

Policy

Title	Child and Young Person Safety and Wellbeing Management Policy		
Policy Owner	People & Systems Manager		
Endorsed by	Leadership Team and Audit, Risk and Compliance Committee		
Approved by	Board		
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Scope	Foundation volunteers, Board and Committee members, employees and members, students on work experience placement, consultants and contractors		

Document Control Sheet

Record of Approval Process

	Content Author	Policy Owner	Endorsing Bodies		Approving Body
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Position Title	GRC Officer	People & Systems Manager	CEO and Leadership Team Chair	Chair, Audit, Risk and Compliance Committee	Chairman of the Board
Signature					
Date	22/06/2022	21/11/2022	09/02/2023	09/02/2023	15/02/2023

Version History

Version N°	Issue Date	Action* <small>*Approved or administratively updated</small>	Approving Body* <small>* Board or CEO</small>	Description of Changes
1	15/02/2023	Approved	Board	New policy

Users must check the “Policy Register” on the Foundation’s server to verify that this is the current version before use. The versions maintained on the server are the official controlled documents and any downloaded or printed hardcopy is uncontrolled. No changes are to be made to this document without the agreement of the authorising signatory and must be approved by the policy owner before implementation.

A Document Change Request [DCR] must be completed for all changes. Please contact the policy owner for Enquiries and Proposed Changes.

Contents

1. Policy Statement.....	3
2. Guiding Principles.....	3
3. Alignment with the Foundation’s Strategic Objectives.....	3
4. Risk Management.....	4
5. Application or Scope or Coverage	4
6. Responsibilities.....	5
7. Definitions and Terminology	7
8. Reporting requirements	8
9. References and related documents	9
10. Review	9

Attachment

A Document Change Request Form	11
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1. Policy Statement

- 1.1 The Operation Flinders Foundation Inc (the Foundation) is committed to the safety and wellbeing of children and young people who participate in its programs, operations, activities and services. Its determination to manage its responsibilities towards children and young people via transparent, comprehensive and secure systems and processes based upon best practice risk management principles and practices ensures all relevant State and Commonwealth laws and standards are complied with and that there are sufficient resources to support the organisation in working towards its mission and strategic objectives with regard to children and young people. Indeed, the Foundation aspires to be an *organisation of choice* when it comes to the promotion of child and young person safety and wellbeing so that children, young people, families/carers/guardians, supporting agencies and schools, as well as communities feel confident that the Foundation provides safe, and culturally safe, environments where children and young people's rights, needs and interests are met
- 1.2 This policy aims to provide the Foundation with direction as to managing its responsibilities with regard to children and young people. To that end, this policy, the accompanying Framework, *Guidelines for Protective Practices with Program Participants* and *Child Safe Code of Conduct* have been developed in accordance with the *National Principles for Child Safe Organisations*, then tailored to the specific size, nature, circumstances and risks of the Foundation and the services, activities, programs and operations it provides to children and young people.

2. Guiding Principles

- 2.1 The following principles drive the Foundation's approach to child and young people safety and wellbeing:
- effective child and young person safety and wellbeing management is a priority of the Board of Directors (Board), Audit, Risk and Compliance Committee (ARC) and the Chief Executive Officer (CEO)
 - the Board holds ultimate accountability for the management of the organisation
 - the roles and responsibilities of Foundation people, as well as external contractors, consultants and students on work experience placement who perform tasks for the Foundation from time to time, are clearly defined with regard to:
 - the actions required to keep children and young people safe and well, and to promote and protect their rights as well as
 - recognising and responding to child harm or abuse
 - adequate resources are provided to support appropriate child and young person safety and wellbeing management by the Foundation
 - this policy, the accompanying *Framework, Guidelines for Protective Practices with Program Participants* and *Child Safe Code of Conduct* are easy for people to access from the Foundation's website and are easy to understand.

3. Alignment with the Foundation's Strategic Objectives

- 3.1 Adherence to this policy and the associated framework will contribute to the achievement of the following strategic objectives:
- ***Strategic Objective 2 Evaluation of Programs – Independently evaluate the evolving suite of youth development and wellbeing programs***

- Goal 1: Develop and implement risk management framework during 2022/23
- Goal 2: Safety and risk management practices are recognised by industry experts as national leader during 2023/2024
- Goal 3: Program methodology and outcomes are assessed by independent recognised industry experts as national in 2023/2024 and global leader in 2025/2026
- Goal 4: Data driven, refinement and improvement review process of the Exercises at post season annual review with representatives from command, field, Field Ops, schools and Clinical Advisory late November annually
- Goal 6: OFF performs better than outdoor industry national averages for preventable incidents and injuries

- **Strategic Objective 4 Policies, processes, systems and procedures – Develop and sustain an appropriate governance framework**

- Goal 2: Independent review of all policies during 2022/2023 and subsequently every three years

- Goal 3: review of IT systems, data and cyber policies in 2022/2023 and subsequently every two years

4. Risk Management

4.1 The following identified risks/issues will be managed to an extent by adherence to this *Policy* and associated *Framework*:

- effective management of child and young person safety and wellbeing that supports the Foundation’s vision, mission and strategic objectives
- keeping of accurate, complete, relevant and transparent records
- appropriate risk measures and regular reporting are in place
- meeting all child and young person safety and wellbeing related contractual and legislative requirements and standards
- orientation and ongoing training of all Foundation people so that they can easily access, understand and are enabled to adhere to the provisions of this *Policy*, the associated *Framework*, *Guidelines for Protective Practices with Program Participants* and *Child Safe Code of Conduct*.

4.2 For further information about the Foundation’s approach to risk management in general and specifically in relation to the safety and wellbeing of children and young people, refer to the Foundation’s *Risk Management Policy*, *Risk Management Framework* and *Risk Register*.

5. Application or Scope or Coverage

5.1 This policy applies to all Foundation people -- volunteers, Board and Committee members, employees, members, students on work experience placement, contractors and consultants – who undertake work for the Foundation in the nature of functions, programs, activities and/or services that involve, result in or relate to contact with children and/or young people.

6. Responsibilities

6.1 Board of Directors

Members of the Board are responsible for:

- (a) undergoing appropriate safety screening such as working with children and criminal history checks
- (b) acting honestly and with integrity regarding their engagement with children and young people on behalf of the Foundation and taking action/s necessary to keep children and young people safe and well – including responsibilities in relation to recognising and responding to child and young person harm or abuse -- and to promote and protect their rights
- (c) approving and ensuring compliance with this *Child and Young Person Safety and Wellbeing Management Policy*
- (d) contributing to the review and development of this *Policy*
- (e) reviewing and approving child and young person safety and wellbeing initiatives and reports on a regular basis at Board meetings
- (f) overseeing actions necessary to keep children and young people safe and well – including responsibilities in relation to recognising and responding to child and young person harm or abuse -- and to promote and protect their rights.

6.2 Audit and Risk Committee (ARC)

The ARC is responsible for:

- (a) undergoing appropriate safety screening such as working with children and criminal history checks
- (b) acting honestly and with integrity regarding their engagement with children and young people on behalf of the Foundation and taking action/s necessary to keep children and young people safe and well – including responsibilities in relation to recognising and responding to child and young person harm or abuse -- and to promote and protect their rights
- (c) contributing to the review and development of this *Child and Young Person Safety and Wellbeing Management Policy*, the associated *Framework, Guidelines for Protective Practices with Program Participants* and *Child Safe Code of Conduct*
- (d) endorsing, reviewing and reporting on child and young person safety and wellbeing matters under this *Policy*, the associated *Framework, Guidelines for Protective Practices with Program Participants* and *Child Safe Code of Conduct* to the Board
- (e) overseeing actions necessary to keep children and young people safe and well – including responsibilities in relation to recognising and responding to child and young person harm or abuse -- and to promote and protect their rights

6.3 Chief Executive Officer

The CEO is responsible for:

- (a) undergoing appropriate safety screening such as working with children and criminal history checks
- (b) acting honestly and with integrity regarding their engagement with children and young people on behalf of the Foundation and taking action/s necessary to keep children and young people safe and well – including responsibilities in relation to recognising and responding to child and young person harm or abuse -- and to promote and protect their rights
- (c) endorsing and contributing to the review and development of this *Child and Young Person Safety and Wellbeing Management Policy* and the associated *Framework*

- (d) understanding and complying with *this Child and Young Person Safety and Wellbeing Management Policy*
- (e) leading the development and regular review of child and young person safety and wellbeing initiatives
- (f) ensuring accurate, complete, relevant and transparent safety and wellbeing records are kept
- (g) managing operational performance in light of child and young person safety and wellbeing
- (h) overseeing the implementation of actions necessary to keep and young people safe and well – including responsibilities in relation to recognising and responding to child and young person harm or abuse -- and to promote and protect their rights

6.4 The Leadership Team

The Leadership Team reports to the CEO and is responsible for:

- (a) undergoing appropriate safety screening such as working with children and criminal history checks
- (b) acting honestly and with integrity regarding their engagement with children and young people on behalf of the Foundation and taking action/s necessary to keep children and young people safe and well – including responsibilities in relation to recognising and responding to child and young person harm or abuse -- and to promote and protect their rights
- (c) endorsing and contributing to the review and development of this *Child and Young Person Safety and Wellbeing Management Policy* and the associated *Framework*
- (d) approving, regularly reviewing and developing the *Guidelines for Protective Practices with Program Participants* and *Child Safe Code of Conduct*
- (e) implementing actions necessary to keep children and young people safe and well – including responsibilities in relation to recognising and responding to child and young person harm or abuse -- and to promote and protect their rights
- (f) contributing to the development and regular review of child and young person safety and wellbeing initiatives
- (g) accessing, reading, understanding and complying with this *Child and Young Person Safety and Wellbeing Management Policy*
- (h) day to day management of programs, functions, activities and services delivered to children and young people
- (i) where no Line Managers report to them, providing training about child and young person safety and wellbeing to Foundation people within their area of responsibility
- (j) providing accurate, complete, relevant and transparent records relating to child and young person safety and wellbeing

6.5 Line Managers

Line Managers report to members of the Leadership Team and are responsible for:

- (a) undergoing appropriate safety screening such as working with children and criminal history checks
- (b) acting honestly and with integrity regarding their engagement with children and young people on behalf of the Foundation and taking action/s necessary to keep children and young people safe and well – including responsibilities in relation to recognising and responding to child and young person harm or abuse -- and to promote and protect their rights

- (c) accessing, reading, understanding and complying with this *Child and Young Person Safety and Wellbeing Management Policy*, the associated *Framework, Guidelines for Protective Practices with Program Participants and Child Safe Code of Conduct*
- (d) providing training about child and young person safety and wellbeing to Foundation people within their area of responsibility
- (e) providing accurate, complete, relevant and transparent records relating to child and young person safety and wellbeing
- (f) providing advice to the Leadership Team and CEO on roles and responsibilities, as well as initiatives to ensure child and young person safety and wellbeing
- (g) implementing and/or complying with aspects of the Foundation's child and young person safety and wellbeing focussed approach to day-to-day management, including:
 - recruitment and screening practices including working with children and criminal history checks
 - induction, training, supervision and support of Foundation people
 - policy and/or procedure for receiving and responding to complaints and feedback
 - risk assessment and management processes
 - policies and/or procedures on external reporting, record keeping and information sharing

6.6 **Volunteers, employees and members, students on work experience placement, consultants and contractors**

Volunteers, employees and members, students on work experience placement, consultants and contractors are responsible for:

- (a) undergoing appropriate safety screening such as working with children and criminal history checks
- (b) accessing, reading, understanding and complying with this *Child and Young Person Safety and Wellbeing Management Policy*, the associated *Framework, Guidelines for Protective Practices with Program Participants and Child Safe Code of Conduct*
- (c) acting honestly and with integrity regarding their engagement with children and young people on behalf of the Foundation and taking action/s necessary to keep children and young people safe and well – including responsibilities in relation to recognising and responding to child and young person harm or abuse -- and to promote and protect their rights.

7. **Definitions and Terminology**

- 7.1 "ARC" refers to the Foundation's Audit, Risk and Compliance Sub-Committee
- 7.2 "at risk" in relation to a child or young person means they have suffered *harm*, are likely to suffer harm or are likely to be removed from the state for illegal purposes (such as marriage or genital mutilation): section 18 of the *Children and Young People (Safety) Act 2017 (SA)*
- 7.3 "the Board" is the Board of Directors of the Foundation
- 7.4 "CEO" is the Chief Executive Officer of the Foundation
- 7.5 "child" means a juvenile below the age of 18 years, in accordance with the definition of child under the *Convention on the Rights of the Child*
- 7.6 "child harm" occurs when an adult causes emotional, sexual or physical *harm* to a child, or when a child's basic needs are neglected. Accidents which cause harm to a child aren't necessarily child abuse, but serious neglect of a child's safety could be abuse. Child abuse may sometimes be a one-off incident.

Note: *Psychological harm* does not include emotional reactions such as distress, grief, fear or anger that are a response to the ordinary vicissitudes of life.

- 7.7 “*child safe standards*” are the National Principles for Child Safe Organisations
- 7.8 “*cultural safety*” is an environment that is safe for people: where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience of learning, living and working together with dignity and truly listening. For Aboriginal and Torres Strait Islander peoples a culturally safe environment is one where they feel safe and secure in their identity, culture and community
- 7.9 “*the Foundation*” means Operation Flinders Foundation Inc
- 7.10 “*Foundation people*” includes Foundation volunteers, members, Board and Sub-Committee members, employees, students on work experience placement and external people engaged to perform roles for the Foundation from time to time
- 7.11 “*harm*” refers to physical harm or psychological harm (whether caused by an act or omission) and includes such harm caused by sexual, physical, mental or emotional abuse or neglect (see section 17 of the *Children and Young People (Safety) Act 2017 (SA)*)
- 7.12 “*the Leadership Team*” includes the Foundation’s Chief Operating Officer and the leaders of operational and functional areas within the Foundation who directly report to the CEO
- 7.13 “*mandatory reporting*” relates to the requirement to report a *suspicion*, held on reasonable grounds, that a child or young person is, or may be, at risk of harm to the Department for Child Protection pursuant to section 31 of the *Children and Young People (Safety) Act 2017 (SA)*. Failure to do so carries a maximum penalty to \$10,000. This requirement applies to all Foundation people because everyone at the Foundation is a mandatory notifier.
- Note: as prescribed persons under the *Criminal Law Consolidation Act 1935 (SA)*, all Foundation people also bear the responsibility to report *suspected child sexual abuse* to SAPOL and protect children from sexual abuse. Failure to report suspected child abuse is an offence under section 64A of the *Criminal Law Consolidation Act*, with a maximum penalty of imprisonment for 3 years, while failure to protect children from sexual abuse is an offence under section 65 of that Act and bears a maximum penalty of imprisonment for 15 years
- 7.14 “*National Principles for Child Safe Organisations*” (the National Principles) are the 10 principles agreed to by all state and federal governments of Australia that aim to provide a nationally consistent approach to creating organisational cultures that foster child safety and wellbeing. They reflect 10 child safe standards recommended by the *Royal Commission into Institutional Responses to Child Sexual Abuse* and are the vehicle for giving effect to recommendations relating to the standards. The National Principles have a broader scope that goes beyond child sexual abuse to cover other forms of potential harm to children and young people
- 7.15 “*sexual abuse*” of a child includes any unlawful conduct of a sexual nature committed to, or in relation to, a child (see section 64 of the *Criminal Law Consolidation Act 1935 (SA)*)
- 7.16 “*young person*” means a juvenile between the ages of 16 and 18 years.

8. Reporting requirements

- 8.1 The following measures of the success of this policy and associated framework must be taken:
- 8.1.1 100% of Foundation people received child and young person safety and wellbeing training within the reporting period
- 8.1.2 100% compliance with the Foundation’s *Child Safe Code of Conduct*
- 8.1.3 no complaints regarding child and young person safety and wellbeing as a consequence of participation by children and young people in Foundation functions, programs, activities or services within the reporting period

8.2 The measures listed in 8.1 must be reported to the Leadership Team on at least an annual basis.

9. References and related documents

9.1 Legislation

- *the United Nations Convention on the Rights of the Child*
- *Online Safety Act 2021 (Cwth)*
- *Privacy Act 1988 (Cwth)* incorporating the Australian Privacy Principles
- *Child Safety (Prohibited Persons) Act 2016 (SA)*
- *Children and Young People (Safety) Act 2017 (SA)*
- *Criminal Law Consolidation Act 1935 (SA)*

9.2 Documents

- Child and Young Person Safety and Wellbeing Management Framework
- Guidelines for Protective Practices with Program Participants
- Child Safe Code of Conduct
- Charter of Commitment for Child Safety
- Governance Policy and Framework
- Risk Management Policy and Framework
- Compliance Policy and Framework
- People Management Policy and Framework
- WHS Management Policy and Framework
- Programs and Operations Policy
- Communications Policy and Framework
- Crisis Communications Plan
- Privacy Policy
- [National Principles for Child Safe Organisations](#)
- [Poster: National Principles for Child Safe Organisations](#)
- [Keeping Kids Safe, Australian Human Rights Commission](#)
- [Office of the eSafety Commissioner](#)

Distribution list for policy revisions:

- ⇒ CEO, ARC and Board
- ⇒ Leadership Team

10. Review

10.1 This policy replaces any previous Foundation documentation that purports to relate to the same subject matter and is subject to annual review from the date of approval by the Board.

10.2 Any changes to relevant legislation, statutory or standard requirements, the Foundation's Strategic Plan or other significant features that impact this policy will result in review of this policy within the period set for review in 10.1.

10.3 Minor adjustments (for example, change of position titles within the Foundation) may be administratively updated by the Policy Owner without the need for a full review. However, the Policy Owner must advise the Leadership Team that this has occurred and replace the accessible copy of this policy with the current version.

10.4 Any Foundation volunteer, Board or Committee member, employee, member, student on work experience placement, contractor or external consultant who wishes to make any comments about this policy or suggestions for its improvement may complete a *Document Change Request* form (Attachment A) and forward it by email to the Policy Owner.

[end of policy]



Document Change Request Form

To report the need for correction/s to, or make suggestion/s for, improvement of one of the Foundation's policies or procedures, please complete this form and send it to the Policy Owner by email.

Document name	
Document type	<input type="checkbox"/> policy <input type="checkbox"/> procedure, plan, framework etc
Version N ^o	
Approval date	[DD/MM/YY]
Paragraph/s, sub-paragraph/s concerned	
What do you think ought to be changed?	Details:
Why do you think it ought to be changed?	<input type="checkbox"/> incorrect <input type="checkbox"/> streamline the process; make things easier <input type="checkbox"/> other:

Name of the person submitting this form	
Position Title	
Direct contact phone N ^o	
Date	[DD/MM/YY]

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