

CCW Policy 2

Child Safeguarding - Risk Management

Controlled Document



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Document Owner:	Executive Manager, Quality & Risk		Approved by:	Chief Operating Officer	
Reviewed by:	Quality & Risk Child Safeguarding Committee CELT				

Statement

CatholicCare Wollongong is committed to being a Child Safe Organisation and commits to ensuring the agency has an effective risk framework, to safeguard against harm to children and young people to whom we provide supports and services.

CatholicCare Wollongong is committed to the safety and wellbeing of every child and young person and will endeavour to protect children and young people from harm through various procedures including risk management. CELT has ultimate responsibility for safeguarding the wellbeing of children and young people who come into contact with the agency's services.

CatholicCare Wollongong will actively identify and mitigate risks that children and young people may face and ensure that all employees and stakeholders have read and understood this policy.

Scope

The purpose of this policy is to set the expectations of CatholicCare employees, foster carers, advisors, contractors, and consultants employed by CatholicCare Wollongong to work with children and/or young people when attending CatholicCare services.

This policy does not include the disciplinary actions when CatholicCare employees are not obliging to this policy.

Disciplinary actions are outlined in CCW Policy 5 Child Safeguarding – Disciplinary and Misconduct.

Principles

CatholicCare Wollongong will:

- adhere to all standards identified in the Child Safe Standards.
- operate on the assumption that all people who interact with children and young people could pose some level of risk to them.
- recognise the importance of considering risks while not discouraging positive relationships between adults, children and young people and their development.
- ensure that identifying and reducing the risks posed to children and young people is an ongoing process.
- strive for a culture where risk management is a daily exercise of all employees and people involved in the delivery of the agency's services.
- understand that all children and young people have different needs, backgrounds and

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identities and therefore the individual risks they face will vary.

- endeavour to identify the individual risks posed to each individual child and young person who meets the agency
- complete where required risk management assessments and safety plans in collaboration with the necessary stakeholders
- ensure all reports and necessary documents are provided to internal and external bodies.

For children and young people identified at risk, we will ensure that there is the necessary monitoring for that situation. while maintaining the privacy of the child/young person

Key Considerations

CatholicCare Wollongong has a Child Safeguarding Code of Conduct that provides guidelines on what is acceptable and unacceptable behaviour when working with children and young people to mitigate the level of harm when in the presence of CatholicCare employees. The main considerations are:

Risks posed to children and young people:

CatholicCare Wollongong will identify and mitigate risks that children and young people may face when encountering the service. Such risks include but are not limited to:

- Standard 1 – Allegations of harm is not responded to
- Standard 2 – Children are discouraged from raising particular subjects
- Standard 3 – There is no mechanism for families to have a voice in the agency's practices
- Standard 4 – Workforce does not reflect the diversity within our community
- Standard 5 – Workplace does not support Child Safety
- Standard 6 –The complaint handling process isn't publicly available and accessible
- Standard 7 – Indicators of abuse and neglect are not recognised
- Standard 8 – Online safety is not a consideration
- Standard 9 – A root cause analysis isn't conducted after a critical incident
- Standard 10 – Policies and procedures are not accessible to stakeholders

Physical contact with children and young people:

CatholicCare Wollongong has clear program guidelines in relation to circumstances in which it might be necessary to have physical contact with a child or young person, including but not limited to:

- Managing a child or young person who has been injured
- Demonstrating a skill or for instructional purpose as part of an activity
- Administering medical assistance; and
- Assisting with toileting of young children.

CatholicCare Wollongong has zero tolerance to inappropriate physical contact including:

- Violent or aggressive behaviour such as hitting, kicking, slapping or pushing
- Kissing; and
- Touching of a sexual nature.
- Unapproved, unauthorised restrictive practices

Non-Physical contact with children and young people:

CatholicCare Wollongong has strong guidelines to reduce the impact of non-physical contact with children and young people allowing children and young people to interrelate and disclose in a trusting and safe environment.

Circumstances in which it might be necessary to have healthy non-physical contact with a child or

young person, including but not limited to

- Counselling in schools or the CatholicCare Wollongong offices
- Discussion in relation to contact visitations
- Expectations of CatholicCare Wollongong employees

Behaviours that do not involve touching or physical contact can be just as upsetting and emotionally harmful to a child as some physically touching behaviours. Non-touching behaviours that are considered harmful to a child or young person include but not limited to:

- Emotional harm caused through grooming techniques
- Technology opportunities to form relationships that could involve emotional closeness
- Increase of psychological harm due to isolation of children and young people either with an adult or exclusion from their peers
- Exposing a child to sexual acts (including masturbation or pornography) either in person or through digital, computer or video images.
- Watching a child undress or use the bathroom, often without the child's knowledge

Please note that although there may not be harmful intent, where a child could be involved, it has been viewed by authorities as child abuse in some circumstances.

Behaviour management:

- CatholicCare Wollongong has clear program policies on how employees are expected to manage challenging behaviours in accordance with our Child Safe Code of Conduct to minimise risk.

Definitions

Term	Definition
CatholicCare Executive Leadership Team (CELT)	The CELT considers and provides advice to the Director on high level strategic issues and significant policy and operational matters impacting on CatholicCare Wollongong. It comprises of Executive Managers of CatholicCare Wollongong.
Quality Systems Committee	A diverse team that oversees and contributes to the promotion, development, and implementation of systems to ensure continuous improvement in the provision of high-quality client-centric services that achieve positive outcomes for clients.
Child Safeguarding Committee	A diverse team that has membership of all service programs that work with Children and Young People. Membership also includes People & Culture Representative and Quality & Risk. There is also representation from Professional Standards at Office of the Bishop and Catholic Education Office Child Protection.

Employees	A person employed by CatholicCare Wollongong, or a person who volunteers for CatholicCare Wollongong, but excludes authorised carer
Contractors	Individuals or companies who are engaged to perform a specific service or task for a client or CatholicCare Wollongong, usually for a fee or other agreed compensation.
Authorised carer	A person authorised by CatholicCare as a foster or relative kinship carer who, for a period of time, takes on the responsibilities of parents to provide a safe, nurturing and secure family environment for children and young people needing care.
Department of Community & Justice (DCJ)	The Department of Communities and Justice works with children, adults, families and communities to improve lives and help people realise their potential.
Office of the Children's Guardian (OCG)	An independent statutory authority in NSW Government, promoting, regulating, and overseeing the quality of child safe organisations in NSW to uphold children and young people's right to be safe
Consultants	A person or agency engaged or on a temporary basis to provide advice and recommendations to a service program.
Advisors	A person who gives others advice or guidance.
Abuse	"All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power" - World Health Organization (2016), Child abuse and neglect by parents and other caregivers.
Sexual abuse	When someone involves a child or young person in a sexual activity by using their power over them or taking advantage of their trust. Often children or young people are bribed or threatened physically and psychologically to make them participate in the activity. Sexual abuse is a crime.
Physical abuse	A non-accidental injury or pattern of injuries to a child or young person caused by a parent, caregiver or any other person. It includes but is not limited to injuries which are caused by excessive discipline, severe beatings or shakings, cigarette burns, attempted strangulation and female genital mutilation.

	<p>Injuries include bruising, lacerations or welts, burns, fractures or dislocation of joints. The application of any unreasonable physical force to a child is a crime in NSW. For example, hitting a child or young person around the head or neck, or using a stick, belt or other object to discipline or punish a child or young person (in a manner that is not trivial or negligible) may be considered a crime</p>
Emotional abuse or psychological harm	<p>Serious psychological harm can occur where the behaviour of their parent or caregiver damages the confidence and self-esteem of the child or young person, resulting in serious emotional disturbance or psychological trauma.</p> <p>Although it is possible for 'one off' incidents to cause serious harm, in general it is the frequency, persistence and duration of the parental or carer behaviour that is instrumental in defining the consequences for the child or young person.</p> <p>This can include a range of behaviours such as excessive criticism, withholding affection, exposure to domestic violence, intimidation or threatening behaviour.</p>
Neglect	<p>When a parent or caregiver cannot regularly give a child or young person the basic things needed for his or her growth and development, such as food, clothing, shelter, medical and dental care, adequate supervision, and enough parenting and care.</p>
Exploitation	<p>"The use of children for someone else's advantage, gratification or profit often resulting in unjust, cruel and harmful treatment of the child.</p> <p>These activities are to the detriment of the child's physical or mental health, education, moral or social-emotional development. It covers situations of manipulation, misuse, abuse, victimisation, oppression or ill-treatment." (Save the Children, 2020)</p>
Discrimination	<p>When a person, or a group of people, is treated less favourably than another person or group because of their background or certain personal characteristics. This is known as 'direct discrimination'.</p> <p>It is also discrimination when an unreasonable rule or policy applies to everyone but has the effect of disadvantaging some people because of a personal characteristic they share. This is known as 'indirect discrimination'. (Australian Human Rights Commission)</p>

Grooming	<p>Any act with the aim of befriending, building rapport, and gaining the trust of a child for the purpose of subjecting them to abuse. Signs of grooming include giving gifts or special attention, or inappropriate touching such as tickling or wrestling with a child.</p> <p>Perpetrators can also 'groom' family members, and workers in organisations, to be seen as 'trusted' and enable them to spend time with the child they are targeting.</p>
Online grooming	<p>Establishing a relationship with a child or young person online with the aim of meeting him/her in person for sexual activity. This can include online chat or sexting, and the abuser may lie about their age or identity.</p>
Harm	<p>Different states or territories may have differing definitions of harm in relation to child protection legislation, but in general it refers to any significant detrimental effect on a child's physical, psychological or emotional wellbeing.</p>

Roles and Responsibilities

Role	Responsibility
Chief Executive Officer	<ul style="list-style-type: none"> Legally responsible and must ensure the agency implements the Child Safe Standards through systems, policies and procedures Assess, review and approve agency policies to be distributed Ensure risks and management of those risks is an agenda item at employee, CELT and CatholicCare Advisory Council meetings
CELT	<ul style="list-style-type: none"> Publicise and promote this policy to all relevant stakeholders Formally induct this policy as part of agency procedures Ensure employees are trained in identifying signs of child-specific harm, abuse, neglect, and grooming Support the assessment, review, socialisation and training of employees in policies and associated procedures.
Executive Manager Quality & Risk	<ul style="list-style-type: none"> Report any non-compliance to Child Safe policies & procedures to CELT.
Executive Managers or delegate	<ul style="list-style-type: none"> Consult all relevant stakeholders including employees, families and carers when developing and implementing the child risk management policy Ensure children and young people are given avenues to contribute to the risk management strategy by having a

	<p>say about what makes them feel safe and unsafe in the agency, and how things could be better</p> <ul style="list-style-type: none"> • Ensure families and/or carers are aware of who in the agency is responsible for implementing risk management procedures • Assess, review, socialise and train employees in policies and associated procedures; and • Monitor employees in compliance to the policies and associated procedures.
Child Safeguarding Committee	<ul style="list-style-type: none"> • Assess and review child safeguarding documentation and procedures and report non-conformance or improvement opportunities to CELT
QSC	<ul style="list-style-type: none"> • Provide support in assessing, reviewing, and collaborating policies to have ready for the CELT
Managers overseeing child related services	<ul style="list-style-type: none"> • Understand the legal and regulatory obligations to lead and report children and young people care • Hold employees accountable for adhering to the Child Safeguarding policies and procedures • Monitor employees in compliance to the policies and associated procedures and take relevant action when required. • See assess, review, socialise and train employees in policies and associated procedures • Timely escalation of concerns or issues that are unable to be resolved at this level
Line Managers	<ul style="list-style-type: none"> • Hold employees accountable for adhering to the Child Safeguarding policies and procedures • Monitor employees in compliance to the policies and associated procedures and take relevant action when required. • See assess, review, socialise and train employees in policies and associated procedures
Employees	<ul style="list-style-type: none"> • Be competent in identifying types of risks a child may be subjected to, including physical, psychological, sexual and neglect • Be competent in identifying signs a child may have experienced harm, abuse, neglect and grooming • Inform Line Manager and/or the Child Safeguarding Committee if they have concerns regarding the contents of this policy • Make identification of risk and signs of harm a daily part of their role at the agency • Inform their Line Manager and/or the Child Safeguarding Committee if they identify a new risk which has not been identified in this policy, or if an incident leads to the discovery of prevalent risks which may affect other

	children and young people, and <ul style="list-style-type: none"> Follow this policy and associated procedures
Children, Young People and other Stakeholders	<ul style="list-style-type: none"> Participate in the evaluation, input and feedback of policies and procedures that impact on the care provided to them from CatholicCare Wollongong.

Induction and ongoing training

- Induction and ongoing training will be implemented, within a month of commencement and during staff meetings as required, focusing on this policy and related procedures.
- Communications through internal channels as required.
- Training occurs through socialisation as part of policy review and annual training.

Monitoring, Evaluation and Review

This policy will be monitored to ensure compliance with legislative and standard requirements and unless deemed necessary through the identification of practice gaps, or incident or feedback, the agency will review this policy annually.

References

Legislation

- Anti-Discrimination Act 1977
- Care and Protection Act 1998
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Children and Young Persons (Care and Protection) Regulation 2012
- Children and Young Persons (Care and Protection) (Child Employment) Regulation 2015
- Child Protection (Working with Children) Act 2012
- Child Protection (Working with Children) Regulation 2013
- Children's Guardian Act 2019
- Crimes Act 1900
- Disability Inclusion Act 2014 (NSW)
- Education and Care Services National Regulations (2011 SI 653)
- Family Law Act 1975 (Commonwealth)
- National Disability Insurance Scheme Act 2013
- NDIS (Quality & Safeguards Commission and Other Measures) Act 2018
- UN Convention on the rights of the child

Standards

- Council of Australian Governments – National Principles for Child Safe Organisations
- Early Childhood Australia's Code of Ethics
- Office of the Children's Guardian – NSW Child Safe Standards
- Office of the Children's Guardian – NSW Child Safe Standards for Permanent Care
- United Nations Convention on the Rights of the Child
- National Catholic Safeguarding Standards
- NSW Charter of Rights for Children and Young People in Out of Home Care

- NQF – My Time, My Place: Framework for School Aged Children for Australia
- NQF – Being, Belonging and Becoming: The Early Learning Years Framework for Australia
- NQF – Education and Care Services National Laws and National Regulations
- Australian Children's Education & Care Quality Authority (ACECQA)
- Department of Social Services - Families and Children Activity Administrative Approval Requirements
- NDIS Quality and Safeguards Commission – NDIS Practice Standards

Agency Policies

- Code of Ethics and Conduct
- Child Safe Code of Conduct
- CCW Policy 1 Child Safeguarding
- CCW Policy 3 Child Safeguarding – Equity and Inclusion for Children and Young People
- CCW Policy 4 Child Safeguarding – Complaints Management
- CCW Policy 5 Child Safeguarding – Disciplinary and Misconduct
- CS Policy 9 - Preventing and Responding to Harm and Abuse of Vulnerable People
- WS Policy 2.1 - Recruitment and Selection
- WS Policy 2.5 - Employment Screening
- WS Policy 2.7 - Employee Files
- WS Policy 2.8 - Position Descriptions
- WS Policy 4.1 - Performance Planning and Review
- WS Policy 5.1 - Training & Development
- WS Policy 4.3 - Management of Reportable Conduct Allegations against an Employee

Forms, record keeping, other documents

- Child Safe Risk Register
- Child Safe Risk Assessment Template
- Child Safe Risk Management Plan
- Child Safeguarding Code of Conduct

Attachments

- Nil