

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.

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/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 notifications are to be made by the Team Leader, Manager or Quality and Safeguarding Team. However, if a report has not made to the Child Protection Hotline, workers or volunteers will continue to be legally responsible to do so.
- Reporting any inappropriate behaviour through appropriate channels, including the Department of Families, Fairness and Housing, 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.

Commitment to Child Safety

Mercy Connect acknowledges its responsibility to uphold and promote the safety and wellbeing of children and young people, and to respect and listen to the opinions of the children and young people in our care.

Mercy Connect recognises the importance of developing and implementing systems which protect children and young people from risk of harm, and fostering a culture of safeguarding children and young people.

As such, Mercy Connect commits to the following principles:

1. **Respect:** We will treat everyone equally, regardless of who they are or their age. We will ensure that everyone feels safe, welcome and respected.
2. **Inform:** We will ensure that children and young people are informed of their physical, emotional and online rights and what actions to take if they feel unsafe.
3. **Family and community:** Where it is safe to do so, we will involve families and communities in our approach to child safety and wellbeing.
4. **Help:** We will help children and young people to work towards their goals in life.
5. **Safety:** We will ensure that children and young people feel safe and comfortable in our care. All persons in our organisation will be supported to safely disclose risks of harm to children or young people. We will take seriously, and act immediately in relation to, any reports of child abuse.
6. **Staff and volunteers:** We will ensure that all workers whom we engage have been appropriately screened and trained to work positively with children and young people.
7. **Include children in decisions:** We will seek input and feedback from children and young people and empower them to participate in decisions affecting their lives or care.
8. **Give voice:** We will help children and young people to voice their concerns and complaints about the organisation, and we will take their input seriously.
9. **Safe environment:** We will ensure that our physical and online environments promote safety and wellbeing.

10. **Policies and procedures:** We will document, regularly review and continuously improve our policies and procedures to promote and uphold child safety and wellbeing.

Children

This policy is intended to empower children who are vital and active participants in our organisation. The organisation involves them when making decisions, especially about matters that directly affect them. It also listens to their views and respect what they have to say.

Mercy Connect promotes diversity and tolerance across the organisation, and people from all walks of life and cultural backgrounds are welcome. In particular, Mercy Connect:

- promotes the cultural safety, participation and empowerment of Aboriginal children
- promotes the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds
- ensures that children with a disability are safe and can participate equally.
- ensure the needs of lesbian, gay, bisexual, transgender and intersex children and young people are acknowledged and supported through our services and supports

Staff and volunteers

This policy guides staff and volunteers on how to behave with children being support by the organisation.

All staff and volunteers must agree to abide by the code of conduct which specifies the standards of conduct required when working with children.

Training and supervision

Training and education are important to ensure that everyone at Mercy Connect understands that child safety is everyone's responsibility.

The organisational culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. All staff and volunteers are trained to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

Staff and volunteers are also supported through ongoing supervision to: develop their skills to protect children from abuse; and promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.

New employees and volunteers will be supervised regularly to ensure they understand Mercy Connect's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate (please refer to the code of conduct to understand appropriate behaviour further). Any inappropriate behaviour will be reported through appropriate channels, including the NSW Ombudsman, the Department of Health and Human Services and Police, depending on the severity and urgency of the matter.

Recruitment

Mercy Connect takes all reasonable steps to employ skilled people to work with children. Selection criteria and advertisements are developed which clearly demonstrate commitment to child safety and an awareness of social and legislative responsibilities. The organisation understands that when recruiting staff and volunteers, there are ethical as well as legislative obligations.

Mercy Connect actively encourage applications from Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability.

All people engaged in child-related work, including volunteers, are required to hold a Working with Children Check and to provide evidence of this Check.

Mercy Connect conducts reference checks and police record checks to ensure that the right people are being recruited. Police record checks are used only for the purposes of recruitment and are discarded after the recruitment process is complete. If during the recruitment process a person's records indicate a criminal history then the person will be given the opportunity to provide further information and context.

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 GV 014 Privacy and Confidentiality Policy.

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 may be provided whether or not the child/young person or the parents/guardians provide consent, however, as best practice (and in compliance with the *Specialised Substitute Residential Care Code of Practice*), Mercy Connect will inform and seek written consent of how personal information may be used and disclosed from the participant or guardian as part intake process.

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.

Legislative responsibilities

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.

Risk management

Mercy Connect endeavours to protect all children when a risk is identified. In addition to general occupational health and safety risks, the organisation proactively manages safeguarding risks to children.

There are risk management strategies in place to identify, assess, and take steps to minimise child safeguarding risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments (for example, no staff or volunteer is to have contact with a child in organisations on social media).

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.

Relevant Legislation and Policy

- 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
- Specialised Substitute Residential Care Code of Practice
- Disability Inclusion Act 2014
- Ombudsman Act 1974
- Children Youth and Family Act 2005 (Vic)
- Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015
- Victorian Child Safe Standards 2021
- Rights Policy HR 005
- Dignity of Risk and Duty of Care Guideline HRG 001
- Health and Wellbeing Policy HR 003
- Privacy and Confidentiality Policy GV 014
- Safeguarding Policy OP 005
- Mandatory Reporting Guideline CSG 007
- Incident Management Policy GV 012
- Incident Reporting Procedure CSP 004
- Positive Support Behaviour and Eliminating Restrictive Practices Policy CS 004
- Positive Support Behaviour Guideline CSG 001
- Eliminating Restrictive Practices Procedure CSP 006
- Feedback and Complaints Policy HR 002

- VOOHC Planning and Reviewing Guideline CSG 003
- VOOHC Principles of Care Guideline CSG 005
- VOOHC Intake and assessment Guideline CSG 004
- VOOHC Register Guideline CSG 006
- Code of Conduct Policy HR 001
- Recruitment, Selection and Induction Guideline HRG 003

Approvals

Action		Signature
Reviewed by	Executive Leader Clinical Services - Caroline Cummins	
Review date	2 February 2023	
Next review date	June 2024	
Authorised By	Executive Leader Clinical Services - Caroline Cummins	

Issue Status

Issue #	Description of change	Date
001	Initial publication	22 July 2019
002	Change of template and scheduled review	8 June 2022
003	Minor updates to support Victorian Child Safe Standards 2021	23 June 2022
004	Minor amendment relating to consent of information exchange as a result of SSRC Code of Practice requirements	2 February 2023