

National Child Safety Policy and Procedure

Policy Name	National Child Safety Policy and Procedure
Effective Date	19 December 2024
Date Last Reviewed	December 2025
Scheduled Review Date	December 2026
Responsible Person	CEO

Table of Contents

Table of Contents.....	1
Child Safety Policy.....	3
1. Introduction.....	3
2. Commitment to the safety of children and young people	3
3. Purpose	3
4. Definitions.....	4
5. Scope.....	5
6. Guiding principles.....	6
7. Recognising child abuse or risk of harm	7
8. Responsibilities.....	8
9. Codes of Conduct Policy and Procedures	11
10. Recruitment	12
11. Risk Management.....	13
12. Supervision, training, development and support for Staff.....	13
13. Communication.....	14

14. The participation and empowerment of children.....	15
15. Breaches.....	16
16. Reporting and responding to risk of harm to a child	16
17. Investigations.....	17
18. Record keeping	17
19. Privacy	18
20. Monitoring and review	18
21. Related Policies, Procedures and Legislation	18
Child Safety Procedure	19
22. Introduction.....	19
Annexure A: Child Safety Procedure – Victoria.....	21
Annexure B: Child Safety Procedure – New South Wales.....	26
Annexure C: Child Safety Procedure – Australian Capital Territory	31
Annexure D: Child Safety Procedure – Queensland	36
Annexure E: Child Safety Procedure – Western Australia	42
Annexure F: Child Safety Procedure – Tasmania.....	48
Annexure G: Child Safety Procedure – Northern Territory.....	55
Child Safety Incident Report Form.....	60

Child Safety Policy

1. Introduction

- 1.1 The National Youth Science Forum (**NYSF**) is committed to promoting and protecting the health, safety, and wellbeing of all children. We have zero tolerance for child abuse and harm.
- 1.2 If any person believes a child is at immediate risk of abuse or harm, telephone 000.

2. Commitment to the safety of children and young people

- 2.1 NYSF is committed to providing children and young people with a safe and nurturing environment in which they can learn and thrive.
- 2.2 NYSF supports, values, and respects all children and young people, and is committed to their safety, participation, and empowerment.
- 2.3 NYSF has zero tolerance for all forms of abuse or harm against children and young people, and all allegations will be treated seriously and responded to promptly and thoroughly in accordance with our policies and procedures.
- 2.4 NYSF is committed to the cultural safety of Aboriginal and Torres Strait Islander children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability, children who cannot live at home, LGBTIQ+ children and children who are vulnerable.
- 2.5 NYSF will take into account the diversity of all children, including the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, children who cannot live at home, LGBTIQ+ children and children who are vulnerable, and make reasonable efforts to accommodate them.
- 2.6 NYSF will openly communicate with children, families and communities about its approach to Child Safety and ensure that information about Child Safety including information about making a complaint is readily available and accessible.
- 2.7 The safety, welfare and best interests of the child are paramount.

3. Purpose

- 3.1 This Policy, together with the Child Safety Procedure, aims to:
- (a) ensure NYSF meets its responsibilities for the safety, protection and wellbeing of children and young people;
 - (b) create and foster an organisational culture that places child safety at the forefront of NYSF's operations;
 - (c) ensure Staff, including NYSF employees, directors, contractors and volunteers, are aware of their responsibilities to prevent and report child abuse and harm to children occurring within all NYSF Environments;
 - (d) provide Staff, including NYSF employees, directors, contractors and volunteers, with information and guidance regarding exercising the judgements involved with reporting risks of significant harm to children and the action that should be taken where a person suspects any child abuse or risk of harm within all NYSF Environments;

- (e) establish controls and procedures for preventing child abuse or risk of harm and detecting it when it occurs within all NYSF Environments;
- (f) provide a clear statement to Staff, including NYSF employees, directors, contractors and volunteers, forbidding child abuse or risk of harm;
- (g) provide assurance that any and all suspected child abuse or risk of harm will be reported and fully investigated; and
- (h) place an emphasis on genuine engagement with and empowerment of children.

4. Definitions

- 4.1 **“Child”, “children” or “young person”** means a child or young person who is under 18 years of age, unless otherwise defined by law or noted in this Policy or Child Safety Procedure.
- 4.2 **“Child abuse or risk of harm”** means conduct and/or the risk of conduct towards, against, with or in the presence of a child, or threatening to engage in such conduct, which includes:
 - (a) physical violence;
 - (b) conduct of a sexual nature, including a sexual offence, sexual abuse, sexual misconduct and/or grooming behaviour;
 - (c) significant emotional or psychological harm; or
 - (d) significant neglect of a child.
- 4.3 **“Child-related work”** means work which usually involves (or is likely to involve) direct contact with a child, irrespective of whether that contact is supervised or not, and in child-related occupational fields including (but not limited to) overnight camps, education and care services, educational institutions, religious organisations, counselling or other support services for children.
- 4.4 **“Child Safety”** means matters related to NYSF’s duty of care to children in its care, protecting all children from harm, promoting the safety and wellbeing of children, managing the risk of child abuse or harm, taking steps to prevent the occurrence or reduce the occurrence of child abuse or risk of harm, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.
- 4.5 **“Child Safety Officers” or “CSOs”** means people appointed by NYSF to listen, discuss and clarify issues raised by Staff and children in relation to actual or suspected child abuse or risk of harm, including the CEO, the COO/CFO, and/or other Staff as appropriate.
- 4.6 **“Grooming”** means an adult communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child’s involvement in sexual conduct, either with the groomer or another adult, unless otherwise defined by law or noted in this Policy or the Child Safety Procedure.
- 4.7 **“LGBTIQA+”** means lesbian, gay, bisexual, transgender, intersex, queer, asexual and others.
- 4.8 **“NYSF Environment”** means all physical and virtual environments and places made available or authorised by NYSF for use by a child, including but not limited to:
 - (e) the offices of the NYSF
 - (f) online NYSF Environments (including email, portals, intranet systems, telecommunication, social media and other online communications); and

- (g) other locations provided by the NYSF for a child's use (including, without limitation, locations used for camps, excursions, "rest days", competitions, and other events)
- 4.9 **"Reportable Conduct Schemes"** means reportable conduct schemes that apply in certain states and territories, imposing obligations on the heads of organisations to report allegations of child abuse and misconduct. Each reportable conduct scheme has its own definitions for reportable allegations, reportable conduct and/or reportable convictions and these terms should be interpreted in accordance with the definitions in the Child Safety Procedure.
- 4.10 **"Sexual misconduct"** includes behaviour, physical contact or speech or other communication of a sexual nature, inappropriate touching, grooming behaviour and voyeurism, unless otherwise defined by law or the Child Safety Procedure.
- 4.11 **"Sexual offence"** means a sexual offence committed against, with or in the presence of a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded, unless otherwise defined by law or the Child Safety Procedure.
- 4.12 **"Staff"** or **"Staff member"** means NYSF employees, directors, contractors and volunteers.
- 4.13 **"WWCC"** means the following in each State and Territory:
 - (h) In Victoria, a Working with Children Check issued pursuant to the *Worker Screening Act 2020* (Vic);
 - (i) In New South Wales, a Working with Children Check issued pursuant to the *Child Protection (Working with Children) Act 2012* (NSW), as amended;
 - (j) In the Australian Capital Territory, a Working with Vulnerable People registration issued under the *Working with Vulnerable People (Background Checking) Act 2011* (ACT), as amended;
 - (k) In Queensland, a Blue Card issued under the *Working with Children (Risk Management and Screening) Act 2000* (Qld), as amended;
 - (l) In Western Australia, a Working with Children Check issued under the *Working with Children (Criminal Record Checking) Act 2004* (WA), as amended;
 - (m) In Tasmania, a Working with Vulnerable People Card issued under the *Registration to Work with Vulnerable People Act 2013* (Tas), as amended; and
 - (n) In the Northern Territory, a Working with Children Clearance (or Ochre Card) issued under the *Care and Protection of Children Act 2007* (NT), as amended; and
 - (o) In South Australia, a Working with Children Check issued under the *Child Safety (Prohibited Persons) Act 2016* (SA).

5. Scope

- 5.1 This Policy applies to all Staff engaged by NYSF, in conjunction with the Codes of Conduct Policy and Procedures and the Child Safety Procedure.
- 5.2 This Policy applies to all NYSF Environments and all interactions with children and young people including:
 - (a) physical contact,
 - (b) face to face contact;
 - (c) contact by post or other written communication;
 - (d) contact by telephone or other oral communication; and

- (e) contact by email or other electronic communication including online seminars and social media.
- 5.3 This Policy does not apply to NYSF Environments in South Australia, which is covered by the South Australia (Safeguarding Children and Young People) Safe Environments Policy and Procedure. Where a Child Safety matter is covered by both this National Child Safety Policy and Procedure and the South Australia (Safeguarding Children and Young People) Safe Environments Policy and Procedure, the South Australia (Safeguarding Children and Young People) Safe Environments Policy and Procedure prevails to the extent of any inconsistency.
- 5.4 The definitions in this Policy will apply to this Policy to the extent of any inconsistency with the definitions of the Child Safety Procedure, unless stated otherwise.

6. Guiding principles

- 6.1 This Policy is based on the following principles:
 - (a) The NYSF has zero tolerance for child abuse;
 - (b) All forms of child abuse and neglect cause harm to children;
 - (c) The best interests, safety and wellbeing of the child are paramount;
 - (d) Child safety is a shared responsibility of adults in the community; and
 - (e) All children have a right to feel and be safe, and have equal rights to protection from abuse and neglect. Children also have the right to privacy, access to information and social connections.
- 6.2 NYSF will:
 - (a) consider the opinions of children when developing child safety policies and procedures to promote engagement with and the empowerment of children;
 - (b) ensure families have the opportunity to participate in decisions affecting their child (where appropriate);
 - (c) openly communicate with families and the community about its approach to child safety; and
 - (d) ensure information about child safety (including information about making a complaint) is readily available and accessible to children and families.
- 6.3 The NYSF will pay particular attention to the diversity of all children, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, LGBTIQ+ children and children who are vulnerable, and make reasonable efforts to respond to diverse needs.
- 6.4 The NYSF is committed to promoting and protecting the cultural safety of Aboriginal and Torres Strait Islander children, and children from culturally and/or linguistically diverse backgrounds, and to providing a safe and inclusive environment for children living with a disability and LGBTIQ+ children.
- 6.5 Professionals working with children have legal and ethical responsibilities to support the safety, welfare and wellbeing of children.

7. Recognising child abuse or risk of harm

7.1 Indicators of child abuse or risk of harm can be behavioural or physical and can co-occur with multiple types of child abuse or risk of harm. Examples include, but are not limited to:

Physical violence or harm
<ul style="list-style-type: none">• unexplained bruises, burns, welts, cuts grazes or scratches (or vague or unlikely explanations) for the child or their family members;• avoidance of physical contact, or disproportionate reactions or limited emotion displayed;• unexplained absences and decline in performance;• wearing clothing that is unsuitable for the weather conditions (to hide injuries);• substance abuse, self-harm or suicide attempts.
Conduct of a sexual nature, including a sexual offence, sexual abuse, sexual misconduct and/or grooming a child
<ul style="list-style-type: none">• signs of pain, itching or discomfort in the genital or rectal area;• sexualised behaviours;• withdrawal, low self-esteem, suicidal ideation, self-harm;• manifestation of psychological diagnoses including anxiety, depression and substance misuse;• presence of sexually transmitted diseases;• frequent urinary tract infections;• pregnancy (actual or suspected);• self-mutilation;• displaying age-inappropriate sexual behaviour or knowledge;• inappropriate expressions of affection;• sudden fears of specific places or particular adults;• obsessive and compulsive washing;• complaining of headaches, stomach pains or nausea;• sleeping difficulties;• poor self-care or personal hygiene;• regressive behaviours such as bedwetting and speech loss;• substance abuse, self-harm or suicide attempts.
Significant emotional or psychological harm
<ul style="list-style-type: none">• delays in emotional, mental or physical development;• speech impairments such as stuttering or being selectively mute;• rocking, thumb-sucking or other infantile behaviours;• eating disorders;

- exhibiting high anxiety or symptoms of stress;
- poor self-image or low self-esteem;
- displaying aggressive, demanding or attention-seeking behaviour;
- compulsive lying or stealing;
- unexplained mood swings or depression;
- poor social and interpersonal skills;
- excessive neatness or cleanliness;
- substance abuse, self-harm or suicide attempt.

Significant neglect of a child

- frequent hunger, or stealing or begging for food;
- poor hygiene;
- lack adequate or suitable clothing;
- refusal or reluctance to go home;
- appearing dirty and unwashed;
- unattended health problems;
- appearing pale and weak;
- inadequate shelter or unsanitary living conditions;
- aggressive or self-destructive behaviour;
- involvement in criminal activity;
- poor, irregular or non-attendance;
- limited positive interaction with parents, carers or guardians;
- poor performance; and
- substance abuse.

8. Responsibilities

8.1 The safety of children is everyone's responsibility.

All Staff

8.2 All Staff:

- have a shared responsibility for contributing to the safety of children from child abuse or risk of harm or the risk thereof;
- are responsible for identifying child abuse or risk of harm and taking steps to prevent, reduce or eliminate child abuse or risk of harm and the risk thereof;
- must promote Child Safety at all times and provide a safe environment for all children; and
- must telephone 000 if they believe a child is at immediate risk of abuse.

8.3 All Staff are required to:

- (a) read and comply with this Policy, the Codes of Conduct Policy and Procedures and the Child Safety Procedure;
- (b) take all reasonable steps to maintain an environment that is safe and prevents child abuse or risk of harm to children;
- (c) respond to a child disclosing an incident of child abuse or risk of harm, in a child-focused manner, with sensitivity and professionalism;
- (d) participate in child safety induction and training as directed by NYSF and request further assistance if further training is required;
- (e) empower children and young people to have a say and pursue their passion for science, technology, engineering, and mathematics;
- (f) obtain and maintain any checks or qualifications required by NYSF, such as Working with Children Check clearances, police checks or first aid and CPR qualifications;
- (g) report any concerns, suspicions and reports about actual or suspected child abuse or risk of harm, as soon as possible to a CSO, supervisor or CEO; and
- (h) report any breach or suspected breach of this Policy, the Codes of Conduct Policy and Procedures and the Child Safety Procedure as soon as possible to a CSO, supervisor or CEO.

NYSF

8.4 NYSF will ensure, as far as possible, that Staff are aware of:

- (a) their responsibilities to create and maintain child safe environments, including a culturally safe environment for Aboriginal children and young people;
- (b) their obligations under this Policy, the Codes of Conduct Policy and Procedures and the Child Safety Procedure;
- (c) the appropriate standard of conduct and behaviour that NYSF requires; and
- (d) NYSF's commitment to empowering children about their rights including the right to feel safe, be informed and participate in decisions affecting them.

The Board

8.5 The Board of NYSF has ultimate responsibility for complying with the National Child Safe Principles and relevant state Child Safe Standards, including:

- (a) ensuring NYSF has appropriate systems in place for identifying, preventing and detecting the suspected or known child abuse or risk of harm;
- (b) ensuring NYSF has appropriate and effective internal control systems, including processes to respond to complaints and concerns, and regular reviews;
- (c) modelling and championing a child safe culture and making a public commitment to Child Safety;
- (d) ensuring NYSF has appropriate policies, procedures and codes of conduct in relation to Child Safety;
- (e) ensuring Staff are equipped with knowledge, skills and awareness through ongoing education and training, and ensuring Staff are suitable to work with children; and
- (f) ensuring NYSF empowers children, young people, families and communities with information about their rights and protections.

The CEO

8.6 The CEO of NYSF is responsible for:

- (a) managing and overseeing the response and investigation of reports of child abuse and harm to children or young people, including wherever possible the appointment of an independent investigator with appropriate skills and qualifications to conduct investigations into allegations of child abuse and harm;
- (b) preventing, identifying and mitigating Child Safety risks, including child abuse or risk of harm, within all NYSF Environments;
- (c) making reports and adhering to obligations under the applicable state and territory Reportable Conduct Schemes;
- (d) ensuring Staff are aware of this Child Safety Policy, the Codes of Conduct Policy and Procedures, the Child Safety Procedure and their overall child safety obligations, including the obligation to report suspected child abuse or risk of harm;
- (e) ensuring appropriate policies and procedures are in place, including effective internal control systems for the detection of child abuse and harm and risks of significant harm to children;
- (f) appointing CSOs and ensuring that they are provided with training or information to perform their role effectively;
- (g) providing support for Staff in undertaking their child safety obligations;
- (h) ensuring that this Policy, the Codes of Conduct Policy and Procedures and the Child Safety Procedure are reviewed and updated every year and after every child safety incident; and
- (i) monitoring and regularly reporting to the Board on compliance with this Policy, the Code of Conduct Policy and Procedures and the Child Safety Procedure.

Managers and Supervisors

8.7 All managers or supervisors must:

- (a) promote and model child safety at all times;
- (b) assess the risk to Child Safety, including child abuse or risk of harm, within their area of control and take steps to reduce or eliminate any risk to the extent possible;
- (c) educate Staff about identifying and preventing child abuse or risk of harm;
- (d) make a record of risks and specify the action(s) NYSF will take to reduce or remove the risks (i.e. risk controls) when a Staff member notifies them of an identified risk;
- (e) facilitate the reporting of any concerns regarding Child Safety including reports or disclosures of child abuse and harm, as soon as possible; and
- (f) report any allegations, concerns, suspicions and reports of child abuse or risks to Child Safety in accordance with the Child Safety Procedure as soon as possible, and are strongly encouraged to report those concerns to a CSO, the CEO or Board Chair as soon as possible.

The COO/CFO

8.8 The COO/CFO must:

- (a) sight, verify and record all WWCCs (or WWVP check in relevant states) and police checks on a spreadsheet and identify and monitor those that require renewal;
- (b) not allow Staff to work without a valid WWCC and police check, including when a WWCC has expired or a negative notice or other state equivalent is received;
- (c) collect, document and store information from applicants and their referees to assess their suitability for child-related work;
- (d) securely store records of concerns, suspicions, complaints, reports or allegations in the form of the Incident Report which can be found at the end of the Child Safety Procedures;
- (e) ensure all NYSF Staff satisfactorily complete child protection and safety training required for their role and maintain records of completion; and
- (f) communicate this Policy, the Codes of Conduct Policy and Procedures and the Child Safety Procedure in the manner set out in this Policy.

Child Safety Officers (CSOs)

- 8.9 CSOs are available to listen, discuss and clarify issues confronting Staff in relation to child abuse or risk of harm.
- 8.10 CSOs are responsible for:
- (a) responding to, managing and overseeing the investigation of complaints and disclosures under this Policy, as directed or delegated by the CEO;
 - (b) reporting any risks to Child Safety, including child abuse or risk of harm, to the CEO;
 - (c) recording risks to Child Safety and specify the action(s) NYSF will take to reduce or remove the risks (i.e. risk controls) when a Staff member notifies them of an identified risk;
 - (d) making reports on behalf of NYSF, as authorised or delegated by the CEO or the Chair of the Board (which may include supporting Staff to meet their reporting obligations);
 - (e) maintaining adequate records of all complaints, decisions and actions taken in relation to any allegation, concern, suspicion or report of child abuse or risk of harm under this Policy; and
 - (f) being familiar with the types of child abuse or risk of harm that might occur and be alert to any indications of such conduct, including harm caused by other children or young people.

9. Codes of Conduct Policy and Procedures

- 9.1 The NYSF Codes of Conduct Policy and Procedures includes the Child Safety Code of Conduct.
- 9.2 The Codes of Conduct and Child Safety Code of Conduct apply to all Staff.
- 9.3 Before working with children, Staff must read, understand and agree to comply with the Codes of Conduct Policy and Procedures as part of NYSF's child safety induction and training.
- 9.4 NYSF provides a copy of the Codes of Conduct Policy and Procedures to all staff upon commencement and regularly throughout their engagement with NYSF, and to all program participants (and, where the participant is a child, their parents) prior to attendance at an NYSF program or event.

- 9.5 NYSF's Codes of Conduct Policy and Procedure is publicly available on the NYSF website at www.nysf.edu.au/policies/codes-of-conduct.

10. Recruitment

- 10.1 NYSF engages in a range of recruitment strategies to ensure that Staff working with children and young people are suitable and supported to reflect child safety and wellbeing in practice, including:
- (a) developing clear position descriptions for jobs or categories of jobs that involve Child - related work setting out:
 - (i) the job's requirements, duties and responsibilities regarding child safety and wellbeing; and
 - (ii) the job occupant's essential or relevant qualifications, experience and attributes in relation to child safety and wellbeing,
 - (b) examining written applications and engaging in face-to-face interviews for applicants who will or may work with children (where possible);
 - (c) engaging in a thorough examination of a person's suitability to work with children prior to their engagement or employment with NYSF;
 - (d) screening all persons that will (or could reasonably) work with children to verify that the applicant :
 - (i) has a valid WWCC (or equivalent in relevant state); or
 - (ii) is exempt from the requirement to hold a WWCC to work with NYSF; or
 - (iii) has applied for a WWCC and is legally permitted to work with children while their application is being processed; and
 - (iv) has registered NYSF in connection with their WWCC before they commence working with children at NYSF,
 - (e) keeping records of all relevant information,
 - (f) informing all applicants for jobs that involve Child-related work of NYSF's child safety practices (including this Policy, Codes of Conduct Policy and Procedures and Child Safety Procedures);
- 10.2 NYSF will make reasonable efforts to gather, verify and record the following information about a person whom it proposes to engage to perform child-related work:
- (a) WWCC status, (or equivalent in relevant states) including confirmation that NYSF has been registered on the person's WWCC as employer;
 - (b) proof of personal identity and any professional or other qualifications;
 - (c) the person's history of work involving children, including any history of complaints, disciplinary action or allegations of reportable conduct made against the person in the course of any employment or voluntary position held by the person; and
 - (d) in the case of activities that involve overnight stays, reference checks will be obtained to the extent that it is reasonably practicable.
- 10.3 NYSF will not offer any applicant a position at NYSF until the applicant provides the required evidence to the COO/CFO.

- 10.4 NYSF will require applicants to provide a National Police Check before they commence working at NYSF and at any time during their engagement with NYSF.

11. Risk Management

- 11.1 NYSF understands there may be a number of risks associated with its services and programs in relation to:
- (a) images or videos taken of children during a program or event;
 - (b) the supervision of children;
 - (c) the online environments in which children engage with NYSF; and
 - (d) travel required to attend some NYSF programs or events;
 - (e) overnight stays associated with some NYSF programs.
- 11.2 To mitigate or prevent those risks, NYSF:
- (a) requires Staff to comply with the NYSF Privacy Policy and comply with responsibilities in relation to privacy and information sharing;
 - (b) requires Staff to comply with the Codes of Conduct Policy and Procedures which establishes expected behavioural standards and responsibilities including when having contact with children;
 - (c) reviews risks, and monitors and evaluates the effectiveness of the implementation of its risk controls;
 - (d) makes Child Safety a part of NYSF's overall risk management strategy approach;
 - (e) has human resources policies to assess Staff in relation to compliance with their Child Safety obligations and continued suitability for child-related work; and
 - (f) ensures appropriate training at least annually is conducted for NYSF directors, employees and volunteers.
- 11.3 Some children face a higher risk of abuse or harm, including children who have diverse needs or disabilities, Aboriginal or Torres Strait Islander children, children who are culturally and/or linguistically diverse, children who cannot live at home, and LGBTIQA+ children. NYSF manages these vulnerabilities by providing awareness training and resources to our volunteers.
- 11.4 Participants are provided with the opportunity to advise NYSF of any diverse or additional needs in their program onboarding forms, such as Aboriginal or Torres Strait Islander identification and disability, to enable NYSF to provide targeted management of participants who may face a higher risk or abuse or harm.
- 11.5 NYSF's Codes of Conduct Policy and Procedures identify behaviours that disempower children and are therefore unacceptable. NYSF regularly reminds Staff and program participants of the Codes of Conduct Policy and Procedures throughout programs and events.

12. Supervision, training, development and support for Staff

- 12.1 NYSF has strategies and safeguards in place to ensure that all Staff are adequately supervised, trained and supported to understand their obligations and responsibilities to create a child safe environment.

12.2 Those strategies and safeguards include:

- (a) induction and annual refresher training for all Staff to support their understanding of Child Safety, child abuse or risk of harm and their reporting obligations;
- (b) ongoing supervision by the COO/CFO, who is trained in NYSF policies and procedures;
- (c) training for Staff before engaging with children, including:
 - (i) resources teaching Staff about indicators of abuse and harm, and emerging issues in child safety;
 - (ii) how to facilitate participation and provide culturally safe and inclusive environments;
 - (iii) how to respond to complaints in a child-focused manner; and
 - (iv) how to comply with this Policy, Child Safety Procedure and the Codes of Conduct Policy and Procedures.
- (d) compliance with this Policy monitored by the COO/CFO; and
- (e) instructing and supporting Staff in complying with procedures for responding, suspecting and identifying child abuse or risk of harm towards children.

13. Communication

13.1 NYSF will communicate the National Child Safety Policy, the Codes of Conduct Policy and Procedures and the Child Safety Procedure in the manner below.

Program Participants	Parents, Guardians, Community, Partners	Employees, Volunteers, Contractors, Directors
<ul style="list-style-type: none"> • Program Agreement • Website • Orientation sessions (for some Programs only) • Program Handbook 	<ul style="list-style-type: none"> • Program Agreement • Website • NYSF newsletter • Orientation sessions (for some Programs only) • Program Handbook 	<ul style="list-style-type: none"> • Website • Letters of appointment/contracts/volunteer agreements • New employees, directors, volunteers and contractors induction training and refresher training • Annual and pre-program training sessions • Program and volunteer handbooks

13.2 Communication to Participants includes the Codes of Conduct Policy and Procedures for adults (Staff) so children understand how adults are expected to behave, and therefore more empowered to raise their concerns if any boundaries are crossed.

13.3 Participants, families, volunteers and anyone else may communicate any concerns about child safety and wellbeing to NYSF by:

- (a) emailing nysf@nysf.edu.au or their direct NYSF contact;
 - (b) phoning the NYSF duty phone, during events with an active duty phone;
 - (c) talking to a NYSF staff member or volunteer at an in-person event; or
 - (d) contacting a NYSF staff member or volunteer via the NYSF app during an online event.
- 13.4 Any complaints, concerns, allegations or disclosures will be taken seriously and responded to by NYSF promptly and thoroughly.
- 13.5 NYSF encourages our community, including participants and their families, to have a say in our child safety measures. Please contact nysf@nysf.edu.au if you have any concerns or feedback.

14. The participation and empowerment of children

14.1 NYSF:

- (a) aims to provide an inclusive and engaging learning experience to children by:
 - (i) ensuring programs offer significant opportunities for engagement with other participants, volunteers, and content providers;
 - (ii) including content that addresses a broad range of interests and knowledge levels;
 - (iii) encouraging the active participation of children in programs, by prioritising programming that is interactive and delivering content in formats that encourage active participation such as debates, workshops, panels, Q&As;
 - (iv) facilitating the formation of friendships via social group and buddy systems,
- (b) acknowledges the benefits of involving children in decision making;
- (c) promotes meaningful participation through programs and initiatives, including by training volunteers to empower children to raise their voice and pursue their passion for science;
- (d) acknowledges and appreciates the strengths of the diversity of children, including cultural diversity and the strengths of Aboriginal culture and its importance to the wellbeing and safety of Aboriginal children and young people;
- (e) acknowledges the rights of children assists them to make meaningful contributions be balancing the need to provide guidance while respecting independence; and
- (f) is responsive to the needs of children and encourages feedback.

14.2 NYSF communicates NYSF's child safety practices in an accessible manner for:

- (a) younger children, by discussing the documents in-person (and/or any other method deemed appropriate and effective for the particular age of the child);
- (b) children from culturally and linguistically diverse backgrounds, by discussing the documents in-person (and/or any other method deemed appropriate and effective for translation); and
- (c) children living with a disability, by discussing the documents in-person (and/or any other method deemed appropriate and effective for the particular type of disability that the child is living with).

14.3 To ensure NYSF can pay particular attention to the needs of diverse participants, and that our programs take into account the diverse needs of all participants, we provide the opportunity

for participants to tell us of any diverse or additional needs in their program onboarding form, so we can take steps to ensure the inclusion of all participants, as much as possible. Our Staff also receive training on ensuring diverse needs are supported and equity is upheld in our programs.

- 14.4 To contribute to the equity of opportunity, NYSF offers scholarships for our programs, and has an online program for participants who may not be able to access an in person program.
- 14.5 NYSF's empowerment of Aboriginal and Torres Strait Islander children and commitment to cultural safety is implemented by:
- (a) acknowledgements of country at the beginning of events, both in-person and online;
 - (b) inclusion of Indigenous science and knowledge content in NYSF programs;
 - (c) acknowledgement of the ongoing value and importance of Indigenous science and knowledge;
 - (d) prioritisation of applications for scholarships or other equity and inclusion initiatives received from Aboriginal and Torres Strait Islander children.

15. Breaches

- 15.1 Staff must report any breach or suspected breach of this Policy, the Codes of Conduct Policy and Procedures or Child Safety Procedure to a CSO and/or CEO as soon as possible after becoming aware of the breach or suspected breach.
- 15.2 If NYSF becomes aware of a suspected breach of this Policy, the Codes of Conduct Policy and Procedures or Child Safety Procedure, NYSF will take immediate steps to ensure the safety and wellbeing of any child who may be at risk as a result of or in relation to the breach.
- 15.3 Suspected breaches of this Policy, the Codes of Conduct Policy and Procedures or Child Safety Procedure are treated seriously by NYSF and will be investigated (either internally or externally, depending on the severity of the suspected breach) in a manner that affords procedural fairness to the subject of the investigation and complies with any Reportable Conduct Schemes if applicable. NYSF will handle the allegations in a confidential manner to the greatest extent possible.
- 15.4 Following an investigation into a suspected breach, any person who is found to be in breach or to have breached this Policy, the Code of Conduct Policy and Procedures or Child Safety Procedure may face disciplinary action (including termination of their engagement with NYSF).

16. Reporting and responding to risk of harm to a child

- 16.1 NYSF is committed to ensuring that children and young people who access NYSF's services and programs are kept safe from harm and the risk of harm.
- 16.2 When NYSF suspects that a child or young person has been harmed or is at risk of harm, NYSF will respond to that suspicion in an appropriate manner which prioritises the safety of children and young people.
- 16.3 All Staff are required to follow the relevant procedure applicable to the State or Territory in which the child is situated (Child Safe Procedure is annexed to this Policy).
- 16.4 NYSF will comply with all obligations under any applicable state or territory Reportable Conduct Schemes and any other applicable laws, and will provide information to government agencies including police, and do all things necessary to assist with enquiries, as is required.

17. Investigations

- 17.1 Before commencing an investigation into conduct that may be criminal in nature, the CEO or their delegate will consult with relevant authorities (including the police) to determine whether NYSF can commence an investigation.
- 17.2 Where appropriate, the CEO or their authorised delegate will appoint an independent investigator to investigate allegations, concerns, suspicions or reports of child abuse or risk of harm against Staff, and may appoint an investigator to investigate breaches of this Policy, the Codes of Conduct Policy and Procedures or Child Safety Procedure, and other relevant obligations.
- 17.3 The CEO will make every effort to keep any child safety investigation confidential; however, from time to time Staff may need to be consulted in conjunction with the investigation (e.g., to provide witness statements).
- 17.4 NYSF will do all things reasonably necessary to assist in any external investigations conducted by police or investigations conducted under any applicable Reportable Conduct Schemes. NYSF will not allow an investigation to interfere with investigations conducted by a relevant government department, regulator or police.
- 17.5 An investigation conducted by NYSF will be conducted in accordance with procedural fairness to protect the integrity of the investigation and the interests of all the parties involved in the investigation.
- 17.6 If the allegation or concern is a reportable allegation, the CEO or their delegate will notify the relevant regulator of who is going to conduct the investigation and comply with any applicable Reportable Conduct Schemes requirements.

18. Record keeping

- 18.1 All allegations, concerns, suspicions and reports of alleged child abuse or risk of harm must be recorded in the form of an Incident Report (found at the end of the Child Safety Procedure). An Incident Report (found at the end of the Child Safety Procedure) must record places, times, dates, names of people, observable behaviours or evidence of harm. Reports including Incident Reports must be securely stored by the COO/CFO.
- 18.2 CSOs are responsible for ensuring adequate records are maintained. Either the Staff member who identified or witnessed the suspected or actual child abuse or risk of harm, or a CSO must complete an Incident Report.
- 18.3 The CSO will ensure that the following records are held and maintained indefinitely:
 - (a) allegations, complaints and concerns of a breach of the Child Safety Policy, Codes of Conduct Policy and Procedures or Child Safety Procedure;
 - (b) complaints, reports and disclosures of actual or suspected child abuse or risk of harm to a child;
 - (c) reports made to external government agencies or regulators including reports to police or reports made under any applicable reportable conduct scheme;
 - (d) investigation reports, evidence and records of interview in relation to any investigation under this policy; and
 - (e) all decisions and actions taken in relation to any child safety complaint, report of a breach or disclosure received.

19. Privacy

- 19.1 NYSF is committed to uphold all children and young people's rights to privacy, access to information, social connections and learning opportunities online. This is one of the reasons why NYSF has maintained its online program.
- 19.2 NYSF will collect, use, disclose and hold personal information in accordance with the *Privacy Act 1988* (Cth) and its Privacy Policy.

Principles

- 19.3 There are two guiding principles in respect to a child's privacy.
- (a) **Best interests:** NYSF and all Staff will do what they believe is in the best interest of the child. The paramount consideration is the safety of children.
 - (b) **Respect privacy:** NYSF and all Staff will respect a child's privacy, except when this conflicts with the best interests principle. This means acting consistently with the Australian Privacy Principles and the NYSF Privacy Policy.
- 19.4 As much as is reasonably possible, an individual's privacy is to be protected. Individuals who make reports or disclosures of abuse and individuals who are the subject of accusations are all entitled to privacy.

Disclosing information and privacy

- 19.5 Staff must act consistently with the NYSF Privacy Policy, this Policy, the Codes of Conduct Policy and Procedures, the Child Safety Procedure and relevant statutory requirements.
- 19.6 Where a disclosure, such as reporting to a government department, regulator or police, is required or authorised by a Reportable Conduct Scheme or other law, the disclosure will not be a breach of privacy. The Child Safety Procedure (below) sets out applicable reporting requirements for each State and Territory.

20. Monitoring and review

- 20.1 NYSF welcomes feedback from all members of the community including families on how it can improve its risk management approach and better protect the safety of children. Please direct feedback to the CEO or Board Chair in writing. A review of this Policy, the Codes of Conduct Policy and Procedures and the Child Safety Procedure shall be conducted every year.

21. Related Policies, Procedures and Legislation

- 21.1 Related policies include:
- (a) Child Safety Procedure;
 - (b) Codes of Conduct Policy and Procedures;
 - (c) South Australia (Safeguarding Children and Young People) Safe Environments Policy and Procedure; and
 - (d) Privacy Policy.
- 21.2 This Policy must be read in conjunction with

- (a) The law of the Commonwealth;
- (b) Laws of each State and Territory including:
 - (i) Child Wellbeing and Safety Act 2005 (Vic);
 - (ii) Children, Youth and Families Act 2005 (Vic);
 - (iii) Worker Screening Act 2020 (Vic);
 - (iv) Children's Guardian Act 2019 (NSW);
 - (v) Children and Young Persons (Care and Protection) Act 1998 (NSW);
 - (vi) Child Protection (Working with Children) Act 2012 (NSW);
 - (vii) Child Protection Act 1999 (Qld);
 - (viii) Working with Children (Risk Management and Screening) Act 2000 (Qld);
 - (ix) Child Safe Organisations Act 2024 (Qld)
 - (x) Parliamentary Commissioner Amendment (Reportable Conduct) Act 2022 (WA);
 - (xi) Children and Community Services Act 2004 (WA);
 - (xii) Working with Children (Screening) Act 2004 (WA);
 - (xiii) Ombudsman Act 1989 (ACT);
 - (xiv) Children and Young People Act 2008 (ACT);
 - (xv) Working with Vulnerable People (Background Checking) Act 2011 (ACT);
 - (xvi) Children, Young Persons and Their Families Act 1997 (Tas);
 - (xvii) Registration to Work with Vulnerable People Act 2013 (Tas);
 - (xviii) Child and Youth Safe Organisations Act 2023 (Tas)
 - (xix) Care and Protection of Children Act 2007 (NT).

Child Safety Procedure

22. Introduction

- 22.1 This Procedure applies to all Staff in all NYSF Environments. It should be read in accordance with the Child Safety Policy and Codes of Conduct Policy and Procedures.
- 22.2 It aims to:
 - (a) provide Staff at NYSF with a step-by-step guide to responding to an allegation, concern, suspicion, report or incident of child abuse or risk of harm;
 - (b) ensure that concerns are promptly and consistently reported and addressed, so that NYSF and its Staff can minimise the risk of harm to children;
 - (c) provide children, parents, guardians and stakeholders with clarity on how NYSF will respond to allegations, concerns, suspicions and reports of child abuse or risk of harm.
- 22.3 The CEO is accountable for monitoring compliance with this Procedure.

22.4 All States differ in regard to the reporting obligations. Staff must use the State-based procedure applicable to where you are located and / or where the program is being conducted:

- (a) [Annexure A: Child Safety Procedure – Victoria](#) (page 21);
- (b) [Annexure B: Child Safety Procedure – New South Wales](#) (page 26);
- (c) [Annexure C: Child Safety Procedure – Australian Capital Territory](#) (page 31);
- (d) [Annexure D: Child Safety Procedure – Queensland](#) (page 36);
- (e) [Annexure E: Child Safety Procedure – Western Australia](#) (page 42);
- (f) [Annexure F: Child Safety Procedure – Tasmania](#) (page 48);
- (g) [Annexure G: Child Safety Procedure – Northern Territory](#) (page 55).

Annexure A: Child Safety Procedure – Victoria

1. Overview

- 1.1 NYSF is committed to ensuring that children and young people who access NYSF's services and programs are kept safe from harm and the risk of harm.
- 1.2 When NYSF suspects that a child or young person has been harmed or is at risk of harm, NYSF will handle that suspicion in a manner which prioritises the safety of children and young people.
- 1.3 All Staff members, including NYSF employees, directors, contractors and volunteers, are responsible for reporting reasonable beliefs that a child or young person has been harmed or is at risk of harm in accordance with this procedure.
- 1.4 All Staff members, including NYSF employees, directors, contractors and volunteers, will follow the process outlined below.

2. Scope

- 2.1 This Procedure applies to all Staff engaged by NYSF, in conjunction with the NYSF Codes of Conduct Policy and Procedures and the Child Safety Policy.
- 2.2 This Procedure should be interpreted in accordance with the definitions in the Child Safety Policy and paragraph 4.3. The definitions in this Procedure will apply to the extent of any inconsistency.

3. Step 1: Determine whether the child is in immediate danger

- 3.1 Where a Staff member is concerned about child abuse or risk of harm, the Staff member will stay with the child (if within their presence) and take all reasonable steps to ensure their safety and wellbeing, which may involve calling for support from another appropriate adult or Staff member.
- 3.2 If the Staff member believes the child is at serious or immediate risk of abuse or risk of harm, they must notify police immediately by telephoning 000.

4. Step 2: Consider whether there is an obligation to report

- 4.1 A Staff member:
 - (a) who is a Mandatory Reporter in the course of carrying out their duties, forms a belief on reasonable grounds that a child is in need of protection because they have suffered or are likely to suffer from significant harm as a result of physical injury or sexual abuse, and the child's parents cannot or will not protect the child, **must** disclose that information to the police or the Department of Families, Fairness and Housing (DFFH);
 - (b) who forms a belief on reasonable grounds that a child is in need of protection from child abuse (physical, sexual, emotional, psychological or neglect) may make a **voluntary report** to DFFH or the police and are encouraged to do so (with support of a CSO as needed);
 - (c) who forms a belief, on reasonable grounds, that a sexual offence has been committed in Victoria against a child under the age of 16 years by an adult, **must** make a report to the police as soon as practicable; or
 - (d) who is aware of a substantial risk that a child under the age of 16 years will become the victim of a sexual offence committed by another adult associated with NYSF **must not**

negligently fail to reduce or remove that risk, noting that reporting to DFFH, police or a CSO is one way to reduce or remove that risk.

- 4.2 The Head of NYSF will report any reportable allegation made against a Staff member to the CCYP within 3 business days of becoming aware of the allegation in accordance with the Reportable Conduct Scheme. Staff members are strongly encouraged to advise a CSO if they become aware of conduct which may constitute a reportable allegation, which includes conduct which occurs outside the course of a person's employment, or before the Staff member was engaged by NYSF.
- 4.3 For the purpose of this procedure:
- (a) the **CCYP** means the Commissioner for Children and Young People;
 - (b) a **child** is a person under 18 years of age unless otherwise stated;
 - (c) the **Head of NYSF** for the purpose of the Reportable Conduct Scheme is the Chief Executive Officer;
 - (d) a **mandatory reporter** includes a:
 - (i) registered medical practitioner, nurse or midwife;
 - (ii) person registered as a teacher or early childhood teacher;
 - (iii) principal of a school;
 - (iv) police officer;
 - (v) person in religious ministry;
 - (vi) the approved provider or nominated supervisor of or a person with a post-secondary qualification in the care, education or minding of children who is employed by or engaged by a children's service;
 - (vii) person with a post-secondary qualification in youth, social or welfare work who works in the health, education or community or welfare services field;
 - (viii) youth and child welfare worker;
 - (ix) registered psychologist.
 - (e) a **reportable allegation** arises when a Staff member forms a reasonable belief that another Staff member has engaged in reportable conduct.
 - (f) **reportable conduct** means:
 - (i) a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child,
 - (ii) behaviour causing significant emotional or psychological harm to a child,
 - (iii) significant neglect of a child, or
 - (iv) misconduct involving any of the above (including under the Codes of Conduct Policy and Procedure).
 - (g) **Staff or Staff members** mean NYSF employees, directors, contractors and volunteers.
- 4.4 If a Staff member is uncertain as to whether they need to make a report, they should discuss their observations and concerns with a CSO.
- 4.5 Staff members are not required to consult with NYSF or gain the support of NYSF prior to making a report, but are strongly encouraged to do so, so that support can be provided to the child and NYSF can take steps to minimise the risk of harm.

Responding to a child or young person who is harmed or at risk of being harmed by a Staff member

- 4.6 If a Staff member suspects on reasonable grounds that a child or young person is, or may be, at risk of harm by another Staff member, then:
- (a) that suspicion must be reported in the same way as if it arose in relation to a person who is not a Staff member of NYSF; and
 - (b) the person is strongly encouraged to report that suspicion to a CSO or the CEO so that steps can be taken to minimise potential harm to children.

5. Step 3: Make a report (if required)

Mandatory and voluntary reporting

- 5.1 If a Staff member determines they must make a report or should make a voluntary report, the Staff member must report that suspicion by making a telephone notification to the relevant authority referred to at 4.1 above by contacting:
- (a) DFFH:
 - (i) during business hours by contacting the relevant Division Intake team (determined by the location of the child – see <https://services.dffh.vic.gov.au/child-protection-contacts>):
 - (A) North Division intake: 1300 598 521;
 - (B) South Division intake: 1300 555 526;
 - (C) East Division intake: 1300 360 452;
 - (D) West Division intake: 1300 360 462;
 - (ii) if between 5:00pm and 9:00am Monday to Friday, or at any time on a weekend, by calling the After Hours Child Protection Emergency Service on 13 12 78; or
 - 1. Victoria Police:
 - 2. by dialling 000 if it is an emergency;
 - 3. by contacting your local police station (contact details available at: <https://www.police.vic.gov.au/location>); or
 - 4. by contacting the Sexual Offences and Child Abuse Investigation Team (**SOCIT**) in your area (contact details available at: <https://www.police.vic.gov.au/sexual-offences-and-child-abuse-investigation-teams>).
 - 5.2 A report must be made by a mandatory reporter each time that person becomes aware of any further grounds for their belief a child may have suffered or is likely to suffer harm as a result of physical injury or sexual abuse.
 - 5.3 If a Staff member makes a notification in accordance with paragraph 4.1, the person is strongly encouraged to notify the CSO that they have made that notification.
 - 5.4 If the CSO or the CEO is notified that a child is, or may be, at risk of harm, they must:
 - (a) take immediate steps to ensure the safety and wellbeing of any child or young person which may be at risk or danger;
 - (b) confirm that the concern has been reported in accordance with paragraph 4.1, and if not, assist the Staff member to make the report;
 - (c) complete the Incident Report (or in the case of the CSO or CEO, direct the staff member to complete the report).

Reportable Conduct Scheme

- 5.5 If the Head of NYSF determines that a reportable allegation has been made in relation to a current Staff member in Victoria:
- (a) the Head of NYSF must make a report to the CCYP within three business days of forming a reasonable belief that a Staff member has committed reportable conduct or engaged in misconduct that may involve reportable conduct, irrespective of whether the conduct in question is alleged to have occurred within the course of the Staff member's engagement with NYSF;
 - (b) NYSF will seek external guidance regarding conducting an internal or external investigation;
 - (c) the Head of NYSF must provide the CCYP with updates that are required under the Reportable Conduct Scheme, including providing a 30-day report; and
 - (d) NYSF will cooperate with all regulatory authorities in relation to the investigation, including DFFH, police and the CCYP.

Suspension

- 5.6 Where NYSF has allegations or concerns that any Staff member may have engaged in conduct that could give rise to risk of harm to a child, NYSF may, at its discretion:
- (a) suspend the Staff member while an investigation is conducted (which will involve removing or limiting their contact with children, and liaising with authorities); and
 - (b) direct the Staff member to return any keys, passes or equipment and to provide any access codes or passwords.

6. Step 4: Cooperate with regulatory authorities

- 6.1 The Staff member and NYSF will cooperate with any investigation by the police or DFFH.
- 6.2 Support will be provided to the child(ren) as deemed appropriate by the CSO or the CEO.
- 6.3 All correspondence from regulatory authorities should be directed to a CSO and/or the CEO.
- 6.4 Where a matter has been reported to a regulatory authority, NYSF will not interview the child(ren) further or otherwise investigate until the police and/or the DFFH have provided it with written permission to do so.
- 6.5 NYSF will consider whether it is necessary or appropriate to obtain the consent of the parent or guardian of the child prior to any interview having regard to the seriousness of the concern and the age, capacity and maturity of the child.
- 6.6 DFFH or the police may conduct interviews of NYSF children and young people without their parents' knowledge or consent, although consent should be sought where possible. NYSF should request that representatives attend the premises in plain clothes.
- 6.7 When a police officer or child protection practitioner from DFFH attends a NYSF premises, a member of the leadership team should request to see identification before permitting them to have access to the child or young person.
- 6.8 NYSF will notify relevant regulators including Working with Children Check Victoria of the allegations, as required.

7. Step 5: Investigation

- 7.1 Once clearance has been provided to NYSF by the relevant regulatory authorities, the CSO or the CEO (or the Chair of the Board if the alleged conduct related to the CEO):

- (a) will conduct its own investigation if the conduct is subject to the reportable conduct scheme; or
 - (b) may decide to conduct an investigation into the alleged conduct if the conduct is not subject to the reportable conduct scheme.
- 7.2 The CEO (or the Chair of the Board if the alleged conduct relates to the CEO) will appoint a relevant person to manage the internal investigation. If required, an external investigator will be appointed. For example, an external investigator will be appointed if the alleged conduct relates to a CSO, the CEO or the Chair of the Board.
- 7.3 The investigation will be undertaken in accordance with the principles of procedural fairness and natural justice and, if the conduct is subject to the reportable conduct scheme, will comply with the obligations under the reportable conduct scheme.
- 7.4 All Staff are expected to fully cooperate with any investigation conducted by or authorised by NYSF.

8. Step 6: Confidentiality

- 8.1 Following a report and during an investigation, Staff members are required to protect confidentiality and the interests of:
- (a) the child(ren) and their family;
 - (b) the individual(s) who made the report; and
 - (c) any representative of or another person associated with NYSF who is implicated in the report,
- and must not disclose private or confidential information about those parties or the investigation unless permitted by law or NYSF's Child Safety Policy or this Procedure.

9. Step 7: Investigation finalised

- 9.1 An investigation will consider whether the alleged conduct is substantiated, and whether the substantiated conduct gives rise to a breach of any relevant obligations. The investigator should also consider recommendations to minimise the risk of harm in future.
- 9.2 NYSF has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff member to interact with children in accordance with its duty of care.
- 9.3 The findings of the investigation will also be reported to any regulatory body as required.
- 9.4 NYSF will communicate the investigation findings to the respondent and may consider it appropriate to communicate the outcome of the investigation to the person who reported the concern, but should not otherwise disclose the investigation report, witness statements or findings.
- 9.5 NYSF will endeavour to offer support to any child, Staff member or member of the NYSF community involved where appropriate.

10. Step 8: Evaluation

- 10.1 The NYSF Board of Directors will be notified of the outcome of the investigation and actions taken or required to minimise further risk of harm. Where possible, personal information about the child and respondent should be deidentified to maintain privacy. Policies and procedures may be reviewed and updated as needed.

Annexure B: Child Safety Procedure – New South Wales

11. Overview

- 11.1 NYSF is committed to ensuring that children and young people who access NYSF's services and programs are kept safe from harm and the risk of harm.
- 11.2 When NYSF suspects that a child or young person has been harmed or is at risk of harm, NYSF will handle that suspicion in an appropriate manner which prioritises the safety of children and young people.
- 11.3 All Staff members, including NYSF employees, directors, contractors and volunteers, are responsible for reporting reasonable beliefs that a child or young person has been harmed or is at risk of harm.

12. Scope

- 12.1 This Procedure applies to all Staff engaged by NYSF, in conjunction with the NYSF Codes of Conduct Policy and Procedures and the Child Safety Policy.
- 12.2 This Procedure should be interpreted in accordance with the definitions in the Child Safety Policy and paragraph 4.3. The definitions in this Procedure will apply to the extent of any inconsistency.

13. Step 1: Determine whether the child is in immediate danger

- 13.1 Where a Staff member is concerned about child abuse or risk of harm, the Staff member will stay with the child (if within their presence) and take all reasonable steps to ensure their safety and wellbeing, which may involve calling for support from another appropriate adult or Staff member.
- 13.2 If the Staff member believes the child is at serious or immediate risk of abuse or risk of harm, they will notify police immediately by telephoning 000.

14. Step 2: Consider whether there is an obligation to report

- 14.1 A Staff member:
 - (a) who has reasonable grounds to suspect that a child is at risk of significant harm:
 - (i) **must** disclose that information to the DoCJ if the child is aged 0 to 15 years and they are a **mandatory reporter**; or
 - (ii) may **voluntarily** disclose that information to DoCJ if the child is aged 16 to 17 years or the child is an unborn child, and the Staff member is not a mandatory reporter;
 - (b) who is an adult who knows or believes that a child under 18 years has suffered sexual abuse, serious physical abuse or extreme neglect **must** report that information to police as soon as practicable; and
 - (c) who is an adult who knows that a Staff member poses a serious risk of sexually or physically abusing a child under 18 years **must not negligently fail** to reduce or remove that risk, noting that reporting that knowledge to NYSF is on way to reduce or remove that risk.
- 14.2 For the purpose of this procedure:
 - (a) a child is at **risk of serious harm** if:

- (i) the child's basic physical or psychological needs are not being met or are at risk of not being met;
 - (ii) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child to receive necessary medical care;
 - (iii) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education;
 - (iv) the child has been, or is at risk of being, physically or sexually abused or ill-treated;
 - (v) the child is living in a household where there have been incidents of domestic violence and, as a consequence, the child is at risk of serious physical or psychological harm;
 - (vi) a parent or other caregiver has behaved in such a way towards the child that the child has suffered or is at risk of suffering serious psychological harm;
 - (vii) before the birth of a child, the child may be at risk of significant harm after his or her birth (**pre-natal report**); or
 - (viii) the child was the subject of a pre-natal report and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.
- (b) **DoCJ** means Department of Communities and Justice;
- (c) **mandatory reporters** include all persons who are required by law to make reports, including:
- (i) a person who holds a management position in an organisation the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly, to children;
 - (ii) registered medical practitioners, specialists, enrolled and registered nurses, registered midwives, occupational therapists, speech pathologists, psychologists, dentists and other allied health professionals working in sole practice or in public or private health practices;
 - (iii) registered psychologists, social workers, caseworkers and youth workers;
 - (iv) teachers, counsellors, principals,
 - (v) child care workers, family day carers and home-based carers;
 - (vi) refuge workers, community housing providers;
 - (vii) police;
 - (viii) disability support workers and personal care workers; and
 - (ix) a person in religious ministry or a person providing religion-based activities to children (e.g. minister of religion, priest, deacon, pastor, rabbi, Salvation Army officer, church elder, religious brother or sister).
- (d) **Staff or Staff members** mean NYSF employees, directors, contractors and volunteers.

14.3 If a Staff member is uncertain as to whether they need to make a report, they should discuss their observations and concerns with a CSO and refer to the NSW Mandatory Reporter Guide (accessible at: [HYPERLINK "https://reporter.childstory.nsw.gov.au/s/article/Process-For-Completing-Mandatory-Reporter-](https://reporter.childstory.nsw.gov.au/s/article/Process-For-Completing-Mandatory-Reporter-)

Guide"(<https://reporter.childstory.nsw.gov.au/s/article/Process-For-Completing-Mandatory-Reporter-Guide>).Mandatory-Reporter-Guide).

- 14.4 Staff members are not required to consult with NYSF or gain the support of NYSF prior to making a report but are strongly encouraged to do so, so that support can be provided to the child and NYSF can take steps to minimise the risk of harm.

Responding to a child or young person who is harmed or at risk of being harmed by a NYSF Staff member

- 14.5 If a Staff member suspects on reasonable grounds that a child or young person is, or may be, at risk of harm by another Staff member, then:
- (a) that suspicion must be reported in the same way as if it arose in relation to a person who is not a Staff member of NYSF; and
 - (b) the person is strongly encouraged to report that suspicion to a CSO or the CEO so that steps can be taken to minimise potential harm to children.

15. Step 3: Make a report (if required)

Mandatory and voluntary reporting

- 15.1 If a Staff member determines they are required to make a mandatory report or have decided to make a voluntary report, the Staff member must notify:

- (a) DoCJ by:
 - (i) gaining access to the eReporting Community by following the necessary steps outlined at <https://reporter.childstory.nsw.gov.au/s/article/How-do-I-get-access-to-the-Reporter-Community>;
 - (ii) completing a decision tree using the NSW Mandatory Reporter Guide at <https://reporter.childstory.nsw.gov.au/s/mrg>; and
 - (iii) following the recommendations of the NSW Mandatory Reporter Guide, including reporting their suspicion by making a telephone notification to the NSW Child Protection Helpline on 132 111; or
- (b) NSW Police by:
 - (i) dialling 000 in an emergency; or
 - (ii) contacting your local police station (phone numbers available at: https://www.police.nsw.gov.au/about_us/regions_commands_districts/police_station_search).

- 15.2 A report **must** be made by a mandatory reporter each time that person becomes aware of any further grounds for their belief a child may have suffered or is likely to suffer harm as a result of physical injury or sexual abuse.

- 15.3 If a Staff member makes a notification in accordance with paragraph 15.1, the person is strongly encouraged to notify the CSO or the CEO that they have made that notification.

- 15.4 If a CSO or the CEO is notified that a child is, or may be, at risk of harm, they must:

- (a) take immediate steps to ensure the safety and wellbeing of any child or young person which may be at risk or danger;
- (b) confirm that the concern has been reported in accordance with paragraph 15.1, and if not, assist the Staff member to make the report; and

- (c) complete the incident report (or in the case of the CEO or CSO, direct the Staff member to complete an Incident Report).

Suspension

- 15.5 Where NYSF has allegations or concerns that any Staff member may have engaged in conduct that could give rise to risk of harm to a child, NYSF may, at its discretion:
 - (a) suspend the Staff member while an investigation is conducted (which will involve removing or limiting their contact with children, and liaising with authorities); and
 - (b) direct the Staff member to return any keys, passes or equipment and to provide any access codes or passwords.

16. Step 4: Cooperate with regulatory authorities

- 16.1 The Staff member and NYSF will cooperate with any investigation by the police or DoCJ.
- 16.2 Support will be provided to the child(ren) as deemed appropriate by the CSO or the CEO.
- 16.3 All correspondence from regulatory authorities should be directed to the CEO, a CSO or the Chair of the Board if the matter relates to the CEO.
- 16.4 Where a matter has been reported to a regulatory authority, NYSF will not interview the child(ren) further or otherwise investigate until the police or the DoCJ have provided it with permission to do so.
- 16.5 NYSF will consider whether it is necessary or appropriate to obtain the consent of the parent or guardian of the child prior to any interview having regard to the seriousness of the concern and the age, capacity and maturity of the child.
- 16.6 DoCJ or the police may conduct interviews of NYSF children without their parents' knowledge or consent although consent should be sought where possible. NYSF should request that representatives attend the premises in plain clothes.
- 16.7 When an officer from DoCJ or the police attend NYSF premises, a member of the leadership team should request to see identification before permitting them to have access to a child.
- 16.8 NYSF will notify the relevant regulators including Office of the Children's Guardian of the allegations, if they have not already received a notification.

17. Step 5: Investigation

- 17.1 Once clearance has been provided to NYSF by the relevant regulatory authorities in respect of a mandatory or voluntary report, CEO or their authorised delegate (or Chair of the Board if the alleged conduct relates to the CEO) may decide to conduct its own investigation.
- 17.2 The CEO will appoint a relevant person to manage the investigation. If required, an external investigator will be appointed. For example, an external investigator will be appointed if the alleged conduct relates to a CSO, the CEO or the Chair of the Board.
- 17.3 The investigation will be undertaken in accordance with the principles of procedural fairness and natural justice.
- 17.4 All Staff members are expected to fully cooperate with any investigation conducted by or authorised by NYSF.

18. Step 6: Confidentiality

- 18.1 Following a report and during an investigation, Staff members are required to protect confidentiality and the interests of:

- (a) the child(ren) and their family;
- (b) the individual(s) who made the report; and
- (c) any representative of or another person associated with NYSF who is implicated in the report.

and must not disclose private or confidential information about those parties or the investigation unless permitted by law or NYSF's Child Safety Policy and this Procedure.

19. Step 7: Investigation finalised

- 19.1 An investigation will consider whether the alleged conduct is substantiated, and whether the substantiated conduct gives rise to a breach of any relevant obligations. The investigator should also consider recommendations to minimise the risk of harm in future.
- 19.2 NYSF has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff member to interact with children in accordance with its duty of care.
- 19.3 The findings of the investigation will also be reported to any regulatory body as required.
- 19.4 NYSF will communicate the investigation findings to the respondent and may consider it appropriate to communicate the outcome of the investigation to the person who reported the concern, but should not otherwise disclose the investigation report, witness statements or findings.
- 19.5 NYSF will endeavour to offer support to any child, Staff member or member of the NYSF community involved where appropriate.

20. Step 8: Evaluation

The CEO will notify NYSF Board of Directors of the outcome of the investigation and actions taken or required to minimise further risk of harm. Where possible, personal information about the child and respondent should be deidentified to maintain privacy. Policies and procedures may be reviewed and updated as needed.

Annexure C: Child Safety Procedure – Australian Capital Territory

21. Overview

- 21.1 NYSF is committed to ensuring that children and young people who access NYSF's services and programs are kept safe from harm and the risk of harm.
- 21.2 When NYSF suspects that a child or young person has been harmed or is at risk of harm, NYSF will handle that suspicion in an appropriate manner which prioritises the safety of children and young people.
- 21.3 All Staff members, including NYSF employees, directors, contractors and volunteers, are responsible for reporting reasonable beliefs that a child or young person has been harmed or is at risk of harm in accordance with this procedure.

22. Scope

- 22.1 This Procedure applies to all Staff engaged by NYSF in conjunction with the NYSF Codes of Conduct Policy and Procedure and the Child Safety Policy.
- 22.2 This Procedure should be interpreted in accordance with the definitions of the Child Safety Policy and paragraph 24.2. The definitions in this Procedure will apply to the extent of any inconsistency.

23. Step 1: Determine whether the child is in immediate danger

- 23.1 Where a Staff member is concerned about child abuse or risk of harm, the Staff member will stay with the child (if within their presence) and take all reasonable steps to ensure their safety and wellbeing, which may involve calling for support from another appropriate adult or Staff member.
- 23.2 If the Staff member believes the child is at immediate risk of abuse, they will notify police immediately by telephoning 000.

24. Step 2: Consider whether there is an obligation to report

- 24.1 A Staff member:
 - (a) who is a **mandated reporter** and believes on reasonable grounds that a child or young person has experienced or is experiencing sexual abuse or non-accidental physical injury based on information obtained during the course of their engagement with NYSF **must** make a report to the CYF as soon as practicable after forming the belief;
 - (b) who believes or suspects that a child or young person is being abused, is being neglected, is exposed to family violence, or is at risk of abuse or neglect may make a **voluntary report** to CYF;
 - (c) who believes or suspects that an unborn child is at risk of abuse or neglect after being born may make a **voluntary report** to CYF;
 - (d) who is an adult and forms a reasonable belief that a sexual offence has been committed against a child or young person by an adult, **must** make a report to the police as soon as practicable after forming the belief;
 - (e) who is aware of a substantial risk that a sexual offence will be committed against a child or young person in the care of NYSF by another adult associated with NYSF **must**

not negligently fail to reduce or remove that risk, noting that reporting to police is one way to reduce or remove that risk.

24.2 For the purpose of this procedure:

- (a) a **child** is a person under 12 years unless otherwise stated;
- (b) **CYF** means Child, Youth and Families;
- (c) a **mandated reporter** includes a:
 - (i) minister of religion;
 - (ii) doctor;
 - (iii) dentist;
 - (iv) nurse (including an enrolled nurse);
 - (v) midwife;
 - (vi) psychologist;
 - (vii) police officer;
 - (viii) teacher (including a paid teacher's assistant or aide);
 - (ix) school counsellor;
 - (x) person authorised to inspect education programs, materials or records used for home education;
 - (xi) childcare centre worker that cares for a child (including a paid childcare assistant or aide);
 - (xii) person coordinating or monitoring home-based care for a family day care scheme provider;
 - (xiii) public servant whose work provides services personally to children or families;
 - (xiv) public advocate;
 - (xv) official visitor (a specific position in child protection appointed by the Minister);
 - (xvi) person who, in the course of their employment has contact with or provides services to children and their families and is prescribed by regulation.
- (d) **Staff or Staff members** mean NYSF employees, directors, contractors and volunteers.
- (e) a **young person** means a person who is 12 years old or older but not yet an adult;

24.3 A mandated reporter is not required to make a report but may make a **voluntary report** when they believe that:

- (a) the same information has already been provided to the police or CYF by another person;
- (b) the abuse was by another child or young person; or
- (c) the reasons for their belief do not arise from information obtained because of or during the course of their engagement with NYSF.

24.4 If a Staff member is uncertain as to whether they need to make a report, they should discuss their observations and concerns with a CSO or the CEO.

24.5 Staff members are not required to consult with NYSF or gain the support of NYSF prior to making a report.

Responding to a child or young person who is harmed or at risk of being harmed by a NYSF Staff member

- 24.6 If a Staff member suspects on reasonable grounds that a child or young person is, or may be, at risk of harm by another Staff member, then:
- (a) that suspicion must be reported in the same way as if it arose in relation to a person who is not a Staff member of NYSF; and
 - (b) the person is strongly encouraged to report that suspicion to a CSO or the CEO so that steps can be taken to minimise potential harm to children.

25. Step 3: Make a report (if required)

Mandatory and voluntary reporting

- 25.1 If a Staff member is satisfied that they are required to make a report or have decided to make a voluntary report, the Staff member must report that suspicion by making a telephone notification to the relevant authority referred to at 24.1 above by contacting:
- (a) CYF:
 - (i) by making a report using the online portal at: <https://form.act.gov.au/smartforms/csd/child-concern-report>;
 - (ii) or calling 1300 556 729 for further guidance;
 - (b) ACT Police:
 - (i) by dialling 000 if it is an emergency;
 - (ii) by dialling 131 444 to make a report.
- 25.2 A report **must** be made by a mandatory reporter each time that person becomes aware of any further grounds for their belief a child or young person may have suffered or is likely to suffer harm as a result of physical injury or sexual abuse.
- 25.3 If a Staff member makes a notification in accordance with paragraph 25.1, the person is strongly encouraged to notify the CSO or the CEO that they have made that notification.
- 25.4 If a CSO or the CEO is notified that a child or a young person is, or may be, at risk of harm, they must:
- (a) take immediate steps to ensure the safety and wellbeing of any child or young person which may be at risk or danger;
 - (b) confirm that the concern has been reported in accordance with paragraph 25.1, and if not, assist the Staff member to make the report; and
 - (c) complete the Incident Report (or in the case of the CSO or the CEO, direct the Staff Member to complete the report).

Suspension

- 25.5 Where NYSF has allegations or concerns that any Staff member may have engaged in conduct that could give rise to risk of harm to a child or young person, NYSF may, at its discretion:
- (a) suspend the Staff member while an investigation is conducted (which will involve removing or limiting their contact with children, and liaising with authorities); and
 - (b) direct the Staff member to return any keys, passes or equipment and to provide any access codes or passwords.

26. Step 4: Cooperate with regulatory authorities

- 26.1 The Staff member and NYSF will cooperate with any investigation by the police, ACT Ombudsman or CYF.
- 26.2 Support will be provided to the child(ren) or young person as deemed appropriate by the CSO or the CEO.
- 26.3 All correspondence from regulatory authorities should be directed to a CSO and/or CEO, or the Chair of the Board if the matter relates to the CEO.
- 26.4 Where a matter has been reported to a regulatory authority, NYSF will not interview the child(ren) or young person further or otherwise investigate until the police or CYF have provided it with permission to do so.
- 26.5 NYSF will consider whether it is necessary or appropriate to obtain the consent of the parent or guardian of the child prior to any interview having regard to the seriousness of the concern and the age, capacity and maturity of the child.
- 26.6 CYF or the police may conduct interviews of NYSF children or young person without their parents' knowledge or consent.
- 26.7 When an officer from CYF or the police attend NYSF premises, a member of the leadership team should request to see identification before permitting them to have access to a child or young person, although consent should be sought where possible. NYSF should request that representatives attend the premises in plain clothes.
- 26.8 NYSF will notify relevant regulators including the department handling Working with Vulnerable People Registrations in Access Canberra of the allegations.

27. Step 5: Investigation

- 27.1 Once clearance has been provided to NYSF by the relevant regulatory authorities, it may decide to conduct its own investigation in respect of the alleged conduct.
- 27.2 The CEO or their authorised delegate (or Chair of the Board if the alleged conduct relates to the CEO) will appoint a relevant person to manage the investigation. If required, an external investigator will be appointed. For example, an external investigator will be appointed if the alleged conduct relates to a CSO, the CEO or the Chair of the Board.
- 27.3 The investigation will be undertaken in accordance with the principles of procedural fairness and natural justice.
- 27.4 All Staff members are expected to fully cooperate with any internal investigation conducted by or authorised by NYSF.

28. Step 6: Confidentiality

- 28.1 Following a report and during an investigation, Staff members are required to protect confidentiality and the interests of:
 - (a) the child(ren) or young person and their family;
 - (b) the individual(s) who made the report; and
 - (c) any representative of or another person associated with NYSF who is implicated in the report,and must not disclose private or confidential information about those parties or the investigation unless permitted by law or NYSF's Child Safety Policy and Procedure.

29. Step 7: Internal investigation finalised

- 29.1 An investigation will consider whether the alleged conduct is substantiated, and whether the substantiated conduct gives rise to a breach of any relevant obligations. The investigator should also consider recommendations to minimise the risk of harm in future.
- 29.2 NYSF has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff member to interact with children or young people in accordance with its duty of care.
- 29.3 The findings of the investigation will also be reported to any regulatory body as required.
- 29.4 NYSF will communicate the investigation findings to the respondent and may consider it appropriate to communicate the outcome of the investigation to the person who reported the concern, but should not otherwise disclose the investigation report, witness statements or findings.
- 29.5 NYSF will endeavour to offer support to any child, young person, Staff member or member of the NYSF community involved where appropriate.

30. Step 8: Evaluation

- 30.1 The CEO will notify NYSF Board of Directors of the outcome of the investigation and actions taken or required to minimise further risk of harm. Where possible, personal information about the child and respondent should be deidentified to maintain privacy. Policies and procedures may need to be reviewed.

Annexure D: Child Safety Procedure – Queensland

31. Overview

- 31.1 NYSF is committed to ensuring that children and young people who access NYSF's services and programs are kept safe from harm and the risk of harm.
- 31.2 When NYSF suspects that a child or young person has been harmed or is at risk of harm, NYSF will handle that suspicion in an appropriate manner which prioritises the safety of children and young people.
- 31.3 All Staff members, including NYSF employees, directors, contractors and volunteers, are responsible for reporting reasonable beliefs that a child or young person has been harmed or is at risk of harm in accordance with this procedure.

32. Scope

- 32.1 This Procedure applies to all Staff engaged by NYSF, in conjunction with the NYSF Codes of Conduct Policy and Procedures and the Child Safety Policy.
- 32.2 This Procedure should be interpreted in accordance with the definitions of the Child Safety Policy and paragraph 34.3. The definitions in this Procedure will apply to the extent of any inconsistency.

33. Step 1: Determine whether the child is in immediate danger

- 33.1 Where a Staff member is concerned about child abuse or risk of harm the Staff member will stay with the child (if within their presence) and take all reasonable steps to ensure their safety and wellbeing, which may involve calling for support from another appropriate adult or Staff member.
- 33.2 If the Staff member believes the child is at serious or immediate risk of abuse, they will notify police immediately by telephoning 000.

34. Step 2: Consider whether there is an obligation to report

- 34.1 A Staff member:
 - (a) who is a **mandatory reporter** and forms a reasonable suspicion that a child is in need of protection in the course of their engagement with NYSF **must** make a report to the CSS;
 - (b) who reasonably suspects that a child is in need of protection may make a **voluntary report** to CSS or the police;
 - (c) who reasonably suspects that an unborn child is in need of protection after he or she is born may make a **voluntary report** to CSS or the police;
 - (d) who does not have a reportable suspicion about a child but considers that the child is likely to become in need of protection if no preventative support is given may take other appropriate action, such as giving information to a service provider so that the service provider can offer support to the child or their family;
 - (e) who is an adult and reasonably believes that a child sexual offence has been committed against a child under the age of 16 years or a child under the age of 18 years who has an impairment of the mind, **must** make a report to the police as soon as practicable; or
 - (f) who:

- (i) is an adult;
 - (ii) is aware of a significant risk that a child under the age of 16 years or a child under the age of 18 years who has an impairment of the mind will become the victim of a sexual offence committed by another adult associated with NYSF; and
 - (iii) has the power or responsibility to remove that risk;

must not wilfully or negligently fail to reduce or remove that risk, noting that reporting to police is one way to reduce or remove that risk;
 - (g) who is:
 - (i) an adult; and
 - (ii) aware of a significant risk that a child under the age of 16 years or a child under the age of 18 years who has an impairment of the mind will become the victim of a sexual offence committed by another adult associated with NYSF;

must immediately notify a CSO or other NYSF management in order for them to reduce or remove that risk.
- 34.2 The Head of NYSF will report any reportable allegation or reportable conviction made against a Staff member to the QFCC within 3 business days of becoming aware of the allegations in accordance with the reportable conduct scheme, unless the QFCC has agreed to a longer period. Staff members are strongly encouraged to advise a CSO or the CEO if they become aware of conduct which may constitute a reportable allegation.
- 34.3 For the purpose of this procedure:
- (a) a **child** is a person under 18 years of age;
 - (b) a **child in need of protection** is a child who:
 - (i) has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and
 - (ii) does not have a parent able and willing to protect the child from the harm;
 - (c) a **child sexual offence** is an offence of a sexual nature committed against a child including:
 - (i) indecent treatment of a child;
 - (ii) carnal knowledge with or of a child;
 - (iii) rape;
 - (iv) incest;
 - (v) grooming a child (or their parent or carer);
 - (vi) making child exploitation material; or
 - (vii) maintaining a sexual relationship with a child;
 - (d) **CSS** means Child Safety Services;
 - (e) **harm** to a child:
 - (i) is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing;
 - (ii) can be caused by:
 - (A) physical, psychological or emotional abuse or neglect;

- (B) sexual abuse or exploitation
 - (C) a single act, omission or circumstance;
 - (D) a series or combination of acts, omissions or circumstances; and
 - (iii) can occur irrespective of how the harm is caused.
 - (f) the **Head of NYSF** for the purpose of the Reportable Conduct Scheme is the Chief Executive Officer;
 - (g) a **mandatory reporter** includes:
 - (i) a doctor;
 - (ii) a registered nurse;
 - (iii) a teacher;
 - (iv) a police officer;
 - (v) a child advocate;
 - (vi) an early childhood education and care professional;
 - (h) **QFCC** means the Queensland Family and Children's Commission;
 - (i) a **reportable allegation** arises when a Staff member becomes aware that there has been:
 - (i) a child sexual offence;
 - (ii) sexual misconduct committed in relation to, or in the presence of, a child;
 - (iii) ill-treatment of a child;
 - (iv) significant neglect of a child;
 - (v) physical violence committed in relation to, or in the presence of, a child;
 - (vi) behaviour that causes significant emotional or psychological harm to a child;
 - (j) a **reportable conviction** is a conviction for an offence committed by the Staff Member against a law of a State or the Commonwealth that may involve reportable conduct.
 - (k) **Staff or Staff members** mean NYSF employees, directors, contractors and volunteers
- 34.4 If a Staff member is uncertain as to whether they need to make a report, they should:
- (a) use the online Queensland Child Protection Guide by at: <https://secure.communities.qld.gov.au/cpguide/engine.aspx>; and
 - (b) discuss their observations and concerns with a CSO or the CEO.
- 34.5 Staff members are not required to consult with NYSF or gain the support of NYSF prior to making a report but are strongly encouraged to do so, so that support can be provided to the child and NYSF can take steps to minimise the risk of harm.

Responding to a child or young person who is harmed or at risk of being harmed by a Staff member

- 34.6 If a Staff member suspects on reasonable grounds that a child or young person is, or may be, at risk of harm by another Staff member, then:
- (a) that suspicion must be reported in the same way as if it arose in relation to a person who is not a Staff member of NYSF; and
 - (b) the person is strongly encouraged to report that suspicion to a CSO or the CEO so that steps can be taken to minimise potential harm to children.

35. Step 3: Make a report (if required)

Mandatory and voluntary reporting

35.1 If a Staff member decides to make a mandatory voluntary report or determines they are required to make a report, the Staff member must report that suspicion by making a telephone notification to the relevant authority referred to at 34.1 above by contacting:

- (a) CSS:
 - (i) by making a report online at <https://secure.communities.qld.gov.au/cbir/ChildSafety#>;
 - (ii) by telephone during business hours by contacting the relevant Regional Intake Service:
 - (A) Brisbane: 1300 682 254;
 - (B) Sunshine Coast and Central Queensland: 1300 703 762;
 - (C) Far North Queensland: 1300 684 062;
 - (D) North Coast: 1300 703 921;
 - (E) North Queensland: 1300 706 147;
 - (F) South East 1300 679 849;
 - (G) South West (Darling Downs): 1300 683 390;
 - (H) South West (West Moreton): 1800 316 855; or
 - (iii) by telephone outside of business hours, by calling the Child Safety After Hours Service Centre on 1800 177 135; or
 - (iv) the CSS Enquiry Unit on 1800 811 810, if you are unsure who to call; or
- (b) Queensland Police:
 - (i) by dialling 000 if it is an emergency; or
 - (ii) by contacting PoliceLink on 131 444.

35.2 A report should be made each time a Staff member becomes aware of any further grounds for their belief a child may have suffered or is likely to suffer harm as a result of physical injury or sexual abuse.

35.3 If a Staff member makes a notification in accordance with paragraph 35.1, the person is strongly encouraged to notify the CSO or the CEO that they have made that notification.

35.4 If a CSO or the CEO is notified that a child is, or may be, at risk of harm, they must:

- (a) take immediate steps to ensure the safety and wellbeing of any child or young person which may be at risk or danger;
- (b) confirm that the concern has been reported in accordance with paragraph 35.1, and if not, assist the Staff member to make the report;
- (c) complete the incident report (or direct the relevant Staff member to complete it).

Reportable Conduct Scheme

35.5 From 1 January 2027, if the Head of NYSF determines that a reportable allegation has been made in relation to a current Staff member in Queensland:

- (a) the Head of NYSF must make a report to the QFCC within three business days of becoming aware that a Staff member has committed reportable conduct or engaged in misconduct that may involve reportable conduct, irrespective of whether the conduct in

question is alleged to have occurred within the course of the Staff member's engagement with NYSF;

- (b) NYSF will seek external guidance regarding conducting an internal or external investigation;
- (c) the Head of NYSF must provide the QFCC with updates that are required under the Reportable Conduct Scheme, including providing a 30 day report; and
- (d) NYSF will cooperate with all regulatory authorities in relation to the investigation, including CSS, police and the QFCC.

Suspension

35.6 Where NYSF has allegations or concerns that any Staff member may have engaged in conduct that could give rise to risk of harm to a child, NYSF may, at its discretion:

- (a) suspend the Staff member while an investigation is conducted (which will involve removing or limiting their contact with children, and liaising with authorities); and
- (b) direct the Staff member to return any keys, passes or equipment and to provide any access codes or passwords.

36. Step 4: Cooperate with regulatory authorities

- 36.1 The Staff member and NYSF will cooperate with any investigation by the police or CSS.
- 36.2 Support will be provided to the child(ren) as deemed appropriate by the CSO or the CEO
- 36.3 All correspondence from regulatory authorities should be directed to a CSO, CEO or the Chair of the Board if the matter relates to the CEO.
- 36.4 Where a matter has been reported to a regulatory authority, NYSF will not interview the child(ren) further or otherwise investigate until the police or the CSS have provided it with permission to do so.
- 36.5 NYSF will consider whether it is necessary or appropriate to obtain the consent of the parent or guardian of the child prior to any interview having regard to the seriousness of the concern and the age, capacity and maturity of the child.
- 36.6 CSS or the police may conduct interviews of NYSF children without their parents' knowledge or consent, although consent should be sought where possible. NYSF should request that representatives attend the premises in plain clothes.
- 36.7 When an officer from CSS or the police attend NYSF premises, a member of the leadership team should request to see identification before permitting them to have access to a child.
- 36.8 NYSF will notify relevant regulatory authorities including Blue Card Services of the allegations, as required.

37. Step 5: Investigation

- 37.1 Once clearance has been provided to NYSF by the relevant regulatory authorities the CEO or their authorised delegate (or Chair of the Board if the alleged conduct relates to the CEO):
 - (a) will conduct its own investigation if the conduct is subject to the reportable conduct scheme; or
 - (b) may decide to conduct its own investigation, if the conduct is not subject to the reportable conduct scheme.
- 37.2 The CEO (or Chair of the Board if the alleged conduct relates to the CEO) will appoint a relevant person to manage the investigation. If required, an external investigator will be

appointed. For example, an external investigator will be appointed if the alleged conduct relates to a CSO, the CEO or the Chair of the Board.

- 37.3 The investigation will be undertaken in accordance with the principles of procedural fairness and natural justice. If the conduct is subject to the reportable conduct scheme, the CEO will comply with the obligations under the reportable conduct scheme.
- 37.4 All Staff members are expected to fully cooperate with any investigation conducted by or authorised by NYSF.

38. Step 6: Confidentiality

- 38.1 Following a report and during an investigation, Staff members are required to protect confidentiality and the interests of:
 - (a) the child(ren) and their family;
 - (b) the individual(s) who made the report; and
 - (c) any representative of or another person associated with NYSF who is implicated in the report.

and must not disclose private or confidential information about those parties or the investigation unless permitted by law or NYSF's Child Safety Policy and Procedure.

39. Step 7: Investigation finalised

- 39.1 An investigation will consider whether the alleged conduct is substantiated, and whether the substantiated conduct gives rise to a breach of any relevant obligations. The investigator should also consider recommendations to minimise the risk of harm in future.
- 39.2 NYSF has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff member to interact with children in accordance with its duty of care.
- 39.3 The findings of the investigation will also be reported to any regulatory body as required.
- 39.4 NYSF will communicate the investigation findings to the respondent, and may consider it appropriate to communicate the outcome of the investigation to the person who reported the concern, but should not otherwise disclose the investigation report, witness statements or findings.
- 39.5 NYSF will endeavour to offer support to any child, Staff member or member of the NYSF community involved where appropriate.

40. Step 8: Evaluation

- 40.1 The CEO will notify NYSF Board of Directors of the outcome of the investigation and actions taken or required to minimise further risk of harm. Where possible, personal information about the child and respondent should be deidentified to maintain privacy. Policies and procedures may be reviewed and updated as needed.

Annexure E: Child Safety Procedure – Western Australia

41. Overview

- 41.1 NYSF is committed to ensuring that children and young people who access NYSF's services and programs are kept safe from harm and the risk of harm.
- 41.2 When NYSF suspects that a child or young person has been harmed or is at risk of harm, NYSF will handle that suspicion in an appropriate manner which prioritises the safety of children and young people.
- 41.3 All Staff members, including NYSF employees, directors, contractors and volunteers, are responsible for reporting reasonable beliefs that a child or young person has been harmed or is at risk of harm in accordance with this procedure.

42. Scope

- 42.1 This Procedure applies to all Staff engaged by NYSF, in conjunction with the NYSF Codes of Conduct Policy and Procedures and the Child Safety Policy.
- 42.2 This Procedure should be interpreted in accordance with the definitions of the Child Safety Policy and paragraph 44.3. The definitions in this Procedure will apply to the extent of any inconsistency.

43. Step 1: Determine whether the child is in immediate danger

- 43.1 Where a Staff member is concerned about child abuse or risk of harm, the Staff member will stay with the child (if within their presence) and take all reasonable steps to ensure their safety and wellbeing, which may involve calling for support from another appropriate adult or Staff member.
- 43.2 If the Staff member believes the child is at serious or immediate risk of abuse, they will notify police immediately by telephoning 000.

44. Step 2: Consider whether there is an obligation to report

- 44.1 A Staff member who:
 - (a) is a **mandatory reporter** and believes on reasonable grounds that a child has been the subject of sexual abuse that occurred on or after the person became a mandatory reporter or is the subject of ongoing sexual abuse in the course of their engagement with NYSF **must make a report** to Child Protection;
 - (b) forms a belief on reasonable grounds that a child is suffering any form of abuse or neglect **may make a voluntary report** to the Child Protection or the police.

The methods for notifying Child Protection are outlined below in Step 3

- 44.2 NYSF will report any reportable allegation made against a Staff member to the Ombudsman within 7 working days of becoming aware of the allegations in accordance with the Reportable Conduct Scheme. Staff members are strongly encouraged to advise a CSO or the CEO if they become aware of conduct which may constitute a reportable allegation.
- 44.3 For the purpose of this procedure:
 - (a) a **child** is a person under 18 years of age;

- (b) **child abuse and neglect** includes:
- (i) physical abuse, such as:
 - (A) hitting, shaking, punching;
 - (B) burning and scolding;
 - (C) excessive physical punishment or discipline;
 - (D) attempted suffocation; or
 - (E) shaking a baby;
 - (ii) sexual abuse, such as:
 - (A) letting a child watch or read pornography;
 - (B) allowing a child to watch sexual acts;
 - (C) fondling the child's genitals;
 - (D) having oral sex with a child;
 - (E) vaginal or anal penetration; or
 - (F) using the internet to find a child for sexual exploitation;
 - (iii) emotional abuse, such as:
 - (A) constantly putting a child down;
 - (B) humiliating or shaming a child;
 - (C) not showing love, support or guidance;
 - (D) continually ignoring or rejecting the child;
 - (E) exposing the child to family and domestic violence;
 - (F) threatening abuse or bullying a child; or
 - (G) threats to harm loved ones, property or pets;
 - (iv) psychological abuse, such as:
 - (A) constantly belittling, shaming and humiliating a child;
 - (B) calling the child names to minimise their self-worth;
 - (C) threatening a child;
 - (D) keeping a child isolated from other people or friends;
 - (E) constantly ignoring a child; or
 - (F) encouraging a child to act inappropriately; and
 - (v) child neglect, such as:
 - (A) leaving a child alone without appropriate supervision;
 - (B) not ensuring the child attends school, or not enrolling the child at school;
 - (C) infection because of poor hygiene or lack of medication;
 - (D) not giving a child affection or emotional support; or
 - (E) not getting medical help when required;
- (c) **Child Protection** means the Child Protection Team in the Department of Communities;

- (d) the **Head of NYSF** for the purpose of the reportable Conduct Scheme is the Chief Executive Officer;
- (e) a **mandatory reporter** includes:
 - (i) boarding supervisor;
 - (ii) midwife;
 - (iii) nurse;
 - (iv) teacher;
 - (v) doctor;
 - (vi) minister of religion
 - (vii) police officer.
- (f) a **reportable allegation** is an allegation that a Staff member has engaged in reportable conduct or conduct that may involve reportable conduct, whether or not that conduct occurred during the course of the Staff member's engagement with NYSF.
- (g) a **reportable conduct** includes the following conduct engaged in by a Staff member, whether or not a criminal proceeding in relation to the conduct has commenced or concluded:
 - (i) a sexual offence;
 - (ii) sexual misconduct;
 - (iii) a physical assault committed against, with or in the presence of, a child;
 - (iv) an offence prescribed by the regulations,
- (h) a **reportable conviction** is a conviction for an offence under a law of any state or territory or the Commonwealth that is a sexual offence or prescribed offence under the regulations.
- (i) **Staff or Staff members** mean all employees, directors, contractors and volunteers of NYSF.

44.4 If a Staff member is uncertain as to whether they should make a report, they should discuss their observations and concerns with a CSO or the CEO.

44.5 Staff members are not required to consult with NYSF or gain the support of NYSF prior to making a report but are strongly encouraged to do so, so that support can be provided to the child and NYSF can take steps to minimise the risk of harm.

Responding to a child or young person who is harmed or at risk of being harmed by a NYSF Staff member

44.6 If a Staff member suspects on reasonable grounds that a child or young person is, or may be, at risk of harm by another Staff member, then:

- (a) that suspicion must be reported in the same way as if it arose in relation to a person who is not a Staff member of NYSF; and
- (b) the person is strongly encouraged to report that suspicion to a CSO or the CEO so that steps can be taken to minimise potential harm to children.

45. Step 3: Make a report (if required)

Mandatory and voluntary reporting

- 45.1 If a Staff member decides to make a mandatory or a voluntary report, the Staff member may report that suspicion by contacting:
- (a) Child Protection:
 - (i) For a mandatory report, via completing the webpage form: <https://mandatoryreportingweb.communities.wa.gov.au/>
 - (ii) within the metropolitan area, the Central Intake Team:
 - (A) by telephone on 1800 273 889; or
 - (B) via email to cpduty@communities.wa.gov.au;
 - (iii) within a regional area, by contacting the relevant Country District Office, listed at: https://mandatoryreporting.dcp.wa.gov.au/Pages/DCP_District_Offices.aspx; or
 - (iv) after hours, by contacting the Crisis Care Unit on 1800 199 008;
 - (b) WA Police:
 - (i) by dialling 000 if it is an emergency;
 - (ii) by contacting your local police station (contact details available at: <https://www.police.wa.gov.au/Contact-Us/Police>), who will notify the Child Abuse Squad; or
 - (iii) by calling 131 444.
- 45.2 A report should be made each time that a person becomes aware of any further grounds for their belief a child may have suffered or is likely to suffer harm as a result of child abuse or neglect.
- 45.3 If a Staff member makes a notification in accordance with paragraph 45.1, the person is strongly encouraged to notify the CSO or the CEO that they have made that notification.
- 45.4 If a CSO or the CEO is notified that a child is, or may be, at risk of harm, they must:
- (a) take immediate steps to ensure the safety and wellbeing of any child or young person which may be at risk or danger;
 - (b) confirm that the concern has been reported in accordance with paragraph 45.1, and if not, assist the Staff member to make the report; and
 - (c) complete the incident report (or direct the Staff member to complete it).

Reportable Conduct Scheme

- 45.5 If the Head of NYSF determines that a reportable allegation has been made in relation to in relation to a current Staff member in Western Australia:
- (a) the Head of NYSF must make a report to the Ombudsman that a Staff member has engaged in reportable conduct, irrespective of whether the conduct in question is alleged to have occurred within the course of the person's engagement with NYSF
 - (b) within seven (7) working days of becoming aware of the reportable allegation, complete the online form available online on the Ombudsman's website at https://www.ombudsman.wa.gov.au/Reportable_Conduct/RCS-Notification-Form.htm;
 - (c) NYSF will seek external guidance regarding conducting an internal or external investigation;

- (d) the Head of NYSF must provide the Ombudsman with updates required under the Reportable Conduct Scheme; and
- (e) NYSF will cooperate with all regulatory authorities in relation to the investigation, including Child Protection, police and the Ombudsman.

Suspension

- 45.6 Where NYSF has allegations or concerns that any Staff member may have engaged in conduct that could give rise to risk of harm to a child, NYSF may, at its discretion:
- (a) suspend the Staff member while an investigation is conducted (which will involve removing or limiting their contact with children, and liaising with authorities); and
 - (b) direct the Staff member to return any keys, passes or equipment and to provide any access codes or passwords.

46. Step 4: Cooperate with regulatory authorities

- 46.1 Staff members and the NYSF will cooperate with any investigation by the police or Child Protection.
- 46.2 Support will be provided to the child(ren) as deemed appropriate by the CSO or the CEO.
- 46.3 All correspondence from regulatory authorities should be directed to a CSO, the CEO or the Chair of the Board if the matter relates to the CEO.
- 46.4 Where a matter has been reported to a regulatory authority, NYSF will not interview the child(ren) further or otherwise investigate until the police or the Child Protection have provided it with permission to do so.
- 46.5 NYSF will consider whether it is necessary or appropriate to obtain the consent of the parent or guardian of the child prior to any interview having regard to the seriousness of the concern and the age, capacity and maturity of the child.
- 46.6 Child Protection or the police may conduct interviews of NYSF children without their parents' knowledge or consent, although consent should be sought where possible. NYSF should request that representatives attend the premises in plain clothes.
- 46.7 When an officer from Child Protection or the police attend NYSF premises, a member of the leadership team should request to see identification before permitting them to have access to a child.
- 46.8 NYSF will notify relevant regulators including the Working with Children Check Screening Unit of the allegations.

47. Step 5: Investigation

- 47.1 Once clearance has been provided to NYSF by the relevant regulatory authorities, the CEO or their authorised delegate (or the Chair of the Board if the alleged conduct relates to the CEO):
 - (a) will conduct its own investigation if the conduct is subject to the reportable conduct scheme; or
 - (b) may decide to conduct its own investigation if the conduct is not subject to the reportable conduct scheme.
- 47.2 The CEO (or the Chair of the Board if the alleged conduct relates to the CEO) will appoint a relevant person to manage the investigation. If required, an external investigator will be

appointed. For example, an external investigator will be appointed if the alleged conduct relates to a CSO, the CEO or the Chair of the Board.

47.3 The investigation will be undertaken in accordance with the principles of procedural fairness and natural justice, and, if the conduct is subject to the reportable conduct scheme, will comply with the obligations under the reportable conduct scheme.

47.4 All Staff members are expected to fully cooperate with any investigation conducted by or authorised by NYSF.

48. Step 6: Confidentiality

48.1 Following a report and during an investigation, Staff members are required to protect confidentiality and the interests of:

- (a) the child(ren) and their family;
- (b) the individual(s) who made the report; and
- (c) any representative of or another person associated with NYSF who is implicated in the report.

and must not disclose private or confidential information about those parties or the investigation unless permitted by law or NYSF's Child Safety Policy and Procedure.

49. Step 7: Investigation finalised

49.1 An investigation will consider whether the alleged conduct is substantiated, and whether the substantiated conduct gives rise to a breach of any relevant obligations. The investigator should also consider recommendations to minimise the risk of harm in future.

49.2 NYSF has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff member to interact with children in accordance with its duty of care.

49.3 The findings of the investigation will also be reported to any regulatory body as required.

49.4 NYSF will communicate the investigation findings to the respondent and may consider it appropriate to communicate the outcome of the investigation to the person who reported the concern, but should not otherwise disclose the investigation report, witness statements or findings.

49.5 NYSF will endeavour to offer support to any child, Staff member or member of the NYSF community involved where appropriate.

50. Step 8: Evaluation

50.1 The CEO will notify NYSF Board of Directors of the outcome of the investigation and actions taken or required to minimise further risk of harm. Where possible, personal information about the child and respondent should be deidentified to maintain privacy. Policies and procedures may be reviewed and updated as required.

Annexure F: Child Safety Procedure – Tasmania

51. Overview

- 51.1 NYSF is committed to ensuring that children and young people who access NYSF's services and programs are kept safe from harm and the risk of harm.
- 51.2 When NYSF suspects a child or young person has been harmed or is at risk of harm, NYSF will handle that suspicion in an appropriate manner which prioritises the safety of children and young people.
- 51.3 All Staff members, including NYSF employees, directors, contractors and volunteers, are responsible for reporting reasonable beliefs that a child or young person has been harmed or is at risk of harm in accordance with this procedure.

52. Scope

- 52.1 This Procedure applies to all Staff engaged by NYSF, in conjunction with the NYSF Codes of Conduct Policy and Procedures and the Child Safety Policy.
- 52.2 This Procedure should be interpreted in accordance with the definitions of the Child Safety Policy and paragraph 54.4. The definitions in this Procedure will apply to the extent of any inconsistency.

53. Step 1: Determine whether the child is in immediate danger

- 53.1 Where a Staff member is concerned about child abuse or risk of harm, the Staff member will stay with the child (if within their presence) and take all reasonable steps to ensure their safety which may involve calling for support from another appropriate adult or Staff member.
- 53.2 If the Staff member believes the child is at serious or immediate risk of abuse, they will notify police immediately by telephoning 000.

54. Step 2: Consider whether there is an obligation to report

- 54.1 A Staff member:
 - (a) who forms a belief on reasonable grounds that:
 - (i) a child is suffering any form of abuse or neglect; or
 - (ii) that there is a reasonable likelihood of a child being killed, abused or neglected may make a **voluntary report** to the Department or the police.
 - (b) who knows, or believes or suspects on reasonable grounds, that a child is suffering, has suffered or is likely to suffer abuse or neglect **must** to take steps to prevent the occurrence or further occurrence of the abuse or neglect. Reporting to the Department is one such step.
 - (c) who:
 - (i) is a **prescribed person**; and
 - (ii) in carrying out official duties in the course of their work (paid or voluntary) believes or suspects on reasonable grounds, or knows:
 - (A) a child has been or is being abused or neglected;
 - (B) a child is affected by family violence; or

- (C) there is a reasonable likelihood of a child being killed, abused or neglected by a person with whom the child resides;

must inform the Department (by calling the Advice and Referral line on 1800 000 123) verbally or in writing of that belief, suspicion or knowledge as soon as practicable.

- 54.2 The Head of NYSF will report any reportable allegation made against a Staff member to the Independent Regulator within 3 business days of becoming aware of the allegations in accordance with the reportable conduct scheme.
- 54.3 Staff members are strongly encouraged to advise a CSO if they become aware of conduct which may constitute a reportable allegation.
- 54.4 For the purpose of this procedure:
 - (a) a child is '**at risk**' if:
 - (i) the child has been, is being, or is likely to be abused or neglected;
 - (ii) any person with whom the child resides or who has frequent contact with the child:
 - (A) has threatened to kill, abuse or neglect the child and there is a reasonable likelihood of the threat being carried out; or
 - (B) has killed, abused or neglected some other child or adult and there is a reasonable likelihood of the child in question being killed, abused or neglected by that person;
 - (iii) the child is affected by family violence;
 - (iv) the guardians of the child are:
 - (A) unable or unwilling to maintain the child;
 - (B) unable or unwilling to exercise adequate supervision and control over the child;
 - (C) dead, have abandoned the child or cannot be found after reasonable inquiry; or
 - (D) unable or unwilling to prevent the child from suffering abuse or neglect; or
 - (v) the child is under 16 years of age and does not, without lawful excuse, attend school regularly.
 - (b) a **child** is a person under 18 years of age;
 - (c) **child abuse and neglect** includes:
 - (i) physical abuse, such as:
 - (A) hitting, shaking, punching;
 - (B) burning and scalding;
 - (C) excessive physical punishment or discipline;
 - (D) attempted suffocation; or
 - (E) shaking a baby;
 - (ii) sexual abuse, such as:
 - (A) letting a child watch or read pornography;
 - (B) allowing a child to watch sexual acts;

- (C) fondling the child's genitals;
 - (D) having oral sex with a child;
 - (E) vaginal or anal penetration; or
 - (F) using the internet to find a child for sexual exploitation;
- (iii) emotional abuse, such as:
 - (A) constantly putting a child down;
 - (B) humiliating or shaming a child;
 - (C) not showing love, support or guidance;
 - (D) continually ignoring or rejecting the child;
 - (E) exposing the child to family and domestic violence;
 - (F) threatening abuse or bullying a child; or
 - (G) threats to harm loved ones, property or pets;
- (iv) psychological abuse, such as:
 - (A) constantly belittling, shaming and humiliating a child;
 - (B) calling the child names to minimise their self-worth;
 - (C) threatening a child;
 - (D) keeping a child isolated from other people or friends;
 - (E) constantly ignoring a child; or
 - (F) encouraging a child to act inappropriately; and
- (v) child neglect, such as:
 - (A) leaving a child alone without appropriate supervision;
 - (B) not ensuring the child attends school, or not enrolling the child at school;
 - (C) infection because of poor hygiene or lack of medication;
 - (D) not giving a child affection or emotional support; or
 - (E) not getting medical help when required;
- (d) **Department** means the Department of Health and Human Services.
- (e) **Independent Regulator** means the Office of the Independent Regulator
- (f) **Prescribed person** means:
 - (i) a medical practitioner;
 - (ii) a registered nurse or enrolled nurse;
 - (iii) a person registered under the Health Practitioner Regulation National Law (Tasmania) in the midwifery profession;
 - (iv) a person registered under the Health Practitioner Regulation National Law (Tasmania) in the dental profession as a dentist, dental therapist, dental hygienist or oral health therapist;
 - (v) a person registered under the Health Practitioner Regulation National Law (Tasmania) in the psychology profession;
 - (vi) a police officer;

- (vii) a probation officer appointed or employed under section 5 of the *Corrections Act 1997*;
- (viii) a principal and a teacher in any educational institution (including a kindergarten);
- (ix) a person who provides child care, or a child care service, for fee or reward;
- (x) a person concerned in the management of an approved education and care service, within the meaning of the Education and Care Services National Law (Tasmania), or a child care service licensed under the *Child Care Act 2001*;
- (xi) a member of the clergy of any church or religious denomination;
- (xii) a member of the Parliament of this State;
- (xiii) any other person who is employed or engaged as an employee for, of or in, or who is a volunteer in –
 - (A) a Government Agency that provides health, welfare, education, child care or residential services wholly or partly for children;
 - (B) an organisation that receives any funding from the Crown for the provision of such services; and
- (xiv) any other person of a class determined by the Minister by notice in the Gazette to be prescribed persons;
- (g) the **Head of NYSF** for the purpose of the Reportable Conduct Scheme is the Chief Executive Officer;
- (h) a **reportable allegation** means information that leads a person to form a reasonable suspicion that a Staff member has committed reportable conduct.
- (i) **reportable conduct** is:
 - (i) a relevant offence committed against, with or in the presence of a child, whether or not criminal proceedings in relation to the offence have been commenced. This includes a sexual offence, failure to report abuse of a child, female genital mutilation, or inciting, attempting or being an accessory after the fact to these offences;
 - (ii) sexual misconduct, that does not form part of a sexual offence, against, with or in the presence of a child; or
 - (iii) physical violence against a child; or
 - (iv) grooming of a child; or
 - (v) conduct that causes, or is likely to cause, significant emotional or psychological harm to a child; or
 - (vi) significant neglect of a child; or
 - (vii) conduct prescribed under the Reportable Conduct Scheme regardless of whether or not the alleged conduct occurred within the course of a Staff member's duties in respect of an entity.
- (j) **Staff or Staff members** mean NYSF employees, directors, contractors and volunteers.

54.5 If a Staff member is uncertain as to whether they should make a report, they should discuss their observations and concerns with a CSO or the CEO.

- 54.6 Staff members are not required to consult with NYSF or gain the support of NYSF prior to making a report but are strongly encouraged to do so, so that support can be provided to the child and NYSF can take steps to minimise the risk of harm.

Responding to a child or young person who is harmed or at risk of being harmed by a NYSF Staff member

- 54.7 If a Staff member suspects on reasonable grounds that a child or young person is, or may be, at risk of harm by another Staff member, then:
- (a) that suspicion must be reported in the same way as if it arose in relation to a person who is not a Staff member of NYSF; and
 - (b) the person is strongly encouraged to report that suspicion to a CSO or the CEO so steps can be taken to minimise potential harm to children.

55. Step 3: Make a report (if required)

Mandatory reporting and voluntary reporting

- 55.1 If a Staff member decides to make a mandatory or voluntary report, the Staff member may report that suspicion by contacting:
- (a) the Advice and Referral Line on 1800 000 123;
 - (b) submitting an online contact form to the Strong Families Safe Kids Advice and Referral Line, at:
<https://childwellbeingcontactform.decyp.tas.gov.au/ContactForm/YourDetails.aspx?CFCSK=eade0fc8-1244-4d2b-a02f-432f6569f22a> ;
 - (c) Tasmania Police by:
 - (i) dialling 000 if it is an emergency;
 - (ii) contacting your local police station (contact details available at: <https://www.police.tas.gov.au>; or
 - (iii) calling 131 444.
- 55.2 A report should be made each time that a person becomes aware of any further grounds for their belief a child may have suffered or is likely to suffer harm as a result of child abuse or neglect.
- 55.3 If a Staff member makes a notification in accordance with paragraph 55.1, the person is strongly encouraged to notify a CSO or the CEO that they have made a notification.
- 55.4 If a CSO or the CEO is notified that a child is, or may be, at risk of harm, they must:
- (a) take immediate steps to ensure the safety and wellbeing of any child or young person which may be at risk or danger;
 - (b) confirm that the concern has been reported in accordance with paragraph 55.1, and if not, assist the Staff member to make the report;
 - (c) complete the incident report (or direct the Staff member to complete it).

Reportable Conduct Scheme

- 55.5 If the Head of NYSF determines that a reportable allegation has been made in relation to a current Staff member in Tasmania:
- (a) the Head of NYSF must make a report to the Independent Regulator within three business days of becoming aware that a Staff member has committed reportable conduct or engaged in misconduct that may involve reportable conduct, irrespective of

whether the conduct in question is alleged to have occurred within the course of the Staff member's engagement with NYSF;

- (b) NYSF will seek external guidance regarding conducting an internal or external investigation;
- (c) the Head of NYSF must provide the Independent Regulator with updates as required under the Reportable Conduct Scheme, including providing a 30 day report; and
- (d) NYSF will cooperate with all regulatory authorities in relation to the investigation, including the Department, police and the Independent Regulator.

Suspension

55.6 Where NYSF has allegations or concerns that any Staff member may have engaged in conduct that could give rise to risk of harm to a child, NYSF may, at its discretion:

- (a) suspend the Staff member while an investigation is conducted (which will involve removing or limiting their contact with children, and liaising with authorities); and
- (b) direct the Staff member to return any keys, passes or equipment and to provide any access codes or passwords.

56. Step 4: Cooperate with regulatory authorities

- 56.1 The Staff member and NYSF will cooperate with any investigation by the police or the Department.
- 56.2 Support will be provided to the child(ren) as deemed appropriate by the CSO or the CEO.
- 56.3 All correspondence from regulatory authorities should be directed to a CSO, CEO or the Chair of the Board if the matter relates to the CEO.
- 56.4 Where a matter has been reported to a regulatory authority, NYSF will not interview the child(ren) further or otherwise investigate until the police or the Department have provided it with permission to do so.
- 56.5 NYSF will consider whether it is necessary or appropriate to obtain the consent of the parent or guardian of the child prior to any interview having regard to the seriousness of the concern and the age, capacity and maturity of the child.
- 56.6 The Department or the police may conduct interviews of NYSF children without their parents' knowledge or consent, although consent should be sought where possible NYSF should request that representatives attend the premises in plain clothes.
- 56.7 When an officer from Child Protection or the police attend NYSF premises, a member of the leadership team should request to see identification before permitting them to have access to a child.
- 56.8 NYSF will notify relevant regulatory bodies including Consumer, Building and Occupational Services of the allegations.

57. Step 5: Internal investigation

- 57.1 Once clearance has been provided to NYSF by the relevant regulatory authorities, CEO or their authorised delegate (or Chair of the Board if the alleged conduct relates to the CEO):
 - (a) will conduct its own investigation if the conduct is subject to the reportable conduct scheme;
 - (b) may decide to conduct its own investigation into the alleged conduct, if the conduct is not subject to the reportable conduct scheme.

- 57.2 The CEO (or the Chair of the Board if the alleged conduct relates to the CEO) will appoint a relevant person to manage the internal investigation. If required, an external investigator will be appointed. For example, an external investigator will be appointed if the alleged conduct relates to a CSO, the CEO or the Chair of the Board.
- 57.3 The investigation will be undertaken in accordance with the principles of procedural fairness and natural justice. If the conduct is subject to the reportable conduct scheme, the CEO will comply with their obligations under the reportable conduct scheme.
- 57.4 All Staff members are expected to fully cooperate with any investigation conducted by or authorised by NYSF.

58. Step 6: Confidentiality

- 58.1 Following a report and during an investigation, Staff members are required to protect confidentiality and the interests of:
 - (a) the child(ren) and their family;
 - (b) the individual(s) who made the report; and
 - (c) any representative of or another person associated with NYSF who is implicated in the report.

and must not disclose private or confidential information about those parties or the investigation unless permitted by law or NYSF's Child Safety Policy and Procedure.

59. Step 7: Investigation finalised

- 59.1 An investigation will consider whether the alleged conduct is substantiated, and whether the substantiated conduct gives rise to a breach of any relevant obligations. The investigator should also consider recommendations to minimise the risk of harm in future.
- 59.2 NYSF has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff member to interact with children in accordance with its duty of care.
- 59.3 The findings of the investigation will also be reported to any regulatory body as required.
- 59.4 NYSF will communicate the investigation findings to the respondent and may consider it appropriate to communicate the outcome of the investigation to the person who reported the concern, but should not otherwise disclose the investigation report, witness statements or findings.
- 59.5 NYSF will endeavour to offer support to any child, Staff member or member of the NYSF community involved where appropriate.

60. Step 8: Evaluation

- 60.1 The CEO will notify NYSF Board of Directors of the outcome of the investigation and actions taken or required to minimise further risk of harm. Where possible, personal information about the child and respondent should be deidentified to maintain privacy. Policies and procedures may be reviewed and updated as needed.

Annexure G: Child Safety Procedure – Northern Territory

61. Overview

- 61.1 NYSF is committed to ensuring that children and young people who access NYSF's services and programs are kept safe from harm and the risk of harm.
- 61.2 When NYSF suspects a child or young person has been harmed or is at risk of harm, NYSF will handle that suspicion in an appropriate manner which prioritises the safety of children and young people.
- 61.3 All Staff members, including NYSF employees, directors, contractors and volunteers, are responsible for reporting reasonable beliefs that a child or young person has been harmed or is at risk of harm in accordance with this procedure.

62. Scope

- 62.1 This Procedure applies to all Staff engaged by NYSF in conjunction with the NYSF Codes of Conduct Policies and Procedures and the Child Safety Policy.
- 62.2 This Procedure should be interpreted in accordance with the definitions of the Child Safety Policy and paragraph 64.3. The definitions in this Procedure will apply to the extent of any inconsistency.

63. Step 1: Determine whether the child is in immediate danger

- 63.1 Where a Staff member is concerned about child abuse or risk of harm, the Staff member will stay with the child (if within their presence) and take all reasonable steps to ensure their safety which may involve calling for support from another appropriate adult or Staff member.
- 63.2 If the Staff member believes the child is at immediate risk of abuse, they will notify police immediately by telephoning 000.

64. Step 2: Consider whether there is an obligation to report

- 64.1 A Staff member who believes on reasonable grounds that:
 - (a) a child under has suffered or is likely to suffer harm or exploitation;
 - (b) a child under 14 years of age has been or is likely to be a victim of a sexual offence; or
 - (c) a child who is of or over 16 years of age has been or is likely to be a victim of a sexual intercourse or any act of gross indecency occurring in the context of a special care relationship;
 - (d) another person has caused, or is likely to cause, harm to someone else with whom the person is in a domestic relationship; or
 - (e) the life or safety of another person is under serious or imminent threat because of domestic violence that has been, is being or is about to be committed;**must** make a report to the Department or the police as soon as possible.
- 64.2 A Staff member who is a health practitioner believes on reasonable grounds that:
 - (a) a child aged at least 14 years (but less than 16 years) has been or is likely to be a victim of a sexual offence, and

- (b) that the difference in age between the child and the alleged sexual offender is more than 2 years

must report that belief to the Department or police officer as soon as possible.

64.3 For the purpose of this procedure:

- (a) a **child** is a person under 18 years of age, unless otherwise stated;
- (b) **child abuse and neglect** includes:
 - (i) physical abuse, such as:
 - (A) hitting, shaking, punching;
 - (B) burning and scalding;
 - (C) excessive physical punishment or discipline;
 - (D) attempted suffocation; or
 - (E) shaking a baby;
 - (ii) sexual abuse, such as:
 - (A) letting a child watch or read pornography;
 - (B) allowing a child to watch sexual acts;
 - (C) fondling the child's genitals;
 - (D) having oral sex with a child;
 - (E) vaginal or anal penetration; or
 - (F) using the internet to find a child for sexual exploitation;
 - (iii) emotional abuse, such as:
 - (A) constantly putting a child down;
 - (B) humiliating or shaming a child;
 - (C) not showing love, support or guidance;
 - (D) continually ignoring or rejecting the child;
 - (E) exposing the child to family and domestic violence;
 - (F) threatening abuse or bullying a child; or
 - (G) threats to harm loved ones, property or pets;
 - (iv) psychological abuse, such as:
 - (A) constantly belittling, shaming and humiliating a child;
 - (B) calling the child names to minimise their self-worth;
 - (C) threatening a child;
 - (D) keeping a child isolated from other people or friends;
 - (E) constantly ignoring a child; or
 - (F) encouraging a child to act inappropriately; and
 - (v) child neglect, such as:
 - (A) leaving a child alone without appropriate supervision;
 - (B) not ensuring the child attends school, or not enrolling the child at school;

- (C) infection because of poor hygiene or lack of medication;
 - (D) not giving a child affection or emotional support; or
 - (E) not getting medical help when required;
 - (c) **Department** means the Department of Territory Families, Housing and Communities.
 - (d) **Harm to a child** means any significant detrimental effect caused by any act, omission or circumstance on the physical, psychological or emotional wellbeing or development of the child. Harm may be caused by:
 - (i) physical, psychological or emotional abuse or neglect;
 - (ii) sexual abuse or other exploitation; or
 - (iii) exposure to physical violence.
 - (e) **Special care relationship** means the offender is:
 - (i) the step-parent, guardian or foster parent of the victim;
 - (ii) a school teacher and the victim is a pupil;
 - (iii) has established a personal relationship with the victim in connection with the care, instruction, or supervision of the victim;
 - (iv) is an officer at a correctional institution at which the victim is detained; or
 - (v) is a health professional or other provider of health care to the victim.
 - (f) **Staff or Staff members** mean NYSF employees, directors, contractors and volunteers.
- 64.4 If a Staff member is uncertain as to whether they should make a report, they should discuss their observations and concerns with a CSO or the CEO.
- 64.5 Staff members are not required to consult with NYSF or gain the support of NYSF prior to making a report, but are strongly encouraged to do so, so that support can be provided to the child and NYSF can take steps to minimise the risk of harm.

Responding to a child or young person who is harmed or at risk of being harmed by a NYSF Staff member

- 64.6 If a Staff member suspects on reasonable grounds that a child or young person is, or may be, at risk of harm by another Staff member, then:
- (a) that suspicion must be reported in the same way as if it arose in relation to a person outside of NYSF; and
 - (b) the person is strongly encouraged to report that suspicion to a CSO or the CEO so steps can be taken to minimise potential harm to children.

65. Step 3: Make a report (if required)

- 65.1 If a Staff member decides to make a report, the Staff member may report that suspicion by contacting:
- (a) the Department on 1800 700 250 or via the online webform at <https://careservices.nt.gov.au/web/portal/pages/home>;
 - (b) the police by:
 - (i) dialling 000 if it is an emergency; or
 - (ii) calling 131 444.

- 65.2 A report should be made each time that a person becomes aware of any further grounds for their belief a child may have suffered or is likely to suffer harm as a result of child abuse or neglect.
- 65.3 If a Staff member makes a notification in accordance with paragraph 65.1, the person is strongly encouraged to notify a CSO or the CEO that they have made a notification.
- 65.4 If a CSO or the CEO is notified that a child is, or may be, at risk of harm, they must:
- (a) take immediate steps to ensure the safety and wellbeing of any child or young person which may be at risk or danger;
 - (b) confirm that the concern has been reported in accordance with paragraph 65.1, and if not, assist the Staff member to make the report;
 - (c) complete the Incident Report (or direct the Staff member to complete it).

Suspension

- 65.5 Where NYSF has allegations or concerns that any Staff member may have engaged in conduct that could give rise to risk of harm to a child, NYSF may, at its discretion:
- (a) suspend the Staff member while an investigation is conducted (which will involve removing or limiting their contact with children, and liaising with authorities); and
 - (b) direct the Staff member to return any keys, passes or equipment and to provide any access codes or passwords.

66. Step 4: Cooperate with regulatory authorities

- 66.1 The Staff member and NYSF will cooperate with any investigation by the police or the Department.
- 66.2 Support will be provided to the child(ren) as deemed appropriate by the CSO or the CEO.
- 66.3 All correspondence from regulatory authorities should be directed to a CSO, CEO or the Chair of the Board if the matter relates to the CEO.
- 66.4 Where a matter has been reported to a regulatory authority, NYSF will not interview the child(ren) further or otherwise investigate until the police or the Department have provided it with permission to do so.
- 66.5 NYSF will consider whether it is necessary or appropriate to obtain the consent of the parent or guardian of the child prior to any interview having regard to the seriousness of the concern and the age, capacity and maturity of the child.
- 66.6 The Department or the police may conduct interviews of NYSF children without their parents' knowledge or consent, although consent should be sought where possible. NYSF should request that representatives attend the premises in plain clothes.
- 66.7 When an officer from Child Protection or the police attends NYSF premises, a member of the leadership team should request to see identification before permitting them to have access to a child.
- 66.8 NYSF will notify NT Police SAFE NT of the allegations.

67. Step 5: Investigation

- 67.1 Once clearance has been provided to NYSF by the relevant regulatory authorities, the CEO or their authorised delegate (or Chair of the Board if the alleged conduct relates to the CEO) may decide to conduct its own investigation into the alleged conduct.

- 67.2 The CEO (or the Chair of the Board if the alleged conduct relates to the CEO) will appoint a relevant person to manage the internal investigation. If required, an external investigator will be appointed. For example, an external investigator will be appointed if the alleged conduct relates to a CSO, the CEO or the Chair of the Board.
- 67.3 The investigation will be undertaken in accordance with the principles of procedural fairness and natural justice.
- 67.4 All Staff members are expected to fully cooperate with any investigation.

68. Step 6: Confidentiality

- 68.1 Following a report and during an investigation, Staff members are required to protect confidentiality and the interests of:
- (a) the child(ren) and their family;
 - (b) the individual(s) who made the report; and
 - (c) any representative of or another person associated with NYSF who is implicated in the report.

and must not disclose private or confidential information about those parties or the investigation unless permitted by law or NYSF's Child Safety Policy and this Procedure.

69. Step 7: Investigation finalised

- 69.1 An investigation will consider whether the alleged conduct is substantiated, and whether the substantiated conduct gives rise to a breach of any relevant obligations. The investigator should also consider recommendations to minimise the risk of harm in future.
- 69.2 NYSF has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff member to interact with children in accordance with its duty of care.
- 69.3 The findings of the investigation will also be reported to any regulatory body as required.
- 69.4 NYSF will communicate the investigation findings to the respondent and may consider it appropriate to communicate the outcome of the investigation to the person who reported the concern, but should not otherwise disclose the investigation report, witness statements or findings.
- 69.5 NYSF will endeavour to offer support to any child, Staff member or member of the NYSF community involved where appropriate.

70. Step 8: Evaluation

- 70.1 The CEO will notify NYSF Board of Directors of the outcome of the investigation and actions taken or required to minimise further risk of harm. Where possible, personal information about the child and respondent should be deidentified to maintain privacy. Policies and procedures may be reviewed as required.

Child Safety Incident Report Form

Child's information

Name	[insert]
Date of birth	[insert]
Gender	[insert]
Residential address	[insert]
Parent/carer name/s	[insert]
Language(s) spoken by child	[insert]
Disabilities, mental or physical health issues	[insert]

Does the child identify as Aboriginal or Torres Strait Islander?

No ☐ Yes, Aboriginal ☐ Yes, Torres Strait Islander ☐

Incident details

Date of incident	[insert]
Time of incident	[insert]
Location of incident	[insert]
Name(s) of child/children involved	[insert]
Name(s) of staff/contractor/volunteer involved	[insert]

If you believe a child is at immediate risk of abuse, phone 000.

Categorise the incident

Physical violence	<input type="checkbox"/>
Sexual conduct or offence	<input type="checkbox"/>

Serious emotional or psychological abuse	<input type="checkbox"/>
Serious neglect	<input type="checkbox"/>
Other	<input type="checkbox"/>

Describe the incident (and attach an extra page if you need more room)

When did it take place?	
Who was involved?	
What did you see?	
Other information	

Has the incident been reported?

Government Department (please specify)	
Police	
Another third party (please specify)	

Incident reporter wishes to remain anonymous?

No ☐ Yes ☐

Office use:

Date incident report received	
Staff member managing incident	
Follow-up date	
Incident ref. number	

This form must be passed on to the CEO immediately.