

Introduction

Mercy Connect is committed to promoting and protecting the safety and wellbeing of all children involved in our services. We will take all necessary steps to prevent child abuse and create a safe environment for children and young people. Mercy Connect acknowledges the serious consequences of child abuse and neglect, both in the short and long term.

The care and protection of the children within our services, and reporting any suspected child abuse, exploitation or neglect is the responsibility of all. This is a shared responsibility between all Mercy Connect staff and volunteers.

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.

Children should be able to express their views and have those views taken seriously. Mercy Connect provides opportunities for children to participate in decisions that affect their lives, and their opinions will be considered in the development of child safety policies and practice.

Mercy Connect recognises that some children are more vulnerable to abuse than others, find it harder to communicate or be heard, and may experience greater challenges in enacting their rights and remaining safe. We are committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds. Mercy Connect promotes the rights of children and families living with disability and actively promotes social inclusion and the provision of a safe environment for children living with a disability. Mercy is an inclusive organisation and welcomes lesbian, gay, bisexual, trans, gender diverse, intersex, and queer (LGBTIQ+) children at our services.

Mercy Connects values: Compassion, Respect, Hospitality, Teamwork and Innovation guide Mercy Connect in the development of its Child Safe Policy.

Mercy Connect seeks to always be an organisation that:

- commits to providing a child-safe environment where children are protected from any form of harm, abuse, or neglect.
- reduces the likelihood of harm to children.
- complies with all relevant laws and regulations regarding child protection.
- promotes a culture of openness and transparency when it comes to child safety.
- has processes and systems that supports the identifying and reporting of abuse and harm.
- responds promptly and appropriately to disclosures, allegations, or suspicions of harm.

Purpose

This Policy summarises Mercy Connects' commitment to protect children from harm.

Scope

All individuals engaged by or with Mercy Connect are required to observe this Policy and the standards of child safe practice and meet the expectations for appropriate behaviour towards, and in the company of, children and young people.

Everyone is responsible for supporting the safety, wellbeing, and empowerment of children. This Policy applies equally to all staff whether; employees, carers, volunteers, students on placement and contractors. Mercy Connect considers child abuse unacceptable in all circumstances and takes its duty of care seriously.

We always aim to provide the safest possible environments for children. This will be achieved by identifying and managing risks that may lead to harm and actively engaging in prevention strategies.

Responsibilities

All Mercy Connect management, staff and volunteers (and contractors) must act in accordance with Mercy Connects Code of Conduct as part of their induction into the organisation, to always commit to keeping children safe within the organisation and act in their best interests.

This policy guides all staff and volunteers on how to behave with children being supported by Mercy Connect.

Principles

National Child Safe Standards

Mercy Connect acknowledges the important work of the Royal Commission into Institutional Responses to Child Sexual Abuse ("The Royal Commission") in promoting child safe policies and practices to better protect children. The Royal Commission provided essential learning on the key characteristics of a child safe organisation and provided ten National child safe standards which are:

1. Child safety and wellbeing is embedded in organisational leadership, governance, and culture.
2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety and wellbeing.
4. Equity is upheld and diverse needs respected in policy and practice.
5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
6. Processes for complaints and concerns are child focused.
7. Staff and volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe through ongoing education and training.
8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
9. Implementation of the national child safe principles is regularly reviewed and improved.
10. Policies and procedures document how the organisation is safe for children and young people.

Mercy Connect endorses the ten National Child Safe Standards, but as a multi-jurisdictional organisation must accommodate the specific requirements of each jurisdiction within which Mercy Connect operates. Whilst most jurisdictions have adopted the ten national Standards, Victoria has adopted an eleventh Child Safe Standards being:

1. Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.

Mercy Connect is committed to quality child safe practice, regardless of the jurisdiction that a service operates in.

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. **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.
2. **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.
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. **Respect:** We will treat everyone equally, regardless of who they are or their age. We will ensure that everyone feels safe, welcome and respected.
5. **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.
6. **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.
7. **Help:** We will help children and young people to work towards their goals in life.
8. **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.
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.

Families and communities can access [“Our approach to Child Safety & Care”](#) via our website.

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 conduct will be reported through

the appropriate channels, in line with jurisdictional requirements, which may include the Office of the Children’s Guardian, the Department of Health and Human Services, or the Police, depending on the severity and urgency of the situation.

Mandatory Reporting

Mandatory reporting refers to the legal requirement of staff to report a reasonable belief of child physical or sexual abuse to the relevant State’s child protection authorities.

All Mercy Connect workers are deemed to be a Mandated Reporter and must make a report to relevant state child protection agency if the worker has a current concern that a child is at risk of harm and that concern arises in the course of their employment. For specific reporting requirements, please refer to the Child Protection - Mandatory Reporting Guideline.

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 clearance. We will also validate any minimum qualification requirements for staff working with children.

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.

Worker and Carer Exclusion Schemes

Workers have an obligation to advise Mercy Connect if they are under investigation or excluded from working with children.

Before engaging with a worker or carer for the first time, service providers must ask the Social Services Regulator to check the database and disclose whether the person is under investigation or excluded.

Reportable Conduct

Employers are obligated to report findings of reportable misconduct related to sexual misconduct, physical assault, emotional and psychological harm, financial exploitation, neglect, cultural abuse, breaches of professional boundaries, and any behaviour that could reasonably cause harm to a service user. For specific reporting requirements, please refer to the Child Protection - Mandatory Reporting Guideline.

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.

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 (SSRC) 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
- Children’s Guardian Act 2019
- Children Youth and Family Act 2005 (Vic)
- Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015
- Victorian Child Safe Standards 2021

Relevant Documentation

- Rights Policy
- Dignity of Risk and Duty of Care Guideline
- Health and Wellbeing Policy
- Privacy and Confidentiality Policy
- Safeguarding Policy
- Child Protection - Mandatory Reporting Guideline
- Incident Management Policy
- Incident Reporting Procedure
- Eliminating Restrictive Practices Procedure
- Feedback and Complaints Policy
- SSRC Planning and Review Guideline
- DFFH Planning and Review Guideline
- Principles of Residential Care of Children Guideline
- Intake and Assessment of Children Guideline
- SSRC Register Work Instruction
- Code of Conduct Policy
- Recruitment, Selection and Induction Guideline

Approvals

| Action | | Signature |
|------------------|--|---|
| Reviewed by | Darrin Richards, Rochelle Taylor, Kate Henderson |  |
| Review date | November 2024 | |
| Next review date | June 2026 | |
| Authorised By | Acting Executive Leader Clinical Services – Gareth Evans | |

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 |

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| 005 | Complete review of procedure. Removed reference to specific service requirements for reportable conduct and mandatory reporting from Policy and moved to Children Mandatory Reporting Guideline. Linked to publicly available 'Commitment to Child Safety' | 12 November 2024 |
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