

CHILD PROTECTION AND REPORTING HARM POLICY

Policy number	CS001	Version	007
Responsible person	DOTSS	Approved by CEO	November 2022
Reviewed by	CIQAC	Scheduled review date	November 2023

INTRODUCTION

Bravehearts is committed to the safety and wellbeing of all clients accessing our service. Bravehearts supports the rights of the client and will act without hesitation to ensure a child and/or clients' safe environment is maintained.

Children and vulnerable people need to know and believe that they always have the right to be safe and feel safe. Children are amongst the most vulnerable members of our society. This policy has been developed to promote and enhance the safety and welfare of children and vulnerable people in relation to their contact with Bravehearts personnel.

It is important that there be a total community effort towards the protection of children and vulnerable people from sexual abuse and exploitation and/or from abuse and neglect more broadly. Bravehearts will, at all levels, operate in a spirit of cooperation and consultation with other relevant agencies in matters concerning child protection and protection of vulnerable people.

Bravehearts upholds the commitment of the United Nations Convention on the Rights of the Child in particular Article 3 which states: 'In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration'.

Bravehearts upholds the National Principles for Child Safe Organisations as recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse to ensure a child safe culture is embedded within the organisation that is underpinned by a child-rights approach.

This policy applies to all Bravehearts staff, students, volunteers, contractors and National Board and Committee members ("Bravehearts Officer").

DEFINITIONS

Bravehearts Officer: any member of the Bravehearts' National Board, staff, students, volunteers or contractors.

Bravehearts' National Board: means the Directors and relevant officers of the organisation.

Child Abuse: Child abuse is defined as any act of omission or commission that endangers or impairs a child's physical/psychological/emotional/social health and development.

Child Protection and Vulnerable Person Officer: a responsibility given to an employee to ensure key areas of the organisation consistently have the protection of children and vulnerable children at the forefront of decisions and are current in legislation and information of best practice.

Child sexual abuse: Child sexual abuse includes any act of inappropriately exposing or subjecting a child, under the age of 18, to sexual activity, contact or behaviour by an adult or by another child, for the purposes of gratification (sexual or otherwise).

Child: A child is any person who has not yet reached the age of 18.

Clients: A client is defined as any individual accessing Bravehearts Therapeutic and Support Services.

Contractor: a person, or company contracted by Bravehearts to undertake a piece of work/function with contract agreement.

Director of Therapeutic and Support Services: A staff member who reports directly to the CEO and has the responsibility of management of the Operations Department Managers, Therapeutic and Support Services Quality Coordinator and Reception.

EAP: Employee Assistance Program (EAP): is a voluntary, work-based program that offers free and confidential assessments, short-term counseling, referrals, and follow-up services to employees who have personal and/or work-related problems.

Principal: Refers to an individual with responsibility over a campus or centre including but not limited to School Principal, Director or Centre Manager, Headmaster and Head of Agency.

Reasonable Grounds: A reasonable basis to believe that a definable activity has been, or may be committed

Senior Executive Team (SET): Internal senior management of Bravehearts, consisting of, but not limited to: Chief Executive Officer, Director of Research, Executive Assistant and National Grants Manager, Marketing Strategist, Director of Therapeutic & Support Services, People and Culture Manager, Finance Manager and Commercial Director.

Staff Member: People employed under a current Employment Agreement as casual, part time or full-time officers of the organisation.

Stakeholders: Any individual or agency (government and non-government) who have a vested interest in the outcomes achieved by Bravehearts.

Students: Student from a tertiary institute undertaking a volunteer placement or internship with Bravehearts.

Supervisor: A staff member with responsibility for supervising Bravehearts staff.

Volunteers: People who are registered as volunteers with the Bravehearts Events and Volunteer Coordinator.

Vulnerable People: A child or children; or an individual aged 18 years and above who is or may be unable to take care of themselves or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason.

PURPOSE

The purpose of this policy is:

1. To promote and enhance the safety and welfare of children, vulnerable people and clients.
2. Establish the principles which will govern the organisational response to disclosures or concerns of harm/risk of harm to children or vulnerable people.
3. Establish the principles which will govern the organisational response to disclosures or concerns that a child or vulnerable person may be a risk to themselves and/or others.
4. To ensure the existence of clear procedures for clients, staff, volunteers and management that guide actions in line with the policy principles.
5. To enable Bravehearts to address all disclosures or concerns of harm and risk of harm by ensuring that the information is recorded, considered, resolved and monitored and informs future policy/procedure development and review.
6. To ensure that Bravehearts Officers and clients are aware of the content of this policy and its associated related documents and procedures.

POLICY

1. Bravehearts shall implement and maintain a formal procedure for disclosures or concerns of harm/risk of harm to children and vulnerable people based on the following principles;
 - The safety of children and vulnerable people is the paramount consideration.
 - Children and vulnerable people are among the most vulnerable members of our society.
 - Children and vulnerable people need to know and believe that they have the right to be safe at all times.
 - Children and vulnerable people are entitled to basic human rights regardless of special needs, cultural, or socioeconomic factors, and to have those rights protected.
 - Children and vulnerable people are people in their own right, deserving of respect, care and protection.
 - Children and vulnerable people are entitled to the support of a person to act as an advocate on their behalf and to protect them and their voice.
2. Bravehearts will implement and maintain a formal procedure for disclosures of harm or concerns that a client may be at risk to themselves and or others, to make sure that all staff and volunteers are aware of their responsibility as mandatory reporters as defined by Bravehearts policy.
3. If a victim is now over the age of 18, Bravehearts will still report the offence to police, unless there is a reasonable excuse for not reporting the sexual abuse. Reasonable excuses include if you have received information about the victim who is now an adult, and you reasonably believe they do not want to reveal it to the police. However, if there is still any current risk to children, Bravehearts will assume there is no reasonable excuse not to report.
4. Bravehearts will ensure that all staff, students, and volunteers who work directly with clients and children or vulnerable people are employed with recognised and appropriate qualifications in accordance with their role in the organisation.
5. Bravehearts will ensure all staff, students, volunteers and National Board and Committee members hold a current *Working with Children Suitability Card* (in accordance with state and territory legislation) before commencing working or volunteering at Bravehearts. Bravehearts keeps a *Working with Children Register* for all Bravehearts Officers and National Board and Committee members. A registered health practitioner with the Australian Health Practitioners Regulation Agency (AHPRA) is exempt from obtaining a Working with Children Check when employed with Bravehearts. AHPRA registration must be maintained at all times by the employee and a record will be maintained on the employee's files.
6. Bravehearts will ensure all staff, students and volunteers who will be offering support to NDIS clients will hold a Worker Screening test (in accordance with state and territory legislation) before commencing working or volunteering at Bravehearts supporting NDIS clients. Bravehearts keeps a NDIS Worker Screening Register for all staff, students and volunteers. Where there is no valid Worker Screening test the person may not work with NDIS clients.
7. The relevant Departmental Manager will make sure that staff, students, volunteers, contractors and National Board and Committee members are aware of the definitions of sexual abuse/exploitation, abuse and neglect as contained in the relevant State and Territory Acts through the induction process.

8. The relevant Department Manager shall ensure staff, students, volunteers and National Board and Committee members are aware of the policy and procedures of reporting any suspicion, concerns or disclosure of child and vulnerable people abuse and neglect through the induction process.
9. The relevant Department Manager shall ensure Bravehearts Officers and National Board and Committee members are aware of the policy and procedures of reporting any suspicion, concern or disclosure that a client may be at risk of harm to themselves and or others as required by duty of care through the induction process.
10. Bravehearts will ensure staff and National Board and Committee members undertake ongoing training and development for fulfilling reporting obligations.
11. Bravehearts will ensure that all clients (including children and vulnerable people) are made aware of this policy and Bravehearts mandatory reporting and incident management procedures. This will be shared through consent forms, client handbooks, Bravehearts website and regularly informed via communication with any Bravehearts officer.
12. All information relating to a disclosure or concerns of harm to a client, will be recorded, considered, and acted upon as appropriate to each case.
13. All disclosures or concerns of harm to a client, will be addressed in a confidential manner with only the people directly involved in reporting, investigating or resolving the issues having access to information about the matter (if applicable).
14. If applicable, the relevant Department Manager shall ensure that the investigation process is impartial. No assumptions will be made, nor any action taken until all relevant information has been collected and considered.
15. The relevant staff member will ensure that any cultural, LGBTIQ+ or disability factors will be considered in the investigating process.
16. All Bravehearts staff, students, volunteers and National Board and Committee members must follow Bravehearts Code of Conduct.

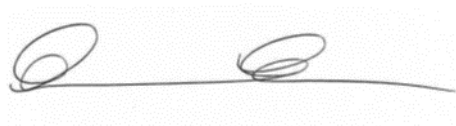
INTERNAL RELATED DOCUMENTS

- Bravehearts Child Protection Incident Report
- Bravehearts Child Protection Notification Form
- Client Rights and Access to Confidential Information Policy
- Code of Conduct
- Complaints, Complaints & Feedback Register
- Compliments Complaints and Feedback Policy
- Extended Bravehearts Departments Child Protection and Reporting Harm Procedure
- Incident Management Policy
- Privacy Policy
- Therapeutic and Support Services Child Protection and Reporting Harm Procedure
- Training and Education Child Protection and Reporting Harm Procedure

EXTERNAL REFERENCES

- *Care and Protection of Children Act 2007*
- *Child Protection Notification form (online and PDF)*
- *Children and Young Persons (Care and Protection) Act 1998*
- *Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020 (Qld)*
- Department of Child Safety, Youth Justice and Multicultural Affairs – Service Agreement Standard Terms (17 February 2015).
- *Disability Services Act 2006*
- *NDIS Practice Standards and Quality Indicators; July 2018*
- *NDIS Quality and Safeguards Commission*
- *Queensland: Child Protection Act 1999*
- *Queensland: Commission for Children and Young People and the Child Guardian Act 2000*
- *Queensland: Human Rights Act 2019*
- *The Children's Protection Act 1993*
- *United Nations Convention on the Rights of the Child*
- *Working with Children (Criminal Record Checking) Act 2004*
- *Working with Vulnerable People (Background Checking) Act 2011*

AUTHORISATION

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a horizontal line and a smaller, circular flourish.

Alison Geale
CEO
November 2022