

PoI_038	<h2 style="margin: 0;">Child and Youth Risk Management Strategy for violence, abuse, neglect, exploitation and discrimination</h2>
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**The purpose of this policy is to prevent and mitigate the effects of violence, abuse and neglect on participants through training and implementing a process to inform staff and protect participants who are at risk of significant harm.**

**Life Choice will encourage and support any person who has witnessed the abuse of a service user or, who suspects that abuse has occurred, to make a report and be confident of doing so without fear of retribution.**

Record of policy development		
Version	Date approved	Date for review
2020/2	February 2023	February 2025

Responsibilities and delegations	
This policy applies to	Our Child and Youth Risk Management Strategy must be complied with by all Life Choice staff, and everyone else involved in our organisation, including volunteers, contractors, stakeholders, participants, children and families.
Policy approval	Quality & Risk Committee

Policy context – this policy relates to:	
Standards	<a href="#">The National Framework for Protecting Australia’s Children</a> <a href="#">NDIS Quality and Safeguards Practice Standards and Quality Indicators</a> <a href="#">NDIS (Incident Management and Reportable Incidents) Rules 2018</a>
Legislation	<a href="#">Child Protection Act 1999</a> <a href="#">Working with Children (Risk Management and Screening) Act 2000</a> (current as at 2 December 2022) <a href="#">Working with Children (Risk Management and Screening) Regulation 2011</a>
Organisation policies	Statement of Commitment to Child Safety Childs Rights and Responsibilities Policy

	<p>Code of Ethics and Conduct Policy</p> <p>Incident Management Procedures Policy</p> <p>Staff Induction and Training Policy and Procedure</p>
Forms, record keeping, other documents	<p>Incident Form</p> <p>Code of Conduct Form</p> <p>Participant Notes</p> <p>Risk Assessment Form</p>

## Definitions

Disclosure of Harm	<p>A <b>disclosure of harm</b> occurs when someone, including a child, tells you about harm that has happened, is happening, or is likely to happen to a child. Disclosures of harm may start with:</p> <ul style="list-style-type: none"> <li>• ‘I think I saw...’</li> <li>• ‘Somebody told me that...’</li> <li>• ‘Just think you should know...’</li> <li>• ‘I’m not sure what I want you to do, but...’</li> </ul> <p>It is important to act quickly and in the best interests of the child or young person after a disclosure of harm is received, irrespective of the alleged source of harm.</p>
Suspicion of Harm	<p>A <b>suspicion of harm</b> is when someone has a reasonable suspicion that a child has suffered, is suffering, or is at an unacceptable risk of suffering, significant harm. This includes circumstances which relate to an unborn child who may be in need of protection after he or she is born. A child who has been, or may be experiencing, abuse may show behavioural, emotional or physical signs of stress and abuse.</p> <p>There may also be other circumstances where there is concern for a child’s welfare but it does not reach the threshold to be considered a disclosure or suspicion of harm. You have a duty of care to follow up any suspicions of harm or potential risk of harm to children and young people in your care. You can do this by observing and recording the actions of children who might be at risk, and reporting your concerns to the relevant authority.</p>
Discrimination	<p>Treating, or proposing to treat someone unfavourably because of a personal characteristic protected by the law. Discrimination includes bullying someone because of a protected characteristic.</p>
Exploitation	<p>The action or fact of mistreating someone to benefit from their work.</p> <p>The action of making use of and benefiting from resources.</p>
Violence	<p>Violent behaviour by a person towards another can include abusive behaviour that is physical, sexual, intimidating and forceful. People with a disability are more likely to experience violence from a carer or family member.</p>

## Policy

Life Choice recognise that creating a safe organisation begins with a clear understanding of the potential risks to the participant and other participants in an organisation’s setting, including what could go wrong, and what you can do to reduce or remove these risks.

These strategies include:

- Thinking about the organisation, its activities and the services it provides to participants,
- Planning how to make activities as safe as possible,
- Develop a safety plan for individuals who require additional supports,
- Supporting participants with disabilities to understand plans and safety procedures in a manner that supports their understanding,
- Informing participants they have the right to live in a safe environment,
- Being proactive to reduce the likelihood of risks.

## Child and Youth Risk Management Strategy

Life Choice will:

<p><b>1. Statement of Commitment:</b> to the safety and wellbeing of children and the protection of children from harm</p>	<ul style="list-style-type: none"> <li>• Take a preventative, proactive and participatory approach to child safety</li> <li>• Zero Tolerance of child abuse, neglect or mistreatment and all allegations and safety concerns will be treated very seriously and consistently and reported promptly to appropriate authorities</li> <li>• Share information appropriately and lawfully with other organisations where the safety and wellbeing of children is at risk</li> <li>• Foster a culture of openness that supports all persons to safely disclose risks of harm to children</li> <li>• Ensure children know who to talk with if they are worried or are feeling unsafe and that they are comfortable and encouraged to raise such an issue</li>   <li>• Value the input of and communicate regularly with families and carers</li> <li>• Value and empower children to participate in decisions which affect their lives</li> <li>• Provide written guidance on appropriate conduct and behaviour towards children</li> <li>• Engage only the most suitable people to work with children and have high-quality staff and volunteer supervision and professional development</li>   <li>• Respect diversity in cultures and child-rearing practices while keeping child safety paramount</li>   <li>• Provide a culturally safe environment for Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds</li> </ul> <p>Life Choice has specific policies, procedures and training in place that support our staff to achieve these commitments.</p>
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<p><b>2. Code of Conduct</b></p>	<p>All staff must treat children with respect. There is no place for sarcasm, derogatory remarks, offensive comments or any other inappropriate conduct that may result in emotional distress or psychological harm to a child.</p> <p>Only staff who have been trained in managing challenging behaviours will be allocated to work with these children. Staff are required to follow the risk management and other strategies listed in the child's support plan.</p>
<p><b>3. Physical Contact</b></p>	<p>Life Choice views appropriate conduct as any actions that relate to supporting the health and development of the child, such as to assist with an activity; demonstrate a skill; provide first aid. Our organisation uses the child's support plan to determine relevant practices and processes when working with the child.</p> <p><b>During their work with children, staff must:</b></p> <ul style="list-style-type: none"> <li>• Ensure that they are visible to others during one-on-one contact with children.</li> <li>• Review the environment to ensure that is safe for the child. This means both the physical and emotional environment. If there are any issues that may cause a risk to the child, then this must be reported.</li> <li>• Only give a gift with the written permission of the CEO.</li> <li>• Only transport children if listed in their individual support plan and if, they hold a current driver's license; vehicles are registered and insured; child restraints/car seats are available and, if required, properly fitted</li> <li>• Only have contact with the child as per the remit of their role. They are at no stage able to undertake private visits, phone unless related to their work or use social media to contact the child and their family</li> </ul>
<p><b>4. Capability</b></p>	<p>Safe recruitment procedures, and regularly training and educating our staff on child abuse risks.</p> <p>Staff will be required to undertake checks including both Disability Worker Checks, relevant Police and Working with Children Checks, and Mandatory Worker Orientation Module. Records are maintained in their personnel file.</p> <p>Refer to Human Resource Management Policy and Procedure for procedures for recruiting, selecting, training and managing staff and volunteers.</p>
<p><b>5. Concerns</b></p>	<p>A Risk Management Plan will be undertaken for each participant when undertaking high-risk activities and attending special events. This information will be recorded in the child's support plan.</p> <p>If a staff member breaches any elements of the Risk Management Plan, then the Staff Performance Dispute Procedure in the Human Resource Management Policy and Procedure will be commenced.</p>

<b>6. Risk Management Strategy</b>	<p>Life Choice will implement the following:</p> <ul style="list-style-type: none"> <li>• Current processes comply with current legislation</li> <li>• Identify any risks of harm as listed in this policy</li> <li>• Train staff in the process of reporting any risks of harm to children and young people</li> <li>• Record any identified risk and determine if any incidents occurred</li> <li>• Follow our Reportable Incident and Accident Policies and Procedures, including informing state authorities and the NDIS Commission.</li> <li>• Record staff in a register that states their blue card details, including name, number and expiry date</li> <li>• Monthly review of renewal applications. Any persons whose blue card is due to expire within the next two months must complete the relevant application to ensure that they are lodged on time</li> <li>• Ensure that as soon as informed that there is a change in police information, this is referred to Blue Card Services. Review the current staff member's work to ensure the safety of children.</li> <li>• Staff or volunteers who are issued with a negative notice; has their blue card suspended or cancelled; has their application withdrawn will not be allowed to work with children and will have their employment reviewed.</li> <li>• Annual review of this strategy</li> </ul>
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## Procedures

### Identifying Harm

Harm is defined as 'any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing'. Harm can be caused by physical, psychological, or emotional abuse or neglect; or sexual abuse or exploitation (section 9 of the Child Protection Act 1999). Considerations when forming a reasonable suspicion about harm to a child include (section 13C of the Child Protection Act 1999):

- whether there are detrimental effects on the child's body or the psychological state or emotional state - that are evident to the person, or - that the person considers are likely to become evident in the future, and
- in relation to any detrimental effects mentioned above - their nature and severity, and - the likelihood that they will continue, and
- the child's age. It is important to always search for the cause of a change in a participant's behaviour or unexplained physical symptoms. If a participant shows one or more of the possible signs of abuse (as listed below), it does not automatically mean she or he is being abused, but it must be reported.

**\*\*Staff who believe a child is at immediate risk of abuse must phone 000.\*\***

### **Reporting Violence, Abuse, Neglect, Exploitation and Discrimination**

**A report must be made if:**

- A participant shows a change in behaviour or mood that may indicate they are being abused.
- You observe someone behaving towards a participant in a way that makes you feel uncomfortable.
- A participant tells you that they are being abused by another person.
- A person tells you that they are abusing a participant.
- A participant or visitor tells you that they have observed abusive acts.
- A participant informs that they feel discriminated against. (e.g. language and actions)
- A participant presents as unkempt or seeking food.
- There is evidence of unexplained bruising or similar.
- You observe an action or inaction that may be considered abusive.
- You suspect or have any reason to believe a participant is being abused

**Failure to report an abusive situation may result in a Criminal Offence**

TYPES OF ABUSE Actions/behaviour by perpetrator		RESULTING HARM Impact experienced by the child	
Physical Abuse	<ul style="list-style-type: none"> <li>• Hitting</li> <li>• Shaking</li> <li>• Burning/scalding</li> <li>• Biting</li> <li>• Causing bruise or fractures by excessive discipline</li> <li>• Poisoning</li> <li>• Giving children alcohol, illegal drugs or inappropriate medication</li> <li>• Domestic and family violence</li> </ul>	<b>Physical:</b>  <b>Refers to the body</b>	<ul style="list-style-type: none"> <li>• Bruising</li> <li>• Fractures</li> <li>• Internal injuries</li> <li>• Burns</li> </ul>
Psychological or Emotional abuse	<ul style="list-style-type: none"> <li>• Scapegoating</li> <li>• Persistent rejection or hostility</li> <li>• Constant yelling, insults or criticism</li> <li>• Cultural affronts</li> <li>• Teasing/bullying</li> <li>• Domestic and family violence</li> </ul>	<b>Psychological:</b>  <b>Refers to the mind and cognitive processes</b>	<ul style="list-style-type: none"> <li>• Learning and developmental delays</li> <li>• Impaired self-image</li> </ul>
Neglect	<ul style="list-style-type: none"> <li>• Not giving a child sufficient food, housing, clothing, enough sleep, hygienic living conditions, health care and adequate supervision</li> <li>• Leaving children unattended</li> <li>• Children missing school</li> </ul>	<b>Emotional:</b>  <b>Refers to the ability to express emotions</b>	<ul style="list-style-type: none"> <li>• Depression</li> <li>• Hypervigilance</li> <li>• Poor self esteem</li> <li>• Self harm</li> <li>• Fear/anxiety</li> </ul>
Sexual abuse or exploitation	<ul style="list-style-type: none"> <li>• Kissing or holding a child in a sexual manner</li> <li>• Exposing a sexual body part to a child</li> </ul>		

	<ul style="list-style-type: none"> <li>• Exposing children to sexual acts or pornography</li> <li>• Making obscene phone calls or remarks to a child</li> <li>• Having sexual relations with a child or young person under 16 years of age</li> </ul>
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**Note:** This is not a complete list of the types of abuse and resulting harm that may be experienced by children and young people, however it is to be used as a predictive tool for potential signs of harm. Each child’s experience is different and depends on a range of factors, including the child or young person’s age, the nature of harm, how long the abuse has been occurring, their relationship to the abuser, and their support networks.

General indicators of Child Abuse	General indicators of Neglect
<ul style="list-style-type: none"> <li>• showing wariness and distrust of adults</li> <li>• rocking, sucking or biting excessively</li> <li>• bedwetting or soiling</li> <li>• demanding or aggressive behaviour</li> <li>• sleeping difficulties, often being tired and falling asleep</li> <li>• low self-esteem</li> <li>• difficulty relating to adults and peers</li> <li>• abusing alcohol or drugs</li> <li>• being seemingly accident prone</li> <li>• having broken bones or unexplained bruising, burns or welts in different stages of healing</li> <li>• being unable to explain an injury, or providing explanations that are inconsistent, vague or unbelievable</li> <li>• feeling suicidal or attempting suicide</li> <li>• having difficulty concentrating</li> <li>• being withdrawn or overly obedient</li> <li>• being reluctant to go home</li> <li>• creating stories, poems or artwork about abuse</li> </ul>	<ul style="list-style-type: none"> <li>• malnutrition, begging, stealing or hoarding food</li> <li>• poor hygiene, matted hair, dirty skin or body odour</li> <li>• unattended physical or medical problems</li> <li>• comments from a child that no one is home to provide care</li> <li>• being constantly tired</li> <li>• frequent lateness or absence from school</li> <li>• inappropriate clothing, especially inadequate clothing in winter</li> <li>• frequent illness, infections or sores</li> <li>• being left unsupervised for long periods</li> </ul>

## Managing and recording a disclosure or suspicion of harm

Staff and volunteers must document how they receive a disclosure of harm from a child or young person or manage a disclosure or suspicion of harm.

## Guidance on how to manage a disclosure of harm:

- remain calm and listen attentively, actively and non-judgementally
- ensure there is a private place to talk
- encourage the person to talk in their own words and ensure just enough open-ended questions are asked to act protectively (e.g. 'Can you tell me what happened'...or 'Can you tell me more about that'). Don't ask leading questions which tend to suggest an answer. Ensure the person is advised that the disclosure cannot remain a secret and it is necessary to tell someone in order to get help
- reassure the person they have done the right thing by telling you
- advise the child that you need to tell someone else who can help the child
- document the disclosure clearly and accurately, including a detailed description of:
  - the relevant dates, times, locations and who was present
  - exactly what the person disclosing said, using "I said," "they said," statements
  - the questions you asked
  - any comments you made, and
  - your actions following the disclosure
- not attempt to investigate or mediate an outcome, and
- follow any relevant process for reporting a disclosure of harm and consider whether there are requirements to report matters to the Queensland Police Service or Child Safety

## Suspicion of harm (or other concern for a child's welfare)

- remain alert to any warning signs or indicators
- pay close attention to changes in the child's behaviour, ideas, feelings and the words they use
- make written notes of observations in a non-judgemental and accurate manner
- assure a child that they can come to talk when they need to, and listen to them and believe them when they do, and
- follow any relevant process for reporting a suspicion of harm and consider whether there are requirements to report matters to the Queensland Police Service or Child Safety, or consider what support services could be offered to the family if the concern does not meet the relevant threshold to make a report.

## Investigating Allegation or Incident

The Chief Executive Officer of their delegate undertakes a review of the allegation or incident by:

1. Gathering data from relevant staff/worker
2. Analyse by determining what occurred, how it occurred, and who was involved.
3. Determine the effect on the participant
4. Consult with relevant stakeholders – do not seek information from children (this is a specialist role within the authorities to whom the incident if reported).
5. Inform the participant or their family that they can access an advocate for support.
6. Review the outcome against practices

7. Undertake action to prevent the incident from occurring

**All matters discussed in an investigation will be confidential.**

## Reporting a Disclosure or Suspicion of Harm

**During normal business hours** - contact the local Regional intake service on (07) 3235 9999

**After hours and on weekends** - contact the Child Safety on 1800 177 135

If you are not sure who to call, or need assistance to locate your nearest Child Safety Service Centre, contact **Child Safety Services' Enquiries Unit on 1800 811 810.**

Child Safety Service Centres have professionally trained child protection staff members who are skilled in dealing with information about harm or risk of harm to children.

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.

## Details to Provide

The CEO or delegate will give the following information to the child abuse report line, including current information:

1. Child's name, age, date of birth, address, contact number
2. Description of injury, abuse and/or neglect (current and previous)
3. The child's current situation
4. Ethnicity (i.e. cultural background, Aboriginal kinship group, non-English speaking) Who are the parents? Do they all live in the same house, are there siblings in the house?
5. The location of the child, parent or caregiver and alleged perpetrator
6. Alleged perpetrator's name, age, address, relationships to the child or children
7. Details of when the next expected contact with the alleged perpetrator will occur
8. When and how did you find out about the abuse
9. Family court orders, apprehended violence orders and / or domestic violence orders, if in place

## Documentation

- Record all allegations and incidents in the Incident Register
- Complete Incident Investigation Form if required
- Reports to be included in the participant's file
- Maintain records for seven (7) years.

## Reviewing current policies and procedures

Life Choice will undertake a review of the operation of our policies and procedures following a disclosure or suspicion of harm being actioned to:

- consider the application of the policies and whether there are any changes necessary, for example, whether they are suitable for:
  - responding to a child or young person when a disclosure is made
  - protecting children and young people from harm
  - assisting involved parties within our organisation
  - identify any additional training requirements

The review must not interfere with court processes, and we may seek legal advice before starting a review.

During the review, staff and/or volunteers are to record what worked well and what may need to be improved upon.

If there is a need to develop new policies and procedures, Life Choice will provide information regarding the changes to our stakeholders.

## Media attention

A disclosure or suspicion of harm may attract media notice. It is critical to avoid giving out protected or potentially damaging information. Only the CEO is authorised to speak to the media.

## Managing breaches of the risk management strategy

### **What is a breach?**

A breach is any action or inaction by any member of Life Choice including children and young people, that fails to comply with any part of this strategy.

Life Choice takes any breach of this Child and Youth Risk Management Strategy very seriously, and will take action to ensure that breaches are responded to appropriately, and reviewed to ensure the risk of breaches reoccurring is minimised.

### **Process for reporting breaches**

Breaches must be reported as per our Incident Management Procedures Policy

Depending on the nature of the breach, outcomes may include:

- emphasising the relevant component of the child and youth risk management strategy, for example, the code of conduct;
- providing closer supervision;
- further education and training;
- mediating between those involved in the incident (where appropriate);
- disciplinary procedures if necessary; or
- reviewing current policies and procedures and developing new policies and procedures if necessary.

## Communication

Life Choice has strategies for communication of our risk management strategy and support. These strategies for communication and support include:

- written information for participants, staff, and volunteers that includes details of this Strategy and where the strategy can be accessed; and
- training materials for staff and volunteers which help identify risks of harm and how to handle disclosures or suspicions of harm; and outline this Strategy
- Compulsory induction covering risk management policies and procedures for all staff and volunteers.
- Encouraging the participation of children and young people to make sure they understand how to keep themselves safe and what to do if they feel unsafe.
- Providing information about the various policies and procedures in our communications with participants and stakeholders, and seeking their input and feedback.
- Using bulletin boards and posters to visually promote our organisation's commitment to safe and supportive environments for children and young people.
- Providing a copy of this Strategy as part of the resources we provide to people (e.g. staff handbook/induction materials, parent/carer handbook, handbook for children and young people).
- Incorporating elements of this Strategy within professional development and performance plans where possible and/or appropriate.
- Subscribing to relevant industry journals and training materials for staff.
- Providing relevant individuals with information to understand their obligations as a blue card holder.

## Support

Staff may require support to deal with issues such as behaviour management, stress, conflict, bullying, and child protection concerns, breaches of the risk management strategy and dealing with disclosures or suspicions of harm.

Life Choice offers support to all people involved in our organisation, as per our methods listed below.

### **Support methods**

- Your direct manager/supervisor is your nominated support person
- Staff can access our Employee Assistance Program (EAP)
- Participants, parents, families or other stakeholders can access via our social workers
- Coaching.
- Providing additional training.

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