
Purpose

Mercy Connect is committed to child safety and has developed this policy to assist to deal appropriately with the issue of child protection, and by doing so is supporting a consistent approach by all Mercy Connect operations to this important issue. Mercy Connect's values: Compassion, Respect, Hospitality, Teamwork and Innovation guide Mercy Connect in the development of its Child Safe Policy.

Mercy Connect acknowledges the serious consequences of child abuse and neglect, both in the short and long term.

Scope

This policy applies to all workers including permanent and casual, contract workers, temporary agency workers, and volunteers. This policy is owned by the Mercy Connect Board of Directors.

Guiding Principles

Mercy Connect is committed to child safety and the following principles will apply:

- ✓ Want children who are in our services to be safe, happy and empowered. We support and respect all children, as well as our workers and volunteers.
- ✓ Committed to the safety, participation and empowerment of all children.
- ✓ Zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.
- ✓ Have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.
- ✓ Committed to preventing child abuse and identifying risks early, and removing and reducing these risks.
- ✓ Support and respect all children, as well as our workers and volunteers. Mercy Connect is committed to the cultural safety of Aboriginal children, the cultural safety of children from a culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.
- ✓ Have specific policies, procedures and training in place that support our leadership team, workers and volunteers to achieve these commitments.

Mercy Connect has a number of policies to promote decision making, empowerment, diversity of culture, including linguistic or aboriginal children. These policies and guidelines include:

- ✓ Rights Policy
- ✓ Dignity of Risk and Duty of Care Guideline
- ✓ Health and Wellbeing Policy
- ✓ Privacy and Confidentiality Policy
- ✓ Safeguarding Policy
- ✓ Food Safety Guideline
- ✓ Mandatory Reporting Guideline
- ✓ Incident Management Guideline
- ✓ Positive Support Behaviour and Eliminating Restrictive Practices Policy and Guidelines
- ✓ Feedback and Complaints Policy
- ✓ VOOHC Planning and Reviewing Guideline
- ✓ VOOHC Principles of Care Guideline
- ✓ VOOHC Intake and assessment Guideline
- ✓ VOOHC Register Guideline

Mercy Connect workers are bound by the Code of Conduct Policy to ensure the safety of all children and participants in their care and is committed to training its workforce to the highest standards of care. This commitment is covered in the following policies:

- ✓ Code of Conduct Policy
- ✓ Recruitment, Selection and Induction Policy
- ✓ Performance Management including discipline and ongoing review processes

Responsibilities

Mercy Connect will:

- ✓ Ensure that all workers or volunteers are:
 - clear about their roles and responsibilities under current Ombudsman Act 1974 (Part 3A and 3C) and other Regulations. For more information go to the below websites.
[https://www.ombo.nsw.gov.au/what-we-do/our-work/employment-related-child-protection\(3A\)](https://www.ombo.nsw.gov.au/what-we-do/our-work/employment-related-child-protection(3A))
[https://www.ombo.nsw.gov.au/what-we-do/our-work/community-and-disability-services/part-3c-reportable-incidents\(3C\)](https://www.ombo.nsw.gov.au/what-we-do/our-work/community-and-disability-services/part-3c-reportable-incidents(3C))
 - aware of their obligations to immediately report to the Child Protection Hotline a child that they suspect a child is at risk of significant harm, and procedures for reporting.
 - Aware of indicators when a child may be at risk of harm or significant harm.
- ✓ Ensure Working with Children Check requirements have been met.
- ✓ Report to the NSW Ombudsman, any reportable allegations and convictions made against a worker or volunteer and ensure that they are investigated by the Head of Agency, with the appropriate action to be taken in relation to finding.
- ✓ Notify the Commission for Children and Young People details of workers or volunteers against whom relevant disciplinary proceedings have been completed, or of persons whose employment has been rejected primarily because of a risk identified in employment screening processes.

Workers and volunteers will:

- ✓ Report any case where a child is suspected to be at risk of significant harm to the Child Protection Mandatory Reporters Helpline on 133 627.
- ✓ Promote the safety, welfare and wellbeing of children and young people at using Mercy Connect services.
- ✓ Where concerns of harm do not meet the significant harm threshold, be aware of referring agencies for families.
- ✓ Be aware of the New South Wales Mandatory Reporter Guide.
- ✓ It is important to remember that all employees, (and the Approved Provider) are mandatory reporters for NSW Government Human Services Community Services.
- ✓ Child at risk of significant harm are to be made by the Team Leader or Executive Leader Clinical Services. However, if the Team Leader or Executive Leader Clinical Services has not made a report to the Child Protection Hotline, workers or volunteers will continue to be legally responsible to do so.
- ✓ It is the responsibility of the worker or volunteer suspecting the risk of child protection to ensure that a report is made
- ✓ Reporting any inappropriate behaviour through appropriate channels, including the Department of Health and Human Services, Child Protection (Vic), Department of Family and Community Services (NSW) and NSW and Victorian Police authorities, depending on the severity and urgency of the matter.
- ✓ Maintain a register for workers holding a Working With Children Check (WWCC) including expiration date of to ensure all workers are compliant to VOOHC requirements.
- ✓ Report to the NSW Ombudsman, any reportable allegations and convictions made against an employee, volunteer or student and ensure that they are investigated by the Head of Agency, with the appropriate action to be taken in relation to finding.

Notification to the Ombudsman

- ✓ Procedures are in place to deal with allegations of reportable conduct or convictions against employees of all government and certain non-government agencies in NSW.
- ✓ The Ombudsman Act requires the Head of Agency (Approved Provider/Committee Members/ General Manager) to notify the Ombudsman within 30 days of becoming aware of any reportable allegations or conviction made against an employee involved in the provision of Education and Care Service.
- ✓ The Ombudsman needs to be informed of any reportable allegation regardless of the outcome and the confirmation or non-confirmation of the allegation, unless the investigation by the agency considers the allegation to be a trivial or negligible application of physical force.
- ✓ Some matters are notifiable to the Ombudsman as an allegation of reportable conduct, but are only reportable to the Child Protection Helpline if there are also current concerns that a child or young person is at significant risk.

Visit www.ombo.nsw.gov.au for any forms required.

Privacy

As an organisation Mercy Connect is bound by the Australian Privacy Principles in the Privacy Act 1988 which regulates how we may collect, use, disclose and store personal information, and how individuals may access and correct personal information held by them. This is covered by:

- ✓ Privacy and Confidentiality Policy

Mercy Connect takes its legal responsibilities seriously, including:

- ✓ **Failure to disclose For Victoria:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.
- ✓ **Failure to disclose For NSW:** Note that while it is mandatory to report children aged 0-15 years at risk of significant harm, it is not mandatory to report young people aged 16-17 years or unborn children. Professional judgement should be used in deciding whether concerns about the safety, welfare or wellbeing of an unborn child or a young person warrant a report to the Child Protection Helpline
- ✓ **Failure to protect:** People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- ✓ Any personnel who are **mandatory reporters** must comply with their duties

Further Information

It is important that all workers are aware that when dealing with children involved in any issue relating to abuse that they are not questioned around the abuse. This may hinder the formal investigation into the incident. Additional information from children should not be coerced, a record of their disclosure is kept which can be used as part of the formal investigation.

Information Exchange

Under chapter 16A of the Children and Young Persons (Care and Protection) Act 1998, Mercy Connect staff can exchange information that relates to a child or young person's safety, welfare or wellbeing, with prescribed agencies. Information can be provided whether or not the child/young person or the parents/guardians provide consent.

Information can be shared regardless of the involvement of the Department of Community Services.

Chapter 16A also requires prescribed bodies to take reasonable steps to coordinate decision-making and the delivery of services regarding children and young people.

Exchange of information from all external parties must be made in writing to Mercy Connect Privacy Officer. The Privacy Officer has the authority to release information and will be provide in writing to the requesting body. All requests and responses will be stored securely within participants' files.

Relevant legislation

- Disability Discrimination Act 1992
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities
- National Standards for Disability Services
- National Disability Insurance Scheme 2013: Principles
- National Disability Insurance Scheme Quality and Safeguarding Framework
- NSW Disability Services Act 2014
- Child Protection (Working with Children) Act 2012
- Children and Young Person (Care & Protection) 1998
- Disability Inclusion Act 2014
- Ombudsman Act 1974
- Children Youth and Family Act 2005 (Vic)
- Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015

