



CHILD SAFETY

BACKGROUND

As a Catholic community within the Archdiocese of Brisbane, we are committed to providing safe environments for children who may be vulnerable to the risk of harm, injury or abuse. The Church's teachings reinforce this practice:

“Let the little children come to me; do not stop them: for it is to such as these that the kingdom of God belongs. Truly I tell you, whoever does not receive the kingdom of God as a little child will never enter it.” And Jesus took them up in his arms, laid his hands on them, and blessed them. Mark 10: 14-16

We value the participation of children and young people and seek to ensure they are protected, respected and cared for appropriately whilst participating in our various activities. Church employers also must give effect to legislation that supports a duty of care for children and young people.

OBJECTIVES

- Demonstrate a commitment to promote the wellbeing of children and to protect them from harm by taking reasonable steps to prevent foreseeable risk of harm or abuse to a child.
- Where there is risk of harm to a child who is either a client, volunteer or participant, ensure legislative responsibilities are followed through to protect the child. For example:
 - i. Carry out risk assessment processes and Positive Notice to Work With Children Checks (blue card)
 - ii. Co-operate with authorities (e.g. Queensland Police and Department of Child Safety) in the investigation of suspected cases of harm and abuse.



- iii. Train and educate employees and volunteers who work with children and young people in child protection policies and procedures.
 - When confronted with disclosures of harm to children and young people, a Parish/Agency will respond in the best interests of the child or young person subjected to the harm.
 - An allegation or suspicion of harm that involves an offence against a child or young person will be taken seriously and responded to in an appropriate and timely manner.

POLICY

A Parish/Agency acknowledges that it has both moral and legal responsibilities for the well being of children in their care. To safeguard the welfare of the vulnerable, it supports a Risk Management Strategy for Children and Young People that highlights the responsibility each person within Church must play to create a child friendly environment.

The strategy consists of appropriate policies, procedures and practices that, once implemented, are intended to safeguard and minimise the risk to children while in Parish/Agency's care. The strategy acknowledges that risk assessment processes are needed to identify risks; control measures need to be implemented that minimise such risks; and, in the event of a suspected and/or reported case of harm, the response will be efficient, respectful and timely.

In doing so, it is acknowledged children and young people are involved not only as users of varied services but also may be volunteers and/or church members.

To create a child safe environment, collaboration must exist between all parties including Parishes, the Archdiocese, its employees, volunteers and families in ensuring the interests of children and young people are upheld.



SCOPE, ROLES AND RESPONSIBILITIES

Jesus said,

"Whoever becomes humble like this child is the greatest in the kingdom of heaven. Whoever welcomes one such child in my name welcomes me."

Matthew 18: 4-5

In so doing, Parish /Agencies will interact with children in a variety of contexts.

These provisions apply to staff and volunteers who are responsible for securing a safe environment for children in the care of a Parish/Agency. **Appendix 5.1** is an outline of the duties/responsibilities expected of a Parish Priest/Supervisor/Board member; children or young people's families; the young person him/herself; staff and volunteers.

RISK MANAGEMENT

The Commission for Children and Young People and Child Guardian has developed a framework for Risk Management that comprises three key elements:

1. Commitment for a Parish/Agency to a child safe culture;
2. Capacity of people, including staff, volunteers, families and children to prevent harm; and
3. Consistent procedures for selecting and managing staff and guiding activities.

The Commission for Children and Young People and Child Guardian Act 2000 requires a Parish/Agency to undertake risk assessments of activities and services provided. As part of the overall risk management strategy, assessing any potential risks is critical in minimising any harm to a child or young person.

A risk is anything that can cause harm or loss to a child or young person.



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In assessing any activity or service provision within the Archdiocese it is important to consider how harm might occur; why might harm occur and when harm could occur.

In the planning of Agency services and Parish based activities that involve children and young people those in management and planning roles must consider:

- What risks are involved?
- What risks could arise?
- How likely is it that these risks could occur?
- Are there policies? How well are these understood and implemented in practice?
- Are new policies required?
- Are there legislative requirements that change the way a parish/agency operates or their activities are undertaken?

After risks have been identified for an activity or service provision, the level of risk, including the likelihood and subsequent consequences, must be determined using a risk calculator. Refer **Appendix 5.2**. **Appendix 5.2a** is an example of a completed risk assessment. Once the level of risk is determined, the risks can be prioritised and options that effectively control the situation can be considered.

In examining how to treat the risk, all possible options must be identified and their effectiveness and feasibility determined. This process serves as a precursor for developing and implementing strategies to minimise the risk.

Risk assessments must be conducted on all activities and services provided within the Archdiocese that involve children and young people. The completed risk assessments are to be listed in the Risk Management Plan/Register. Refer **Appendix 5.3**. This overall summary needs to be reviewed annually.



PLANNING FOR CHILDREN AND YOUNG PEOPLE'S ACTIVITIES

There are a number of basic principles that must be considered when planning activities for children, these include:

- Ensuring the activity supports the interest of children and young people;
- Ensuring children and young people are not left unattended and knowing where children and young people are at all times;
- Providing constant adult supervision;
- Ensuring children and young people are supervised appropriately and adequately by adults (depending on numbers, age of children and activity);
- Ensuring children and young people do not wilfully place the health and safety of others and/or themselves at risk; and

Refer to **Appendix 5.4** for a Checklist on Planning for Activities.

Under the auspice of a Parish/Agency there may be occasions where children and young people participate in activities with or conducted by other organisations. In these cases, additional risks may present that the Parish/Agency will have little or no control over. Where risks are identified it is imperative that a risk assessment is undertaken and that a decision to proceed with the activity is based on the best interests and wellbeing of the children and young people involved. **Appendix 5.5** is a checklist of issues to be considered for these special events.

INJURY/INCIDENT/ILLNESS REPORTING

Where a child experiences an incident that may result in an illness, injury and/or serious injury whilst participating in Parish/Agency activities an injury/incident/illness form must be completed. The form is then to be given to the responsible supervisor in the Parish/Agency. **Appendix 5.6** is a copy of an Incident, Injury and Illness form. It is expected that an incident and injury register is kept with information pertaining to the incident/injury and action taken to minimise the risk to others. Refer to **Appendix 5.7**



for a copy of an Incident Register.

Legislative obligations apply to a Parish/Agency when serious injury is experienced by a child and/or young person (e.g. where injury requires medical treatment or an overnight stay in hospital). It is expected that Parish/Agencies implement procedures encompassing these requirements and meet obligations under Workplace Health and Safety. Refer to the Archdiocesan Workplace Health and Safety Manual for more information regarding legislative obligations.

POSITIVE NOTICE TO WORK WITH CHILDREN CHECK (BLUE CARD)

The Commission for Children and Young People and Child Guardian Act 2000 requires the development and implementation of a annual risk management strategy that takes into account screening requirements for volunteers and paid staff including those who:

- Have begun employment pending outcome of Blue Card
- Hold a Blue Card
- Are not required to hold a Blue Card
- Are having Blue Card reassessed.

The Positive Notice to Work with Children Check or better known as the Blue Card is a national check of a person's criminal history. Disciplinary information held by certain professional organisations or information from police investigations into allegations of serious child related sexual offences will also be considered.

The Commission for Children and Young People and Child Guardian Act 2000 prescribes child related regulated employment categories in which the Positive Notice to Work with Children Check (blue card) is mandatory. All employers must warn all potential staff (paid employees, volunteers & students) that it is an offence for a disqualified person to sign a blue card application. For example *"I am legally obliged to warn you that it is an offence for a disqualified person to sign a blue card application form"*. The employee also must sign the declaration on the application form stating



they have been warned that it is an offence for disqualified person to sign a blue card application. It is an offence for an employer not to provide the warning. **Appendix 5.8** is list of who is a disqualified person. Where a person submits an application and it is approved, a positive notice (letter) and Blue Card will be issued. If an application is refused a negative notice is issued, prohibiting the person from working in regulated employment categories as defined by the Act. For more information refer to <http://www.ccypcg.qld.gov.au/employment/index.html>

The work and activities undertaken with children and young people within the Archdiocese either in a paid or voluntary capacity is governed by this legislative requirement. Therefore, staff and volunteers working with children and young people must apply for and obtain a blue card. It is the responsibility of the staff member and/or volunteers to ensure that their blue card is maintained and current. As part of the Parish/Agency Risk Management Strategy, a Blue Card Register is to be kept and maintained by individual Parishes and Services and reviewed annually. **Appendix 5.9** is a copy of a Blue Card Register.

Exemptions

There are some exemptions under the Act. These include:

- Children under 18 years of age who are volunteers (except students required to work in regulated employment as part of their studies)
- Parents volunteering their services at the school that their child/children attends so long as the child is under 18 years of age.
- Parents volunteering their services or conducting activities through a church, club or association where their child/children is involved in the same or similar activity.
- Police officers and registered teachers (they will need to apply for an exemption) when providing child-related services which are outside of their professional duties (such as volunteering with a community organisation).

Paid Staff

All paid employees working with children are required to hold a blue card where they



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work:

- Eight consecutive days or more;
- Once a week or more, each week over four weeks;
- Once a fortnight or more, each fortnight over eight weeks; or
- Once a month or more, each month over six months.

An employee can work whilst awaiting the outcome of a Blue Card but the Parish/Agency must ensure safeguards are implemented to minimise any risk. Safeguards may include such things as:

- Regular supervision of the worker;
- The employee is rostered on shift only when there are other staff members on duty; and
- The staff member must only work in a group scenario with children and young people.

Parish/agencies must submit an *Authorisation to confirm a valid blue card application form* if they employ someone who already holds a blue card. This is mandatory for all employers and ensures the Commission has current employment details for all blue card holders and that employers/organisations will be notified by the Commission of any relevant change in blue card holder's status.

Volunteers

Parish/Agencies welcome and invite people to volunteer their time to support individual ministries such as the activities involving children. It is the employer's responsibility to ensure that a volunteer is appropriate for the role.

Consistent with legislative obligation a volunteer must hold a blue card before they can begin working with children and young people, regardless of how often they come into contact with them.



RECORD KEEPING

Special Event

A Parish/Agency must be able to account at all times for the whereabouts/presence of a child/young person in their care. This is critical in high risk times such as where there is an emergency situation requiring the evacuation of a building or on an excursion where there is a high volume of children and young people. A sign in and sign out system is required. A sample Sign In and Sign Out Sheet is in **Appendix 5.10**.

Personal Information

Where children and young people access one off activities, written permissions must be obtained from guardians/parents (e.g. participating in child therapy, camps or vacation care). Such permissions need to be in writing and consistent with legislative requirements relating to the services offered.

At times, a child or young person may have a special need (e.g. dietary requirement, medication and allergies). It is expected that this information is conveyed by the family/guardian to activity coordinators in a documented form as part of the intake information required to participate in the activity or service.

AUDIO-VISUAL MATERIAL AND/OR PHOTOGRAPHY

At times, a Parish/Agency for promotional purposes such as brochures, newsletters, flyers or even websites may include audio - visual material and/or photographs of children and young people participating in their activities. To use audio visual material and/or photographs of children and young people participating in such activities requires written permission from parents and guardians.

Refer to **Appendix 5.11** for a list of issues to consider when taking photographs of children and young people.



CONTRACTORS AND VISITORS

There may be times in which visitors (such as a trade's person) come to a Parish or an Agency. It is expected that the Parish/Agency will be aware of the presence of visitors and the reasons they are there.

In most cases it will be appropriate for a visitor/contractor to document their presence via a visitor's log. It is important that the visitor/contractor is made aware of our commitment to a child friendly environment and there are expectations that any visitor or contractor will act in an appropriate manner.

It is expected that visitors and/or contractors are appropriately supervised at all times.

COMPUTER USAGE

Children and young people may have access to computers and the internet through services provided by a Parish/Agency (e.g. trips to library at vacation care). It is important to be aware that such children and young people may be at risk of potential abuse and harm through:

- Violent literature;
- Potential abusers;
- Websites containing information on inappropriate or illegal activity; and
- Inappropriate use of computers and the internet by staff and volunteers in the company of children and young people.

Activities offered by a Parish/Agency that involve computers and the internet demand clear protocols be implemented, including references to the employer's expectations of:

- Use of computers by children and young people;
- Use of computers by staff and volunteers;
- Use of computers by staff in the company of children;



- Appropriate screen savers;
- Appropriate email usage;
- Types of sites not considered appropriate for children and young people to access;
- Type of sites staff and volunteers can access in the presence of children;
- The files stored on computers; and
- Privacy and security of personal information stored on computers.

CHILD PROTECTION

Some of the activities of a Parish/Agency may also fall under the requirements of the Child Protection Act 1999 (e.g. Outside School Hours Care). In these circumstances additional administrative protocols will come into play. Refer to **Appendix 5.12 & 5.13** for information relating to disclosures of harm/abuse, reporting processes and definitions.

MATTERS OF CONCERN PROCESS – LICENSED CARE SERVICES

The Department is responsible for assessing all concerns raised in relation to the quality of care for children in out-of-home care. The point at which a concern moves from one which can be dealt with informally as part of casework during ongoing intervention with the child, to one which requires a more formal response (child placement concern report or notification), must be assessed on a case-by-case basis, and is a matter of professional assessment by the Department.

Purpose

The process for responding to matters of concern raised about the care of a child placed in out-of-home care under the *Child Protection Act 1999*, section 82(1), where a breach of the standards of care is indicated.

Authority

Child Protection Act 1999, section 14(2), 82(1) and 122



Child Protection Regulation 2000, section 4 and 12

A matter of concern applies to children in the custody and guardianship of the Department and placed in an out-of-home care placement with an approved carer, a licensed care service or another entity. It also applies to children placed under care agreements.

Key concepts

Matter of concern: any concern raised in relation to the quality of care provided to a child placed in out-of-home care placement under the *Child Protection Act 1999*; section 82(1), where a breach of the standards of care is indicated. It includes children placed under a care agreement.

Standards of care: refers to the statement of standards (*Child Protection Act 1999*, section 122).

Out-of-home care: out-of-home care refers to placements with approved carers, licensed care services and other entities defined under the *Child Protection Act 1999*, section 82(1) and the *Child Protection Regulation 2000*, section 12.

Approved carer: an individual who holds a certificate of approval as an approved foster carer, kinship carer or provisionally approved carer.

Licensed care service: a service, operated under a license, to provide care for a child in the custody or guardianship of the Department. This includes licensed residential care facilities.

Staff member (of a licensee or another entity): a person employed in the licensed care service or another entity. This includes the range of possible contractual arrangements, such as fee-for-service and volunteers who may be associated with the service.



Another entity: an entity that is considered the most appropriate for meeting a child's particular protection and carer needs, for example, a medical or residential facility (a specialist disability service provider) may be the most appropriate placement for a child with a severe disability (*Child Protection Act 1999*, section 82(1)(f)).

Support person: a person chosen as someone who will enable the effective participation of the child or adult who is involved in a matter of concern process. A support person does not act as a legal advocate or representative and does not intervene in or influence assessment procedures or outcomes.

Advocate: a person chosen as someone who will speak, act or write on behalf of the child or adult throughout the matter of concern process, to promote and protect the best interests and well-being of the child or adult involved.

What constitutes a matter of concern?

A matter of concern can be either:

A child placement concern report: responding to inadequate or poor quality care of a child in out-of-home care that fails to meet the standards of care detailed in the *Child Protection Act 1999*, section 122, but does not meet the threshold for a notification; and

A notification: responding to allegations of harm or risk of harm to a child in out-of-home care, by a person providing direct care, including a staff member of a licensed care service or another entity, an approved carer or a person in the carer's household.



REFERENCES

- Commission for Children and Young People and Child Guardian Act 2000
- Safe Environments For Young People, Child Protection Managing the Risks, Commission for Children and Young People and Child Guardian
- Information Sheets – Commission for Children and Young People and Child Guardian
- Workplace Health and Safety Risk Management Advisory Standard 2000.
- Privacy Act 2001
- Matters of Concern process
<http://www.childsafety.qld.gov.au/practice-manual/chapters/matters-concern/index.html>
<http://www.childsafety.qld.gov.au/practice-manual/chapters/matters-concern/decision-guide.html>

APPENDICES

- Appendix 5.1 Roles and Responsibilities
- Appendix 5.2 Risk Calculator
- Appendix 5.2a Risk Assessment Sheet
- Appendix 5.3 Risk Management Plan / Register
- Appendix 5.4 General Activity Checklist
- Appendix 5.5 Special Events Checklist
- Appendix 5.6 Injury / Illness / Incident Report
- Appendix 5.7 Incident Register
- Appendix 5.8 List of Disqualified Person
- Appendix 5.9 Blue Card Register
- Appendix 5.10 Sign In / Sign Out Sheet
- Appendix 5.11 Issues to Consider: Photography of Children and Young People
- Appendix 5.12 Child Protection
- Appendix 5.13 Child Safety Definitions