



'With Jesus Christ as inspiration and guide, Centacare provides professional social services to empower communities, families, children, and individual adults to thrive.'

CHILD SAFETY POLICY

1. Mission and Values

Centacare is cooperating with God in creating the kind of society God wants, a society in which there is full recognition of the rights and responsibilities of all, a community that values families and relationships and promotes dignity, equality, respect, and participation of all, especially the vulnerable and disadvantaged.

2. Introduction and Purpose

The purpose of this policy is to demonstrate and establish the commitment of Centacare to the safety and wellbeing of children and young people, consistent with Centacare's mission and values and in compliance with legislative obligations. This policy outlines Centacare's commitment to:

- creating and maintaining environments where children's safety and wellbeing is centre of thought, values, and actions;
- genuinely engaging with and valuing children's and young persons' voices
- creating conditions that reduce the likelihood of harm to children and young people and increase their safety and wellbeing; and
- responding to any concerns, disclosures, allegations or suspicions of compromise to the safety and wellbeing of children and young people.

3. Scope and Expectations

This document applies to all Centacare employees, including volunteers, visitors, and contractors.

It is expected that all employees, contractors, volunteers, visitors and any person authorised by Centacare to participate in child connected work, will adhere to the scope and procedures outlined in this document as these are the practices of Centacare.

Children and young people must be provided with the opportunity to raise concerns, provide feedback and be involved in decision making.

4. Roles and Responsibilities

Role	Responsibility
All Employees	<ul style="list-style-type: none"> • Employees will report any concerns they have about other employees or themselves engaging in reportable conduct or alleged reportable conduct, whether that is within or external to the work duties, to their manager or supervisor in the first instance. If there is a conflict of interest in reporting to their manager or supervisor the matter should be reported to the director. The report must be made as soon as practicable. • If the employee is unsure whether the conduct is reportable conduct or inappropriate behaviour then they must still report the concerns to their manager or their supervisor. If there is a conflict of interest, then the matters should be discussed with the Director. • An employee must report to their manager immediately if they become aware that an employee, volunteer or contractor has been convicted of an offense relating to reportable conduct. If the information relates to themselves, they must self-report • If the allegation relates to their manager, then the report must be made to the Director • If there is a complaint about the employees’ manager, the complaint should be addressed to the director. If the complaint is about the director it should be made to the Chair of Centacare Advisory Council. • Employees must maintain strict confidentiality around all matters, and they will maintain appropriate records.
Director	<p>The Head of Agency is the Bishop of the Catholic Diocese of Bathurst. For matters in relation to Centacare the Bishop has delegated the Head of Agency responsibilities to the Director of Centacare. The Director has the primary responsibility for ensuring that the organisation has current and effective policies and processes implemented in relation to the safety of children and young people. The director has the primary responsibility for the management of any complaints or allegations of reportable conduct of any employee of Centacare.</p> <p>The Director will:</p> <ul style="list-style-type: none"> • register complaints in Centacare’s confidential database; • identify whether the reported conduct requires a report to external authorities which include NSW Police, Department of Communities and Justice, NSW Office of the Children’s’ Guardian or other agencies;

Role	Responsibility
	<ul style="list-style-type: none"> • undertake risk assessment with the relevant managers and implement appropriate action; • respond, make enquiries and investigate the reportable conduct; • maintain appropriate records of investigation and findings, ensuring storage of such records are kept securely and separate from personnel files; • provide or organise support and supervision for all parties concerned; and • implement disciplinary actions including termination of employment against an employee who has breached the organisation’s child safety policy.
Managers	<p>Managers will:</p> <ul style="list-style-type: none"> • report employee misconduct to the Director; • seek advice from the Director on required processes which may include reporting to police or Department of Communities and Justice; • assist with risk assessment and risk management processes; • assist with any investigation regarding the reportable conduct; • implement and monitor strategies as they relate to the manager’s role arising out of any investigation; and • maintain strict confidentiality regarding the matter.
Manager of Human Resources	<p>The Manager of Human Resources has the responsibility as delegated by the Director in the investigation of complaints relating to child safety and reportable conduct of any employee of Centacare. The Manager of Human Resources will also ensure the currency and validity of all employee and volunteer Working With Children Checks.</p>

3. Principles and Responsibilities

Centacare has the legal responsibility to ensure that every child and young person who engages with Centacare has the right to an environment which protects their safety and wellbeing, where their views are heard, where they have a guaranteed recourse to addressing any concerns they have regarding their safety and wellbeing.

All employees must apply the following principles to inform their dealings with children and young people in relation to child safety and protection:

1. if a child is able to form views on a matter concerning the child’s safety, welfare and wellbeing;
 - a. the child must be given an opportunity to express their views freely, and
 - b. the views are to be given due weight in accordance with the developmental capacity of the child and the circumstances.
2. in all actions taken and decisions made in relation to a child who is significantly affected, account must be taken of culture, disability, language, religion, gender identity and sexuality

of the child or young person, and if relevant, the person with parental responsibility for the child or the young person; and

3. in deciding what action is necessary to protect a child from harm, the course to be followed must be the least intrusive intervention in the life of the child or young person their family. It must also be consistent with the paramount consideration of their safety, welfare and wellbeing.

Failure to comply with child protection responsibilities and obligations required by legislation or this document may result in disciplinary action. This can include immediate termination of employment, termination of contractor agreement, notification to police or other external agencies.

An employee who becomes aware of a possible breach by another employee, of the legislation or Centacare policies, guidelines and/or procedures must report the breach or the possibility of the breach as per the requirements in this policy. Failure to do so may result in disciplinary action and/or notification to other external agencies, including police.

4. Guidelines

Recruitment / Employment (including Volunteers)

Centacare works to foster a culture of safety for all members of its communities. Centacare implements a rigorous and consistent recruitment, screening and selection process.

All applicants are required to:

- hold a valid Working With Children Check;
- complete a Centacare Employment Application Form which includes specific Child Safe questions; and
- provide professional reference.

As part of the selection process:

- the convenor of the selection panel must complete referee checks; and

the Working With Children Check must be verified by the Manager Human Resources. All new employees must complete online Child Protection Training at the commencement of their employment and familiarise themselves with Centacare's policies and procedures.

Working With Children Check

The Office of the Children's Guardian requires Centacare to verify all employees' Working With Children Check.

The **employee** must:

- Ensure that the WWCC is kept current

Centacare must:

- verify all employee Working With Children Check with the Office of the Children's Guardian;

- maintain a register of all Working With Children Check. As this register includes personal details the register must be stored in a secure location and treated confidentially; and
- ensure that the WWCC of all employees are current
- Confirm the WWCC clearance of its employees with third parties where there is a contractual obligation to do so.

If Centacare engages contractors, **self-employed persons or companies** to work with children and young people, they are required to provide their details for verification to Centacare. The evidence of this verification must be maintained by Centacare.

Some contractors in the course of their normal work do not have direct contact with children or young people. The contractors may also be eligible for **exemption**. Details regarding exemptions are available from the Office of the Children’s Guardian Website.

Employee Conduct in Relation to Child Safety

All employees, volunteers, and contractors are subject to the Catholic Diocese of Bathurst Code of Conduct.

Employees have a legal obligation to take reasonable care for their own safety and the safety of children and young people they come into contact with as part of their engagement with Centacare. These obligations include:

- providing adequate supervision to children and young people engaged in programs and services conducted by Centacare;
- following all policies, guidelines and procedures relating to the safety, welfare and wellbeing of children and young persons; demonstrating personal behaviours that promote the safety, welfare and well-being of children and young people;
- maintaining respectful relationships and professional boundaries;
- providing medical assistance (in accordance with their skill, knowledge and expertise)
- facilitating professional medical care for children and young people who become injured or unwell
- assessing, managing and addressing risk where the safety, welfare or wellbeing of a child or young person may be impacted.
- Employees must not correct or discipline a child or young person in excess of what is reasonable or appropriate for the situation, the student’s age, maturity, ability and circumstance. Corporal punishment is prohibited.

Identifying, Responding and Reporting Risk of Significant Harm to the Department of Communities and Justice.

All institutions, services and facilities are responsible for the care and protection of children and young persons by providing an environment for them that is free of violence and exploitation, and access to services that foster their health, developmental needs, spirituality, self-respect and dignity.

The Children and Young Persons (Care and Protection) Act 1998 identifies individuals in the field of health care, welfare, education, and children's services as mandatory reporters resulting in them having a legal obligation to report children and young persons at risk of significant harm.

It also should be noted that since August 2018 (under s316A of the *NSW Crimes Act*) all adults are required to report to Police if they know, believe or reasonably ought to know that a child (under 18 years) has been abused. However, if the offence has already been reported to the Department of Communities and Justice (DCJ) Child Protection Helpline there is a reasonable excuse not to report to Police.

Program managers have a key role and responsibility in dealing with child protection matters and should be kept advised of concerns, particularly matters that may require reporting to the Department of Communities and Justice or Police, also where concerns relate to activities conducted by Centacare.

Reporting to the NSW Child Protection Helpline by the employee or their manager is mandatory when there are concerns regarding the safety and wellbeing of children and young people. The DCJ's protocols have to be followed.

When employees become aware of a safety, welfare or wellbeing concern, they should alert their managers. Managers must take reasonable steps consistent with their function and expertise, to co-ordinate decision-making and delivery of services to mitigate risks to the safety and wellbeing of children and young people. Should they require assistance in managing the concern or risk they should contact the director. These responsibilities are detailed in the further sections.

Access to Centacare Complaints System

At times parents and caregivers may feel concerned about something that has taken place while their child or young person is attending a service provided by Centacare. It is important that these concerns are raised and responded to in a timely and respectful manner.

Children and young people, parents, and the general public have access to Centacare's complaints policies regarding complaints as well as other courses of action external to Centacare through Centacare's Website.

Allegations Against Employees (Reportable Conduct)

2020 marked the transfer of the Reportable Conduct Scheme for the NSW Ombudsman's Office to the Office of the Children's Guardian. This transfer of oversight was facilitated with the enactment of the *Children's Guardian Act 2019*. The main objective of this Act is the safety, welfare and wellbeing of children.

The Reportable Conduct Scheme provides the Office of the Children's Guardian with administrative and oversight powers to ensure organisations respond to complaints, complete reporting obligations to external agencies, conduct investigations into the conduct of employees, and take appropriate action.

Conduct that is Considered a Reportable Allegation

Centacare is required to notify reportable allegations and reportable convictions to the Children's Guardian. The reporting threshold is based on the asserted allegation and does not require proof that the alleged conduct occurred.

Under the Children's Guardian Act 2019 reportable conduct is defined as:

- any sexual offence;
- sexual misconduct;
- ill-treatment;
- neglect;
- an assault against a child;
- an offence under 43B r 316A of the Crimes Act 1900; or
- behaviour that caused significant emotional or psychological harm to a child.

Conduct on the part of a Centacare employee extends to conduct outside the workplace.

Education and Training

Centacare is committed to providing child protection training and development, both as a professional support to those employed to work with children and to build a shared child safe culture.

All employees are supported in undertaking Safeguarding Training organised by Centacare in partnership with recognised training organisations. This training will cover risk of significant harm, mandatory reporting, allegations against employees, and legal updates.

5. Related Policies and Guidelines

Standard operating procedure for addressing Employee Discipline Matters

Employee Discipline Policy

Employee Grievance Policy

Whistleblower Policy Catholic Diocese of Bathurst

Work Health and Safety Policy Catholic Diocese of Bathurst

Code of Conduct Catholic Diocese of Bathurst

6. Governing Legislation

Children and Young Persons (Care and Protection) Act 1998 (NSW)

Children and Young Persons (Care and Protection) Regulation 1998 (NSW)

Children's Guardian Act 2019 (NSW)

Crimes Act 1900 (NSW)

Child Protection (Working with Children) Act 2012 (NSW)

Child Protection (Working with Children) Regulation 2012

Privacy and Personal Information Protection Act 1998

Advocate for Children and Young People Act 2014

Health Records and Information Privacy Act 2002

Ombudsman Act 1974

A contravention of any of these laws could result in legal action being taken against employees and also expose Centacare to liability.

In addition to the above Centacare is also committed to the National Principles for Child Safe Organisations and United Nations Convention on the Rights of the Child (Ratified in Australia 1990).

7. Policy Administration

It is the responsibility of anyone accessing this document to ensure that the current version is downloaded from the Centacare Document Register.

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