

## Move for Better Health Policy

### Child Safe Environment Policy

#### 1. Purpose

- 1.1. This policy exists to ensure minors accessing services at Move for Better Health sites are treated lawfully pursuant to relevant legislation.

#### 2. Scope

- 2.1. This policy applies to all prescribed persons, employees, students or volunteers of Move for Better Health. Company directors are ultimately responsible for ensuring that the policy is complied with, and for managing breaches of policy.
- 2.2. All workers are required to agree in writing to accept and act in accordance with the policy.

#### 3. Policy Overview

- 3.1. Our child safe environment policy will comply with the Children and Young People (Safety) Act 2017, Child Safety (Prohibited Persons) Act 2016, and the National Principles for Child Safe Organisations
- 3.2. We are committed to providing a safe environment to all children and young people who engage in services or our attend our clinics
- 3.3. Regardless of their abilities, sex, gender, social economic or cultural background, all children and young people will be embraced and equity upheld. Bullying and harassment will not be tolerated.
- 3.4. All persons working in a prescribed position must have a Working with Children Check pursuant to section 4 of the Child Safety (Prohibited Persons) Act 2016. A prescribed position may include:
  - 3.4.1. Allied health practitioners
  - 3.4.2. Administrative staff
  - 3.4.3. Students or volunteers
- 3.5. In South Australia consent to medical treatment is defined in the [Consent to Medical Treatment and Palliative Care Act 1995](#). A person of or over 16 years of age may make decisions about his or her own medical treatment as validly and effectively as an adult. A medical practitioner may administer medical treatment to a child under 16 years of age if:
  - (a) the parent or guardian consents; or
  - (b) the child consents and
    - (i) the medical practitioner who is to administer the treatment is of the opinion that the child is capable of understanding the nature, consequences and risks

of the treatment and that the treatment is in the best interest of the child's health and well-being; and

(ii) that opinion is supported by the written opinion of at least one other medical practitioner who personally examines the child before the treatment is commenced.

- 3.6. A minor may attend an appointment alone if they are over 16 years of age or if express written consent is provided by their parent/guardian if they are between 14-16.

#### **4. Communication**

This child safe environment policy and related documents are available on our website, on request and printed at reception.

This child safe environment policy and related documents are provided to all workers as part of their induction following recruitment.

We encourage and respect the views of children and young people and involve them in decision making as appropriate. We provide clear age-appropriate or developmentally appropriate explanations to children and young people including their right to safety, their right to be listened to and that they can provide feedback or make a complaint if they have a concern, to any worker or ask their parent/guardian to do this on their behalf. We will listen to and act upon any complaints or concerns that a child or young person raises with us.

#### **5. Code of Conduct**

Please refer to our Code of Conduct for our expected standards of behaviour for all workers.

Caring for children and young people brings additional responsibilities for all workers. Workers are responsible for promoting and protecting the safety and wellbeing of children and young people by:

- 5.1. Sticking to the organisation's child safe environment policy at all times and taking all reasonable steps to ensure the safety and protection of children and young people
- 5.2. Treating everyone including those of different race, ethnicity, gender, gender identity, sexual orientation, age, social class, physical ability or attributes and religious beliefs with respect and honesty and ensure equity is upheld
- 5.3. Being a positive role model to children and young people in all conduct with them
- 5.4. Setting clear boundaries about appropriate behaviour between yourself and children and young people – boundaries help everyone to understand their roles
- 5.5. Listening and responding appropriately to the views and concerns of children and young people
- 5.6. Being alert to bullying behaviours and responding promptly and appropriately

- 5.7. Ensuring another adult is always present or in sight when conducting one to one consulting, coaching, instruction or other activity
- 5.8. Being alert to children and young people who have been harmed, or may be at risk of harm and reporting this quickly to the Child Abuse Report Line (13 14 78)
- 5.9. Responding quickly, fairly and transparently to any complaints made by a child, young person or their parent/guardian

Workers must not:

- 5.10. Develop any 'special' relationships with children and young people that could be seen as favouritism such as the offering of gifts or special treatment
- 5.11. Do things of a personal nature that a child or young person can do for themselves, such as toileting or changing clothes
- 5.12. Discriminate against any child or young person because of age, gender, cultural background, religion, vulnerability or sexuality.
- 5.13. Breaches or suspected breaches of the Code of Conduct should be reported as soon as practicable to management either in person, by telephone on (08) 8373 5655, or via email to peter@moveforbetterhealth.com.au. Breaches or suspected breaches of the Code of Conduct will be taken seriously and dealt with quickly, fairly and transparently.

Any worker who breaches the Code of Conduct will face disciplinary action and depending on severity of the breach, the worker may have their employment terminated.

## 6. Recruitment

In accordance with the Child Safety (Prohibited Persons) Act 2016, our organisation is registered with the DHS Screening Unit and we link all Working with Children Checks (WWCC). All workers who will be working in a role with children and young people must hold a current, not prohibited WWCC issued by the Screening Unit of the Department of Human Services, provide evidence of this prior to employment and renew this every 5 years. We will verify the accuracy of all WWCCs in the DHS Screening Unit portal as required by law.

We will immediately contact the Department of Human Services Screening Unit when we become aware of certain information regarding any person involved with our organisation, including any serious criminal offence, child protection information, or disciplinary or misconduct information.

## 7. Training, supervision and support for workers

We have strategies in place to supervise, train and support workers to understand our organisation's child safe environment policy, their mandatory reporting obligations, how to build culturally safe environments and their responsibilities to create a child safe and friendly environment.

Our strategies include training and support:

- 7.1. Ensure all workers read and understand the [Mandatory Notification Information Booklet](#) during induction
- 7.2. An induction process for all new workers including a copy of this policy document

## 8. Reporting and responding to harm or risk of harm

We aim to ensure that children and young people are safe from harm and risk of harm. Section 17 of the Safety Act defines 'harm' to mean physical or psychological harm (whether caused by an act or omission), including harm caused by sexual, physical, mental or emotional abuse or neglect.

Mandated notifiers in our organisation are:

- 8.1. Allied health practitioners
- 8.2. Other workers who provide services to children and young people
- 8.3. Employees who hold a management position in the organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children and young people

Mandated notifiers have a legal obligation to notify the Child Abuse Report Line (CARL) on 13 14 78 as soon as practicable if they have a reasonable belief that a child or young person is or may be at risk of harm. If the child or young person is at immediate risk, report to South Australia Police (SAPOL) on 000.

Even if not a mandated reporter, any person can report harm or risk of harm to a child or young person. The individual who identifies the harm or risk of harm is encouraged to make the report to authorities and can request the support from another worker to do so if required.

Information about making appropriate reports of harm or risk of harm is available from the [South Australian Department of Child Protection website](#).

All adult workers (even if not a mandated notifier) have a legal obligation to report child sexual abuse to the police and to protect a child from sexual abuse. Failure to meet these obligations may be considered a criminal offence.

Following a report being made to CARL or SAPOL workers must make an internal report to management.

We will be guided by the Department for Child Protection and/or SAPOL after a report has been made as to whether we can conduct an internal investigation.

If a worker is reported to CARL or SAPOL for causing harm or risk of harm to a child or young person, they will be removed from any role that involves working with any child or young person until authorities have concluded their investigation.

Following a report to CARL or SAPOL we will support the child or young person by:

- 8.4. Referring the child, young person or their family to other appropriate services
- 8.5. Continuing to provide a service to the child, young person and their family and monitor their circumstances.

We will document all information received regarding the report and store this securely in a separate file.

## 9. Reporting and responding to general complaints or feedback

Providing opportunities for complaints and feedback ensures that children, young people and their families feel valued and respected and enables us to improve the quality of our service. Children, young people and their families are informed that they can provide feedback or make a complaint at their first appointment, when they join the organisation.

Compliments, complaints or feedback can be provided verbally or in writing to any worker or direct to management either by telephone, via email or by post addressed to any of our clinics.

We will deal with all complaints and feedback received from children, young people or their families promptly, sensitively and fairly. We will:

- 9.1. Listen to the complaint/feedback
- 9.2. The person receiving the complaint will make a record of it if received verbally
- 9.3. Advise of the time expected for an outcome
- 9.4. If a worker receives a complaint, they must forward it to management as soon as possible
- 9.5. Management will respond to the complainant with an outcome within 3 business days
- 9.6. Clearly document and securely store decisions and actions taken in response to complaints and feedback
- 9.7. Make sure that procedural fairness is followed at all times.

If the child, young person or their family is not happy with the outcome from the complaints process they can contact:

- 9.8. Health and Community Services Complaints Commissioner (Ph: 8226 8666) or Australian Health Practitioners Regulation Agency (Ph: 1300 419 495)
- 9.9. Australian Human Rights Commission Online: [www.humanrights.gov.au](http://www.humanrights.gov.au) (Ph: 1300 656 419)

9.10. South Australian Equal Opportunities Commission (for complaints relating to discrimination) Online: [www.eoc.sa.gov.au](http://www.eoc.sa.gov.au) (Ph: 08 8207 1977).

## 10. Risk management

Please see the list of identified risks and the actions taken to minimise those risks.

Identified risk	Actions to minimise risk
Culture of organisation is not child-safe focussed	<ul style="list-style-type: none"> <li>• Child focused Code of Conduct is in place that sets the behavioural standards expected including what happens when a breach occurs</li> <li>• Culture of management reflects our strong commitment to the safety of children and young people</li> <li>• We meet the requirements of the Children and Young People (Safety) Act 2017 (which mandates child safe environments) and the Child Safety (Prohibited Persons) Act 2016 (which mandates Working with Children Checks)</li> </ul>
Organisational workers harm children/young people	<ul style="list-style-type: none"> <li>• Recruitment processes including undertaking referee checks to ensure the suitability of persons before they are employed/volunteer with our organisation</li> <li>• All workers have WWCC with 'not prohibited' result prior to working with children and young people</li> <li>• WWCCs updated every 5 years and status remains as not prohibited</li> </ul>
Organisational workers don't understand their obligations to report harm and risk of harm to the Child Abuse Report Line (or SA Police if child/young person is at immediate risk)	<ul style="list-style-type: none"> <li>• All workers must abide by the Child Safe Environment Policy and Code of Conduct</li> </ul>
Physical contact	<ul style="list-style-type: none"> <li>• Any physical contact must be appropriate to the delivery of services being provided</li> <li>• Where physical contact is required, this is undertaken in a safe way by explaining why contact is required and what will happen, and asking the child/young person for their permission (or their family if this is more appropriate) before proceeding</li> <li>• Unnecessary physical contact is not allowed</li> </ul>

Online communications	<ul style="list-style-type: none"> <li>● Cyber safety and social media guidelines are in place and provided to all workers</li> <li>● Appropriate supervision is provided for all online activities</li> <li>● Workers must not communicate with children or young people they are providing medical treatment to via social media</li> </ul>
Supervision	<ul style="list-style-type: none"> <li>● Appropriate supervision requirements for children and young people includes: <ul style="list-style-type: none"> <li>○ Consulting room doors are not to be locked</li> <li>○ Consulting room door will be left open while a worker is in the room with a child or young adult without their parent or guardian</li> </ul> </li> </ul>
Taking images of children and young people	<ul style="list-style-type: none"> <li>● Consent of child young person and their parent/guardian required</li> <li>● Disclosure will be made as to how the image is to be used and consent must be provided by the child, young person and parent/guardian</li> <li>● Images must be presented in a way that de-identifies the child or young person if requested</li> </ul>
Physical environment	<ul style="list-style-type: none"> <li>● Ensure all equipment is in good working order</li> </ul>
Privacy and confidentiality	<ul style="list-style-type: none"> <li>● Digital files containing confidential information shall be protected electronically by restricting the access to only those requiring it to perform their duties</li> <li>● Workers must not disclose information regarding any child or young person without written consent of the child, young person and their parent/guardian</li> </ul>

## 11. Review

- 11.1. This version of the Policy is dated February 2024 and replaces the previous version.
- 11.2. This policy is scheduled for review by the General Manager every 5 years or earlier if there is material change to applicable legislation or internal operating environment
- 11.3. We will also review this policy when:
  - 11.3.1. New or added risks are identified for children or young people, which may require a change in the policy or procedures
  - 11.3.2. A critical incident where a child or young person has experienced harm through involvement in the organisation
  - 11.3.3. Concerns are raised by anyone involved in your organisation about child safety or welfare in the organisation
  - 11.3.4. Awareness or compliance to the child safe environment policy and/or procedures is low



The logo consists of the word "move." in a white, lowercase, sans-serif font, positioned on a black rectangular background.

## Move for Better Health

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[moveforbetterhealth.com.au](http://moveforbetterhealth.com.au)

- 11.4. This organisation will lodge a new child safe environments compliance statement with Department of Human Services each time this policy is reviewed and updated