delivery and operations, BCHS aims to:

- Take a preventative and proactive approach to child and young people's safety and wellbeing;

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- Value and empower children and young people to participate in decisions which affect them and their lives;
- We recognise that young people 16 years and older have the right to independently access services without requiring consent from their parent/guardian;
- We recognise that some young people aged under 16 years can independently provide consent for medical treatment, or refuse it, if a health practitioner assesses that they have attained sufficient capacity (i.e. assessment of Gillick competence or as a 'mature minor').
- Encourage and support children and young people to celebrate and express their culture, identity, and values in their own way;
- Respect cultural diversity and inclusive practices while centering children and young person's safety and wellbeing;
- Respecting and valuing the diverse and unique identities and experiences of Aboriginal children and young people, and supporting their connection with culture and community;
- Foster a culture of openness that empowers all people to safely disclose risks of harm to children and young people, supported with evidence informed frameworks and procedures;
- Ensure opportunities are created to allow children and young people to disclose risk, with experienced service providers;
- Report actual, suspected or potential risk, or behaviour or circumstance impacting safety or wellbeing immediately (or at the earliest possible opportunity) to the appropriate authorities (See procedure below);
- Maintain and share information appropriately with other organisations where the safety and/or wellbeing of children and young people is at risk (see Information Sharing Scheme Procedure);
- Value the input of and communicate regularly with children, young people, families and carers where possible and safe to do so;
- Embed frameworks (such as the Safe and Together framework) consistently in systems and practice that center and support the safety and/or wellbeing of children and young people.

Appropriate Conduct

All BCHS employees, including Board Directors, volunteers, students, contractors and sub-contractors must:

- Demonstrate commitment to child and young person safety and wellbeing in line with this policy;
- Act professionally, respectfully and ethically in their interactions with children and young persons;
- Behave in a manner that provides positive role modelling to children and young persons;

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- At all times behave in a manner that does not make children or young persons feel unsafe, afraid or uncomfortable;
- Actively listen and immediately respond when a child or young persons discloses that they, or another child or young person, has been abused or neglected, or they are worried about their safety or the safety of another child or young person;
- Promotes the safety, participation and empowerment of Aboriginal and Torres Strait Islander children and young persons; children and young persons from culturally and linguistically diverse backgrounds; and children and young persons with a disability; children and young people who identify as LGBTQIA+;
- Comply with all reporting and disclosure processes as outlined in the Child and Young Persons Safety and Wellbeing Procedure.

All BCHS employees, including Board Directors, volunteers, students, contractors and sub-contractors must not:

- Engage in inappropriate communication or interactions with a child or young person through any medium, including online or by phone;
- Develop any relationship with a child or young person that may be perceived as favouritism and/or grooming (ie. offering gifts);
- Take, publish or distribute photos or recordings of a child or young person without parent/guardian consent;
- Engage in any form of behaviour that has the potential to cause physical, psychological and/or emotional harm to a child or young person;
- Ignore or disregard any concerns, suspicions or disclosures of child or young person abuse or neglect.

Training and Supervision

All BCHS employees who interact with children and young people will be required to undertake training in relation to child and young person's safety and wellbeing, mandatory reporting, reportable conduct, Multi Agency Risk Assessment and Management framework and the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme requirements as relevant to their role. This will be completed upon commencement of employment with BCHS in addition to throughout their employment.

BCHS employees who have contact with children, young people and families will also receive cultural competency training to ensure that children, young people and families who identify as Aboriginal or Torres Strait Islander or culturally diverse feel respected, valued and understood during all their interactions with BCHS.

BCHS will continue to offer and value evidence-based training options to support employees in their work with children and young people, such as the Safe and Together framework which amplifies the voices and experiences of children and young people.

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Recruitment Practices

BCHS applies robust systems and processes in the recruitment and screening of all employees, including Board Directors, students and volunteers. All employees and volunteers are required to meet relevant recruitment, selection and probity requirements as per BCHS' Recruitment and Selection Policy and Procedure. All employees and volunteers are required to have a Working With Children Check.

BCHS' Position Description Templates include a reference to BCHS' commitment to child and young person safety and wellbeing.

Responding to Concerns about Child Safety and Wellbeing

BCHS employees and organisational leaders will always act promptly in response to any allegations or concerns in relation to a child or young person's safety or wellbeing.

All staff are required to follow the reporting and response requirements and timelines as outlined in the Child and Young Persons Safety and Wellbeing Procedure.

Staff are expected to escalate and plan their actions with their supervisor, or other appropriate senior person where the immediate supervisor is not available.

Where the staff member's supervisor may be alleged to be connected with behaviours in breach of this policy, staff need to consult with the next most senior manager, and/or a member of the Executive Team. The Child Safety Officer is also a contact point.

Risk Management

BCHS recognises the importance of conducting risk assessments and using a risk management approach to minimising the potential for risk of harm to children and young people. BCHS will use the knowledge learned from our conversations with children, young people and families around risk, to inform policies, procedures and service provision planning. Risks of harm to children and young people are managed in accordance with the BCHS' Risk Management Policy and Risk Management Procedure and input is sought from employees and families to identify potential risks to child and young people's safety and well-being, and to implement appropriate strategies to minimise these risks.

Regulation of Child Safe Standards

From 1 January 2023, the Victorian Department of Health and Department of Families, Fairness and Housing will be the Victorian regulator for BCHS. Regulators provide information and guidance to organisations to help them comply with the Standards. They also have legal powers to hold organisations to account if they are not complying with the Standards.

Regulators can request in writing information or documents from an organisation that it reasonably requires to determine whether the organisation is compliant with the standards.

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With the agreement of the organisation, regulators may inspect premises. During an inspection, regulators may observe activities, inspect documents and request information to determine whether the organisation is complying with the standards. Regulators may also meet with employees, children, volunteers, parents and carers to assist with their assessment.

Regulators may issue an organisation with a notice to comply if they believe on reasonable grounds that the organisation is not complying with the standards.

From 1 January 2023, the Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021 will commence, which includes stronger penalties for organisations that do not comply with the Child Safe Standards.

Regulators can commence civil or criminal proceedings against organisations who fail to comply with a notice to produce or a notice to comply, with a maximum penalty of over \$20,000 (120 penalty units) for an organisation. Additional criminal offences also apply from 1 January 2023.

6. Related Legislation, Regulations and Standards

Children, Youth and Families Act 2005 (Vic)

- Mandatory Reporting Framework

Family Violence Protection Act 2008 (Vic)

- Family Violence Information Sharing Scheme (FVISS)
- Child Information Sharing Scheme (CISS)

Betrayal of Trust Legislation

- Reportable Conduct Act 2017 (Vic)
- Child Safe Standards (Vic)
- Working with Children Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)

Privacy and Data Protection Act (2004) (Vic)

Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021 (Vic)

Occupational Health and Safety Act 2004 (Vic)

Occupational Health and Safety Regulations 2017 (Vic)

7. Related Documents

Child and Family Safety and Wellbeing Resource Page - SharePoint

Child and Young Person's Safety and Wellbeing Procedure

Family and Domestic Violence Policy

Incident and Hazard Reporting Procedure

Information Sharing Scheme Procedure

Recruitment and Selection Policy and Procedure

Code of Conduct

Code of Conduct Policy

Discrimination, Bullying and Harassment Policy and Procedure

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8. Responsibilities

BCHS Board Directors

- Demonstrate commitment and leadership in relation to child and young person safety and wellbeing;
- Ensure they understand their responsibilities and comply with this policy and related documents.

BCHS Chief Executive Officer

- Ensure that BCHS has an appropriate child and young person safety and wellbeing framework in place.

BCHS Child and Young Person's Safety Officer

- Ensure they understand their responsibilities and comply with this policy and related documents.

BCHS Executive Leaders and Operations Managers

- Demonstrate commitment and leadership in relation to child and young person safety and wellbeing;
- Ensure they understand their responsibilities and comply with this policy and related documents;
- Ensure BCHS Senior Leaders understand their responsibilities and comply with this policy and related documents;
- Ensure this policy and related documents are regularly reviewed and maintained in line with applicable legislation, guidelines and standards;
- Ensure that any breaches of this policy are managed in line with Performance Improvement Policy and Procedures.

BCHS Senior Leaders

- Demonstrate commitment and leadership in relation to child and young person safety and wellbeing;
- Ensure they understand their responsibilities and comply with this policy and related documents;
- Ensure BCHS employees understand their responsibilities and comply with this policy and related documents;
- Ensure that any breaches of this policy are managed in line with Performance Improvement Policy and Procedures.

BCHS Employees

- Demonstrate commitment to child and young person safety and wellbeing;
- Ensure they understand their responsibilities and comply with this policy and related documents.

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