

Child protection policy

The purpose of this Policy is to outline Aspect's commitment to safeguarding children and young people and to provide a framework for promoting their safety, wellbeing and protection from harm in all Aspect services, programs and activities.

This Policy applies to:

- Aspect students;
- Aspect staff, contractors, volunteers, practicum students and visitors to the extent that their interactions involve students;
- All Aspect sites.

Aspect has zero tolerance for any kind of harm, abuse or neglect perpetrated against children. All staff must ensure that reasonable steps are taken to prevent harm and promote wellbeing of students, and to provide assistance if someone is harmed.

All staff must prioritise the immediate safety and welfare of students if they suspect that harm, risk of harm, abuse or neglect has occurred.

All staff, where appropriate, must work with students to develop skills, understanding and communication systems which will empower them to maintain personal safety and support them to communicate things which may have happened/be happening to them.

National principles for child safe organisations

All staff are required to comply with Aspect's Safeguarding Framework, which is modelled off and compliant with the Australian Human Rights Commission's National Principles for Child Safe Organisations and NSW Child Safe Standards.

Mandatory reporting and reportable conduct

All staff must comply with mandatory reporting and reportable conduct requirements for reporting suspected child abuse or staff misconduct internally, as well as to relevant statutory authorities including Department of Communities and Justice (NSW), the Office of the Children's Guardian (NSW), the Department of Child Protection (SA) and state Police services.

Failure to report and failure to protect

Under the governance of the Crimes Act 1990 (NSW) and the Criminal Law Consolidation Act 1935 (SA), all staff are required to report information to Police if they:

- know, believe or reasonably ought to know that a child (under 18 years) has been abused, or
- know, believe, or ought to know that they have information that might materially assist in securing the apprehension, prosecution or conviction of the offender.

An adult working in an organisation that engages workers in child-related work commits an offence if:

- they know that an adult worker engaged by the organisation in child related work poses a serious risk of abusing a child (under 18 years), and
- they have the power or responsibility to reduce or remove the risk, and
- they negligently fail to reduce or remove that risk.

In NSW, these offences cover sexual abuse, serious physical abuse and extreme neglect of a child (under 18 years). In SA, this offence covers sexual abuse of a child (under 18 years). Both are considered criminal offences.

Working with children check

All paid staff, practicum students and volunteers are required to have a valid Working with Children Check. Staff are responsible for ensuring their Working with Children Check remains current.

Training

All staff in child-facing roles are required to complete Child Protection and Safeguarding training on induction and annually from there on.

Types of abuse

There are different forms of child abuse. These include neglect, sexual, physical, emotional abuse and exposure to family violence.

Types of abuse	Definition
Neglect	The continued failure by a parent or caregiver to provide a child with the basic things needed for his or her proper growth and development, such as food, clothing, shelter, medical and dental care, adequate supervision and access to Education.
Sexual abuse	When someone involves a child or young person in a sexual activity by using their power over them or taking advantage of their trust. Often children are bribed or threatened physically and psychologically to make them participate in the activity. Child sexual abuse is a crime.
Physical abuse	A non-accidental injury or pattern of injuries to a child caused by a parent, caregiver or any other person. It includes but is not limited to: • Injuries which are caused by excessive discipline • severe beatings or shakings • cigarette burns • attempted strangulation • female genital mutilation. • Injuries which include bruising, lacerations or welts, burns, fractures or dislocation of joints.



Types of abuse	Definition
	Hitting a child around the head or neck and/or using a stick, belt or other object to discipline or punishing a child (in a non-trivial way) is a crime.
Emotional abuse	Can result in serious psychological harm, where the behaviour of their parent or caregiver damages the confidence and self-esteem of the child or young person, resulting in serious emotional deprivation or trauma. Although it is possible for 'one-off' incidents to cause serious harm, in general it is the frequency, persistence and duration of the parental or carer behaviour that is instrumental in defining the consequences for the child. This can include a range of behaviours such as: - Excessive criticism - Withholding affection - Exposure to domestic violence - Intimidation or threatening behaviour.

Key legislation requires reporting of particular child protection concerns. However, as part of the Aspect's overall commitment to child protection, all staff are required to report any child protection or child wellbeing concerns about the safety, welfare or wellbeing of a child or young person to the Principal or delegate.

Breach and consequences

Non-compliance with this Policy could result in Aspect breaching legislation or regulations, and could result in financial penalties, reputational risk and/or other impacts on Aspect's operations which may impact delivery of Aspect services.

Definitions

Term	Definition
Mandatory reporting	The legal requirement to report suspected cases of harm, risk of harm, abuse and neglect of children and young people. The people mandated to report, and the reportable abuse types vary depending on the state or territory.
Reportable Conduct	The NSW Reportable Conduct Scheme monitors how organisations investigate and report on allegations of certain conduct towards children.
Reportable Conduct categories include	Any sexual offence, or sexual misconduct, committed against, with, or in the presence of a child (including a child pornography offense); any assault, ill-treatment or neglect of a child; any behaviour that causes emotional and/or psychological



Term	Definition
	harm to a child failure to report or failure to protect Reportable Conduct does not include: Conduct that is reasonable for the discipline, management or care of children within the context of age, maturity, health or other characteristics of the children and any relevant codes of conduct or standards; the use of physical force that, under any circumstance, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation to be recorded under workplace employment procedures; conduct that is exempt from notification by a class or kind agreement. SA does not currently have a Reportable Conduct scheme. Any concerns regarding the conduct of employees must be reported to the Principal or delegate.

Related documents

The Child Protection policy upholds the standards of the:

- Australian Human Rights Commission's National Principles for Child Safe Organisations
- NSW Child Safe Standards
- SA Government Child Safe Environment Program
- OCG Child Safe Scheme

