

## 9.6 Child Safety Policy

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3.1	13/9/2023	September 2026

### 1. Purpose

This policy was written to demonstrate the strong commitment of Nunyara Aboriginal Health Service Inc (Nunyara) towards building and maintaining environments where children and young people are protected, respected, valued, heard, and encouraged to reach their individual potential. Our commitment to create a child safe environment is underpinned by the 'National Principles for Child Safe Organisations', as well as Nunyara's commitment to provide culturally safe services to all Aboriginal and Torres Strait Islander children, young people and families. This policy aims to ensure that all relevant stakeholders are aware of their duty of care responsibilities for the protection, safety and wellbeing of children and young people at all times.

### 2. Definitions

**Mandatory Reporting** - the legislative requirement for selected classes of people to report suspected risk of harm to government authorities. In SA, mandatory reporting is regulated by the Children and Young People (Safety) Act 2017.

**Mandatory Notifiers** – The Children and Young People (Safety) Act 2017 establishes the classes of persons who are required to report suspicion that a child or young person may be at risk. This includes any person who is an employee of, or volunteer in, a government or non-government organisation that provides health, welfare, education, sporting or recreational, childcare or residential services wholly or partly for children or young people, being a person who:

- (i) provides such services directly to children and young people, or
- (ii) holds a management position in the relevant organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children or young people.

**At Nunyara, it is expected that all workers are mandated notifiers**

**Child or young person** – a person under 18 years of age.

**WWCC** – Working with Children Check

### 3. Scope

This policy applies to all people who work for Nunyara, either in a paid or unpaid capacity including but not limited to: employees, volunteers, students, Directors and contractors.

All employees, volunteers, students, Directors and contractors are required to acknowledge their understanding and acceptance of this policy, via their sign off on this in their Employee File.

All employees, volunteers, students, Directors, contractors and any other person engaged in any form of paid or unpaid work by Nunyara are referred to as 'worker/s' throughout this policy.

## **4. Policy Detail**

### **4.1 Commitment to the safety of children and young people**

This policy reflects our commitment to provide a safe environment where every child and young person has the right to be treated with respect and is safe and protected from harm.

This policy aims to ensure that;

- Children and young people are valued, respected and encouraged to participate and that the safety and protection of children and young people is always the first priority;
- Equity is upheld and diversity needs are respected and supported in our policy and practice. We are committed to diversity, where all children and young people are embraced regardless of their abilities, sex, gender or social economic or cultural background;
- All Nunyara services are grounded in and reflect a commitment to cultural safety;
- This policy complies with the Children and Young People (Safety) Act 2017, Child Safety (Prohibited Persons) Act 2016 and the National Principles for Child Safe Organisations;
- Harassment, bullying and discrimination will not be tolerated;
- Information about services that can assist children and young people (such as the Kids Helpline 1800 55 1800) are available;
- Nunyara has developed policies and procedures to support our commitment to child safety and to manage our legal compliance and any issues that may arise in a timely manner;
- As per the Children and Young People (Safety) Act (s.115) all policies are to be reviewed and updated at least once in a 5 year period and a new compliance statement lodgement is to be submitted with the Department of Human Services each time the policy is reviewed/updated. This policy will be reviewed every 3 years as per the Nunyara policy review schedule.

### **4.2 Roles and responsibilities**

While the responsibility to protect children and young people is shared by all, some individuals have specific obligations with which they must comply:

#### Board of Directors

- Endorse the policy;
- Promote the protection, safety and wellbeing of children, young people and other vulnerable people;
- Help everyone involved within the organisation to acknowledge and appreciate the strengths of Aboriginal culture and understand its importance to the wellbeing and safety of Aboriginal children and young people.

#### Chief Executive Officer

- Ensure the policy is implemented, monitored, reported, evaluated and tabled for review within the designated review period;
- Ensure stakeholders understand mandatory reporting requirements, procedures and associated legal responsibilities.

#### Coordinators

- Promote a positive culture towards safeguarding;
- Understand mandatory reporting requirements, procedures and associated legal responsibilities;
- Ensure workers are aware of their obligations as mandated notifiers and have appropriate skills and knowledge to identify children or young people at risk;
- Ensure that any person involved in any activity where a valid WWCC is required, has a valid current clearance issued prior to commencement;
- Establish and maintain supportive procedures for fulfilling mandatory notification requirements and ensure all stakeholders understand their legal responsibilities;
- Report any reasonable suspicion that a child or young person has been harmed or is at risk of harm to the Child Abuse Report Line (CARL) on 13 14 78 or via the [e-CARL](#) online reporting system, or to Sa Police (SAPOL) on 000 if an immediate risk.

#### All workers will / who:

- abide by this policy;
- Familiarise themselves with the relevant laws, the Child Safe Code of Conduct, and this policy;
- are involved in activities with children and young people have obligations under the Children & Young People (Safety) Act 2017 to:
  - Report any reasonable suspicion that a child or young person has been harmed or is at risk of harm to the CARL or the [e-CARL](#), or SAPOL if an immediate risk;
  - Ensure they are aware of the legal obligations and the consequences of failure to comply;
  - Ensure they are able to identify, report and respond to children, young people and other vulnerable people at risk of harm.

#### 4.3 **Communication**

The Nunyara Child Safety Policy is available to workers via our Human Resources System. It is provided as part of the induction process. It is a requirement that all workers sign to acknowledge their understanding of the policy.

The Nunyara Child Safety Policy is available to children, young people and families on the Nunyara website. The policy can also be provided on request by asking reception staff, or phoning 08 8649 9900.

#### 4.4 **Participation of children and young people**

Nunyara creates an inclusive and welcoming physical and online environment for Aboriginal children, young people and their families by acknowledging and respecting Aboriginal peoples, communities, cultures and values. Nunyara values and respects the choices and views of all children and young people accessing our services. We educate children and young people on their right to safety and right to be listened to via posters and signs in our clinic, as well as by clearly communicating using age, cultural and developmentally appropriate language.

Nunyara invites formal feedback from children and young people about their experience with our organisation through our 'Have your say' survey, which is available in hard copy or online.

Any concerns and opinions raised by children, young people, their carers or families will be listened to and acted upon. They will be made aware of the organisations feedback and complaint procedure, and supported through the process if required.

#### 4.5 **Child Safe Code of Conduct**

Upon induction, all workers must read, understand and agree to comply with Nunyara's Child Safe Code of Conduct.

Anyone can report a breach of this policy or the Child Safe Code of Conduct to the CEO at any time, either in writing, over the phone or in person. If Nunyara Aboriginal Health Service becomes aware of a suspected breach of this policy or the Child Safe Code of Conduct, the CEO will take immediate steps to ensure the safety and wellbeing of any child or young person who may be at risk as a result of or in relation to the breach.

Suspected breaches of this Policy and/or the Child Safe Code of Conduct are treated seriously and will be investigated (either internally or externally, depending on the severity of the suspected breach) in a manner that affords procedural fairness to the subject of the investigation and complies with any

applicable legislation. Nunyara will handle the allegations in a confidential manner to the greatest extent possible. Following an investigation into a suspected breach, any person who is found to have breached this policy or the Child Safe Code of Conduct may face disciplinary action. Disciplinary actions depend on the seriousness of the breach and other relevant circumstances. Examples of disciplinary action include:

- discussions with supervisors about desired behaviours;
- a verbal or written warning;
- suspension; or
- dismissal.

Breaches which constitute criminal conduct may also result in criminal prosecution. If the breach includes a violation of the law, the matter will be referred to the appropriate law enforcement authorities. Decisions regarding breaches of this policy or the Child Safe Code of Conduct and any sanctions imposed as a result of a breach are determined by the CEO. If the CEO is unable to make a determination as a result of conflict of interest or absence, decisions regarding breaches of this policy or the Child Safe Code of Conduct and any sanctions imposed as a result of a breach are determined by the Board of Directors.

#### 4.6 **Recruitment**

Nunyara has implemented robust recruitment processes to ensure we only employ the most suitable people to work with children and young people in our organisation. This includes:

- Clear position descriptions which outline the requirements and values that need to be met;
- Job Descriptions that reflect our commitment to Child Safe Environments, and reflect the principles of cultural competence and cultural safety;
- Face-to-face interviews (or via video if needed) which include questions around cultural competency;
- Verifying through the DHS Screening Unit online portal that all applicants (and existing staff/volunteers) have a current, not prohibited, WWCC issued by DHS Screening Unit and a National Police Clearance (CrimCheck), completed within the past 2 years prior to being offered a position;
- Comprehensive referee checks which explore the applicant's previous cultural safety and child safeguarding experience.

#### 4.7 **Compliance,**

Working with Children Checks will be renewed every five years to ensure worker statuses remain not prohibited. Nunyara's electronic Human Resource

system automatically alerts coordinators and Human Resources when a worker's Check is due to expire 6 months in advance.

As per the Child Safety (Prohibited Persons) Act 2016 (s19), Nunyara will report to the DHS Screening Unit if we become aware:

- of any assessable information in relation to a worker;
- that a worker has been charged with, or found guilty of an offence, or is subject to disciplinary proceedings;
- A worker is prohibited from working with children in another State or Territory;
- A worker becomes a registrable offender under the Child Sex Offenders Registration Act 2006; or
- A worker makes a disclosure under section 66 of the Child Sex Offenders Registration Act 2006.

#### 4.8 **Supervision, training and support for workers**

Nunyara employs various processes and policies to supervise, train and support workers to understand their responsibilities in creating and maintaining a child safe environment.

##### Support

To ensure compliance with Child Safe legislation and policies, Nunyara have embedded Child Safeguarding into our induction processes. Induction processes include:

- New workers are required to acknowledge Nunyara's Child Safe Code of Conduct prior to, or on their first day along with a copy of the Mandatory Notification information booklet.
- During induction, new Integrated Care Team & NDIS Workers are required to read and acknowledge the, '*Responding to disclosure of Sexual Abuse by Children and Young People*' resource created by Child Wise and Children and Young People with Disability Australia.
- All workers are required to read and acknowledge our Child Safe Policy upon commencement of employment, and anytime thereafter the policy is updated.
- A cultural mentor is onsite and provides cultural inductions, relative to our area and history with new workers.
- New workers are also encouraged to communicate regularly with our team of Aboriginal Health Practitioners, who can offer support and advice as appropriate.
- Wherever possible, Nunyara will employ and retain workers with Bilingual skills and / or qualifications.

##### Training

All Child Safe Environment and Cultural Safety / Competence training is facilitated through Nunyara. We cover all training costs for our staff and manage all booking arrangements.



- Within the first week of employment, new workers (excluding directors), are required to complete 3 Child Safe Environments modules from the SA Health Launch online training platform which include:
  1. Protecting Children is Everyone's Business
  2. Understanding and Responding to Risk Factors
  3. Responding to Suspected Harm or Risk of Harm
- It is a mandatory training requirement that all workers, (excluding Directors and remote workers), complete the *'Through their Eyes, Safe Environments for Children and Young people program*. This must be completed at least once every 3 years, with refresher courses annually for workers who have direct contact with children.
- All workers are required to complete the SA Health Launch online Cultural Awareness course upon during their induction.
- As needed and appropriate, Nunyara engage local trainers to run a full-day, in-depth, cultural awareness and safety training for all workers.

#### Supervision

Ongoing supervision is provided to all employees on a regular basis which includes a focus on child safety and wellbeing as well as cultural competency and safety.

#### 4.9 **Reporting and Responding to a reasonable belief that a child or young person is or may be at risk of harm**

Nunyara believes Child protection is everyone's responsibility.

**Mandated notifiers** in our organisation are:

- All workers

Mandated notifiers have a legal obligation to report a reasonable belief that a child or young person has been harmed or is at risk of harm directly to the CARL on 13 14 78 or via e-CARL. All serious concerns must be reported/notified via the CARL telephone report line and not via the e-CARL online reporting system. Serious concerns include when you suspect a child or young person is in imminent or immediate danger of: serious harm, serious injury, chronic neglect, or when the concerns are for an infant under 12 months old, or when the concerns are for a child or young person who is in the care of the department. If a child or young person is in immediate risk, report directly to SAPOL on 000.

In cases involving Aboriginal children and young people, support is provided by Yaitya Tirramangkotti – an Aboriginal team, via the CARL number **13 14 78**.

All workers have a legal obligation to:

- report child sexual abuse to the police and
- to protect a child from sexual abuse
- failure to meet these obligations may be considered a criminal offence (Criminal Law Consolidation Act 1935 (s.64A & s.65))

The worker who identifies the harm, or risk of harm, is the person who must make the report to the CARL (or SAPOL in cases of immediate danger). It is not appropriate to defer reporting to another worker to have them determine whether it is a reportable matter. More senior and experienced workers (such as GPs and Nurses), work with new and junior workers to ensure they are appropriately supported, to report any suspicion of harm, or risk of harm on reasonable grounds.

The reporting worker / senior management at Nunyara will be guided by the relevant authority (CARL/SAPOL) about whether an internal investigation is appropriate.

Once this legal reporting obligation has been met, workers must document in the clients file that the report has been made, along with the case number.

Nunyara has an Employee Assistance Program (EAP) that is always open for Workers to access. Upon making a report to CARL or SAPOL, workers are reminded of the EAP service, how to access it and encouraged to access it.

Nunyara will continue to offer our services to children, young people and their families, after a report to CARL or SAPOL has occurred. In addition to our core Primary Health Care and NDIS services, Nunyara can refer children, young people and/or their families to a wide range of specialist and visiting services, and other relevant community networks including community health, family violence support and/or community connections.

Where harm or risk of harm to a child or young person is suspected to be caused by a Nunyara employee or volunteer, this must be reported direct to the CARL or SAPOL if an immediate risk. An internal report is then to be made to the Chief Executive Officer. The staff member/volunteer will be removed from roles involving contact with children and young people or suspended from duties whilst the authorities conduct an investigation.

#### 4.10 **Reporting and responding to complaints**

At Nunyara we take all feedback very seriously and use it to improve the quality of our services provided to the community. We are committed to providing a safe, professional and friendly environment for all clients, patients and staff. Children, young people and their families are made aware of our feedback process upon registration. Feedback forms can be obtained from reception or completed via our website and submitted in person, via email or post. Feedback can also be made directly to one of our staff members who can assist a child or young person to complete a feedback form. Our staff are



aware of and understand how to appropriately respond to concerns and complaints by children and their families. This includes understanding the barriers that Aboriginal and Torres Strait Islander children and families face in engaging with complaint processes and understanding the importance of cultural safety in this process. Complaints will be handled in line with the organisation's feedback and complaint procedure.

#### **4.11 Risk Management**

Child safety risks shall be included in the organisation's risk management processes. Nunyara will identify and assess potential sources of harm and take steps to decrease the likelihood that harm will occur to children and young people who use our services. Refer to the Nunyara Risk Management Plan.

#### **4.12 Child Safety Information Requests**

The Department of Child Protection (DCP) or other suitably authorised organisations often make requests to Nunyara Aboriginal Health Service for extra information relating to families or children, to help make determinations on the child's safety under the Children and Young Persons (Safety) Act 2017.

These requests should not be emailed or phoned in directly to workers of Nunyara Aboriginal Health Service. Instead a dedicated email address will be communicated to the DCP and other organisations to send their requests to. This email is currently [Requests@nunyara.org.au](mailto:Requests@nunyara.org.au) which is only accessible by 2 suitably trained Nunyara management staff, including the CEO.

Any Nunyara worker who receive child safety information requests directly to their individual emails or phone numbers, or by methods other than the above, need to enforce the above policy to DCP or other agencies. Any requests that do not come through the endorsed channel/ email address should not be answered and this should be communicated to the agencies in question.

### **5. Legislation**

- Children & Young People's (Safety) Act 2017
- Child Safety (Prohibited Persons) Act 2016
- Criminal Law Consolidation Act 1935a
- The United Nations Convention on the Rights of the Child


### **6. Delegations**

As per the delegations register

### **7. Related Documents**

- Nunyara Risk Management Plan
- Child safe Code of Conduct
- Complaints and Feedback Management Policy
- Recruitment and Selection Policy

**8. Document Control**

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