

WWILD-SVP Association Inc.

POLICY AND PROCEDURE

Safety and Well-being of Children, Blue Card Management and Associated Risk Management Policy

**REVIEWED May 2022
NEXT REVIEW DUE May 2023**

POLICY

WWILD-SVP Association Inc. is committed to the safety and well-being of all children and young people who use our service. WWILD is also committed to the safety and wellbeing of the children of adults who access our service. WWILD will remain a safe place for children and young people. Children are considered to be any person under the age of 18. This policy will outline WWILD's obligations, processes and procedures to meet the requirements for compliance with the *Working with Children (Risk Management and Screening) Regulation 2020*.

Statement of commitment

WWILD is committed to providing a safe and supportive service environment that ensures the safety and wellbeing of children and young people we work with and those who come in contact with the service. The Human Rights of children and young people are protected under the Human Rights Act 2019, and WWILD is committed to upholding these rights. In order to support this commitment, the procedures that all staff, students, management and volunteers are required to take are outlined below.

1. Blue Cards

All *paid employees* of this organization are required to have a current Blue Card before they commence employment with WWILD-SVP Association;

Students must have a Blue Card before they commence their placement at WWILD;

All *volunteers*, including *Management Committee members*, must have a Blue Card before commencing work with WWILD.

PROCEDURES

- The WWILD Manager and Financial Administrator will be responsible for the maintenance of a Blue Card Register of all business operators, paid employees and volunteers involved in child-related activities within WWILD. This register will be maintained electronically and hard copies of documents will be held in a Blue Card folder.
- The WWILD Manager or Financial Administrator will be the nominated contact people on any new Blue Card application.
- Applicants for Blue Cards being processed by WWILD will be informed that by signing the application form they are consenting to the screening process as is outlined in the declaration on the form.

- The Financial Administrator or Manager must explicitly warn potential staff, students and volunteers that it is an offence for a 'disqualified person' to sign a blue card application form or renewal form. **It is an offence for an employer not to provide this warning.**
- If an employee, student, volunteer or Management Committee member joins the organization and already has a blue card WWILD must
 - Take a current copy of each staff member, student, volunteer and management committee member's blue card.
 - Create a link with the organization via the Blue Card Organisation Portal (<https://orgportal.bluecard.qld.gov.au/Login>)
 - If the person is a volunteer and they commence paid work with the organization, lodge a *Volunteer to Paid Employment Transfer Form* with Blue Card Services
 - If a person ceases working, WWILD will delink the cardholder using the Blue Card Organisation Portal.
- The Manager or Financial Administrator will record
 - Name
 - Date of birth
 - Employment type
 - Whether or not the person requires a blue/exemption card (if not, why not- e.g. an exemption under the Act) Blue Card status, expiry date and will note the date of submission of required forms in the Blue Card Register. Ce and blue/exemption card
 - The blue card/exemption card number and the expiry date of the blue card
 - The renewal date
 - The type of application/blue card (e.g. paid or volunteer) or exemption card
 - When the person applied and/or the date of issue of the positive notice
- The Manager/Administrator will manage expiry of blue cards via 6 monthly reviews as per the compliance record. These reviews will identify any non-conformities and any Blue Cards due to expire within the next 6 month period.
- Through induction processes employees will be informed of their obligation to advise if there is a change in their police information. They do not need to disclose the specific nature of this change, but that a change has occurred.
- If a change of police information is disclosed, WWILD must ensure that a *Change in Police Information Notification* form is submitted to Blue Card Services
- Under section 123(3B) of the **Commission for Children and Young People and Adult Guardian Act 2000**, the employer may withdraw an offer of employment paid or unpaid if a negative notice is given. In addition, an employee may not commence or continue working for WWILD if a negative notice is found to be current.

2. Suspected Harm

WWILD-SVP Association is bound by, and acts in accordance with, all relevant legislation. In cases of suspected harm, WWILD will contact the relevant authorities such as the Department of Child Safety and/or the Queensland Police Service.

Definitions of Harm

Harm

The *Child Protection Act 1999* (Section 9) states that:

- 1) **Harm** to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional well-being.
- 2) It is immaterial how the harm is caused.

The types of harm covered by this policy include:

Physical harm – beating, shaking, burning, biting, throwing a child, excessive physical discipline and inappropriately medicating.

Emotional harm – constant yelling and criticism, holding back praise and affection, ignoring the child, threats of harm.

Neglect – failure to provide food, clothing, shelter, education, adequate guidance or proper medical care.

Sexual harm – jokes of a sexual and inappropriate nature, showing a child pornography, touching, exposure, voyeurism, sexual acts or child prostitution.

Harm can be caused by a single act, omission or circumstance or a series of or combination of acts, omissions or circumstances.

Understanding and identifying possible harm

It must be acknowledged that the descriptions of the types of harm or violence described below and the nature of the way this violence is perpetrated is the same for adults who use WWILD. It is also acknowledged that a large proportion of people who access WWILD will have experienced childhood violence, abuse and neglect and that the impacts of those experiences can be lifelong.

Grooming

Is a term used to describe what happens when a perpetrator of abuse builds a relationship with a child or young person or an adult with a disability with a view to abusing them at some stage. There is no set pattern in relation to the grooming of children. For some perpetrators, there will be a lengthy period of time before the abuse begins. Other perpetrators may draw a child in and abuse them relatively quickly. Some abusers do not groom children but abuse them without forming a relationship at all. Grooming can take place in any setting where a relationship is formed, such as leisure, music, sports and religious activities, in service settings, internet chatrooms, in social media or by SMS.

Grooming can occur in six stages:

1. Targeting the victim
2. Gaining the victim's trust
3. Filling a need
4. Isolating the Child
5. Sexualizing the Relationship
6. Maintaining Control

Any adult who grooms children under the age of 16 in order to facilitate the procurement of the child to engage in a sexual act, or expose, without legitimate reason, the child to any indecent matter, is committing a crime in Queensland.

Sexual Abuse

Sexual abuse occurs when an adult involves a child or young person in any sexual activity. Sexual abuse also occurs when a child or young person involves another child or young person in any sexual activity. Perpetrators of sexual abuse take advantage of their power, authority or position over the child or young person for their own benefit. It can include making sexual comments to a child or young person, engaging children or young people to participate in sexual conversations over the internet or on social media, kissing, touching a child or young person's genitals or breasts, oral sex or intercourse. Encouraging a child or young person to view pornographic magazines, websites and videos is also sexual abuse.

Physical Abuse

Physical abuse occurs when a person subjects a child or young person to non-accidental physically aggressive acts. The abuser may inflict an injury intentionally or inadvertently as a result of physical punishment or the aggressive treatment of a child. Physically abusive behaviour includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning and kicking. It also includes giving children or young people harmful substances such as drugs, alcohol or poison. In the case of children or young people with a disability, as with adults, this may include over or under medicating, or restricting access to physical aids or the things the child or young person needs to function (e.g. leaving a wheelchair out of reach). Certain types of punishment, whilst not causing injury can also be considered physical abuse if they place a child or young person at risk of being hurt.

Neglect

Neglect is the persistent failure or deliberate denial to provide the child or young person with the basic necessities of life. Such neglect includes the failure to provide adequate food, clothing, shelter, adequate supervision, clean water, medical attention or supervision to the extent that the child or young person's health and development is, or is likely to be, significantly harmed. Categories of neglect include physical neglect, medical neglect, abandonment or desertion, emotional neglect and educational neglect. The issue of neglect must be considered within the context of resources reasonably available to the family.

Psychological Abuse

Emotional or psychological abuse occurs when a child or young person does not receive the love, affection or attention they need for healthy emotional, psychological and social development. Such abuse may involve repeated rejection or threats to a child or young person. Constant criticism, teasing, ignoring, threatening, yelling, scapegoating, ridicule and rejection or continual coldness are all examples of emotional abuse. These behaviours continue to an extent that results in significant damage to the child or young person's physical, intellectual or emotional wellbeing and development.

Bullying

Bullying involves the inappropriate use of power by one or more persons over another less powerful person or group and is generally an act that is repeated over time. Bullying has been described by researchers as taking many forms which are often interrelated and include:

- Verbal (name calling, put downs, threats)
- Physical (hitting, punching, kicking, scratching, tripping, spitting)
- Social (ignoring, excluding, ostracising, alienating)
- Psychological (spreading rumours, stalking, dirty looks, hiding or damaging possessions).

Witnessing Family Violence

Witnessing family violence is a specific form of emotional and psychological abuse. Witnessing family violence occurs when children or young people are forced to live with violence between adults in their home. It is harmful to children and young people. It can include witnessing violence or the consequences of violence. Family violence is defined as violence between members of a family or extended family or those fulfilling the role of family in a child or young person's life. Exposure to family violence places children and young people at increased risk of physical injury and harm and has a significant impact on their wellbeing and development.

Sexual Exploitation

Sexual exploitation occurs when children or young people are forced into sexual activities that are then recorded in some way and/or used to produce pornography. Such pornography can be in the form of actual photos or videos or published on the internet. Exploitation can also involve children or young people who are forced into prostitution.

Racial, Cultural or Religious Abuse

Racial, Cultural or Religious abuse is conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their culture, race or religion. In the context of disability, this can sometimes present as a carer or family member insisting on participation in religious practice or preventing participation in religious practice depending on the beliefs and desires of the carer or family member,

Indications/signs of abuse

Staff, students and volunteers should generally remain alert to warning signs or indicators of suspicions of violence, abuse or neglect in anyone who accesses support from WWILD.

Some general indicators of child abuse include:

(<https://www.communities.qld.gov.au/childsafety/protecting-children/what-child-abuse/signs-child-abuse-neglect> accessed 160817)

- showing wariness and distrust of adults
- rocking, sucking or biting excessively
- bedwetting or soiling
- demanding or aggressive behaviour
- sleeping difficulties, often being tired and falling asleep
- low self-esteem
- difficulty relating to adults and peers
- abusing alcohol or drugs
- being seemingly accident prone
- having broken bones or unexplained bruising, burns or welts in different stages of healing
- being unable to explain an injury, or providing explanations that are inconsistent, vague or unbelievable
- feeling suicidal or attempting suicide
- having difficulty concentrating

- being withdrawn or overly obedient
- being reluctant to go home
- creating stories, poems or artwork about abuse.

Some indicators of neglect include:

- malnutrition, begging, stealing or hoarding food
- poor hygiene, matted hair, dirty skin or body odour
- unattended physical or medical problems
- comments from a child that no one is home to provide care
- being constantly tired
- frequent lateness or absence from school
- inappropriate clothing, especially inadequate clothing in winter
- frequent illness, infections or sores
- being left unsupervised for long periods.

<https://www.communities.qld.gov.au/disability/support-services/service-providers/preventing-responding-abuse-neglect-exploitation/identifying-abuse-neglect-exploitation/indicators-signs>
accessed 16/08/17)

Physical abuse

Physical indicators:

- unexplained cuts, abrasions, bruising or swelling
- unexplained burns or scalds, cigarette burns
- rope burns or marks on arms, legs, neck, torso
- unexplained fractures, strains or sprains; dislocation of limbs
- bite marks
- dental injuries
- ear or eye injuries.

Behavioural signs:

- avoidance of particular staff, fear of a particular person
- sleep disturbances
- changes in behaviour (e.g. unusual mood swings, uncharacteristic aggression)
- changes in daily routine, changes in appetite
- unusual passivity, withdrawal
- self-harm, suicide attempts
- inappropriate explanations of how injuries occurred
- excessive compliance to staff.

Sexual abuse

Physical indicators:

- direct or indirect disclosure of abuse or assault
- trauma to the breasts, buttocks, lower abdomen or thighs
- difficulty walking or sitting
- pain or itching in genital and/or anal area; bruising, bleeding or discharge
- self-harm, abuse, suicide attempts
- torn, stained or blood-stained underwear or bedclothes
- sexually transmitted diseases, pregnancy
- unexplained money or gifts.

Behavioural signs:

- sleep disturbances
- changes in eating patterns
- inappropriate or unusual sexual behaviour or knowledge
- changes in social patterns
- sudden or marked changes in behaviour or temperament
- anxiety attacks, panic attacks, clinical depression
- refusal to attend usual places (e.g. work, school, respite)
- going to bed fully clothed
- excessive compliance to staff.

Psychological/emotional abuse

Physical indicators:

- speech disorders
- in the case of a child, lags in physical development, failure to thrive
- injuries sustained from self-harm or abuse
- suicide attempts
- anxiety attacks.

Behavioural signs:

- self-harm or self-abusive behaviours
- challenging/extreme behaviours
- excessive compliance to staff
- very low self-esteem, feelings of worthlessness
- clinical depression

- marked decrease in interpersonal skills
- extreme attention-seeking behaviour.

Chemical abuse

Physical indicators:

- withholding of prescribed medication
- abuse of prescribing rights by staff/over-administration of medication.

Behavioural signs:

- persistent over-activity
- unusual levels of confusion/disorientation.

Financial abuse

Physical indicators:

- no access to, or unwarranted restrictions on, personal funds or bank accounts
- no records, or incomplete records kept of expenditure and purchases
- no inventory kept of significant purchases
- person controlling the finances does not have legal authority
- misappropriation of money, valuables or property
- forced changes to a person's will
- persistent failure to produce receipts
- receipts indicating unusual or inappropriate purchases.

Behavioural signs:

- person has insufficient money to meet normal expenses
- person is persistently denied outings and activities due to a lack of funds.

Denial of access to legal system/remedies

Physical indicator:

- consistent denial of telephone or Internet access.

Behavioural signs:

- person does not seek privacy to undertake activities normally undertaken in private
- person indicates they have no-one to speak to about things they are unhappy about.

Systemic abuse

Physical indicators:

- no program or inadequate/inappropriate program developed for client
- not endeavoring to use staff of the same gender to perform personal duties for clients
- providing staff with insufficient training on duty of care and policies and practices related to preventing abuse.

Behavioural signs:

- person is persistently provided support that does not meet the requirements of their service package
- person refuses part of their service support due to feeling uncomfortable with particular staff members.

Neglect

Physical indicators:

- physical wasting, unhealthy weight levels
- poor dental health
- food from meals left on face and/or clothes throughout the day
- dirty, unwashed body and/or face, body odour
- person always wearing the same clothes
- ill-fitting and/or unwashed clothes
- person is always over- or underdressed for the weather conditions
- food is consistently poor quality, insufficient, inedible and/or unappetising.

Behavioural signs:

- constant tiredness
- persistent hunger
- unexpectedly poor social/interpersonal skills
- signs of loss of communication and other skills
- staff member, service provider, carer or support person consistently fails to bring the person to appointments, events, activities
- person is persistently denied opportunities to socialise with others in the community.

PROCEDURE

Any paid employee, student or volunteer may have reasonable grounds to suspect that a child has been harmed or is at risk of future harm. They may have determined this by

- Being told by the child or young person that they have been harmed;
- Someone else informs you that the harm has occurred or is likely to occur;
- There are significant changes in the behavior of the child/young person;
- There are new unexplained or suspicious injuries; or
- They witness the harm occurring.

They must:

1. Remain calm and listen attentively, actively and non-judgmentally
2. Where possible, ensure a private place to talk.
3. Not promise to keep any secrets but reassure the person making the disclosure that they have done the right thing in telling you, but that you will need to tell someone who can help keep them safe;
4. Only ask enough questions of an open-ended manner to confirm the need to report the matter and to gain a sense of their immediate needs and immediate safety.
5. Immediately take steps to ensure that the child is protected from further harm;
6. Report the allegation to the Manager of WWILD-SVP Association immediately.
7. Document the disclosure/suspicious of harm

Documenting and reporting any disclosures/suspicious of harm – if an employee, student or volunteer has any concerns about the safety of a child, they must:

- Record their concerns in a non-judgmental and accurate manner as soon as possible so they are accurately captured. The employee, student or volunteer must record their own observations in addition to the accurate details of the conversation.
- Recording must include the time, date and place of the disclosure, 'word for word' what happened and what was said, including anything the employee said and any actions that have been taken, the date of the report and the employee's signature (or if electronic, the employees name).
- WWILD staff will not attempt to 'investigate' the matter.
- Report the matter to the Manager immediately. The Manager and the employee will discuss the child protection concerns, assess the needs of the child and make a decision as to whether they have enough information to notify the Department of Child Safety and/or Queensland Police Service and what sort of safety planning may need to be done with the person in question. This determination will be made by considering immediate safety needs, the human rights of the child under the Human Rights Act 2019, potential unintended consequences, the age of the child, whether there are willing and able protective adults/parents in the child's life who are able to protect the child from harm, and other protective factors and whether other supports may be required/beneficial to the child. However, if a child is in immediate danger or in a life threatening situation WWILD staff should immediately contact the Queensland Police Service by dialing 000.
- If it is determined that a Child Safety Report is to be made, this can be done **during business hours** via the Regional Intake Service (<https://www.cyjma.qld.gov.au/contact-us/department-contacts/child-family-contacts/child-safety-service-centres/regional-intake-services>) or **after hours/weekends** via the Child Safety After Hours Service Centre on 1800 177 135 or 07 3235 9999.
- A person making a report is protected from liability under the Child Protection Act 1999 from civil or criminal legal actions and is not considered to have broken any code of conduct or ethics.
- Failure to Report - Under the Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020, If an adult reasonably believes (or should reasonably believe) that a child is being or has been the victim of sexual abuse by another adult, they must report it to the police—unless they have a reasonable excuse.

A reasonable excuse includes if:

- you have already reported the offence to an appropriate authority (e.g. Child Safety) or you know another person has or will report it—for example, if you are
 - a nurse and have already reported it to Child Safety
 - a teacher and your school principal or another teacher has already reported the offence according to other laws
- you believe the information has already been given to a police officer
- you received information about the victim who is now an adult and you reasonably believe they don't want to reveal it to the police
- you believe reporting the offence would endanger you or another person (other than the alleged offender) and that failure to give the information to police is reasonable.

However, a 'reasonable excuse' is not defined exhaustively and may include other circumstances. (<https://www.qld.gov.au/law/crime-and-police/types-of-crime/sexual-offences-against-children/failure-to-report>).

- WWILD staff, students and volunteers must cooperate fully with any investigation by Police or Child Safety into any type of allegation or suspicion raised.
- In the event that WWILD has a working relationship with a parent and there are concerns about the safety of the child to the point where notification is necessary, the staff member and the Manager should inform the parent of their concerns and encourage the parent to approach Child Safety (with the support of WWILD staff). In the event the parent does not wish to be supported to approach Child Safety, WWILD should still inform the parent of their intentions (where possible and safe to do so) before making any reports to Child Safety or Queensland Police Service.
- If any staff member feels that the organisation hasn't acted appropriately they can report a concern independently. There will be no retribution toward a staff member for taking this action. The Child Protection Act protects an individual's right to report without retribution.

In cases of allegations of harm being reported against WWILD staff, students, Management Committee, volunteers and other breaches of the Safety and Wellbeing of Children and Blue Card Management Policy:

- A breach of the Safety and Wellbeing of Children Policy is any action or inaction by any member of the organization including children or young people that fails to comply with any part of the policy.
- If any staff member becomes aware of a breach they must report to the WWILD Manager. If the breach involves action or inaction of the Manager it should be brought to the attention of a member of the Management Committee. A Critical Incident Form will be completed and brought to the Management Committee for review.
- Support will be provided to the person making the disclosures, the person receiving the disclosure, the child/young person who has been harmed;
- The alleged perpetrator, if an employee, student, volunteer of WWILD may be suspended from duties until the matter is resolved and/or may be requested to undertake alternative duties;

- Employment, whether voluntary or remunerated, will be terminated if the allegation is proven and concerns raised are deemed too significant of a risk to continue engaging the person in their duties with WWILD;
- Complaints and Disputes procedures may be activated if any party is unsatisfied with how the matter has been resolved, including accessing the funding bodies complaints processes (i.e. Department of Justice and Attorney General; Department of Social Services).

Risk Management Plans for High risk Activities and Events

Any event WWILD is planning should be considered whether it is a High Risk Activity warranting the development of a Risk Management Plan as per the Risk Management Policy and Procedure. Any risk assessment will consider any potential risks to children and young people.

References

- Working with Children (Risk Management and Screening) Act 2000
- Child and Youth Risk Management Strategy (2015)
- Queensland Family and Child Commission - Website <http://www.qfcc.qld.gov.au/>
- The *Child Protection Act 1999*
(<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>)
- **Indications/signs of child abuse and neglect**
<https://www.communities.qld.gov.au/childsafety/protecting-children/what-child-abuse/signs-child-abuse-neglect> accessed 16/08/17
- **Indications/signs of abuse** <https://www.communities.qld.gov.au/disability-connect-queensland/preventing-responding-abuse-neglect-exploitation/identifying-abuse-neglect-exploitation/indicators-signs> accessed 9/03/2020
- **Failing to Report or Protect Children from Sexual Crimes** (<https://www.qld.gov.au/law/crime-and-police/types-of-crime/sexual-offences-against-children>), accessed 05/06/2022.

Commitment As a staff member/student/ volunteer of WWILD

I declare the following:

- I have read and understood the Safety and Wellbeing of Children Policy and Procedures
- I have been given the chance to ask questions regarding the Policy and Procedures and its contents
- I understand the meaning of all forms of abuse described in this policy
- I understand my roles and responsibilities contained in the Policy
- I agree to promote the safety of children and young people receiving support from WWILD directly or who are the children of adults who attend WWILD.

- I am aware that breaching the Safety and Wellbeing of Children and Blue Card Management Policy and Procedures will result in disciplinary action taken against me and may include termination of employment
- I agree to report any areas of concern and follow the Law in relation to reporting abuse.

Name of Staff Member/student/Volunteer _____

Signature of Staff Member/Volunteer _____

Date: _____/_____/_____

<https://www.qld.gov.au/law/crime-and-police/types-of-crime/sexual-offences-against-children/failure-to-report>