



## Child Protection Policy

### Introduction

The Tribe Therapeutic Supports is committed to promoting and protecting the interests and safety of children and young people. We have zero tolerance of harm or risk of harm to children and young people.

Everyone working at The Tribe Therapeutic Supports is responsible for the care and protection of children and young people and reporting information about harm or risk of harm.

### Purpose

The purpose of this policy is:

1. To facilitate the prevention of harm or risk of harm to children and young people occurring within The Tribe Therapeutic Supports.
2. To work towards an organisational culture of child and young person safety.
3. To prevent harm or risk of harm to children and young people within The Tribe Therapeutic Supports.
4. To ensure that all parties are aware of their responsibilities for identifying possible occasions for harm or risk of harm and for establishing controls and procedures for preventing such harm and/or detecting such harm when it occurs.
5. To provide guidance to staff/volunteers/contractors as to action that should be taken where they suspect any harm or risk of harm to children or young people within or outside of the organisation.
6. To provide a clear statement to staff/volunteers/contractors forbidding any such harm or risk of harm to children or young people.
7. To provide assurance that any and all suspected harm or risk of harm to children or young people will be reported and fully investigated.

### Policy

The Tribe Therapeutic Supports is committed to promoting and protecting the best interests of children and young people involved in its programs.

All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family and social background, have equal rights to protection from harm or risk of harm. Bullying and harassment will not be tolerated in any form, from any party, associated with The Tribe Therapeutic Supports.

The Tribe Therapeutic Supports has zero tolerance for harm or risk of harm to children and young people. Everyone working at The Tribe Therapeutic Supports is responsible for the care and protection of the children and young people within our care and reporting information about suspected harm or risk of harm.

Child protection is a shared responsibility between The Tribe Therapeutic Supports, all employees, workers, contractors, associates, and members of The Tribe Therapeutic Supports community. The Tribe Therapeutic Supports will consider the opinions of children and young people and use their opinions to develop child protection policies. The Tribe Therapeutic Supports respects all children and young people, staff and volunteers. The Tribe Therapeutic Supports is committed to the cultural safety of Aboriginal children, and those from culturally and /or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability. The Tribe Therapeutic Supports complies with the Children and Young People (Safety) Act 2017, the Child Safety (Prohibited Persons) Act 2016 and our policy aligns with the National Principles for Child Safe Organisations. If any person believes that a child or young person is in immediate risk of harm, telephone 000.

### **Scope**

This policy applies to all staff, contractors, volunteers, children, young people and families associated with The Tribe Therapeutic Supports.

The Tribe Therapeutic Supports requires all staff, employees, contractors and volunteers to agree in writing to accept and act in accordance with the policy. Clients including children and young people and their carers must acknowledge in writing (through the The Tribe Therapeutic Supports Service Agreement) that they accept and will act in accordance with the policy.

### **Participation**

The Tribe Therapeutic Supports supports the participation of children and young people by providing them with clearly communicated methods of providing feedback, including complaints or concerns. All documentation about a child or young person will be presented in a manner that uses age appropriate language when possible and consultation methods will be suited to clients age, developmental level and cultural background.

Communication with directors of The Tribe Therapeutic Supports, including formal or informal feedback, complaints and concerns, is available to all clients, including children and young people through email and phone services.

### **Communication**

The Tribe Therapeutic Supports will provide all employees, contractors and volunteers with copies of the Child Safe Policy and Code of Conduct on their first day of employment or work, prior to engaging with children or young people and their families. A written agreement is required from all employees, contractors and volunteers accepting and agreeing to act in accordance with the policy. All children, young people and their carers or families will be provided with copies of the Child Safe Policy and Code of Conduct

Last updated 16/04/2024

To be updated prior to April 2029

following their intake appointment upon request. Additional copies of policies can be provided via email on request. Carers and families returning a signed The Tribe Therapeutic Supports Service Agreement includes the acceptance to act in accordance with the Child Safe Policy.

### **Responsibilities**

The Directors of The Tribe Therapeutic Supports are responsible for ensuring that appropriate and effective internal control systems are in place to maintain child safe environments. The Directors are also responsible for ensuring that appropriate policies and procedures and a Child Protection Code of Conduct are in place.

The Director of The Tribe Therapeutic Supports is responsible for:

- Ensuring that all staff, contractors and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct;
- Ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety);
- Providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.

All managers must ensure that they:

- Promote child and young person safety at all times;
- Assess the risk of harm to children or young people within their area of control and eradicate or minimise any risk to the extent possible;
- Educate employees about the prevention and detection of harm or risk of harm; and
- Facilitate the reporting of any inappropriate behaviour or suspected harmful activities.

Management should be familiar with the types of harm that might occur within their area of responsibility and be alert for any indications of such conduct.

All staff/volunteers/contractors share the responsibility for the prevention and detection of harm or risk of harm to children and young people and must:

- Familiarise themselves with the Code of Conduct, and The Tribe Therapeutic Supports policies and procedures in relation to child protection, and comply with all requirements;
- Report any reasonable belief that a child or young person's safety is at risk to the relevant authorities (Department for Child Protection, Child Abuse Report Line (CARL) or SA Police) and fulfil their obligations as mandatory reporters;
- Report any suspicion that a child or young person's safety may be at risk to their supervisor (or, if their supervisor is involved in the suspicion, to a responsible person in the organisation); and

- Provide an environment that is supportive of all children's and young person's emotional and physical safety.

### Definitions

**Child** means a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

**Child abuse** means all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial (eg. for financial gain) or other exploitation of a child and includes actions that results in actual or potential harm to a child.

**Child sexual assault** is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child.

**Harm** – Section 17 of the Safety Act defines 'harm' to mean physical or psychological harm (whether caused by act or omission), including harm caused by sexual, physical, mental or emotional abuse or neglect.

**National Police Check** – a summary of an individual's offender history in Australia and a record of their criminal history relating to convictions, finding of guilt or pending court proceedings. They are available from South Australia Police (SAPOL) or organisations accredited by the Australian Criminal Intelligence Commission.

**Working with Children Check** – People working or volunteering with children in South Australia must, by law, have a valid, not prohibited Working with Children Check. A Working with Children Check is an assessment of whether a person poses unacceptable risk to children. As part of the process, the Screening Unit will look at criminal history, child protection information and other information.

**Reasonable grounds** to form a suspicion that a child or young person may be at risk may include:

- When a child or young person tells you they are at risk or have been harmed
- When your own observations of a particular child or young person's behaviour and/or injuries lead you to suspect they are at risk, or harm is occurring
- When a child or young person tells you that they know of someone who is at risk or has been harmed (they may possibly be referring to themselves)
- When you hear about risk or harm to a child or young person from someone who is in a position to provide reliable information, perhaps a relative or friend, neighbour or sibling of the child or young person.

## Employment of New Personnel

The Tribe Therapeutic Supports undertakes a comprehensive recruitment and screening process for all workers and volunteers that aims to:

- Promote and protect the safety of all children and young people under the care of the organisation;
- Identify the safest and most suitable people who share The Tribe Therapeutic Supports values and commitment to protect children and young people; and
- Prevent a person from working at The Tribe Therapeutic Supports if they pose a risk to children or young people.

The Tribe Therapeutic Supports requires all workers/contractors and volunteers to pass through the organisation's recruitment and screening processes prior to commencing their engagement with The Tribe Therapeutic Supports. This process will include interviews, behavioural questions on child protection, referee checks and evidence of current, not prohibited Working with Children Checks.

The Tribe Therapeutic Supports may require applicants to provide a police check <sup>as</sup> appropriate, before they commence working at The Tribe Therapeutic Supports and during their time with The Tribe Therapeutic Supports at regular intervals.

The Tribe Therapeutic Supports will undertake thorough reference checks as per the approved internal procedure.

Once engaged, workers/contractors and volunteers must review and acknowledge their understanding of this policy.

We will immediately contact the Department of Human Services Screening Unit when we become aware of certain information regarding any person involved with our organisation, including any serious criminal offence, child protection information, or disciplinary or misconduct information.

## Supervision, Training and Support

The Tribe Therapeutic Supports will provide ongoing training and support to all employees, subcontractors and volunteers about their role in maintaining child safe environments. Support includes an induction where new employees will receive a copy of this policy, regular performance feedback and a child safety officer on staff to provide education and guidance. Regular supervision sessions will include a focus on child safety and wellbeing. Training includes:

- All staff, contractors and volunteers to read and understand the Mandatory Notification Information Booklet ([https://dhs.sa.gov.au/data/assets/pdf\\_file/0003/103179/CSE-Mandatory-notification-information-booklet.PDF](https://dhs.sa.gov.au/data/assets/pdf_file/0003/103179/CSE-Mandatory-notification-information-booklet.PDF))
- All staff, contractors and volunteers are required to complete the online SMART (Strategies for Managing Abuse Related Trauma) training: (<https://professionals.childhood.org.au/prosody/2015/07/smart-online>)
- All mandated notifiers in your organisation to attend a 'Safe Environments: Through Their Eyes' training course every 3 years
- All staff, contractors and volunteers are required to view the resources Keeping

**Commented [A1]:** As per previous review police checks are not required under legislation, it's an organizational policy decision if you require staff to have them. The Working with Children Check is required by legislation and have included extra information for you as per the Guideline to writing a policy on our website.

**Commented [A2]:** As per previous review, it's required you include how regularly training is completed

Last updated 16/04/2024

To be updated prior to April 2029

Our Kids Safe, developed by SNAICC (<https://www.snaicc.org.au/policy-and-research/child-safety-and-wellbeing/keeping-our-kids-safe/>)

- All staff, contractors and volunteers to have access to web-based resources about issues concerning child safety and wellbeing
- Professional Development opportunities to build knowledge and skills regarding the wellbeing, safety and development of children and young people.
- All staff to review and complete training every 3 years during their engagement with The Tribe Therapeutic Supports.

### Risk Management

The Tribe Therapeutic Supports will ensure that child and young person safety is a part of its overall risk management approach. All one-on-one therapy work with a child or young person is to take place in public view of other adults, such as public spaces in schools, or in rooms in a house in view of a parent or caregiver.

The Tribe Therapeutic Supports will have a risk and compliance sub-committee committed to identifying and managing risks at The Tribe Therapeutic Supports. Risk and compliance sub-committee members will receive regular training in relation to the safety of children and young people.

Identified risks to children and young people and how we mitigate against those risks include:

Risk name and description	Actions to minimise risk
Culture of organisation is not child-safe focused	<ul style="list-style-type: none"> <li>• Child focused Code of Conduct is in place that sets the behavioural standards expected including what happens when a breach occurs</li> <li>• Culture of management reflects the strong commitment of The Tribe Therapeutic Supports to the safety of children and young people</li> <li>• National Principles for Child Safe Organisations are embedded in policies and procedures</li> <li>• We meet the requirements of the <i>Children and Young People (Safety) Act 2017</i> (which mandates child safe environments) and the <i>Child Safety (Prohibited Persons) Act 2016</i> (which mandates Working with Children Checks)</li> </ul>
Organisational staff (including employees and volunteers) harm children/young people	<ul style="list-style-type: none"> <li>• Recruitment processes including undertaking referee checks to ensure the suitability of persons before they are employed/volunteer with our organisation is completed</li> <li>• Interview questions (no prior preparation) should gauge an applicant's understanding</li> </ul>

Last updated 16/04/2024

To be updated prior to April 2029

**Commented [A3]:** As per previous review we advised you needed to include identified risks to children and young people in your organisation and what your organisation does to lessen those risks. Refer to the Risk management guide in the Resource section of our [website](#).

I have added a table with suggestions and for you to add further information.

	<p>of Child-safe principles and actions that would be taken to prevent harm to CYP.</p> <ul style="list-style-type: none"> <li>• All employees and volunteers have WWCC with 'not prohibited' result prior to working with children and young people</li> <li>• WWCC updated every 5 years</li> <li>• Children and young people and their families are given a copy of our Child Safe Environments policy and complaints and feedback process as part of a welcome/induction pack</li> </ul>
Organisational staff (including employees and volunteers) do not understand their obligations to report harm and risk of harm to the Child Abuse Report Line (or SA Police if child/young person is at immediate risk)	<ul style="list-style-type: none"> <li>• All employees and volunteers trained in Safe Environments – Through their Eyes on commencement and refresher training every 3 years after</li> <li>• All employees and volunteers must abide by the child safe environments policy and Code of Conduct (latter is signed on commencement with organisation)</li> </ul>
Physical touch	<ul style="list-style-type: none"> <li>• Child focused Code of Conduct is in place that sets the behavioural standards expected including what happens when a breach occurs</li> <li>• All incidents of inappropriate physical touch will result in a CARL report and/or police report.</li> </ul>
Taking images of children and young people	<ul style="list-style-type: none"> <li>• All images taken of children or young people in relation to The Tribe Therapeutic Supports therapy provisions will be taken on organisation cameras or phones. No photos are to be taken on staff personal devices.</li> <li>• All families will sign a consent form giving permission for photos to be taken prior to activities where a camera will be used in any way.</li> <li>• Families are able to withdraw consent, and photos taken using The Tribe Therapeutic Supports devices deleted, if necessary</li> </ul>
Supervision of children and young people	<ul style="list-style-type: none"> <li>• All employees and volunteers have WWCC with 'not prohibited' result prior to working with children and young people</li> <li>• Child focused Code of Conduct is in place that sets the behavioural standards expected including what happens when a breach occurs</li> <li>• All The Tribe Therapeutic Supports therapy will occur in the line of site of parents/caregivers (for clients under the age of 18), school duty of care staff or in public spaces in view of others (eg. On public</li> </ul>

Last updated 16/04/2024

To be updated prior to April 2029

	transport, in shopping centres...)
Online communication	<ul style="list-style-type: none"> <li>• Online communication with The Tribe Therapeutic Supports clients and families is to be conducted via email or telehealth platforms (Microsoft Teams or Zoom)</li> <li>• All conversation records on any electronic platform must be maintained for records if necessary.</li> <li>• The Tribe Therapeutic Supports staff, volunteers or employees must not solicit online or phone contact (including text) with underage clients without permission of their parents/caregivers.</li> <li>• All online communication with any of The Tribe Therapeutic Supports clients or families must still abide by the Code of Conduct and Child Safe Policy</li> </ul>

### Reporting and responding to harm or risk of harm

Within The Tribe Therapeutic Supports, all staff and contractors that work directly with children or young people are mandated notifiers. Mandated notifiers have a legal obligation to report harm or risk of harm to authorities. The person who identifies the harm is the person to make the report. They should also advise their supervisor about their concern *after* the report has been completed. Non-mandated notifiers are encouraged to make voluntary reports about harm or risk of harm to a child or young person.

The reports regarding the reasonable belief that a child or young person is, or may be, at risk of harm are to be made to the Child Abuse Report Line (CARL) on 13 14 78, or if at immediate risk, report to South Australia Police (SAPOL) on 000. In cases involving Aboriginal children and young people, support is provided by Yaitya Tirramangkotti – an Aboriginal team, via the CARL number. The Tribe Therapeutic Supports will be guided by the relevant authority (Department for Child Protection/SA Police) about how to proceed after a notification.

In situations where the supervisor is suspected of involvement in the activity, or if the person having the suspicion does not believe the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision.

Supervisors must report complaints of suspected harmful behaviour or misconduct to the Director. After a report to CARL/SAPOL has been made, The Tribe Therapeutic Supports will continue to support the child or young person in a way deemed safe for all parties, following a review of the current work practices involved in their therapy. The Tribe Therapeutic Supports will support any child, young person, carer or family

Last updated 16/04/2024

To be updated prior to April 2029



member already involved with the service to access and additional supports they may need.

### **Investigating**

If the appropriate child protection service or the police decide to investigate a report, all employees, contractors or volunteers must cooperate fully with the investigation. Whether or not the authorities decide to conduct an investigation, the Director will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the Director may decide to conduct such an investigation. All employees, contractors and volunteers must cooperate fully with the investigation.

Any such investigation will be conducted according to the rules of natural justice. The Director will make every effort to keep any such investigation confidential; however, from time to time other members of staff may need to be consulted in conjunction with the investigation.

### **Responding**

If it is alleged that a member of staff, contractor or volunteer has harmed a child or young person, the person concern may be stood down (with pay where applicable) while an investigation is conducted.

If the investigation concludes that on the balance of probabilities an offence (or breach of the organisation's policies or Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the organisation. The findings of the investigation will also be reported to any external body as required.

### **Reporting and responding to general complaints or feedback**

The Tribe Therapeutic Supports will deal with all complaints and feedback promptly, sensitively and fairly. Any complaints or feedback should be directed to the immediate parties if appropriate to do so. If complainants are not satisfied or not comfortable with this, then the complainant is to inform the Director of their complaint or grievance. This can be done face to face, via email or over the phone. If the Director is unable to satisfactorily mediate an acceptable outcome, then the matter may be referred for external mediation.

All complaints will be recorded in writing and dealt with in a prompt manner. Initial communication in response to a complaint can be expected within 5 business days. See The Tribe Therapeutic Supports *Complaints and Grievances Policy* for more detailed procedural information.

### **Privacy**

All personal information considered or recorded will respect the privacy of the

individuals involved unless there is a risk to someone's safety. The Tribe Therapeutic Supports will have safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how the personal information is recorded, what will be done with it, and who will be able to access it.

#### **Policy Review**

The Children and Young People (Safety) Act states all policies are to be reviewed and updated at least once in a 5 year period and a new compliance statement lodgment is required with the Department of Human Services each time the policy is reviewed/updated.

Last updated 16/04/2024

To be updated prior to April 2029