

# Child Safe Environment Policy and Procedure

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## PURPOSE

This policy outlines Nextt Group Group’s (inclusive of Nextt Group and Dolleina throughout this policy) responsibilities and commitment to the safety and wellbeing of children and young people. The purpose of this policy is to:

- Reinforce our commitment to the rights of children and young people to experience safe and trusting relationships in safe and nurturing environments where children and young people are respected and encouraged to participate.
- Safeguard the health and wellbeing of children and young people supported by Nextt Group, in line with the Child Safety Standards, and with a focus on services that support children, young people and families to thrive using evidence based, developmental approaches.
- Outline the roles and responsibilities employees have in relation to the safety and wellbeing of children and young people who receive services from Nextt Group, and specific responses to concerns, disclosures or allegations of child abuse and/or risk of harm
- Support the delivery of high-quality services through appropriate documentation of service planning, delivery and evaluation, as well as full and transparent reporting of adverse events, incident investigation and review.
- Meet mandatory external reporting requirements, including: state-based child protection bodies, Department of Health, Department of Education and Training, State and Federal Police, NDIS Commission, state and other federal funding bodies, where harm or a risk of harm has been identified
- Ensure Nextt Group adheres to a child focussed complaints and feedback process

## SCOPE

This policy applies to all Nextt Group clients, families, directors, managers, employees, volunteers and agency subcontractors who deliver services to or work in the presence of children and young people on behalf of Nextt Group. This policy is available through Nextt Group Groups record management systems or upon request

## DEFINITIONS

Key Term	Definition
<b>Child or young person</b>	A child or young person is a person under eighteen years of age.
<b>Child Abuse</b>	Is an act by parents, care-givers or service providers that endangers a child or young person’s physical, emotional health or development. Child abuse can be a single incident, but usually takes place over time.
<b>Cultural Safety</b>	acknowledgement and continuity of cultural identity and needs, with consideration for any related loss, trauma, displacement or communication considerations is in best interests of child’s wellbeing and safety.
<b>Child Protection</b>	Child Protection Service is specifically targeted to those children and young people at risk of harm or where families are unable or unwilling to protect them. The main functions of child protection are to:

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	<ul style="list-style-type: none"> <li>investigate matters where it is alleged that a child is at risk of harm</li> <li>refer children and families to services that assist in providing the ongoing safety and wellbeing of children</li> <li>take matters before the Children's Court if the child's safety cannot be ensured within the family</li> <li>supervise children on legal orders granted by the Children's Court</li> <li>provide and fund accommodation services, specialist support services, and adoption and permanent care to children and adolescents in need.</li> </ul>
<b>Complainant</b>	Person who makes a complaint
<b>Cultural safety for Aboriginal children and young people -</b>	Acknowledgement and continuity of cultural identity and needs, with consideration for any related loss, trauma, displacement or communication considerations is in best interests of child's wellbeing and safety.
<b>Cultural safety for children and young people from culturally and/or linguistically diverse backgrounds</b>	An environment which is spiritually, socially and emotionally safe, as well as physically safe for children and young people; where there is no assault, challenge or denial of their cultural or linguistic identity, of who they are and what they need. Efforts need to be made to ensure the culturally and/or linguistically diverse children, young people and their families receive information in a culturally sensitive, relevant and accessible manner, including in relevant community languages.
<b>Emotional Abuse</b>	Occurs when the child's parent or caregiver repeatedly rejects the child or uses threats to frighten the child. This may involve name calling, put downs or continual coldness from the parent or caregiver, to the extent that it significantly damages the child's physical, social, intellectual or emotional development.
<b>Family and Domestic Violence</b>	Family and domestic violence is any violent, threatening, coercive or controlling behaviour that occurs in current or past family, domestic or intimate relationships. This includes not only physical injury but direct or indirect threats, sexual assault, emotional and psychological torment, economic control, damage to property, social isolation and any behaviour which causes a person to live in fear.
<b>Neglect</b>	the failure to provide the child with the basic necessities of life such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is or will likely cause significant harm.
<b>National Police Check</b>	A summary of an individual offender history in Australia and a record of criminal history relating to convictions, finding of guilt or pending court proceedings.
<b>Physical abuse</b>	Occurs when a child suffers, or is likely to suffer, significant harm from an injury inflicted by a child's parent or caregiver. The injury may be inflicted intentionally or may be the inadvertent consequence of physical punishment or physically aggressive treatment of a child. The injury may take the form of bruises, cuts, burns or fractures.
<b>Sexual Abuse</b>	Occurs when a person uses power or authority over a child to involve the child in sexual activity and the child's parent or caregiver has not protected the child. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity. It includes fondling of the child's genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or other object, or exposure of the child to pornography
<b>Mandatory reporting</b>	The requirement to make a report to child protection where they form a reasonable belief, that a child has been or is at risk of significant harm, from physical, emotional or sexual abuse or neglect, and the child's parents have not protected or are unlikely to protect the child from that abuse. Mandatory reporters are people who deliver services, wholly or partly, to children as part of their professional work or other paid employment, and those in management positions in these services.

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<b>Working with Children Check</b>	People working or volunteering with children must, by law, require a valid not prohibited Working with Children Check
<b>Harm or Risk of Harm</b>	An act or omission that has or may result in significant physical or psychological impact on the child ( For more information please see <a href="#">DHS - Child Safe Environment Definitions</a> )

### POLICY STATEMENT

Nextt Group understands that children and young people learn through exploring their world and is committed to creating environments that encourage safe exploration and development through play and exploration of the world around them.

Where Nextt Group support children and young people in a family setting, employees will work in partnership to build family capacity to support the child's development, health and wellbeing. Nextt Group will create safe environments for children and young people and recognises the importance of friendships to help children and young people feel safe.

Nextt Group has a duty of care to children and young people receiving Nextt Group services and must make sure services operate in a way to provide safety and wellbeing of the children and young people. Where Nextt Group provide direct support, employees have a responsibility to make sure child development, health and wellbeing needs are being met.

Nextt Group achieves this by ensuring that employees are supported to follow relevant policies and work instructions, and that they have access to relevant ongoing training. Families are linked to communities in a partnership model of support. All activities are based on strength based and child/family focused risk management in line with professional obligations and national regulations.

Nextt Group recognises that children and young people with disabilities have a greater risk of harm than the general population and is committed to make sure employees are aware of risk factors, signs and responsibilities.

Nextt Group recognises that cultural safety should be considered for children and young people from Aboriginal, Torres Strait Islander (ATSI) and Cultural and Linguistically Diverse (CALD) backgrounds.

Nextt Group is **committed to:**

- The wellbeing and empowerment of each child.
- The provision of a safe and secure environment for all.
- Providing an open, welcoming environment in which everyone's contribution is valued and respected.
- Encouraging parents/guardians, families, volunteers and community members to support and participate in service delivery; and
- The respect for the inherent worth and dignity of the child.

Nextt Group recognises **the right of the child to:**

- Live free from abuse, exploitation neglect, and exposure to domestic violence.

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- Realise their potential in every area of their life.
- Have control over their own lives as developmentally appropriate.
- Be empowered to have their voice heard and act on feedback and complaints in a way that reflects the organisations response to all clients
- To take part in decisions that affect their lives; and
- Be given information and to communicate in a way that suits their needs.

### RESPONSIBILITIES

Children and young people should be informed about their rights (including safety, information and participation) in a manner which they are most likely to understand and engage with. Where children and young people are supported in a Nextt Group environment, all employees are provided training or required to have qualifications in the relevant fields, e.g., mandatory training on safeguarding rights, emergency procedures, first aid, medical conditions and notifications to child protection. If an accident or illness occurs relating to the safety of a child being supported directly by Nextt Group employees will follow the Management of Incidents policy in relation to reporting requirements.

Links to all state based child protection sites and reporting information can be found in the table below.

### *Code of conduct*

It is required that all employees:

- Uphold the values of Nextt Group/Lizard, to be principled, creative, committed and responsive in all work based interaction.
- Act with integrity and professionalism in line with the values and vision of the Nextt Group.
- Maintain the inherent human right and dignity of clients, employees and stakeholders to be respected, to feel safe and to be free from abuse.
- Maintain the organisational position of a zero tolerance of abuse of people with a disability including acting with respect to empower individual client rights and responsibilities.
- Be meticulous in proper use of client information including respecting their privacy and confidentiality, funds, equipment, property and home.
- Exercise fairness, equity, proper courtesy, consideration and sensitivity in supporting clients, employees and other stakeholders including ensuring freedom from discrimination, abuse, harassment and bullying at all times.
- Maintain professional boundaries at all times, including avoiding real or apparent conflict of interests or engaging in personal or sexual relationships with clients or their families members. Accepting any external appointment, such as working privately for a client or competitor, is not permitted without the written permission of the Chief Executive Officer.
- Report any breach of responsibilities, serious incident or misconduct to your manager or to the relevant Nextt Group representative as soon as you become aware of an issue

In addition, employees are required to sign up to the National Disability Insurance Scheme Code of Conduct and evidence during the onboarding process. A copy of this commitment is kept on the employees personnel file.

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There are key obligations for disability service workers:

- Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions
- Respect the privacy of people with disability
- Provide supports and services in a safe and competent manner, with care and skill
- Act with integrity, honesty and transparency
- Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to people with disability
- Take all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, people with disability
- Take all reasonable steps to prevent and respond to sexual misconduct.

### ***Mandatory Reporting of Risk of Harm of Children and Young People***

Nextt Group workers are required to make a report to State child protection bodies where they form a reasonable belief, that a child has been, or is at risk of significant harm, as a result of physical or sexual abuse, or neglect, and the child's parents have not protected or are unlikely to protect the child from that abuse. (see table below for state based requirements)

As a mandated reporter, you are legally obliged to:

- Make a report to Child Protection if you believe on reasonable grounds that a child is in need of protection from physical injury, sexual abuse or neglect
- Make the report as soon as practicable after forming your belief
- Make a report each time you become aware of any further grounds for your belief.

In addition, any person who believes on reasonable grounds that a child needs protection can make a report to Child Protection Authorities whilst ensuring the child or young person is supported in a safe environment. Child Protection will decide when follow up is required and how to classify the report. This may mean providing advice to the reporter, progressing the matter to an investigation, referring the family to support services in the community, or taking no further action.

Failure to report or protect may lead to criminal charges under state-based acts.

Employees are further obliged to ensure children and young people live free from abuse, neglect and exposure to domestic violence.

Employees, Line Managers and Senior managers also have a responsibility to support children, young people and families when harm has occurred. Actions should be determined on a case-by-case basis but may include the following:

- Support to create a safe and secure environment that is free from harm
- Referral to other services (including counselling, advocacy etc)
- Providing culturally appropriate services for children and young people who are at risk of harm
- Increased services (if required)

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Employees will follow the [Management of Incidents Policy](#) in relation to protective concerns and reporting requirements. For protective concerns about the safety and wellbeing of children and young people who are not Nextt Group clients, the expectation of disclosing information to the police based on a reasonable belief also applies.

Protective concerns include the following:

- The receipt of a disclosure from a child about harm or risk of harm
- The observation of indicators of harm or risk of harm; and
- Employees being made aware of possible harm via involvement in the community external to their professional role.

The role of **Employees** (including, but not limited to therapists, support workers and office based client supports) is to:

- Meet their worker screening and Working With Children Check (WWCC) obligations
- Interact with children, young people and families in a respectful, empowering and strengths-based way
- Ensure the safety of children and young people in Nextt Group/Lizard services
- Ensure the cultural safety of children and young people from ATSI/CALD backgrounds
- Assist family/carers to identify goals and support their achievement
- Be alert to any concerns for the child's safety and wellbeing in Nextt Group or home settings and respond accordingly
- Where there is a reasonable belief there are protective concerns, if possible provide immediate safety and wellbeing of the child, and:

### *Gathering Preliminary Information*

Employees should not interview the child or family but need to record relevant information for reporting harm or risk of harm or following up other concerns with the relevant state-based child protection agency. For allegations of abuse, employees will report information available to Child Protection, the police and to their manager. The preliminary information gathering to support this should be limited to the essential facts:

- Who was involved?
- Where did this happen?
- When did this happen?
- What did the person do?

Where a child or family member is making a disclosure, employees should allow them to tell the story in their own words, using gentle prompts of the above. During the process employees should listen non judgmentally, acknowledge what they are saying and ensure their immediate emotional wellbeing and safety is supported. Employees should not further explore details or ask questions beyond the above prompts as this is beyond their role.

In addition to mandatory legislative reporting, there will always be a referral to the Internal Investigator with appropriate preventative and corrective actions managed at an operational level where the disclosure/allegation relates to employees and assault, abuse/s, neglect or poor quality of support.

### **Reporting and Follow Up**

The role of **Employees** is to:

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- Report incidents that are witnessed by or reported to them within procedural timeframes and guidelines via the RiskMan reporting system.
- Where there is a reasonable belief of *sexual abuse* the following steps should be undertaken:
  - Report this matter to the State Police Service
  - Make a notification to Child Protection
  - Record the incident and the above actions through RiskMan
- Where there is a reasonable belief of *physical abuse* the following steps should be undertaken:
  - Report this matter to the State Police Service
  - Make a notification to Child Protection
  - Record the incident and the above actions through RiskMan
- Inform line management and escalate the incident if actions are not addressed.
- Escalate to manager at Child Protection if concerns are not addressed.
- Implement plans/strategies in relation to corrective and/or preventative actions as identified; and
- Make a referral to relevant state based agencies (e.g. child FIRST Victoria, Family and Child Connect QLD) where concerns about a child's safety, stability or development exist and do not fit the criteria of physical or sexual abuse.

These may include concerns regarding significant parenting problems that may be affecting the child's development including, but not limited to:

- Serious family conflict
- Family breakdown
- Family under pressure due to a family member's physical or mental illness
- Family under pressure due to increased needs of child with disability
- Family under pressure due to support needs of parent with disability
- Substance abuse
- Disability
- Bereavement
- Medical neglect
- Environmental neglect
- Young, isolated and/or unsupported families; or
- Significant social or economic disadvantage that may adversely impact on a child's care or development including family violence.

Where disclosure/allegation/concern is identified by a Nextt Group employee, management and Child Protection will be notified as appropriate and the incident will be logged through RiskMan following due reporting process outlined above being completed. Reporting lines for employees vary depending on who is involved,

- If it is regarding a family or another employee, report to their manager.
- If it is about their manager, report to the next level manager, then to GM Q&R, GM NSD and/or GM Lizard or CEO

The role of **Volunteers and Contractors** is to:

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- Follow organisational policies and procedures relating to child safety
- Alert employees to any concerns immediately.

The role of the **Line Manager** is to:

- Ensure all active employees meet their worker screening and Working With Children Check obligations (in conjunction with the compliance team)
- Ensure services to children, young people and families comply with policies, procedures and child safety standards.
- Ensure employees interactions with children, young people and families are strengths-based and capacity building.
- Source information and provide support to frontline workers on issues relating to child safety.
- Provide on the job coaching to employees in relation to supporting a child where there is a concern they have been subject to risk of harm, abuse, neglect or domestic violence, and related liaison with key stakeholders and incident reporting.
- Source information and provide support to frontline workers on issues relating to child safety.
- Respond to and follow through on concerns/incidents raised by completion of corrective and preventative actions.
- Support and/or initiate and action referrals to external agencies, appropriate medical and allied health professionals.
- Engage with the child's family/carer and lead employees in the maintenance, monitor and review of current plans that reflect recommendations and support strategies where indicated; and
- Where there is a reasonable belief of sexual abuse to report this matter to the State Police Service.
- Take responsibility for and to support employees in relation to disclosure and external reporting.

The role of **Senior Management** is to:

- Promote child participation, empowerment and safety through organisational culture, practices and policies.
- Ensure best practice evidence-based policy and procedure frameworks for services to children, young people and families are developed, maintained and monitored.
- Ensure organisational policies and procedures for screening, induction, supervision and training of employees embed appropriate safeguards.
- Ensure appropriate supporting organisational policies, such as confidentiality, volunteers, responding to complaints etc.
- Ensure child safety considerations are embedded in organisational risk management framework.
- Review and analyse aggregate related incident data and trends to identify policy and practice improvement opportunities.
- Participate actively in funding body reviews as required.
- Make sure that changes in relation to best practice for child safety are communicated and resourced across the organisation where identified.



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- Where there is a reasonable belief of sexual abuse to report this matter to the State Police Service if not already done so by employees.
- Where the manager has the power or responsibility to reduce or remove a substantial risk that a relevant child will become the victim of a sexual offence committed by a person or over the age of 18 years who is associated with the organisation they will act to reduce or remove that risk.
- Where the manager knows that there is a substantial risk that a person will commit a sexual offence against a relevant child they will act to reduce or remove that risk.

The role of the **Executive team** is to:

- Ensure the organisation is legislatively compliant
- Lead a child safe culture.

### State Based Mandatory Reporting Requirements

**\*\*\*If a child is at serious risk of immediate harm please call 000\*\*\***

State	Legislation	Reporting
VIC	<a href="#">Child Wellbeing and Safety Act 2005</a>	Mandatory reporting to child protections in Victoria <a href="#">Mandatory reporting to child protection in Victoria - community factsheet.docx (live.com)</a>
NSW	<a href="#">Children and Young Persons (Care and Protection) Act 1998</a>	NSW -Mandatory Reporter Guide <a href="https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters">https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters</a> Child Protection Helpline 132111
SA	<a href="#">Children and Young People (Safety) Act 2017</a>	SA- Reporting Child abuse and Neglect <a href="#">Report child abuse or neglect   Department for Child Protection</a> Child Abuse Reporting Line (CARL) 131478
QLD	<a href="#">Child Protection Act 1999</a>	QLD - Mandatory Reporting Page <a href="https://www.cyjma.qld.gov.au/protecting-children">https://www.cyjma.qld.gov.au/protecting-children</a> Contact - <a href="#">Regional Intake Services</a>

Nextt Group aims to enable and promote the participation of children in their services by:

- supporting children and young people to understand their rights, contribute to child safety planning and raise concerns
- promoting and encouraging children's participation in decision-making
- valuing and respecting children's opinions
- seeking children's views about what makes them feel safe and unsafe
- establishing an environment of trust and inclusion that enables children to ask questions and speak up if they are worried or feeling unsafe.

Principles for empowerment of children include:

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- developing an empowering culture
- fostering empowering relationships among children and young people, their peers and the adults in the organisation
- building awareness, skills and knowledge to recognise unsafe situations and raise concerns
- supporting meaningful, positive participation in the organisation
- celebrating and responding to diversity
- providing trauma informed supports
- participation in the organisation

Nextt Group shall listen to children and young people and encourage them to:

- Be involved
- Provide Feedback
- Raise concerns and complaint

This will be achieved by clearly communicating to children and young people how they can make complaints and provide feedback in an age-appropriate way. They should also be encouraged to participate in the annual feedback survey and as such questions should be written using age and developmentally appropriate language.

### **Child focused Feedback and Complaints Process**

Nextt Group's Feedback and Complaints Process applies to all clients (including children and young people), their families, advocates and other stakeholders. All employees are responsible for being aware of the process and reporting feedback/complaints. This may include supporting a child or young person to make a complaint or speaking to them about the process for making a complaint. The feedback and complaints process ensures immediate action is taken when there appears to be a substantial risk of harm, neglect or abuse to the client. In line with this Child Safe Policy, the Feedback and Complaints process ensures reports are made to external bodies when required (i.e. Police, Child Protection Authorities, Funding bodies etc.)

Children, young people and their family and friends can make complaint a number of ways, including:

- Speaking directly to an employee (either face to face or over the phone). A meeting can be arranged to discuss feedback and complaints if required)
- Via the website (including anonymously)
- E-mailing [Feedback@nextt.com.au](mailto:Feedback@nextt.com.au)
- Completing a feedback form (including an accessible version)

All clients are also advised that if they are unhappy with the outcome of a complaint they are able to contact an external authority. This information is available in the client handbook as well as on the company website.

### **Risk management and mitigation**

Nextt Group acknowledged that through the provision of services, children are exposed to potential risks. Identified risks and mitigation strategies are detailed in appendix 1

### **Recruitment Practices for Engaging Employees to work with children and young people**

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When onboarding new employees who will be working with children at Nextt Group, People and Culture team must ensure adherence to all policies, procedures and processes related to working with children and young people. As per Nextt Group's pre-employment screening documents all employees/volunteers working with children and young people must provide a Working with Children Check for the state in which they will work. This check will be verified by People and Culture team via the relevant state-based processes. People returning 'Prohibited person' checks will NOT be allowed to work with children at Nextt Group. (Where required by state legislation this should also be reported to the relevant authorities e.g. Screening Unit). As per procedure the employee's application cannot progress until this information has been provided and checked.

The onboarding process shall also include:

- Confirmation of in date and *cleared* state-based Working with Children Check
- Confirmation of in date and *cleared* NDIS workers screen (and National Criminal Record Check)
- Completion of the Nextt Group Induction process (which includes information on child protection, mandatory reporting, record keeping and code of conduct)
- Reference checks are completed for all employees

### **Ongoing support for employees working with children and young people.**

Nextt Group employees who are working with children shall be provided with ongoing supervision and support to maintain child safe environments for clients. Employees should be provided with ongoing supervision as per the policy and procedures.

Mandatory and ongoing training shall be provided to all staff from the Learning and Development Team, including but not limited to child protection and mandatory reporting processes. This information shall be record in the HR system for each staff member who completes training.

### **COMMUNICATION OF THIS POLICY**

This policy shall be communicated to all clients, their families and advocates/stakeholders through the client handbook. Copies of the procedure should be made available to those who request it. Clients, families and advocates can request a meeting with a representative to speak about the contents of the policy if required.

### **CONTINUOUS IMPROVEMENT**

Nextt Group will identify all opportunities to improve practices to safeguard children and young people through delivery of practices, service environment and employee skills. Policy and procedures will be reviewed in line with governance framework to ensure currency of information.

### **APPROVAL AND REVIEW**

This policy and procedure will remain subject to continuous improvement through feedback from employees, clients (including children and young people where possible), and external stakeholders, and with reference to any new legislative guidance or relevant empirical research, or best practice. Policies can be provided to children young people and their families, they are also available on our website.

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### South Australia – Compliance Requirement

In addition, upon review of this Policy and Procedure, at least every 5 years, Nextt Group must lodge a Child Safe Environments Compliance Statement with South Australia Department of Human Services. Date of current statement is 2022, resubmission must be completed by 2027.

<b>Document owner:</b>	Quality and Risk	<b>Policy Area</b>	Client Support
<b>Approved and Endorsed By</b>	Melissa Dunn, GM Q&R	<b>Date Endorsed:</b>	20/04/2022
<b>Date of Distribution:</b>	20/04/2022	<b>Next Scheduled Review Date:</b>	20/04/2024

### REVISION RECORD

Date	Version	Revision Description Summary
20/04/2022	V1.3	Updated procedure reflective of additional state based requirements/ variations