

PROTECTION OF CHILDREN AND YOUNG PEOPLE



COMMUNITY SERVICES

1. Purpose

To protect the children who engage directly or indirectly with Northside's Community Service programs from harm, abuse and neglect.

To ensure Community Service staff have a detailed and thorough understanding of their obligations under both mandatory reporting and reportable conduct reporting.

2. Scope

This policy relates to all programs, service and activities undertaken by Community Service staff.

This policy relates to all children engaged directly or indirectly in all programs, services, activities, events or other activities in which Northside's Community Service division is involved.

This policy applies to all persons employed (paid and unpaid) within Northside's Community Service Division.

This policy applies to Northside Management, Executive and Board.

3. Policy

Mandatory Reporting

All community Service staff, paid or unpaid employed by Northside Community Service are mandated reporters under the Child and Young People Act 2008.

Staff must report suspicions of harm, abuse and/or neglect. Staff will report, but not investigate, suspicions of abuse and/or neglect.

Northside Community Service will provide a copy of "Keeping Children and Young People Safe – a shared responsibility" upon commencement of employment, support in the workplace to report, training, and access to counselling through the Employee Assistance Program.

When making a Child Protection notification all workers will refer to the ACT Government [Keeping Children and Young People Safe Guide](#). Found in the following drive and folder (\\HQPAP01\J_Drive\Shared\Mandatory Reporting Linking Documents)

Act Reportable Conduct Scheme

The ACT has introduced a reportable conduct scheme to oversee how organisations prevent and respond to allegations of child abuse and misconduct. The scheme commenced on 1 July 2017.

Northside as an employer who works with children is covered by the scheme and must report to the ACT Ombudsman in addition to mandatory reporting in the instances of employment related allegations. Broadly, 'reportable conduct' covers allegations or convictions of child abuse or misconduct toward children.

The reportable conduct scheme **does not interfere with or replace** reporting obligations to ACT Policing or Child and Youth Protection Services (CYPS). If employers suspect criminal conduct has occurred, they should report to Police in the first instance.

4. Procedure

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Mandatory Reporting

If a Worker considers risk of harm for a child or young person immediately, they should ring the Police on 000.

All records for children and young people must be maintained in a secure location, where staff can access them in the event of making a report.

Any suspicions of abuse or neglect must be reported to the staff member's Manager and Senior Manager, and documented on the young person or child's file in a concise manner. Reporting staff are protected from litigation under the Act and do not have to prove their suspicions.

The staff member who raises initial suspicions is required to directly make a report to Child and Youth Protection Services. Delegating a report is not covered within the law and penalties can be applied.

If the Worker is not comfortable making the report or requires support, the Manager or Senior Manager will work with them to support them through the process.

Staff are not to assume that another mandated reporter will have reported suspicions.

If the child is known to Child and Youth Protection Services and has an assigned department officer, the Manager should also contact the department officer.

If the subject of the concern is another staff member, the Manager of the staff member must be notified immediately. If the person of concern is a Manager or Senior Manager, the Executive Director or CEO must be notified immediately. The Worker in question will be stood down immediately with pay until an investigation is complete.

Staff are to cooperate with Child and Youth Protection Services and the Australian Federal Police regarding any investigation into abuse and neglect.

Act Reportable Conduct Scheme

Staff must report allegations or disclosure of convictions concerning child-related misconduct by an employee to the Senior Manager, Executive Director or the CEO. Allegations or disclosure of misconduct includes:

- ill-treatment of a child (including emotional abuse, and hostile use of force)
- neglect
- psychological harm
- misconduct of a sexual nature
- sexual or physical offences and convictions where a child is a victim or is present
- inappropriate discipline or offences relating to protecting children from harm

This reporting is in addition to any required mandatory reporting (as outlined above).

In the cases where conduct is employment related the Senior Manager and/or Executive Director, Community Services and/or the CEO will follow the required Reportable Conduct notification process including:

- notifying the Ombudsman about any reportable conduct allegations or convictions involving an employee by submitting a s 17G Notification as soon as possible, but no later than 30 days after the employer becomes aware of the conduct

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- investigate any allegations of reportable conduct and provide a final report to the Ombudsman
- report to other entities as required (for example, ACT Policing, CYPS, Access Canberra, Teacher Quality Institute, Children’s Education and Care Assurance, Human Rights Commission etc.)
- adjust their policies and procedures

5. Definitions

Northside: Northside Community Service, including all Services operated by both Community Services and Children’s Services business units.

Staff member: Any person, paid or unpaid, engaging in work or representing the interests of Northside Community Service.

Child and Youth Protection Services: Care and Youth Protection Services (CYPS) investigates and intervenes in cases of child abuse and neglect. CYPS is part of the Community Services Directorate (CSD) in the Office for Children, Youth and Family Support (OCYFS) branch. It is responsible for delivering the statutory care and protection response to children and young people.

Abuse: in relation to a child or young person means:

- Physical abuse; or
- Sexual abuse; or
- Emotional abuse (including psychological abuse) if the child or young person has suffered, is suffering or is likely to suffer in a way that has caused, is causing or is likely to cause significant harm to his or her wellbeing or development; or
- Emotional abuse (including psychological abuse) if-
 - The child or young person has been, is being, or is likely to be exposed to conduct that is domestic violence under the Domestic Violence and Protection Orders Act 2001; and
 - Exposure has caused, is causing or is likely to cause significant harm to the child’s or young person’s wellbeing or development.

Neglect: Neglect of a child or a young person, means a failure to provide the child or young person with a necessity of life that has caused, is causing or is likely to cause the child or young person significant harm to his or her wellbeing or development. Examples of necessities of life include food, shelter, clothing and medical care.

Reportable Conduct - employment related harm or risk of harm to a child including allegations and/or disclosure of :

- neglect
- ill-treatment of a child (including emotional abuse, and hostile use of force)
- ill-treatment of a child (including emotional abuse, and hostile use of force)
- psychological harm
- misconduct of a sexual nature
- sexual or physical offences and convictions where a child is a victim or is present
- inappropriate discipline or offences relating to protecting children from harm

6. Key Roles & Responsibilities

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7. Related Standards, Legislation and Documents

- Office for Children, Youth and Family Support (2005). Keeping children and young people safe – Reporting child abuse: a shared community responsibility.
https://www.communityservices.act.gov.au/_data/assets/pdf_file/0015/1132080/Keeping_Children_and_Young_People_Safe.pdf
- Children and Young People Act 2008 - <https://www.legislation.act.gov.au/a/2008-19/default.asp>
- Australian Community Workers Code of Ethics 2017
- ACT Reportable Conduct Scheme. <http://www.ombudsman.act.gov.au/reportable-conduct-scheme>

8. Document Control & Version History

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Corporate/Community Services or Children's Services:	

Version History

<i>Version No.</i>	<i>Date of effect</i>	<i>Brief Summary of Change</i>
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