

## 1. INTRODUCTION

Peninsula Health is committed to ensuring the safety and wellbeing of children with whom it has contact. Peninsula Health has a zero tolerance to child abuse and considers children have the right to be safe, happy and empowered.

In accordance with Peninsula Health's Code of Conduct, staff are required to observe the Child Safe Principles and expectations for appropriate behaviour towards, and in the company of children.

This involves taking all reasonable steps to:

- protect children from abuse;
- listening and responding to the views of and concerns of children;
- promoting the safety of all children including children from all cultural backgrounds;
- participating in the empowerment of children;
- ensuring any allegation of child abuse is reported to senior management, police or child protection; and,
- if an allegation of child abuse is made, ensure as quickly as possible that the child(ren) are safe.

Peninsula Health staff and volunteers must not:

- exhibit behaviours with children that may be construed as unnecessarily physical;
- put children at risk of abuse;
- use inappropriate language in the presence of children; and,
- discriminate against any child on the basis of the child's culture, race, ethnicity, disability, gender identity or sexual orientation. Staff must not ignore or disregard any suspected or disclosed child abuse.

## 2. PURPOSE

The Child Safe Standards (**the Standards**) were introduced in January 2016 by the Victorian Government and Peninsula Health are obliged to abide by the Standards.

### Child Safe standards are as follows:

**Standard 1** – Strategies to embed an organisational culture of child safety, including through effective leadership arrangements.

**Standard 2** – A child safe policy or statement of commitment to child safety.

**Standard 3** – A code of conduct that establishes clear expectations for appropriate behavior with children.

**Standard 4** – Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel.

**Standard 5** – Processes for responding to and reporting suspected child abuse.

**Standard 6** – Strategies to identify and reduce or remove risks of child abuse.

**Standard 7** – Strategies to promote the participation and empowerment of children.

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### 3. POLICY

#### Commitment to child safety

- Peninsula Health has a ZERO tolerance for child abuse. All allegations and safety concerns are treated seriously and consistently in accordance with legislative obligations. The Peninsula Health **Management of Vulnerable Babies, Children and Young People at Risk of Harm** clinical practice guideline, encompasses the hospital's legislative obligations and sets out guidelines for staff when dealing with children at risk.
- Peninsula Health has both legal and ethical obligations to contact authorities when concerned for a child's safety.
- Child safety is embedded in Peninsula Health's culture, everyday thinking and practice.
- Peninsula Health is committed to the safety of all children including, Aboriginal children, linguistically diverse children, children with a disability, children from the gay, lesbian, bisexual, transgender, queer and intersex community and to providing a safe environment for all children. Extra care and priority service are given to children from these backgrounds due to the increased risk of abuse.
- Peninsula Health is committed to preventing child abuse, identifying risks early, removing and reducing these risks.

#### Children's rights to safety and participation

- Peninsula Health's staff and volunteers encourage children to express their views.
- Children have a right to participate in decision making and, as appropriate to their capabilities, to make decisions about their care.
- Children have a right to be kept safe from all forms of harm.

#### Diversity

- Peninsula Health recognises values and embraces the diversity of our staff, volunteers and community, including children. We aim to promote cultural safety, participation and empowerment of Aboriginal children, children from culturally and linguistically diverse backgrounds, children with a disability and children from the gay, lesbian, bisexual, transgender, intersex community and their families.

#### Recruiting staff and volunteers

Peninsula Health has robust human resources and recruitment processes for all staff and volunteers, which include:

- All staff and volunteers are to undergo a **Recruitment and Selection** process which includes interviews and referee checks;
- All staff and volunteers must agree and abide by Peninsula Health **Code of Conduct** which includes child safety agreements;
- Staff working in relevant positions require **Working with Children Checks** and all staff require **Police Criminal Record Checks**;
- Volunteers working in relevant positions require **Working with Children Checks** and all volunteers require **Police Criminal Record Checks**;
- Our commitment to child safety and our screening requirements are included in all advertisements; and
- Staff undergo a **Performance Development Review Program** annually.

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**Training and supervision**

- Training and education is important to ensure Peninsula Health staff and volunteers understand that child safety is everyone's responsibility.
- Peninsula Health aims for all its staff and volunteers to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.
- Staff and volunteers are trained to identify, assess and minimise risks of child abuse as per the training matrix in the **Management of Vulnerable Babies, Children and Young People at Risk of Harm** clinical practice guideline.
- Peninsula Health has specific policies, procedures and training in place to support staff in achieving these commitments and to inform staff of the child safe standards.

**Legislative responsibilities**

There are a number of legal requirements and obligations for the protection of children in Victoria. These include:

Mandatory reporting – Children, Youth and Families Act 2005 (Vic) and the Crimes Act 1958 (Vic) – Doctors, Nurses, Midwives, Teachers, Principles, and Police must report to Child Protection if they form a belief on reasonable grounds that a child is in need of protection because:

- a) the child has been abandoned by his or her parents and after reasonable inquiries –
  - i. the parents cannot be found; and
  - ii. no other suitable person can be found who is willing and able to care for the child;
- b) the child's parents are dead or incapacitated and there is no other suitable person willing and able to care for the child;
- c) the child has suffered, or is likely to suffer, significant harm as a result of physical injury and the child's parents have not protected, or are unlikely protect, the child from harm of that type;
- d) the child has suffered, or is likely to suffer, significant harm as a result of sexual abuse and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- e) the child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the child's emotional or intellectual development is, or is likely to be, significantly damaged and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- f) the child's physical development or health has been, or is likely to be, significantly harmed and the child's parents have not provided, arranged or allowed the provision of, or are unlikely to provide, arrange or allow the provision of, basic care or effective medical, surgical or other remedial care.

Grooming - Crimes Act 1958 (Vic) – Predatory conduct undertaken to prepare a child for sexual activity at a later time.

Failure to disclose - Crimes Act 1958 (Vic) – All adults in Victoria who have reasonable belief that an adult has committed a sexual offence against child under 16 have an obligation to report the information to police.

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Failure to protect - Crimes Act 1958 (Vic) – People of authority in our organisation will commit an offence if they know of substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligibly fail to do so.

**Risk Management**

In addition to general occupational health and safety risks Peninsula Health is required to protect children from risks of abuse. We have risk management strategies in place to identify, assess and take steps to minimise child abuse risks.

**Allegations, concerns and complaints**

Peninsula Health takes all allegations of child abuse or potential child abuse seriously and has practices in place to investigate thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with allegations.

For more information relating to child safety, the Child Safe Standards, reporting responsibilities or if you have concerns regarding Peninsula Health leadership in regards to child safety please contact the Human Resources Department who can review and escalate your concerns as needed.

**If you believe a child is in immediate risk call 000.**

**4. RELATED POLICIES/GUIDELINES**

- Management Of Vulnerable Babies, Children And Young People At Risk Of Harm
- Children Admitted to Adult Wards in Acute Care
- Mental Health - Assessment and Management of Children and Young People Presenting to the ED
- Identifying, Reporting & Responding to Allegations of Assault of Clients
- Care and Support of Gay, Lesbian, Bisexual, Transgender, Intersex and Queer Consumers
- Mental Health - Parent Child Checklist
- Service Mapping of Family Violence Services
- Family Violence Response and Referral
- Working with Children Checks
- Mental Health - Children Parent Access - Acute Inpatient Unit
- Volunteers
- Recruitment and Selection
- Police Criminal Record Checks
- Code of Conduct
- Performance Development Review Program

**5. RESPONSIBILITIES**

- 6.1. Employer** - Peninsula Health acts to minimise risk by supporting adherence to, and providing training and education in respect of, its policies, procedures and Guidelines and legal and regulatory obligations (including, but not limited to, obligations in

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respect of the provision of health services, employment, occupational health and safety, anti-discrimination and equal opportunity), through a comprehensive governance system.

- 6.2. Departmental** - Details the responsibilities of the Department/Unit involved, e.g. assisting Department Heads to enforce the policy.
- 6.3. Department Head/Manager** - Details the responsibilities of Managers/Supervisors in relation to the policy.
- 6.4. Employee** - All employees must comply with Peninsula Health's policies, procedures and Guidelines and any legal and regulatory obligations (including, but not limited to, obligations in respect of clinical practice (where applicable), occupational health and safety, anti-discrimination and equal opportunity) relevant to their scope of employment and/or practice..

**6. EVALUATION**

A range of tools will be used to evaluate policy compliance including monitoring incident reports relating to child safety, monitoring reports on the clinical system of children with 'child at risk' alerts and monitoring compliance with mandatory training.

**7. REFERENCES**

1. Healthcare that Counts: *A Framework for improving care for vulnerable children in Victoria*. Victorian State Government, Department of Health and Human Services, March 2017
2. An Overview of the Victorian child safe standards. Victorian State Government, Department of Health and Human Services, November 2015
3. The Royal Commission into Institutional responses to child abuse, 2014
4. Children, Youth and Families Act 2005 (VIC)
5. Child Wellbeing and Safety Act 2005 (VIC)
6. Crimes Amendment (Protection of Children) Act 2014 (VIC)
7. Crimes Act 1958 (VIC)
8. Charter on the rights of children and young people in healthcare services in Australia. *Children Hospitals Australasia, 2017*

**8. POLICY HISTORY**

First Developed the 10<sup>th</sup> of July 2017

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