

# CHILD AND YOUTH RISK MANAGEMENT STRATEGY

INALA COMMUNITY HOUSE

## Abstract

The ICH Child and Youth Risk Management Strategy has been created in order to provide a clear understanding of ICH's commitment to the safety and wellbeing of children. This details eight key components of a child and youth risk management strategy and works in conjunction with both organisational and service specific policies and procedures.

This Strategy applies to all Services, programs and activities of ICH, this includes My Place Family Care and its Educators, Community Engagement, Family Services and the Institutional Support team.



## Contents

|   |    |
|---|----|
| Scope .....   | 1  |
| Requirement 1 - Statement of Commitment .....   | 2  |
| Requirement 2 - Code of Conduct.....  | 11 |
| Requirement 3 – Suitability of Workers .....  | 13 |
| Requirement 4 - Disclosures or Suspicion of Harm .....                                | 15 |
| What is Harm?.....  | 15 |
| Identifying Harm .....  | 15 |
| Harm Indicators.....  | 16 |
| Managing and Recording a Disclosure or Suspicion of Harm .....                        | 17 |
| Reporting Disclosures or Suspensions of Harm.....                                     | 19 |
| Confidentiality.....  | 24 |
| Recording.....  | 24 |
| Support for Involved Parties .....  | 24 |
| Requirement 5 – Managing Breaches of the Child and Youth Risk Management Strategy..   | 26 |
| Reporting a Breach.....   | 26 |
| Managing Breaches.....  | 26 |
| Confidentiality.....  | 27 |
| Recording.....  | 27 |
| Requirement 6 – Managing Compliance with the Blue Card System.....                    | 28 |
| Requirement 7 – Risk Management Plans – High Risk Activities and Special Events ..... | 29 |
| Requirement 8 – Strategies for Communication and Support.....                         | 31 |
| Roles and Responsibilities .....  | 32 |
| Review of the Child and Youth Risk Management Strategy .....                          | 32 |

---

## Scope

This Child and Youth Risk Management Strategy (“the Strategy”) shall apply to all persons engaged with the organisation who interact with children and youth. This includes Board members, employees, volunteers, contractors engaged in service delivery (including My Place Family Day Care Educators), trainees and students. For the purposes of this document these persons shall be referred to as workers. This Strategy also applies to all parents and carers, children and youth involved with Inala Community House.

## Requirement 1 - Statement of Commitment

*“Today it is time for every child to have a right to life, right to freedom, right to health, right to education, right to safety, the right to dignity, right to equality, and right to peace.”*

*- Kailash Satyarthi, Nobel Peace Prize 2014*

Inala Community House (ICH) recognises that all children and young people have a right to be safe. ICH is dedicated to supporting the rights of children and young people and is committed to providing a safe and supportive service environment directed at ensuring their safety and wellbeing.

ICH believes:

- The safety of children and young people is paramount and that the best interests of the child are the primary consideration
- The dignity and rights of each child and young person must be respected at all times
- The needs of children and young people from all cultures, religions, backgrounds and all levels of ability should be met without discrimination
- Working in partnership with each child or young persons' family, recognising each family's individuality and parental or carer rights and responsibilities
- All children and young people need to be protected from harm and cared for in safe and appropriate environments which promote individual growth, development and healthy living standards
- Children and young people should be allowed to express their own individuality
- Children and young people have the right to provide feedback on services provided by ICH
- Children and young people have a right to be treated fairly where they can express their concerns and have them addressed
- In using positive guidance and behaviour management techniques which do not include physical, verbal or emotional punishment, including those which humiliate, frighten or threaten

The ICH Child and Youth Risk Management Strategy aims to support this commitment to children, youth and families interacting with the organisation. As part of this Strategy, ICH seeks to uphold the Principles of Child Safe Organisations including:

1. Committed leadership, governance and culture
2. Child and young people are safe, informed and actively participate in the organisation
3. Families and communities involved in safety settings
4. Equity upheld and diversity respected
5. Robust recruitment and screening
6. Effective complaints management
7. Ongoing education and training
8. Safe physical and online environments
9. Regular improvement
10. Child safety and wellbeing policies and procedures

The Strategy operates in accordance with the ICH mission, vision and values which are detailed in the Client Service Charter and is supported by policies and procedures such as the ICH Service User Protection Policy.

Policies and procedures aim to safeguard the safety and wellbeing of children at all times. Individual Services may have further policies and procedures which detail specific requirements.

## Participation of Children and Young People in Services

ICH seeks to build a culture where all children and young people are encouraged and feel empowered to voice their view and opinions about decisions which affect them. This is a critical aspect of feedback and complaints systems.

ICH recognises that all children and young people:

- Have the right to participate in a wide range of decisions affecting their lives. This includes the right to have their opinions taken into account
- Have the capacity to participate and contribute to decisions affecting their lives
- Have the right to choose whether to participate or not and should not be overly influenced by adults
- Should have an equal opportunity to participate
- Have a critical and unique perspective on their own lives.

The following principles should guide the participation of children and young people in any decision-making processes. Participation should:

- Bring them no harm
- Be voluntary and informed having regard to their age, maturity and capacities
- Be responsive to their individual needs
- Be respectful of culture and diversity
- Be meaningful
- Take into account any ethical considerations at the outset and as the process unfolds
- Address power imbalances
- Include continuous reflection

Ways in which participation can be encouraged may include:

- Creating an environment of trust and inclusion that enables children and young people to ask questions and speak up if they feel unsafe
- Not assuming that children and young people have limited abilities. Instead the focus should be on what support can be provided and what can be done better to enable them to participate.
- Identifying and addressing barriers to participation
- Asking children and young people about:
  - Their fears and concerns
  - What they like and dislike
  - Help organise projects and events (in an age appropriate capacity)
  - Help produce information and resources
- Having both formal and informal mechanisms are used to allow them to talk about their needs
- Adults working with them to identify solutions as well as problems

- Adults informing them of how they have used their ideas and wishes in responding to concerns
- Building the capacity of the adults who work with them to develop new skills and ways of working to help overcome any barriers to their participation.
- Challenging the belief that adults often hold about their ability to participate

When obtaining children and young people' views:

- Use language appropriate to the age, maturity and capacity of the child or young person
- Communication should be appropriate to their circumstances and if help is required to express their views, they should be given help
- The child or young person should be given an appropriate explanation of any decision affecting the child
- The child or young person should be given an opportunity, and any help if needed, to respond to any decisions affecting the child

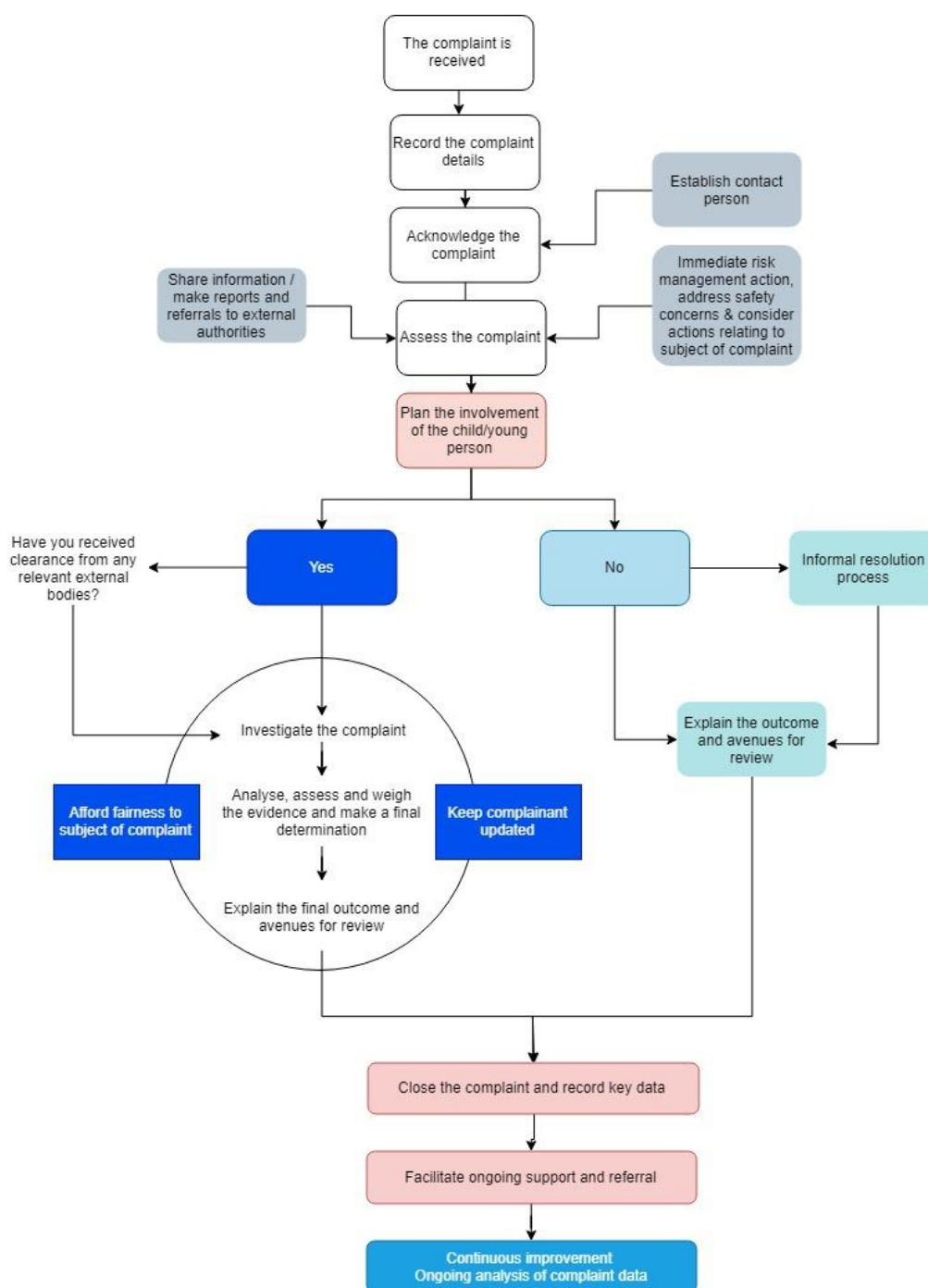
While participation is important for children and young people, it is important that their involvement is requested giving due consideration to their capacity to understand. Relevant factors to consider may include:

- The age of the child or young person
- Their maturity
- Their physical and emotional development
- Changes in their health or medical treatment
- Their background and life experience
- Their ability to understand what would be involved and the consequences of an organisation not taking action

Evaluating a child or young person' capacity should be done on a case by case basis and should inform how services are delivered.

## Children's Rights to Provide Feedback or Make a Complaint

The ICH *Feedback and Complaints Policy* outlines that all stakeholders including children and young people have the right to provide feedback or make a complaint about services received. Where a complaint is received which involves children or young people, the following procedures should be implemented in order to safeguard the child and ensure the matter is handled appropriately. The following is an outline of the complaint handling process where children are involved:



*1 Adapted from the Complaint Handling Guide: Upholding the rights of children and young people, published by the Commonwealth of Australia, Department of the Prime Minister and Cabinet*

ICH seeks to implement a feedback and complaint system which:

- Promotes the rights, safety and wellbeing of children and young people
- Values, listens and respects the rights of children and young people
- Protects the rights of children in the development of policies, procedures and practices and in other decisions affecting them
- Is accessible and responsive to the needs of all children and young people and their parents/carers
- Encourages children and young people to speak up about any concerns, knowing that their views are valued and welcomed

### **Information about Feedback and Complaints**

Children, young people and their parents/carers and workers need to know what they can provide feedback/make a complaint about and how to do this. Information about the feedback and complaints process should be available and accessible to all. Services should also seek to look for opportunities to make known the feedback and complaints process at key points in the service relationship (in accordance with the *Feedback and Complaints Policy and Procedure*).

For children, this is often a more informal and conversational approach by just checking in with them about whether they have any concerns.

### **Identifying Barriers**

ICH will seek to identify and address barriers to participating in the feedback and complaints process (see the *ICH Feedback and Complaints Policy and Procedure*).

Children and young people in out of home care environments may also face significant barriers in providing feedback or making a complaint due to the dependency on adults who are not family members to provide care and supervision which may result in fear that this will not be provided.

Feedback or complaints can be lodged in multiple ways in order to encourage participation in this process. ICH will seek to make reasonable adjustments to the complaints process to ensure that any barriers to participation are removed.

### **Lodging Feedback or a Complaint**

Feedback or complaints may be lodged by a child or by an adult, such as a parent or carer, with or without the child's knowledge. It can also be lodged by people engaged by the organisation, Child Safety, the police or an individual from another service. Examples of these are listed below:

| <b>Child-Initiated</b>  | <b>Adult-Initiated</b>   |
|---|--|
| A child or young person expresses dissatisfaction in relation to service delivery, including any gaps in service provision. | A parent, carer or guardian may raise concerns about an aspect of service delivery regarding services delivered to, or dealings with their child, including any gaps in service provision. |



|   |  |
|---|--|
| A child or young person discloses or complains they have been mistreated or abused in any way by an individual engaged by the organisation (including staff and volunteers) or another child or young person in the organisation. This may constitute concerning conduct, misconduct or criminal conduct. | A parent, carer or guardian may raise suspicions, concerns or alleged breaches of the organisation's Code of Conduct. This may include allegations of inappropriate behaviour towards their child by an individual engaged by the organisation or another child or young person in the organisation. This may constitute concerning conduct, misconduct or criminal conduct. |
| A child or young person raises concerns about the treatment or alleged abuse of another child or young person by an individual engaged by the organisation. This may constitute concerning conduct, misconduct or criminal conduct.   | A parent, carer or guardian may raise concerns about an incident (including actions, omissions, events or circumstances) connected with services provided to, or interactions with, their child. This incident harmed, or could have harmed, their child or another child or young person in the organisation.   |
| <b>Other</b>  |  |
| A staff member of volunteer may report concerns or allegations about the conduct of an individual engaged by the organisation, or in relation to an issue affecting a child or young person in the organisation.  |  |
| A statutory body such as Child Safety or the police may notify the organisation of conduct involving an individual engaged by the organisation relating to a child or young person in the organisation.   |  |
| An individual from another service provider who may provide service to, or interact with, a child or young person in the organisation may raise a concern or allegation about the conduct of an individual engaged by the organisation or an issue affecting a child or young person in the organisation. |  |

Children and young people providing feedback or making a complaint often discuss this with an adult they feel comfortable with or alternately using online methods which may have an element of anonymity where they can 'test the waters'. Feedback or complaints may be made with or without their parent/carer's knowledge.

Where an adult provides feedback or raises a complaint, it is important to establish with the person, whether the child or young person is aware that the concerns have been raised on their behalf, and the nature of any discussions regarding the issues with the child or young person.

Complaints can vary in nature from minor to serious. Serious complaints may require formal investigation (e.g. allegations of abuse) whereas minor complaints may be able to be resolved quickly.

### Planning the Involvement of Children and Young People

It is important to consider the principles above regarding participation in the complaint process and to assess the capacity of children and young people in engaging them in the process. Consideration should be given to:

- How the complaint arose? (whether it was initiated by the child or young person, or another person)
- How complex is the complaint?
- How involved does the child or young person want to be in the complaints process?
- What extent the child or young person wants their parent/carer to be involved in the process?
- What is the relationship between the child or young person and their parents/carer?
- Are the parents/carers implicated in the complaint?

These questions apply regardless of whether the complaint was initiated by the child or by an adult. These questions will usually be determined in conjunction with the child or young person's parents/carer however there may be occasions where it is made clear that they do not want them involved. In these cases, assessing capacity is more complex particularly if the complaint relates to safety or where they are under the age of 14.

Assessing the capacity of the child or young person, will guide the appropriate response without limiting the rights of the child or young person to information or access to support. For example, organisations may need to assess how much information a child or young person should be provided about particular aspects of a complaint or the process and/or whether they should participate in an interview.

There is no set process in order to determine the level of involvement for the child or young person and/or their parents/carer. This will be determined on a case by case basis with regard to the following factors:

- The age of the child or young person
- Their maturity
- Their physical and emotional development
- Changes in their health or medical treatment
- Their background and life experience
- Their ability to understand what would be involved and the consequences of an organisation not taking action.

The involvement of a child or young person in a complaint should be determined with reference to the degree to which they are affected by the complaint (regardless of whether the complaint was initiated by the child/young person).

### **Receiving a Complaint**

The complaints process can be daunting therefore, it is essential that:

- Any questions are answered
- Clear advice is provided about what happens next
- Information is provided about how they will be supported

Upon receiving a complaint, it is essential to identify any safety risks and act quickly to manage them. Depending upon the nature and seriousness of the complaint, this may require notification to the Department responsible for Child Safety or the police (where there is an immediate risk of danger). Where safety issues arise from a complaint, these should be addressed in accordance with the *ICH Child and Youth Risk Management Framework*.

It is good practice to develop a simple plan for involving children and young people throughout the complaints process and seeking the views of their parents/carers (depending upon the circumstances). It is important to consult children and young people about what they would like to happen or what would make them feel safe. Where possible and appropriate, the views of the child/young person should be taken into account in planning any future steps.

To maintain the trust of the child or young person, it is critical to be open and honest, including:

- Informing the child or young person that it may be necessary to notify others particularly where there have been safety issues raised. No promises of secrecy should be made.
- Consulting children and young people before important decisions are made and how information will be used (depending upon circumstances)
- Being honest about what can and cannot be done.

### **Trauma Informed Responses**

It is essential that when children are involved in a complaint that it is handled in a trauma informed way. Some key principles for trauma informed responses include:

- Ensuring physical and emotional safety
- Being trustworthy and transparent
- Allowing both voice and choice in decision making
- Facilitating collaboration and mutuality – a meaningful sharing of power
- Empowerment – recognising and building on an individual's strengths

### **Support**

It is essential to recognise that feedback and complaints regarding children and young people can have a serious impact upon relationships with families/carers and those involved in the process. It is therefore important to try and preserve relationships by offering support to all persons involved (where appropriate). This can be through:

- Implementing immediate strategies to address issues.
- Seeking to get feedback from parents/carers about how they are coping and whether they require support. This could include linking parents/carers to external services who may be able to provide further support.
- Being clear about the process and regularly checking-in to provide information and updates.

## Requirement 2 - Code of Conduct

This Code of Conduct (for Interacting with Children and Young People) is a set of rules outlining standards of acceptable conduct when interacting with children and young people. This Code of Conduct sets the minimum expected standards across the organisation, Services may have additional requirements.

At ICH, workers will:

|                |         |             |               |           |   |
|----------------|---------|-------------|---------------|-----------|---|
| CLIENT SERVICE | RESPECT | INCLUSIVITY | COLLABORATION | INTEGRITY | ✓ Act with integrity and honesty  |
|                |         |             |               |           | ✓ Deliver services in a professional manner   |
|                |         |             |               |           | ✓ Act in a respectful and appropriate manner towards all stakeholders, including children and young people, in how we dress, speak and act  |
|                |         |             |               |           | ✓ Assist children to grow and achieve their milestones and goals  |
|                |         |             |               |           | ✓ Value and respect each child and young person as an individual, as a member of their family and community   |
|                |         |             |               |           | ✓ Respect the child or young person's relationship with family, significant other persons and their culture   |
|                |         |             |               |           | ✓ Respect the privacy of children and young people. Information regarding children and young people should remain confidential, except where it is necessary to disclose that information |
|                |         |             |               |           | ✓ Facilitate open and honest communication using appropriate and respectful language  |
|                |         |             |               |           | ✓ Actively seek feedback from children, young people and families   |
|                |         |             |               |           | ✓ Promote positive behaviour support principles and practices   |
| CLIENT SERVICE | RESPECT | INCLUSIVITY | COLLABORATION | INTEGRITY | ✓ Report and document any actual or suspected abuse of children and young people  |
|                |         |             |               |           | ✗ Not engage in inappropriate physical contact, this may include touching of a sexual nature or violent contact   |
|                |         |             |               |           | ✗ Not bully, harass, discriminate or exploit others   |
|                |         |             |               |           | ✗ Not demean or belittle others   |
|                |         |             |               |           | ✗ Not use inappropriate language which may include swearing, sexual comments or innuendo, threats, criticism or age-inappropriate topics  |
|                |         |             |               |           | ✗ Not dismiss the feedback from children and young people   |
| CLIENT SERVICE | RESPECT | INCLUSIVITY | COLLABORATION | INTEGRITY | ✗ Not discipline or encourage discipline of children and young people which involves physical, emotional or mental discipline   |
|                |         |             |               |           |   |

Breaches of this Code of Conduct may result in disciplinary action, up to and including termination or dismissal. Breaches may also be reported to the Department, Police or other relevant authorities.

As relevant, ICH and Services will have policies, procedures and processes in place regarding:

- Expected standards of behaviour for children and young people
- Behaviour management strategies
- Supervision of children and young people
- Physical contact with children and young people
- Appropriate and inappropriate language
- One-on-one contact and relationships with children
- Transportation of children
- Child and young people's privacy (toileting, dressing, etc.)
- Health and safety needs
  - Sleep and rest
  - Hygiene
  - Sun safety
  - Water safety
  - Emergency and evacuation procedures
  - Inspections of premises and equipment
- Management of illness and injuries
- Bullying (including cyberbullying), discrimination and sexual harassment
- Photography
- Technology and media
- Substance use
- Confidentiality and privacy

## Requirement 3 – Suitability of Workers

As part of the risk management strategy for dealing with children and young people, ICH has strategies to ensure that workers are suitable for the role. These strategies include:

|   |   |
|---|---|
| <b>Recruitment</b>                                  |   |
| Advertising   | Where clear duties and responsibilities are listed, the requirement to hold a Blue Card and LCS2 check is stated  |
| Position Descriptions                               | Which clearly outline the roles and responsibilities of the position  |
| Interviews  | Which are based on the Position Description   |
| Reference Checking                                  | Which includes wherever possible, a direct line manager/supervisor  |
| Selection Processes                                 | A merit-based selection process developed from the Position Description   |
| <b>Starting with the Organisation</b>               |   |
| Induction   | Ensure that workers are inducted appropriately (which includes the Child and Youth Risk Management Strategy)  |
| Probationary periods                                | Which are used to ensure the suitability of the worker  |
| <b>Management and Supervision</b>                   |   |
| Professional Development Plans                      | Which are created to identify clear goals and address any needs   |
| Supervision   | Regular supervision which may be formal or informal   |
| Performance Appraisals                              | A collaborative process to evaluate staff performance, training needs and areas for improvement   |
| Performance Management                              | Having clear and fair performance management and disciplinary processes   |
| <b>Harm</b>   |   |
| Preventing and Responding to Harm                   | Clear strategies are in place to prevent and respond to harm of children and young people   |
| <b>Suitability</b>                                  |   |
| Appropriate Suitability Checks                      | Having appropriate suitability checks in place which are maintained on an appropriate register  |
| <b>Training &amp; Information</b>                   |   |
| Training and information                            | Ensuring workers have access to training opportunities or information is provided relating to the child and youth safety and risk management                                |
| <b>Support</b>                                      |   |
| External Support                                    | Having external support available for staff such as Employee Assistance Programs and professional consultants   |
| Internal Support and Conflict Management Strategies | Having internal support and conflict management strategies which may include mentoring, mediation, conflict resolution, coaching, training                                  |
| Management  | Having clear reporting structure and management teams focused on supporting workers   |
| <b>Exiting the Organisation</b>                     |   |
| Exit Interviews                                     | Offering workers exit interviews (where possible and appropriate) which aim to identify areas of concern or risk.   |
| <b>Feedback and Complaints Framework</b>            |   |
| Feedback and Complaints                             | Having effective feedback and complaints processes which promote engagement with service users (including children and young people) which allow them to voice any concerns |

### **My Place Family Day Care Educators**

My Place Family Day Care has separate strategies in place to ensure the suitability of Educators, this includes:

- Reference checking
- Home safety assessments
- Probationary periods
- Ongoing training opportunities
- Regular visits
- Providing ongoing support
- Interviews with prospective Educators and their families
- Blue Card and Police Checks

Educators are required to hold or be studying for appropriate childcare qualifications.

### **Out of Home Care**

Out of Home care has separate strategies which, in conjunction with the Department, assist in ensuring the suitability of carers.

## Requirement 4 - Disclosures or Suspicion of Harm

ICH has zero tolerance for harm directed towards children, young people, service users, workers and other stakeholders. This section of the Child and Youth Risk Management Strategy aims to outline ICH's responsibilities regarding disclosures or suspicions of harm relating to children and young people. ICH recognises the importance of having policies and procedures in place which aim to both prevent any harm occurring and to respond quickly and appropriately where it may be identified.

### What is Harm?

Harm is defined as 'any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing' (section 9, *Child Protection Act 1999*). Harm can include (not an exhaustive list):

| Types of Harm  |   |
|--|---|
| Physical   | <ul style="list-style-type: none"><li>• hitting, shaking, burning, biting</li><li>• giving children alcohol, drugs and inappropriate medication</li></ul>   |
| Psychological, or emotional abuse  | <ul style="list-style-type: none"><li>• persistent rejection or hostility</li><li>• constant yelling, insults or criticism</li><li>• exposure to domestic or family violence</li></ul>  |
| Neglect  | <ul style="list-style-type: none"><li>• insufficient food</li><li>• unhygienic living conditions</li><li>• failure to provide health care</li><li>• leaving children unattended</li></ul>                                     |
| Sexual abuse or exploitation   | <ul style="list-style-type: none"><li>• kissing or touching a child in a sexual manner</li><li>• exposure to pornography</li><li>• engaging in sexual relations with a child or young person under 16 years of age.</li></ul> |
| <i>Harm can be caused by a single act or omission or by a series of acts or omissions.</i> |   |

### Identifying Harm

#### What is a Disclosure of Harm?

A disclosure of harm occurs where someone, including a child, tells you about harm that has happened, is happening or is likely to happen to a child. ICH will seek to act quickly and in the best interests of the child or young person after a disclosure of harm is received, irrespective of the alleged source of harm.

#### What is a Suspicion of Harm?

A suspicion of harm arises when someone has a reasonable suspicion that a child has suffered, is suffering or is at unacceptable risk of suffering significant harm. This includes circumstances which relate to an unborn child who may be in need of protection after birth. Children who have, or are experiencing harm may show behavioural, emotional or physical signs of stress and abuse (see the Harm Indicators section below).



## Harm Where the Threshold is Not Met

Other circumstances including those where the harm does not meet the threshold to be considered a disclosure or suspicion of harm.

### Examples

You can suspect harm where:

- A child or young person tells you they have been harmed
- Someone else, for example another child, a parent, or an employee, tells you that harm has occurred or is likely to occur
- A child or young person tells you they know someone who has been harmed (it is possible that they may be referring to themselves)
- You are concerned at significant changes in the behaviour of a child or young person, or the presence of new unexplained and suspicious injuries, or
- You see the harm occurring.

## Harm Indicators

Harm indicators can vary depending on the child, the duration of the harm, nature of the harm, the relationship with the perpetrator and their support networks.

Different types of harm can be sustained dependent on the actions of the perpetrator. Some of these can include:

- Physical harm (referring to the body) can result in bruising, fractures, internal injuries, burns
- Psychological harm (refers to the mind and cognitive processes) can result in learning and developmental delays and impaired self-image
- Emotional harm (refers to the ability to express emotions) can result in depression, hypervigilance, poor self-esteem, self-harm, fear and anxiety.

| General Indicators of Child Abuse   | General Indicators of Neglect   |
|---|---|
| <ul style="list-style-type: none"> <li>• Showing wariness and distrust of adults</li> <li>• Increased tension, irritability, reactivity and inability to relax</li> <li>• Reduced eye contact</li> <li>• Rocking, sucking or biting excessively</li> <li>• Bedwetting or soiling</li> <li>• Demanding or aggressive behaviour</li> <li>• Sleeping difficulties, often being tired and falling asleep</li> <li>• Loss of self-esteem or self-confidence</li> <li>• Withdrawal</li> <li>• Difficulty relating to adults and peers</li> <li>• Abusing alcohol or drugs</li> <li>• Being seemingly accident prone</li> <li>• Having broken bones or unexplained bruising, burns or welts in different stages of healing</li> <li>• Being unable to explain an injury, or providing explanations that are inconsistent, vague or unbelievable</li> <li>• Feeling suicidal or attempting suicide</li> <li>• Having difficulty concentrating</li> <li>• Being withdrawn or overly obedient</li> <li>• Being reluctant to go home</li> <li>• Creating stories, poems or artwork about abuse.</li> </ul> | <ul style="list-style-type: none"> <li>• Malnutrition, begging, stealing or hoarding food</li> <li>• Poor hygiene, matted hair, dirty skin or body odour</li> <li>• Unattended physical or medical problems</li> <li>• Comments from a child that no one is home to provide care</li> <li>• Being constantly tired</li> <li>• Frequent lateness or absence from school</li> <li>• Inappropriate clothing, especially inadequate clothing in winter</li> <li>• Frequent illness, infections or sores</li> <li>• Being left unsupervised for long periods.</li> </ul> |

It is important to recognise that indicators can also be present for a range of other reasons which do not include abuse or neglect (e.g. some medical conditions can cause brittle bones which could result in multiple fractures). ICH workers will respond taking into consideration the situation and reporting in accordance with this Strategy.

Inala Community House has strategies in place to deal with disclosures and suspicions of harm, and harm where the threshold of reporting is not met.

## Managing and Recording a Disclosure or Suspicion of Harm

Where a disclosure of harm is made, the person receiving the disclosure should:

### Listen

- Remain calm and listen attentively, actively and non-judgementally
- Ensure there is a private place to talk
- Encourage the person to talk in their own words

### Reassure

- Reassure them that they have done the right thing by telling someone
- Address any concerns they have about disclosing harm
- Reassure them that it is not their fault

### **Ask**

- Ask just enough open-ended questions to act protectively (e.g. Can you tell me what happened?). Don't ask leading questions which can tend to suggest an answer. Do not treat the conversation like an interview, the goal is to encourage the child/young person to open up.
- Ask what can be done to help them feel safe and involved in the process

### **Respect and Inform**

- Make no promises regarding secrecy, instead explain to the person that you will need to tell someone in order to get help
- Tell them what happens next
- Ask them what they need to make them feel safe and involved in the process

### **Response**

- Document the disclosure clearly and accurately, including a detailed description of:
  - The relevant dates, times, locations and who was present
  - Exactly what the person disclosing said (use "I said" and "They said" statements)
  - The questions you asked
  - Any comments you made
  - Your actions following the disclosure
- Do not attempt to investigate or mediate
- Follow all relevant processes for reporting a disclosure of harm.

It is critical that when responding to a disclosure that the worker does not conduct an interview and quiz the child, this can result in them feeling like there is doubt about what they are saying. Equally, the conversation should not be ended too quickly, resulting in the child or young person feeling like their concerns have been dismissed or that there is disinterest in what they are saying. Instead encourage an open environment where the child or young person feels able to talk freely and listen attentively to what they are saying.

When a person forms a suspicion of harm (or other concern for a child's welfare), they should:

- Remain alert to any warning signs or indicators
- Pay close attention to changes in the child's behaviour, ideas, feelings and the words they use
- Make written notes of observations in a non-judgemental and accurate manner
- Assure a child that they can come to talk when they need to, listen and believe when they do
- Follow all relevant processes for reporting a suspicion of harm.

## Reporting Disclosures or Suspicions of Harm

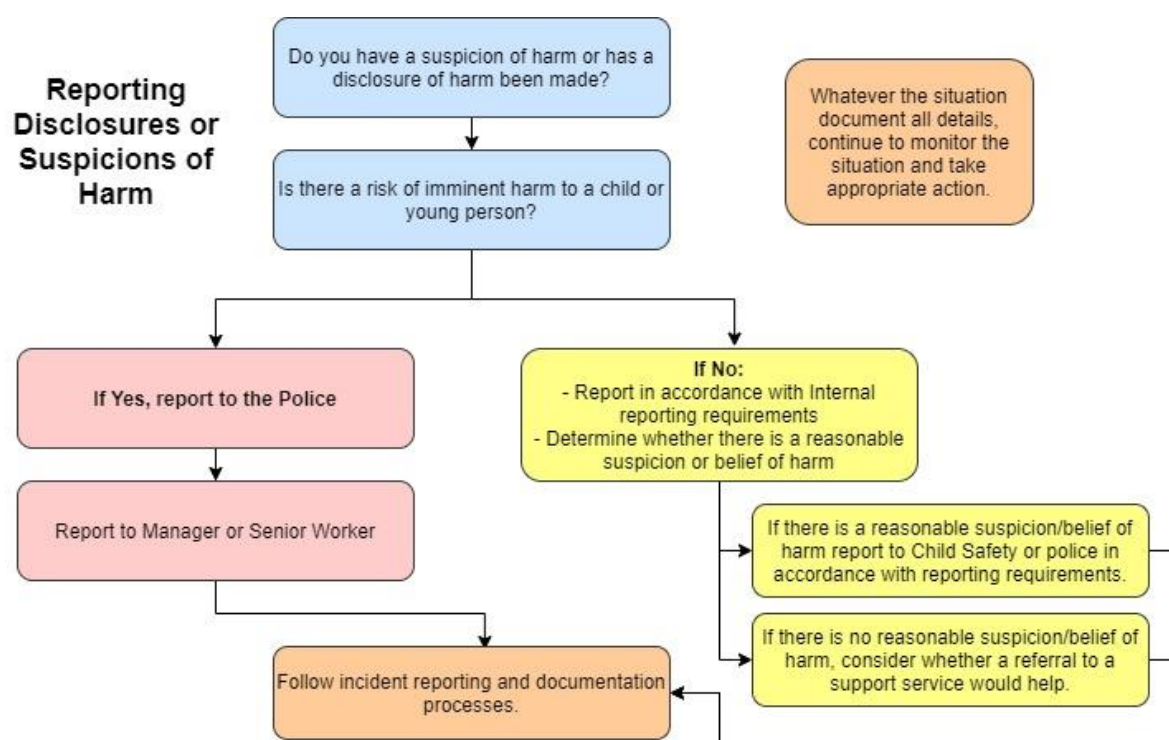
There are multiple types of reporting requirements within ICH including:

- Mandatory reporting (required of all workers) under the *Child Protection Act 1999*
- Child Sexual Offences reporting (required of all workers) under the *Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020*
- Internal reporting requirements

My Place Family Day Care Educators are mandatory reporters and are to report disclosures or suspicions of harm in accordance with the *My Place Child Protection Policy*.

These different types of reporting requirements are detailed below in relevant sections.

To simplify these different reporting requirements, the following diagram represents the process for reporting:



### **1. Consider whether this should be reported to Queensland Police**

Disclosures or suspicion of harm should be reported to the police where the child is at imminent risk of harm.

- If an individual believes that a child is in immediate danger or in a life-threatening situation, they should immediately contact the police by calling 000.
- After calling the police, the person should report the incident to their Manager or senior worker.

Where a child is not in immediate danger, the worker should report to the Manager.

### **2. Consider whether the suspicion/belief of harm needs to be reported to Child Safety or the Police (in accordance with the type of reporting required)**

ICH is dedicated to ensuring the safety and wellbeing of children. ICH requires all workers (including non-mandatory reporters) to report to Child Safety or the Police where there is a reasonable suspicion/belief of harm (see the Reporting section below).

- Workers who believe a child may be at risk, should first report this concern in accordance with internal reporting requirements
- The person hearing the report can assist workers to determine where this should be reported and evaluate any avenues which can be taken to support or protect the child. They will also assist workers to make a report (where needed) and will provide support for the worker involved.

### **3. Consider whether referral is required to other support services**

Where concerns for a child do not amount to a reasonable suspicion of harm, a family can be referred to a support service such as Family and Child Connect. This can only be done so where the family consents.

Support services may have different eligibility criteria. If unsure, either Queensland Police or Child Safety may be able to assist with identifying support services.

Prior to talking with parents, guardians or carers, advice may be sought from QPS or Child Safety. ICH will follow any guidance provided from QPS or Child Safety.

If a family does not consent to a support service, workers should, if possible, continue to support and monitor the child and family.

## *Mandatory Reporting*

In accordance with the Child Protection Act 1999, ICH has mandatory reporters (including family day care coordinators, educators, Out of Home Care workers and foster and kinship carers) which requires reporting of reasonable suspicions of harm. ICH however requires all persons to report reasonable suspicions of harm in accordance with ICH's position of zero tolerance for harm directed towards children and young people.

Mandatory reporters must report to Child Safety a reasonable suspicion that a child:

1. has suffered, is suffering, or is at unacceptable risk of suffering significant harm, caused by physical or sexual abuse, and
2. does not have a parent able and willing to protect the child from the harm.

Mandatory reports should also report a reasonable suspicion that a child or unborn child may be in need of protection where the harm or risk of harm relates to any other type of abuse or neglect.

## **Factors to Consider**

### Child

Factors to be considered when deciding whether there is reasonable suspicion that a child has suffered, is suffering or is at unacceptable risk of suffering significant harm includes:

- Any detrimental effects on the child's body or the child's psychological or emotional state -
  - that are evident to the person; or
  - that the person considers are likely to become evident in the future
- In relation to any detrimental effects -
  - their nature and severity; and
  - the likelihood that they will continue; and
- The child's age

The person's consideration may be informed by an observation of the child, other knowledge about the child or any other relevant knowledge, training or experience that the person may have.

### Parent

If a parent is not both willing and able to protect the child from harm, then a report must be made. This means that a parent must have the capacity to protect the child from harm (e.g. parents who suffer from severe mental health conditions or physical illness or injury may be considered as lacking the necessary capacity). Parents must also be willing to protect the child from harm (for example ending a relationship with a person who is harming the child). In some cases, a parent may be both not able and not willing to protect the child from harm.

### **Helpful Resource**

The Department of Children, Youth Justice and Multicultural Affairs has an Online Child Protection Guide on their website. This can be used as a guide on what appropriate action

In some cases where serious harm has occurred it may be presumed that there is no parent willing and able to protect the child.

## **Making a Report**

To make a report, the person should contact the Child Safety Services' Enquiries Unit on 1800 811 810 (who will be able to direct the call to the appropriate unit) or alternately, after hours contact 1800 177 135. The report must contain the basis on which the person has formed the reportable suspicion.

In accordance with section 13G of the Child Protection Act 1999 and section 4 of the Child Protection Regulations 2023. The report should include the following information:

- a) the child's name, age and sex descriptor;
- b) details of how to contact the child;  
*Examples of how to contact a child—*
  - the address at which the child usually lives
  - the name and address of the school the child attends
- c) details of the harm to which the reportable suspicion relates;
- d) particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering, the harm to which the reportable suspicion relates;
- e) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.

A person making a report is protected from liability under the Child Protection Act 1999 from civil or criminal legal actions and is not considered to have broken any code of conduct or ethics where they have acted honestly and reasonably.

## *Child Sexual Offences Reporting*

Recently the Qld Government has sought to strengthen laws protecting children. A new law was introduced 5 July 2021 which requires all adults to report child sexual offending by an adult to the police except where there is a reasonable excuse not to.

## **Who is a Child?**

For this law, a child means a person under 16 or a person under the age of 18 with an impairment of the mind.

## **What is a Child Sexual Offence?**

A child sexual offence is an offence of a sexual nature committed against a child and includes:

- Indecent treatment of a child
- Carnal knowledge with or of a child
- Rape
- Incest
- Grooming a child (or their parent or carer)

- Making child exploitation material
- Maintaining a sexual relationship with a child

## **Failure to Report**

These laws will apply to all adults over the age of 18. This means that if an adult reasonably believes (or should reasonably believe) that a child is being or has been the victim of sexual abuse, they must report it to the police unless they have a reasonable excuse.

## **What is a Reasonable Belief?**

A reasonable belief is a belief that a reasonable person would form in the same position and with the same information. Whether a reasonable belief would be formed will always depend upon the circumstances. A reasonable belief could be formed, for example by:

- A child states they have been sexually abused
- The child has signs of sexual abuse ( <https://www.qld.gov.au/community/getting-support-health-social-issue/support-victims-abuse/child-abuse/child-sexual-abuse/child-sexual-abuse-signs>)

If a worker has a reasonable belief that a child has experienced sexual abuse or is at risk of sexual abuse, it must be reported to police unless there is a reasonable excuse for not doing so.

## **What is a Reasonable Excuse?**

A reasonable excuse for not reporting sexual abuse against a child is not exhaustively defined however it may include if:

- It has already been reported to an appropriate authority or it is known that another person has or will report it (e.g. it has already been reported to Child Safety or the worker knows that the Manager has already reported the offence according to other laws)
- Information was received about the victim who is now an adult and it is reasonably believed they don't want to reveal it to the police
- The worker believes reporting the offence would endanger them or another person (other than the alleged offender)

Workers do not need to report an offence to the police if it has already been reported to an appropriate authority such as Child Safety.

## **Reporting Offences Occurring in the Past**

If information is gained after 5 July 2021 that leads to a reasonable belief a sexual offence has been committed against a child and there is no reasonable excuse for not reporting – it must be reported, even if the abuse happened a long time ago.

If the information was received prior to 5 July 2021, it does not have to be reported it under the new laws however all workers should report in accordance with other laws (e.g. mandatory reporting) and Service requirements. Even if there is no legal obligation, ICH requires all workers to report incidents or reasonable belief of harm to your Manager.



## Internal Reporting

| Breaches of the Strategy By   | Actions  |
|---|--|
| <b>Persons involved with My Place FDC including:</b><br><br>Parents, carers, children, young persons or educators within My Place FDC     | <ul style="list-style-type: none"> <li>Report to a Coordinator, the Senior Coordinator or the Nominated Supervisor</li> <li>Complete appropriate Incident Reporting forms.</li> </ul>  |
| <b>Internal workers including:</b><br><br>Board Members, staff, contractors engaged in service delivery, trainees, students or volunteers | <ul style="list-style-type: none"> <li>Report to the Chief Executive Officer</li> <li>Complete appropriate Incident Reporting forms</li> </ul>   |
| <i>If a breach involves the Chief Executive Officer, this should be reported to the Secretary of the Board.</i>                           |  |
| <b>Other Persons including:</b><br><br>Clients, parents, carers, children, youth and any other stakeholders.                              | <ul style="list-style-type: none"> <li>Report to the Service Manager or senior worker (in accordance with the Reporting Disclosures or Suspicions of Harm section)</li> <li>Complete appropriate Incident Reporting forms (this may be completed by a worker)</li> </ul> |

It is critical that reporting systems are clear and accessible for all people involved with the organisation. To ensure that reporting is accessible to all service users, parents, carers, children, youth and other stakeholders, ICH may receive reports through existing feedback and complaint systems or by persons contacting workers (by any means).

## Confidentiality

All information which is related to disclosures or suspicions of harm are considered confidential. Any information should be stored securely. Persons are not permitted to share the information except where permitted by legislation, service agreement or other authorising body.

## Recording

All circumstances surrounding a disclosure or suspicion of harm should be fully documented. Incident reports should be completed as soon as possible after a disclosure or suspicion of harm.

This should also be recorded on the relevant Incident Register.

## Support for Involved Parties

ICH shall seek to support the child/young person after receiving a disclosure of harm by using a trauma-informed approach. This includes:

- Ensuring physical and emotional safety
- Being trustworthy and transparent

- Allowing both voice and choice in decision making
- Facilitating collaboration and mutuality – a meaningful sharing of power
- Empowerment – recognising and building on an individual's strengths

Where appropriate, ICH will also seek to provide support to families/carers.

ICH shall seek to support all workers who have been involved in hearing a disclosure of harm or who have had to follow the reporting process.

ICH shall follow the guidance of the Department of Children, Youth Justice and Multicultural Affairs or the police regarding any support which could be provided to the child (where applicable).

## Requirement 5 – Managing Breaches of the Child and Youth Risk Management Strategy

Inala Community House is committed to having systems in place which respond appropriately to breaches of the Child and Youth Risk Management Strategy. Any breaches may result in disciplinary action, up to and including termination or dismissal from ICH.

A breach is any action or inaction by any member of the organisation (see 'Scope'), that fails to comply with any part of the strategy. A breach also includes circumstances where a breach has occurred but where harm has not been caused.

### Reporting a Breach

All incidents or suspicions of harm must be reported in accordance with the above reporting requirements.

Incident reporting is a critical part of the documentation requirements relating to harm occurring within the organisation and reports can be used to form a reasonable suspicion of harm. The person receiving the report may request incident reports from any person involved in the breach. If a report has been made by a service user, parent, carer, child, young person or other stakeholder, a report may be completed by a worker.

Upon receiving a report of a breach, the person receiving the report shall take appropriate steps based on the situation in order to protect the child and support the persons involved.

The Chief Executive Officer may be required to report breaches to funding bodies or other relevant agencies. This may include, but is not limited to the Police, the Department of Children, Youth Justice and Multicultural Affairs and insurers.

### Managing Breaches

A breach will be managed based upon the seriousness. Any consequences will be proportionate to the breach.

An investigation may be required where:

- The disclosure or suspicion of harm is lodged against a worker
- An alleged breach of a standards of care or another statutory standard
- An alleged breach of policy, procedure or reasonable work direction

During an investigation, ICH will:

- Refer the worker to the employee assistance program or other support options
- Maintain confidentiality
- Ensure the process is fair and transparent this involves:
  - Advising all persons involved of the process
  - All relevant persons shall be given the opportunity to provide their version of events. Relevant persons may include the reporter, the child (depending on age and ability), the parent or carer and any witnesses to the alleged breach

- Place the worker on suspension (if deemed necessary based on the circumstances). If this is a staff member, this shall be a paid suspension.

Outcomes may include, but are not limited to:

- Determining the alleged breach is unfounded
- Emphasising the relevant component of the child and youth risk management strategy
- Providing closer supervision
- Providing further education and training
- Mediating between those involved in the incident (where appropriate)
- Disciplinary procedures
- Termination or dismissal from ICH
- Reporting to police, Department of Children, Youth Justice and Multicultural Affairs or as required by funding agreements
- Reviewing current policies and procedures, and
- Developing new policies and procedures (if necessary)

## Confidentiality

All information which is related to breaches are considered confidential. Any should be stored securely. All persons involved in this process should maintain the confidentiality of the alleged breach.

## Recording

All steps involved in an alleged breach of the Strategy, should be fully documented. This includes, but is not limited to, incident reports, case notes, correspondence, investigation reports, etc.

Cases involving harm should be recorded on the relevant Incident Register.

## Requirement 6 – Managing Compliance with the Blue Card System

Inala Community House is committed to protecting the safety and wellbeing of all children and young people. ICH has policies and procedures which commit to upholding this objective. Policies and procedures which aim to meet the required standards as dictated within legislation, service agreements and auditing standards. This includes:

- Working with Children (Risk Management and Screening) Act 2000
- Working with Children (Risk Management and Screening) Regulations 2011
- Child Protection Act 1999
- Child Protection Regulations 2023
- National Disability Insurance Scheme Act 2013
- National Quality Standards
- Child Care Act 2010
- Child Care Regulations 2011
- HSQF Standards
- Service Agreements with Department of Children, Youth Justice and Multicultural Affairs, Department of Social Services, Department of Communities, Disability Services and Seniors

### **My Place Educators**

My Place Family Day Care Educators must also comply with all Blue Card requirements.

## Requirement 7 – Risk Management Plans – High Risk Activities and Special Events

ICH uses a risk-based approach to identify, assess, eliminate or control the risk. This is process which requires ongoing monitoring. ICH is committed to ensuring that high risk activities or special events are safe for children and minimise the likelihood of harm occurring.

High risk activities can include factors such as environment, supervision, the activity or training. This can include but is not limited to situations where:

- Children are unsupervised/alone
- Children are alone for long periods with a worker (excluding My Place FDC Educators)
- Where the adult to child ratio exceeds 4:1 (excluding My Place FDC Educators)
- Presence of other people (external to ICH) who may pose a risk to children
- Large groups of people
- Children are able to leave the perimeter (e.g. lack of fencing in a park)
- Children are near a water source such as a lake or swimming pool
- Age inappropriate activities, music, media or other inappropriate content are present
- Where the nature of the activity being conducted is high risk such as swimming, bushwalking or rock climbing
- Where equipment used or present is dangerous such as tools or chemicals
- Workers have incorrect or inadequate instructions or training

This is not an exhaustive list and therefore a risk assessment considering the unique circumstances of the activity or event is required. The goal of the risk assessment should be to eliminate, mitigate and implement controls to reduce the risk to children and young people.

ICH manages this by requiring:

- Activities which involve children are risk assessed
- Risk management plans are required to be completed and approved prior to the event

### **My Place**

My Place Educators are also required to complete risk assessments for all activities (including high-risk activities).

## Risk Management Plans

Risk management plans should be created in accordance with the Risk Management policy. Broadly, a plan should:

### Describe the Event

- This includes purpose, activities, location, equipment, people involved/present, etc.

### Identify Risks.

- This could include risks within the environment, with the activity, with equipment, people, lack of supervision, illness, etc. Consider each activity and location. Identify by considering how a child could be harmed. Risks can be physical, emotional or psychological.

### Analyse the Risk

- Analysis of the risk in accordance with the Risk Management policy.

### Controlling the Risk

- Aiming to eliminate or mitigate risks in accordance with the Risk Management policy. If controls are not adequate to reduce the risk (where harm is likely to occur) then a review of the event or activity should be conducted.

### Create a Risk Management Plan

- Documenting the risk management plan. Each of these steps should be documented and approved by a Manager or senior worker

### Review the Plan

- Review the plan to gauge its effectiveness and make any improvements. Plans should be kept on file and may be useful for future planning of activities or events.

## Requirement 8 – Strategies for Communication and Support

Inala Community House is committed to ensuring that this Child and Youth Risk Management Strategy is available for all workers.

ICH shall ensure that workers are trained regarding the safety of children. This shall occur during induction, in training, in informal discussions, meetings or other informal updates.

This strategy may also be referenced and supported throughout other ICH policies, procedures and used as a guideline for practice.

This strategy may also be supported by service specific policies.

ICH recognises the importance of having an effective method for communicating the Child and Youth Risk Management Strategy. Effective communication will:

- Ensure that all people in the organisation are aware of their responsibilities and understand what is acceptable behaviour for interacting with children
- Enable people to feel comfortable addressing issues of concern
- Highlight the importance of ICH's commitment to protecting the safety and wellbeing of children within the service
- Reduce the likelihood of breaches of the Child and Youth Risk Management Strategy.

ICH will communicate the Child and Youth Risk Management Strategy through:

- Policies and procedures which promote Child and Youth Risk Management
- Discussions with workers about Child and Youth Risk Management
- Information on the ICH website

Services may have other tools to communicate this Strategy.



## Roles and Responsibilities

The Chief Executive Officer shall:

- Oversee the implementation of the Child and Youth Risk Management Strategy
- Promote respectful relationships with children and young people and a zero-tolerance approach to harm
- Ensure that any suspected breaches are investigated and acted upon in accordance with this Strategy
- Promote the National Principles for Child Safe Organisations
- Ensure appropriate reporting takes place

Managers and senior Workers shall:

- Oversee the implementation of the Child and Youth Risk Management Strategy within their Service
- Promote respectful relationships with children and young people and a zero-tolerance approach to harm
- Ensure that workers are aware of and understand the ICH Strategy and any service specific strategies
- Promote the National Principles for Child Safe Organisations
- Report any suspected breaches of the Child and Youth Risk Management Strategy

All workers shall:

- Comply with the Strategy
- Report any suspected breaches of this Strategy
- Build respectful and appropriate relationships with children and young people

## Review of the Child and Youth Risk Management Strategy

ICH shall review all child and youth risk management strategies annually or following a disclosure or suspicion of harm being actioned or a breach of this Strategy. This review shall:

- aim to identify strengths and weaknesses within policies, procedure and this Strategy
- identify any further training required or review the frequency of training