

# AUTISM ABILITIES CHILD SAFETY & WELLBEING POLICY

*Autism Abilities acknowledges the traditional owners of the land on which we live, work and travel and pays respect to Aboriginal and Torres Strait Islander elders past, present and future. We are committed to the cultural safety of all children including Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds and children with a disability. Everyone is welcome at Autism Abilities regardless of their background, race, culture, religion, gender identity or sexual orientation.*

## PURPOSE

The purpose of this policy is to demonstrate Autism Abilities strong, ongoing commitment to the care, safety and wellbeing of the children and young people we work with. It provides an outline of the steps we are taking to ensure that a child safe culture is championed and modelled at all levels of our organisation, to keep children and young people safe from harm, including all forms of abuse.

## SCOPE

This policy applies to all Autism Abilities staff (including all employees, volunteers, and contractors), whether or not they work in direct contact with children or young people. This policy applies to all settings Autism Abilities staff may work in including Autism Abilities office, staff working from home, staff working in external settings including but not limited to schools, residential settings, workplaces and hospitals.

This policy should be read in conjunction with the following related policies and procedures:

- Autism Abilities Code of Conduct
- Autism Abilities Child Safety Code of Conduct
- Child Safety Responding and Reporting Obligations Policy and Procedures
- Four Critical Actions
- Autism Abilities Participant Rights Statement
- NDIS Code of Conduct
- Prevention & Response to Abuse, Neglect, Discrimination & Exploitation Policy
- Embracing Diversity Policy

## DEFINITIONS

**Child** means a child or young person who is under the age of 18 years.

**Child abuse** includes:

- (a) any act committed against a child involving:
  - (i) a sexual offence
  - (ii) an offence under section 49B(2) of the Crimes Act 1958 (grooming)
- (b) the infliction, on a child, of:
  - (i) physical violence
  - (ii) serious emotional or psychological harm
- (c) serious neglect of a child.

**Child safety** encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to suspicions, incidents, disclosures or allegations of child abuse.

**Child neglect** includes a failure to provide the child with an adequate standard of nutrition, medical care, clothing, shelter or supervision to the extent that the health and physical development of the child is significantly impaired or placed at serious risk.

**Child physical abuse** generally consists of any non-accidental infliction of physical violence on a child by any person.

**Child sexual abuse** is when a person uses power or authority over a child to involve them in sexual activity. It can include a wide range of sexual activity and does not always involve physical contact or force.

**Emotional child abuse** occurs when a child is repeatedly rejected, isolated or frightened by threats, or by witnessing family violence.

**Grooming** is when a person engages in predatory conduct to prepare a child for sexual activity at a later date. It can include communication and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer.

**Mandatory reporting:** The legal requirement under the Children, Youth and Families Act 2005 (Vic.) to protect children from harm relating to physical and sexual abuse. Mandatory reporting is a law that requires anybody in a position of trust with a person with a disability or a child or young person to

report suspected cases of abuse or neglect to government authorities. As an NDIS funded service provider Autism Abilities staff are responsible for this reporting obligation.

**Reasonable belief – mandatory reporting:** When Autism Abilities staff are concerned about the safety and wellbeing of a child or young person, this must be assessed to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a reasonable belief. A ‘reasonable belief’ or a ‘belief on reasonable grounds’ is not the same as having proof, but is more than mere rumour or speculation. A reasonable belief is formed if a reasonable person in the same position would have formed the belief on the same grounds.

**Reasonable belief – reportable conduct scheme:** When a person has a reasonable belief that an Autism Abilities employee has committed reportable conduct or misconduct that may involve reportable conduct. A reasonable belief is more than suspicion and there must be some objective basis for the belief. It does not necessitate proof or require certainty.

NOTE: the difference between the reasonable belief definitions under mandatory reporting and the reportable conduct scheme is the category of persons who are required to, or can, form the reasonable belief which forms the basis for a report.

**Reportable conduct:** Five types of reportable conduct are listed in the Child Wellbeing and Safety Act 2005 (Vic.) (as amended by the Children Legislation Amendment (Reportable Conduct) Act 2017). These include:

1. Sexual offences (against, with or in the presence of a child)
2. Sexual misconduct (against, with or in the presence of a child)
3. Physical violence (against, with or in the presence of a child)
4. Behaviour that is likely to cause significant emotional or psychological harm
5. Significant neglect

**Environment:** means any of the following physical, online or virtual places used during Autism Abilities operating activities:

- Autism Abilities office(s)
- A child or young person’s school
- A child or young person’s home
- Other locations used during the delivery of any of Autism Abilities services including physical, online or virtual settings

## COMMITMENT TO CHILD SAFETY AND WELLBEING

Autism Abilities has a strong, ongoing commitment to the care, safety and wellbeing of children and young people and a zero-tolerance approach to child abuse and harm. We are committed to providing a child safe environment at Autism Abilities where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives.

Our child safe policies, procedures and practices will be inclusive of the needs of all children, particularly Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, LGBTIQ+ children, children with disabilities, children in out-of-home care and all children who are vulnerable in any way.

Autism Abilities has a commitment to:

- 1 Take a preventative, proactive and participatory approach to child safety.
- 2 Value and empower children to participate in decisions which affect their lives.
3. Foster a culture of openness that supports all persons to safely disclose risks of harm to children.
4. Respect diversity in cultures and child rearing practices while keeping child safety paramount.
5. Provide written guidance on appropriate conduct and behaviour towards children.
6. Engage only the most suitable people to work with children and have high quality staff supervision and professional development.
7. Ensure children know who to talk with if they are worried or are feeling unsafe, and that they are comfortable and encouraged to raise such concerns.
8. Report suspected abuse, neglect or mistreatment promptly to the appropriate authorities.
9. Share information appropriately and lawfully with other organisations where the safety and wellbeing of children is at risk.
10. Value the input of and communicate regularly with families and carers.

All Autism Abilities staff have a responsibility to understand the important and specific role they play individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make.

Autism Abilities will:

- 1 Provide all staff with the necessary support to enable them to fulfil their roles, and to ensure that staff know how to recognise signs of harm and are able to facilitate child-friendly ways for children and young people to express their views, participate in decision-making and raise their concerns.
- 2 Provide regular opportunities to clarify and confirm policy and procedures in relation to child safety and wellbeing and their protection and wellbeing. This will include annual review by all staff of this policy and all associated policies.
- 3 Listen to all concerns voiced by any member of staff about keeping children and young people safe from harm.
- 4 Provide opportunities to all staff to receive formal debriefing and counselling arising from incidents of the abuse or alleged abuse of a child or young person.

## POLICY

### Role of the Leadership team

The Leadership team has the role of making sure Autism Abilities prioritises children's safety and that action is taken when anyone raises concerns about children's safety.

The Leadership team will champion and model a child safe culture at Autism Abilities. We encourage anyone involved with Autism Abilities to report a child safety concern. The Leadership team will work to create a positive culture around reporting so that people feel comfortable to raise concerns.

Everyone at Autism Abilities has a role in identifying and managing risks of child abuse and harm. The Leadership team will make sure that all staff are conducting risk assessments and taking action to manage risk in accordance with this policy. They will also ensure that appropriate child safety training for all staff is identified and completed.

### Staff Responsibilities

Child safety is everyone's responsibility. All staff are required to:

- Act in accordance with the Child Safety and Wellbeing Policy (this document)

- Act in accordance with the Child Safety Code of Conduct, which clearly sets out the difference between appropriate and inappropriate behaviour
- Act in accordance with the Child Safety Responding and Reporting Obligations Policy and Procedures at all times, including following the Four Critical Actions where necessary.
- Undertake annual guidance and training on child safety.

This means all staff must:

- treat children and young people with dignity and respect, acting with propriety, providing a duty of care, and protecting children and young people in their care.
- follow all the appropriate legislative and internal policies, procedures and processes in the course of their work if they form a reasonable belief that a child or young person has been or is being abused.
- provide a physically and psychologically safe environment where the wellbeing of children and young people is nurtured.
- undertake regular training and education in order to understand their individual responsibilities in relation to child safety, and the wellbeing of children and young people, including ways to prevent, identify and mitigate risks relating to child safety and wellbeing.
- assist children and young people to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse.
- follow Autism Abilities' Child Safety Code of Conduct.
- ensure that where risks of child abuse are identified, action is taken to mitigate against those risks and that risks and actions are appropriately recorded.

## Childrens Empowerment and Participation

Autism Abilities respects the rights of children and provides them with information about their rights including the right to be safe. We strongly value the voices of children and will act on safety concerns raised by children or their families.

## Families and Communities

Autism Abilities recognises the important role of families and involves parents and carers when making significant decisions about their child. Parents, families and communities are encouraged to provide feedback or raise any concerns they have with us.

Autism Abilities provides information to families and community about our child safe policies and practices by publishing relevant policies and information on our website.

## Creating culturally safe environments for Aboriginal children and their families

Autism Abilities is committed to creating environments where Aboriginal culture is celebrated and Aboriginal children, families and community members are welcomed and included. Strategies to embed cultural safety for Aboriginal children include:

- an Acknowledgement of Country and declaration of our commitment to child safety on our website, email signatures and in our office
- consulting with families and members of the Aboriginal community to identify opportunities to promote Aboriginal culture and practices at Autism Abilities
- providing opportunities for children to share their cultural identity and express their culture at Autism Abilities
- supporting children who wish to explore their culture, including consulting with their family and relevant Aboriginal organisations
- providing training for staff on the strengths of Aboriginal culture and its importance to the wellbeing and safety of Aboriginal children
- celebrating NAIDOC Week and acknowledging significant events including National Sorry Day and National Reconciliation Week
- seeking feedback from Aboriginal children, families and communities on their experience at Autism Abilities, particularly how safe they feel expressing their identity including their culture.

## Valuing Diversity

Autism Abilities values diversity and equity for all children. To achieve this, we:

- have established an Inclusivity and Diversity Committee with the purpose of supporting inclusion and cultural safety across our organisation
- will provide training for all staff on understanding diversity and how to support inclusion and cultural safety
- welcome and support participation of all children, including children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, LGBTQI+ children and Aboriginal or Torres Strait Islander children and their families
- offer our clients the opportunity to provide information about themselves, including any specific needs to participate fully in our services through out intake and service delivery forms
- have zero tolerance of racism and other forms of discrimination and take action when discrimination or exclusion is identified
- deliver services in a manner that reflects the diversity of our participants, their interests and cultures
- strive to reflect the diversity of our participants through representation in our staff and Leadership team
- acknowledge and celebrate important cultural dates
- have a physical and online environment that actively celebrates diversity
- commit to ensuring all our services promote inclusion of children of all abilities.

## Code of Conduct

All staff are required to comply with the Autism Abilities Code of Conduct and the Autism Abilities Child Safety Code of Conduct at all times. Breaches may result in disciplinary action being taken including termination of employment.

## Recruitment



Autism Abilities puts child safety and wellbeing at the centre of recruitment and screening processes for all staff. Our recruitment practices including selection, background checks, supervision and management processes are child safe. Autism Abilities recruits individuals who are appropriate and safe to engage with children. All staff including Leadership are screened.

Proof of identity, a Working With Children Check, NDIS Worker Screening Clearance Check and at least two reference checks are required for all staff. All staff are required to have appropriate qualifications for their roles, and we check to make sure these qualifications are valid.

## **Training and Supervision**

Training and education is important to ensure that everyone at Autism Abilities understands that child safety is everyone's responsibility. The overarching aim is for everyone (including all staff, parents/carers, children, young people, community members and any other stakeholders) to feel confident and comfortable in coming forward with any allegations or suspicions of child abuse or child safety concerns.

Autism Abilities train all staff to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse. This training occurs annually or more often as required. We also support our staff through ongoing supervision to develop their skills to protect children from abuse, to promote the cultural safety of Aboriginal and Torres Strait Islander children and children from linguistically and/or diverse backgrounds, and the safety of children with a disability and vulnerable children.

Induction of all new employees includes training on the Child Safety and Wellbeing Policy (this document) and all associated policies and procedures.

All staff are supervised regularly to ensure they understand our commitment to child safety, and that their conduct towards children is safe and appropriate. All staff are monitored and assessed via regular performance review to ensure their continuing suitability for child-connected work.

## **Reporting a child safety concern or complaint**

Autism Abilities has clear expectations for all staff in making a report about a child or young person who may be in need of protection. All staff must follow Autism Abilities Child Safety Responding and Reporting Obligations Policy and Procedures, including following the Four Critical Actions if there is an incident, disclosure or suspicion of child abuse.

Immediate actions include reporting their concerns to DFFH Child Protection, Victoria Police and/or another appropriate agency and notifying their Manager or a member of the Leadership team of their concerns and the reasons for those concerns. Autism Abilities will never prohibit or discourage staff from reporting an allegation of child abuse. Autism Abilities will always take action to respond to a complaint in accordance with the Child Safety Responding and Reporting Obligations Policy and Procedures.

## **Record keeping**

All child safety complaints, concerns, incidents and near misses will be recorded in the incident reporting system.

Records which may assist with the investigation of a complaint or safety concern will be identified and kept as part of the record of an investigation. Records will be kept even if an investigation does not substantiate a complaint.

We will record and keep the outcome of any investigations, and the resolution of any complaints. This includes findings made, reasons for decisions and actions taken.

Records will be stored securely and kept by Autism Abilities for at least 7 years.

## **Review**

Autism Abilities will review all child safe policies and practices at least annually. We also review relevant policies and practices in response to a child safety accident or 'near miss'. Findings from these review processes will be discussed with the relevant people in our organisation and also will inform our approach to continuous improvement of our child safety practices. Reviews are overseen by the Leadership team.

## **Supporting documents**

The following policies and procedures work together to support child safety and wellbeing across Autism Abilities:

- Child Safety and Wellbeing Policy (this document)
- Autism Abilities Child Safety Code of Conduct
- Child Safety Responding and Reporting Obligations Policy and Procedures
- Four Critical Actions

- Autism Abilities Code of Conduct
- Autism Abilities Participant Rights Statement
- NDIS Code of Conduct
- Prevention & Response to Abuse, Neglect, Discrimination & Exploitation Policy
- Feedback & Complaints Policy
- Embracing Diversity Policy

## **Supporting legislation**

- Child Wellbeing and Safety Act 2005 (Vic) (including Child Safe Standards)
- Children, Youth and Families Act 2005 (Vic) (including reporting to Child Protection)

## **Strategies to embed a child safe culture**

All Autism Abilities staff, participants, parents and families, other stakeholders and members of the wider community are encouraged to raise, discuss and scrutinise child safety concerns.

All child safety documents and resources are readily available online on our website [www.autismabilities.com.au](http://www.autismabilities.com.au) and in hard copy in our office for anyone to read at any time.

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