

Creative Therapy Adelaide

Child Safe Policy

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Policy Purpose

The main objective of our Child Safety Policy is to maintain responsible behaviour and ethical and informed decision making by team members, participants and visitors of Creative Therapy Adelaide (CTA). This policy outlines our commitment to children and young people's right to be treated with respect and dignity, and to be safe and protected from harm, discrimination, harassment and harm. Our policy informs everyone involved with CTA of her/his legal and ethical rights and responsibilities and the standards of behaviour that are expected. The policy also covers the care and protection of children participating in CTA's activities.

Commencement

This Policy will commence 3rd March 2021. It replaces all other cover policies of Creative Therapy Adelaide (CTA) which deal with covering induction.

Amendment History

Issue	Release Date	Details	Approved by	Notes
1	03/03/2021	Policy established 1st version draft	M. Giordano	
2	02/05/2022	2nd Update	M.Giordano	

Who Our Policy Applies To

- a) All team members of CTA (whether full-time, part-time or casual) and all persons performing work at the direction of, or on behalf of CTA (for example contractors, subcontractors, agents, consultants, temporary staff, interns and students) (collectively referred to as 'team members'); and

b) All of CTA's workplaces and to other places where workplace participants may be working or representing Creative Therapy for example, when visiting a participant, client or supplier (collectively referred to as the 'Company').

c) Visitors of CTA

d) Participants of CTA

Extent of the Policy

This policy covers all matters directly and indirectly related to CTA and its activities, including actions and breaches of our code of conduct. It also covers private behaviour where that behaviour brings our Company into disrepute or there is suspicion of harm towards a child or young person.

Our Responsibilities

Creative Therapy Adelaide will:

- adopt, implement and comply with this policy;
- ensure that this policy is enforceable;
- publish, distribute and promote this policy and the consequences of any breaches of this policy;
- promote and model appropriate standards of behaviour at all times;
- deal with any breaches of this policy in an appropriate manner;
- recognise and enforce any penalty imposed under this policy;
- ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies;
- review this policy every years and lodge a new child safe environments compliance statement with the Department of Human Services after it has been reviewed; and
- seek advice from and refer serious issues to the department of human services and/or the relevant authority.

Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (e.g. physical assault, sexual assault, harm or risk of harm to a child or young person) and any other issues that our state or national bodies request to be referred to them.

Individual Responsibilities

Everyone associated with CTA must:

- make themselves aware of the contents of this policy;
- comply with all relevant provisions of this policy, including the standards of behaviour outlined in this policy;
- consent to the screening requirements set out in this policy, and any state or territory;
- Obtain Working with Children checks if the person is over the age of 14 years and holds or applies for a role that involves contact with a child or young person under the age of 18, or where otherwise required by law;
- treat other people with respect;
- always place the safety and welfare of children above other considerations;
- be responsible and accountable for their behaviour;
- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible harm, discrimination, harassment, bullying or other inappropriate behaviour; and
- comply with any decisions and/or disciplinary measures imposed under this policy.

Protection of Children

Child protection

CTA is committed to the safety and wellbeing of children and young people who participate in our activities. We support the rights of the child or young person and will act at all times to ensure that a child safe environment is maintained. We also support the rights and wellbeing of our staff members and encourage their active participation in building and maintaining a secure and safe environment for all participants.

CTA acknowledges the valuable contribution made by our team members and we encourage their active participation in providing a safe, fair and inclusive environment for all participants.

The Business Development Manager, on behalf of CTA, has lodged a compliance statement with the Department of Human Services to advise that our policies create and maintain a child safe environment according to the requirements under Chapter 8 of the Children and Young People (Safety) Act 2017.

Choosing Suitable Employees and Volunteers

CTA will ensure that relevant screening checks are conducted for all team members. CTA will utilise the Department of Human Services Screening process. All employees will require a DHS Working with Children Check (WWCC) prior to commencement in working with children and young people. A valid DCSI Clearance can be used until expiry but then a valid DHS WWCC check must be held.

CTA 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.

Support, Train and Supervise

CTA will ensure that all our team members and students, where relevant, are provided with supervision; support and training. Our goal is to maintain a child-safe environment at all times.

Empower and Promote the Participation of Children in Decision-Making and Development

CTA will promote the involvement and participation of children and young people in developing and maintaining a child-safe environment. Children and young people learn about their rights, safety, to be listened to and to have their view respected. This information is provided in our participant handbook and it's displayed via informative posters on the clinic's walls. Children and young people have opportunities to provide feedback on what they like and don't like about CTA, how things could be improved and what makes them feel safe or unsafe via the feedback form provided during the intake, review and termination process and anytime they are in contact with CTA team members.

Report and Respond Appropriately to Suspected harm and risk of harm

CTA will ensure that team members and students are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under legislation to make a report if they suspect on reasonable grounds that a child or young person has been, or is being harmed. See Attachment 3: PROCEDURE FOR HANDLING ALLEGATION OF HARM OR RISK OF HARM TO A CHILD OR YOUNG PERSON.

In addition to any legal obligations, any person who believes another person is acting inappropriately towards a child or young person, or is in breach of this policy, may make an internal complaint to the Director after they have made a notification to the Child Abuse Report Line on 13 14 78.

NOTE: Any person who believes a child or young person is in immediate danger or in a life threatening situation should contact the police immediately on 000.

Taking images of children and young people

CTA will only use images of children that are relevant to CTA's activities. We will seek permission from a child or young person's parent or guardian before using their images

and advise the parent how the image will be used. When using a photo of a child or young person, we will not publish personal information, such as name, residential address, email address or telephone number.

Discrimination, Harassment and Bullying

In accordance with our Rights and Responsibility, Privacy and Dignity and Violence, harm and risk of harm policies and procedures, CTA is committed to providing an environment in which people are treated fairly and equitably and that is free from all forms of discrimination, harassment and bullying.

Discrimination

Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by State or Federal anti-discrimination laws.

Discrimination includes both direct and indirect discrimination:

- Direct discrimination occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic;
- Indirect discrimination occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.

For the purpose of determining discrimination, the offender's awareness and motive are irrelevant.

Harassment

Harassment is any unwelcome conduct, verbal or physical, that intimidates, offends or humiliates another person and which happens because a person has a certain personal characteristic protected by State or Federal anti-discrimination legislation.

The offensive behaviour does not have to take place a number of times, a single incident can constitute harassment.

Sexual harassment is one type of harassment. Sexual harassment involves unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.

Every person is covered by the anti-discrimination laws that apply in their State as well as the Federal anti-discrimination laws.

The following is a list of all the personal characteristics that apply throughout Australia in relation to anti-discrimination laws:

- gender;
- race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration;
- national extraction or social origin;
- marital status, relationship status, identity of spouse or domestic partner;
- pregnancy, potential pregnancy, breastfeeding;
- family or carer responsibilities, status as a parent or carer;
- age;
- religion, religious beliefs or activities;
- political beliefs or activities;
- lawful sexual activity;
- sexual orientation and gender identity;
- profession, trade, occupation or calling;
- irrelevant criminal record, spent convictions;
- irrelevant medical record;
- member of association or organisation of employees or employers, industrial activity, trade union activity;
- physical features;
- disability, mental or physical impairment;

- defence service; and
- personal association with someone who has, or is assumed to have, any of these personal characteristics.

Legislation also prohibits:

- racial, religious, homosexual, transgender and HIV/AIDS vilification; and
- victimisation resulting from complaints.

Bullying

CTA is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable. Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or group.

Whilst generally characterised by repeated behaviours, one off instances can amount to bullying. The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- verbal harm including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
- excluding or isolating a group or person;
- spreading malicious rumours; or
- psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smartphones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments.

CTA will not tolerate abusive, discriminatory, intimidating or offensive statements being

made online. If any person believes they are being, or have been, bullied by another person bound by this policy, he or she may make a complaint.

Inclusive practices

In accordance with our Policy and Procedures, CTA is a welcoming environment and we will seek to include participants and members from all areas of our community.

Complaints and Reporting

CTA takes all complaints seriously. Any person may report a breach of this policy or other CTA policies in accordance with our Policy and Procedures.

Any immediate danger or life threatening situation, such as suspected child or young person's harm, sexual assault or other criminal activity, should be immediately referred to the police and/or relevant government authority by the person. For situations involving children please see Attachment 3 for further details.

Complaint Handling Process

When a complaint is received by CTA, the person receiving the complaint (the Director or Supervisor) will:

- listen carefully and ask questions to understand the nature and extent of the concern;
- ask the complainant how they would like their concern to be resolved and if they need any support;
- explain the different options available to help resolve the complainant's concern;
- inform the relevant government authorities and/or police, if required by law to do so; and
- where possible and appropriate, maintain confidentiality but not necessarily anonymity.

Once the complainant decides on their preferred option for resolution, CTA will assist, where appropriate and necessary, with the resolution process in accordance with our Policy and Procedure.

At any stage of the process, an individual can seek advice from an anti-discrimination commission or other external agency and, if the matter is within their jurisdiction, may lodge a complaint with the anti-discrimination commission or other external agency.

Management of Disciplinary Matters

CTA may take disciplinary action against anyone found to have breached our policies or made false and malicious allegations. Any disciplinary measures imposed will be in accordance with our Policy and Procedures.

Attachment 1: WORKING WITH CHILDREN CHECK REQUIREMENTS

Working with Children Checks is an assessment of whether a person poses an unacceptable risk to children. As part of the process, the Screening Unit will look at criminal history, child protection information and other information..

The Screening Unit assesses the suitability of people to work with children and young people and can involve:

- criminal history checks;
- signed declarations;
- other relevant background checks to assess a person's suitability to work with children and young people.

Detailed information, including the forms required to complete a Working with Children Check, are available from the following agencies:

South Australia

Contact the Department of Human services

Website:

<https://csec.dhs.sa.gov.au> Phone: [\(08\) 8226 8800](tel:0882268800)

DHS Child Related Employment Screening: <https://screening.sa.gov.au/>

Attachment 2: REPORT / COMPLAINT FORM

RECORD OF COMPLAINT

Name of person receiving complaint		Date: / /
Complainant's Name	Name: Surname:	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18
Complainant's contact details	Phone: Email:	<input type="checkbox"/>
Complainant's role/status	<input type="checkbox"/> Team Member Participant	<input type="checkbox"/> Student <input type="checkbox"/> Visitor <input type="checkbox"/> Other
Name of person complained about	Name: Surname:	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18
Person complained about role/status	<input type="checkbox"/> Team Member Participant	<input type="checkbox"/> Student <input type="checkbox"/> Visitor Other
Location/event of alleged issue		
Description of alleged issue	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
Nature of complaint (category/basis/grounds)	<input type="checkbox"/> Harassment <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Pregnancy Discrimination Bullying	<input type="checkbox"/> Disability <input type="checkbox"/> Child harm <input type="checkbox"/> Verbal harm <input type="checkbox"/> Physical harm Victimisation Unfair decision Other:
Can tick more than one box		

Solution found	
Information provided to them	
Resolution and/or action taken	
Follow-up action	

Attachment 3: PROCEDURE FOR HANDLING ALLEGATION OF HARM
OR RISK OF HARM TO A CHILD OR YOUNG PERSON

If you believe a child or young person is in immediate danger or a life-threatening situation, contact the Police immediately on 000.

We will treat any allegation of child or young person harm or risk of harm promptly, seriously and with a high degree of sensitivity.

All people working or participating in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

Step 1: Receive the allegation

If a child or young person raises with you an allegation of child or young person harm or risk of harm that relates to them or to another child or young person, it is important that you listen, stay calm and be supportive.

Do	Don't
Make sure you are clear about what the child or young person has told you	Do not challenge or undermine the child or young person
Reassure the child or young person that what has occurred is not his or her fault	Do not seek detailed information, ask leading questions or offer an opinion.

Explain that other people may need to be told in order to stop what is happening.	Do not discuss the details with any person other than those detailed in these procedures.
Promptly and accurately record the discussion in writing.	Do not contact the alleged offender.

Step 2: Report the allegation

- Immediately report any allegation of child or young person's harm or risk of harm, or any situation involving a child or young person at risk of harm, by calling the police at 000 and/or Child Abuse Report Line (CARL) 131 478. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is any doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to CTA's executive or supervisors of the event so that he/she/they can manage the situation.

Step 3: Protect the child or young person and manage the situation

- CTA's executives or supervisors will assess the immediate risks to the child or young person and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there are no contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded.
- CTA's Director (or delegate) acknowledges that our duty of care is not exhausted after making a mandatory report and we will consider what services may be most appropriate to support the child or young person and his or her parent/s or guardians.

- CTA's Director (or delegate) will consider what support services may be appropriate for the alleged offender.
- CTA's Director (or delegate) will seek to put in place measures to protect the child or young person and the alleged offender from possible victimisation and gossip.

Step 4: Take internal action

- At least three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
 - ❖ a criminal investigation (conducted by the police)
 - ❖ a child protection investigation (conducted by the relevant child protection agency)
 - ❖ a disciplinary or misconduct inquiry/investigation (conducted by CTA).
- CTA will assess the allegations and determine what action should be taken in the circumstances, in accordance with the Code of Conduct and our policy and procedures.
- Where required we will provide the relevant government agency with a report of any disciplinary action we take. Under the Child Safety (Prohibited Persons) Act 2016 we are required to inform the Screening Unit of certain information regarding any person involved with our organisation, including any serious criminal offence, child protection information, or disciplinary or misconduct information.
- Contact details for advice or to report an allegation of child or young person harm

South Australia

South Australia Police
Non-urgent police assistance
Ph: 131 444
www.police.sa.gov.au

Department for Child Protection
Ph: 131 478
www.childprotection.sa.gov.au/reporting-child-harm