Child and Vulnerable Adult Safe Environments Policy



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Document owner:	General Manager Service Delivery
Policy category:	Operational

1. Policy Statement

Children, young people and vulnerable adults have a right to be safe, respected and to have their voices heard including when accessing services in the community. We are committed to providing environments (physical and virtual) which are both safe and friendly and where children, young people and vulnerable adults are supported to reach their full potential.

The safety and wellbeing of children, young people and vulnerable adults are our priority above any other interests.

2. Purpose

The purpose of this policy is to ensure that the wellbeing and safety of children, young people and vulnerable adults are central to the way we operate by:

- creating safe environments for children, young people and vulnerable adults who access or come into contact with our services
- taking appropriate action in response to situations where children and young people are experiencing harm or are at risk of harm
- taking appropriate action in response to situations where vulnerable adults experience abuse or are at risk of experiencing abuse.

3. Scope

This policy applies to all staff (employees, volunteers¹ and contractors) and all children, young people and vulnerable adults who access or come into contact with our services.

4. Definitions

Abuse

As defined in the Ageing and Adult Safeguarding Act 1995 (SA), abuse includes:

- physical, sexual, emotional or psychological abuse
- financial abuse or exploitation

¹ Volunteers includes Board members

	 abuse, exploitation or neglect consisting of a person's omission to act in circumstances where the person owes a duty of care to the vulnerable adult
	 the abuse or exploitation of a position of trust or authority existing between the vulnerable adult and another person
	 denial without reasonable excuse, of the basic rights of the vulnerable adult
	 any other act or omission of a kind declared by legislation.
At risk of harm	As defined in the Children and Young People (Safety) Act 2017 (SA).
	A child or young person will be 'at risk' if:
	 they have suffered harm, or there is a likelihood they will suffer harm being of a kind against which ordinarily they should have been protected
	 there is a likelihood they will be removed from the State for the purpose of:
	 a medical procedure that would be unlawful in South Australia (including female genital mutilation)
	 taking part in a marriage that would be void or invalid under the Marriage Act 1961 (Cth)
	 taking part in an activity that would be illegal in South Australia
	 their parent or guardians are unable or unwilling to care for them, have abandoned them, cannot be found or are dead
	 they are of compulsory school age and are persistently absent from school without explanation
	 they are homeless or of no fixed address.
Child	A person who is under 18 years of age.
Environments	All environments in which we work with children, young people and vulnerable adults in. Includes, but is not limited to:
	our offices
	 the offices of other organisations
	people's homes
	• schools
	out in the communityonline environments.
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Harm	As defined in the Children and Young People (Safety) Act 2017 (SA).
	Physical harm or psychological harm (whether caused by an act or omission) and includes such harm caused by sexual, physical, mental or emotional abuse or neglect.

Line manager	A person with direct managerial responsibilities for a particular employee. A line manager can be a team leader, senior officer, manager, business manager or executive manager.	
Mandated notifier	As defined in the Children and Young People (Safety) Act 2017 (SA). Includes: • a psychologist	
	a social worker	
	• any other employee of, or volunteer in, UCWB who is engaged in the actual delivery of health, welfare, education, sporting, recreational, childcare or residential services to children and has undertaken child-safe environments training	
	 any person who holds a management position in UCWB, whose duties include direct responsibility for, or direct supervision of, the provision of health, welfare, education, sporting, recreational, childcare or residential services to children. 	
Vulnerable adult	As defined in the Ageing and Adult Safeguarding Act 1995 (SA):	
	'an adult person who, by reason of age, ill health, disability, social isolation, dependence on others or other disadvantage, is vulnerable to abuse.'	
Young people	A person who is under 18 years of age.	

5. Creating Safe Environments

5.1 Recruitment

Our recruitment processes are detailed in the Recruitment On-boarding and Probation Policy and the Recruitment and Selection Procedure. These documents include our requirements for how we advertise positions, conduct pre-employment assessments, reference checks and screening requirements for prospective employees who work with children, young people and vulnerable adults.

5.2 Staff Behaviour

Our standards for staff behaviour are detailed in the Code of Conduct. It includes our requirements for how staff must behave with clients / consumers. Staff working with children, young people and vulnerable adults must be familiar with and comply with the Code of Conduct.

5.3 Risk Management

Managers must consider risks to the safety and wellbeing of children, young people and vulnerable adults when they identify and assess their operational risks. The requirements and processes for risk management are set out in the Risk Management Policy and Risk Management Procedure.

5.4 Staff Screening

5.4.1 Mandatory staff screening

We conduct the following Department of Human Services staff screening checks which are mandatory under legislation:

- working with children checks for employees and volunteers working with children
- NDIS worker screening / disability services employment checks for psychologists, specialist/disability support coordinators and any staff who deliver a risk assessed role
- aged care sector employment checks for aged care employees, personal and domestic support workers and volunteers.

We conduct these checks before we engage staff and then every three years during their engagement with us.

5.4.2 Non-mandatory staff screening

We conduct Department of Human Services working with children screening checks for all staff (employees, volunteers and contractors), including those who do not work with children.

We conduct these checks before we engage staff and then every three years during their engagement with us.

5.5 How We Work

5.5.1 Principles

Our Practice Framework and department Practice Guidelines provide guidance to staff on how they must work with clients / consumers, including children, young people and vulnerable adults.

The Practice Framework includes the principles which guide our work with clients / consumers and how we apply those principles. The principles are:

- we provide person-centred support
- we provide strengths-based support
- we provide holistic support
- we proactively engage with people
- we focus on the wellbeing of children and families
- we are culturally inclusive.

To support the implementation of the practice principles, we are committed to strengthening practice in all aspects of service delivery by embedding a culture of reflective practice and supervision across the organisation.

5.5.2 Services for children, young people and vulnerable adults

We plan, deliver and evaluate our services to ensure safe environments for children, young people and vulnerable adults.

We:

- give them information about their rights and what they can expect from us
- deliver services in a way that respects and values the diversity of our consumers
- involve them in the design of our services
- seek the consent of children and vulnerable adults in circumstances where they have a choice
- involve them in decisions that affect them
- give them information on how to provide feedback to us, and opportunities to provide feedback

- hear and respect their voices
- communicate this policy through our website and other means.

6. How We Respond to Suspected Abuse, Neglect, Harm or Risk of Harm

6.1 Legal Responsibilities

We have legal responsibilities to respond to suspected abuse, neglect, harm or risk of harm under the following laws:

- Children and Young People (Safety) Act 2017 (SA)
- National Disability Insurance Scheme Act 2013 (Cth)

6.2 Staff Misconduct

Our standards for the conduct of our staff are detailed in our Code of Conduct.

Complaint managers must inform the Manager People and Culture when a person makes a complaint:

- alleging a staff member is perpetrating abuse, neglect, harm to a child, young person or vulnerable adult
- suspecting a child or young person is at risk of harm from a staff member

The Manager People and Culture will investigate these reports in line with the Complaints Management Procedure and Managing Misconduct Procedure.

Staff must report to the Manager People and Culture where they suspect another staff member is perpetrating abuse, neglect, harm or suspects risk of harm to a child, young person or vulnerable adult. The Manager People and Culture will investigate these reports as a suspected breach of the Code of Conduct and of this policy.

6.3 Complaints

In accordance with the Complaints Management Policy, the complaint manager will investigate all complaints we receive that allege abuse, neglect, harm or where it is suspected that a client / consumer is at risk of harm.

6.4 Signs of physical harm, neglect, psychological or emotional and sexual harm

Staff may become aware of possible abuse, neglect, harm or identify that a client / consumer is at risk of harm through either:

- observation
- disclosure by the child or vulnerable adult
- disclosure by another person for example neighbour, relative, friend.

There are many signs that may lead staff to suspect a child or vulnerable adult is experiencing abuse, neglect, harm or is at risk of harm.

There is a list of signs in <u>Attachment 1</u> – this is a guide only and if staff are unsure, they should discuss with their line manager.

6.5 Our Response to the Person

If a staff member becomes aware of or suspects abuse, neglect, harm or identifies they are at risk of harm, they must put the wellbeing of the person first. This will include:

- staying calm and in control of their emotions
- being aware that they may be the first person the person has told, and they may be distressed, scared, angry, they may be feeling guilty or ashamed
- reassuring the person that it is not their fault and that they are not responsible for what has happened to them
- listening carefully but not interrogating or asking leading questions (it is not the staff member's role to investigate)
- acknowledging the person's bravery in telling you and tell them you are pleased they have told you
- not making promises we can't keep for example not telling them that you will not tell anyone
- maintaining confidentiality within the requirements to report.

7. External Reporting

7.1 Mandatory Reporting

7.1.1 Children and Young People (Safety) Act

Mandated notifiers employed or contracted by us must notify the Department of Child Protection if they suspect on reasonable grounds that a child has been harmed or is at risk of being harmed, in line with their obligations under the Children and Young People (Safety) Act.

They will notify by contacting the Child Abuse Report Line (CARL) on 13 14 78.

For less serious concerns, mandated notifiers may use the online reporting system also available on the department's website.

7.1.2 National Disability Insurance Scheme Act

As a registered provider we must report certain incidents (reportable incidents) to the NDIS Quality and Safeguarding Commission including (but not limited to):

- abuse or neglect of a person with a disability
- unlawful sexual or physical contact with, or assault of, a person with a disability
- sexual conduct committed against or in the presence of a person with a disability, including grooming of the person for sexual activity

The managers of departments providing NDIS services must ensure that all reportable incidents are reported through the NDIS Quality and Safeguarding Commission portal.

7.2 Non-mandatory Reporting

7.2.1 Children and young people

We require staff who are not mandated notifiers (see 7.1.1) to report suspected harm or if the child or young person is at risk of harm to the Child Abuse Report Line (CARL) on 13 14 78.

These staff may wish to refer to the signs of harm in <u>Attachment 1</u>. Although not required to, staff may discuss the circumstances first with a mandated notifier before reporting to CARL.

7.2.2 Ageing and Adult Safeguarding Act

If a staff member suspects that a vulnerable adult is at risk of abuse, we require them to report to the Adult Safeguarding Unit (the Unit) by either:

- phoning the South Australian Abuse Prevention phone line on 1800 372 310, or
- emailing the Unit at adultsafeguardingunit@sa.gov.au.

The staff member will also notify their line manager that they have reported to the Unit.

The Ageing and Adult Safeguarding Act does not require us to report actual or suspected abuse of adults, however the Act sets out arrangements for reporting to the Adult Safeguarding Unit of the Department for Health and Wellbeing.

8. Internal Reporting

In all circumstances where a staff member makes an external report of suspected abuse, neglect, harm or at risk of harm they must:

- inform their line manager who will provide them with support
- record the report in the case notes if the report is about a client / consumer
- ensure the General Manager and/or Chief Executive are notified.

External reports of suspected abuse, neglect, harm or at risk of harm are reported to the Clinical Governance Committee, a sub-committee of the Board, to ensure incidents are responded to in accordance with the Clinical Governance Framework and relevant policies and procedures.

9. Information and Training for Staff

9.1 Induction of Staff

We inform staff about this policy in the corporate induction sessions. Corporate induction sessions include relevant legislation, policies, procedures and guidelines that may help staff in the delivery of direct support. The induction process requires all staff to:

- read the Child and Vulnerable Adult Safe Environments Policy and acknowledge through signing the Policy Sign Off Form.
- sign the Child Safe Declaration Form.

Managers will give specific guidance to their staff on their responsibilities under this policy as part of on-boarding and at regular intervals afterwards.

9.2 Training of Mandated Notifiers

We will help staff who are mandated notifiers to carry out their responsibilities through providing them with the following training:

- Safe Environments Through their Eyes training every three years
- Responding to Abuse and Neglect Education and Care (RAN-EC) training for staff working in schools, early childhood care or other Department for Education and Child Development facilities.

10. Making this Policy Available

We will make this policy available:

• on our website, including a summary written for children, young people and vulnerable adults

• in welcome packs we distribute to new clients / consumers including a summary written for children, young people and vulnerable adults.

11. Implementation of this Policy

Managers are responsible for implementing this policy.

12. Lodging Child Safe Environment Statements

Every time we review and amend this policy, we must lodge a Child Safe Environment Statement with the Department of Human Services SA. The Quality Risk and Compliance team will lodge the statement.

Board	Oversight and responsibility of incidents and reporting through the Clinical Governance sub-committee
Chief Executive	Advise the Clinical Governance Committee and Board of significant incidents, where required
	Provide regular reports to the Clinical Governance Committee
Managers	Ensure work is carried out in line with the Code of Conduct, the Practice Framework and this policy to provide safe environments for children, young people and vulnerable adults
	Ensure staff are aware of and carry out their responsibilities under this policy
	Identify and assess risks to the safety and wellbeing of children, young people and vulnerable adults
Manager People and Culture	Ensure screening checks of staff are completed in line with this policy
	Manage allegations of staff misconduct involving abuse, neglect or harm of clients / consumers
	Ensure staff attend child safe environments training and Responding to Abuse and Neglect Education and Care (training in line with this policy)
Mandated notifiers	Comply with the requirements of the Children and Young People (Safety) Act
Line managers	Support staff who make reports of abuse, neglect, harm or at risk of harm to external bodies
Quality Risk and Compliance Team	Lodge a Child Safe Environment Statement with the Department of Human Services SA when this policy is amended

13. Responsibilities

14. Delegations

There are no delegations established by this policy.

15. Relevant Legislation, Policies, Procedures and Other Documents

15.1 Legislation

Ageing and Adult Safeguarding Act 1995 (SA)

Children and Young People (Safety) Act 2017 (SA)

Children and Young People (Safety) Regulations 2017 (SA)

Education and Children's Services Act 2019 (SA) Child Safety (Prohibited Persons) Safety Act 2016 (SA)

Child Safety (Prohibited Persons) Act 2016 (SA)

Child Safety (Prohibited Persons) Regulations 2019 (SA)

Disability Inclusion Act 2018 (SA)

Education and Early Childhood Services (Registration and Standards) Act 2011 (SA)

National Disability Insurance Scheme Act 2013 (Cth)

National Disability Insurance Scheme (Code of Conduct) Rules 2018 (Cth)

National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018 (Cth)

National Disability Insurance Scheme (Quality Indicators) Guidelines 2018 (Cth)

National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018 (Cth)Teachers Registration and Standards Act 2004 (SA)

15.2 Related UCWB Policies and Procedures

Addressing Complaints of Past Child Abuse by Former Employees Procedure

Clinical Governance Committee Terms of Reference

Clinical Governance Framework

Code of Conduct

Complaints Management Procedure

Critical Client Incident Management Procedure

Information Sharing Policy

Information Sharing Procedure

Legislation Compliance Policy

Managing Misconduct Procedure

Practice Framework

Risk Management Policy

Risk Management Procedure

15.3 Other Documents (internal and external)

Aged Care Rights Charter, Department of Health, Australian Government

Child safe environments principles of good practice July 2012 (updated 2019), Department of Human Services SA

Convention on the Rights of the Child, United Nations

Convention on the Rights of Persons with Disabilities, United Nations

National Child Safe Policy Framework 2019, Uniting Church in Australia

National Disability Insurance Scheme Practice Standards

National Disability Strategy 2010 – 2020 (Department of Social Services, Australian Government)

National Principles for Child Safe Organisations (Council of Australian Governments)

Responding to Violence, Abuse and Neglect of Vulnerable Adults Work Instruction

Document				
Version No.	Version Date	Next Review Date	Approved by	Summary of Changes
8.0	12/5/21	21/4/24	General Manager Corporate Services	Minor amendment to include references to harm and at risk of harm, in accordance with the terminology used in the Children and Young People (Safety) Act.
7.0	21/4/21	21/4/24	Executive	 Unscheduled review to align with the National Principles for Child Safe Organisations: Following content amended: Policy Statement Purpose Scope External Reporting Information and Training for Staff Lodging Child Safe Environment Statements Responsibilities Relevant Legislation, Policies, Procedures and Other Documents Following content added: Creating Safe Environments How We Respond to Suspected Violence, Abuse, Neglect or Exploitation Internal Reporting Making this Policy Available Implementation of this Policy

16. Document History

Version No.	Version Date	Next Review Date	Approved by	Summary of Changes
6.0	2/12/20	3/10/21	Executive Manager Child and Family Specialist Services	 Unscheduled review to align with amendments to the Ageing and Adult Safeguarding Act 1995 (SA): added sub-section on reporting on abuse of vulnerable adults in section 7.2. Updated Relevant Legislation, Policies, Procedures and Other Documents section.
5.0	3/10/18	3/10/21	Executive	Additions made in line with introduction of NDIS Quality and Safeguarding Commission: in Responsibilities – reference to reporting breaches in relation to vulnerable adults added to Manager / Team Leader responsibilities; in 11.3 references to NDIS rules and guidelines added. Removed Child Safety (Prohibited Persons) Act as not yet commenced Requirement for annual review removed as Disability Services Act 1993 (SA) will not apply from December 2018 Wording re-formatted
4.0	28/5/18	30/9/18	Board	Name changed from Vulnerable Person and Child Safe Environments Policy to Child and Vulnerable Person Safe Environments Policy Legislation references changed to reflect partial commencement of Children and Young People (Safety) Act 2017 in February 2018 Training requirements for staff working in schools and care services in 10 – Training and Education made more specific Reformatted, minor wording changes,
3.0	3/2016	3/2017	Board	Document reviewed Title Changed from Child Safe Environments to Vulnerable person and Child-Safe Environments Safety and Wellbeing of Vulnerable Persons Policy included – Policy 13 Safety and Wellbeing of Vulnerable Persons rescinded. Statements replicated in the procedure for Notifying Child Abuse or Neglect have been amended or removed.
2.0	3/2015		Board	V2 reviewed and restructured information into policy principles with inclusion of updated information. Individual procedure for notifying child abuse/neglect created.
1.0	1/2004		Board	Document created

Attachment 1

Indicators of physical harm, neglect, psychological or emotional and sexual harm

Туре	Indicators		
Physical Harm	Physical indicators include:		
	 bruises or welts on the face or other areas of the body, including back, bottom, legs arms and inner thighs 		
	 any bruises or welts in unusual configurations or which look like the object used to make the injury (finger marks, handprints, iron, teeth, belt buckles) 		
	 burns that show the shape of the object used to make them (iron, grill, cigarette or burns from boiling water, oil or flames) 		
	 fractures of the jaw, nose and limbs, especially those inconsistent with the explanation of their cause (relevant to the child's age or developmental stage) 		
	 cuts and grazes to mouth, lips, gum areas, eye area, genitalia 		
	 human bite marks, bald patches where hair has been pulled out 		
	multiple injuries, old and new		
	 poisoning. 		
	Behaviour indicators include:		
	 the child states that an injury has been inflicted by someone else, offers an unlikely explanation, or 'can't remember' the cause of the injury 		
	 unusual fear of physical contact with adults (flinches when unexpectedly touched) 		
	 wears clothes unsuitable for weather conditions to hide injuries 		
	 fear of a caregiver – reluctant to go home 		
	little or no emotion when hurt or threatened		
	 absences from school without explanation (hiding injuries until healed) 		
	 overly compliant, shy, passive, withdrawn or excessively friendly with strangers 		
	fearfulness when other children cry or shout		
	unusually nervous or hyperactive, aggressive, disruptive to self or others, poor memory and concentration		

	 regressive behaviour such as bedwetting
	 poor sleeping patterns, fear of the dark or nightmares
	 sadness and frequently crying, suicide attempts
Neglect	Physical indicators include:
	 consistently dirty and unwashed
	consistently inappropriately dressed for weather conditions
	 consistently without adequate supervision and at risk of injury or harm
	 consistently hungry, tired and listless, falling asleep in class
	 unattended health problems and lack of routine medical care
	 inadequate shelter and unsafe or unsanitary conditions
	 abandonment by parents
	'failure to thrive' diagnosis
	 'global developmental delay' diagnosis.
	Behavioural indicators include:
	 begging or stealing food
	 gorging when food is available
	 inability to eat when extremely hungry
	 alienated from peers, withdrawn, listless, pale, thin
	aggressive behaviour
	 delinquent acts: vandalism, drug and alcohol abuse
	 little positive interaction with parent or caregiver
	 appearing irritable or miserable
	 poor socialising habits
	 poor evidence of bonding, little stranger anxiety
	indiscriminate with affection
	poor or irregular school attendance

Psychological / Emotional Harm	Behavioural indicators include:
	• withdrawn (not interacting with others)
	 not playful or play dominated by concerning themes (e.g. violence)
	extreme separation anxiety
	• regression in toileting behaviours (e.g. soiling, bed wetting)
	hypervigilance
	aggressive/violent behaviour
	emotional dysregulations
	dissociation/freeze response
	poor attention
	risk-taking behaviour
	• self-harming/suicidal.
	Developmental indicators include:
	 loss of previously acquired developmental milestones
	decline in school performance
	• delays in reaching developmental milestones (e.g. speech).
	Social indicators include:
	 inability to form age-appropriate relationships with
	adults/peers
	chaotic interactions with others
	indiscriminate affection
	lacks trust
	lacks empathy.

Sexual Harm	Physical indicators include:
	Physical indicators include:
	 injury to the genital or rectal area such as bruising or bleeding
	 vaginal or anal bleeding or discharge
	discomfort in urinating or defecating
	 presence of foreign bodies in vagina or rectum
	 inflammation of the genital area
	 sexually transmitted infections or frequent urinary tract infections
	 pregnancy – especially in very young adolescents
	 bruising and other injury to breasts, buttocks, thighs
	anxiety related illnesses, such as anorexia or bulimia
	frequent rocking, sucking and biting
	poor self-care or personal hygiene.
	Behavioural indicators include:
	the child tells of abuse
	 persistent and age-inappropriate sexual activity, including excessive masturbation with objects, rubbing genitals against adults, playing games that act out a sexually abusive event
	a fear of home, a specific place, a specific adult
	 poor or deteriorating relations with adults and peers
	arriving at school early and leaving late
	 complaining of headache, stomach aches, pains nausea without a physiological basis
	sleeping difficulties
	regressive behaviour, such as bed wetting or speech loss
	 sudden accumulation of money or gifts
	truancy or running away from home
	delinquent or aggressive behaviour
	 self-injurious behaviour, such as drug or alcohol abuse, prostitution, self-harm or attempted suicide
	 sudden decline in academic performance, poor memory and concentration, reluctance to participate in physical or recreational activities
	wearing of provocative clothing or layers of clothes
	• promiscuity.