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CHILD PROTECTION POLICY

Policy Statement

Enhanced Lifestyles (EL) and Lifestyle Assistance and Accommodation Service (LAAS) is a child safe organisation, committed to providing a safe and secure environment for all children in our care. Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service aims to reduce the risk of abuse or neglect occurring and to ensure that a caring and appropriate response is taken should abuse occur.

The intent of this policy is to promote our ethical, respectful and safe service delivery for all children supported by Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service.

All children have the right to be safe and protected from harm. Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service employees have a responsibility to protect a child under their care and to promote that child's best interest. While it may not be possible to eliminate risk entirely, much can be done to reduce opportunities for child abuse and assist personnel with the process of Mandatory Reporting. Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service acknowledges that reporting concerns about child abuse and neglect often causes stress and anxiety for people and can be especially difficult for Aboriginal people or people from culturally and linguistically diverse cultures.

Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service advocates for:

- **Zero tolerance of child abuse:** Child abuse, including possession of or access to child pornography, is not tolerated by Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service. Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service actively manages risks of child abuse associated with delivering support and activities and trains its employees on their obligations and will not knowingly engage, directly or indirectly, anyone who poses an unacceptable risk to children.
- **Recognition of children's interests:** Australia is a signatory to the United Nations Convention on the Rights of the Child, and Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service is committed to upholding the rights and obligations of the convention. Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service recognises that some children, such as children with disabilities, are particularly vulnerable.

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Ethical Considerations

Some actions are considered unacceptable behaviour by Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service and will result in disciplinary action or termination.

These include:

- Inappropriate conversation of a sexual nature.
- Coarse language, especially that of a sexual nature.
- Suggestive gestures or remarks.
- Jokes of a sexual nature.
- Inappropriate touching.
- Age inappropriate literature (e.g. PG, M, MA, R or X rated material used with young Children).
- Recording or filming without prior consent.
- Acts of violence committed by employees in the course of an activity.

The age of individuals is recognised as one of the determinants in deciding what acceptable and unacceptable behaviour is.

This document complies with NDIS 2018, standard 1.5 Freedom from Violence, Abuse and Neglect, Exploitation or Discrimination, and ASIC 2013, section 1.3 Abuse and Neglect. This document is readily available to all clients and employees of Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service including The Boards.

Policy context: This policy relates to	
Legislation or other requirements	<p>Adoption Act 1988</p> <p>Charter of Rights for Children and Young People in Care, Children's Protection Act 1993</p> <p>Children's Services Act 1985</p> <p>Children's Protection Regulations 2006</p> <p>Crimes Act 1914 Part IIIA, (Child Sex Tourism)</p> <p>Criminal Code Act 1995, (Telecommunications Offences, Subdivision C).</p> <p>Criminal Law Consolidation Act 1935 (Section</p>

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	<p>49)</p> <p>Family Law Act 1975 (Cth)</p> <p>Family and Community Services Act 1972</p> <p>Geneva Declaration of the Rights of the Child</p> <p>The United Nations Convention on the Rights of the Child</p> <p>Optional Protocol to the United Nations Convention on the Rights of the Child on the sale of children, child prostitution and child pornography</p> <p>Standard 1 Disability Service Standards: Rights</p> <p>Young Offenders Act 1994</p>
Contractual obligations	Service Agreements

Definitions

Abuse - Can consist of one or more of, but is not restricted to, the following:

- **Physical Abuse** - Any non-accidental physical contact, with or without injury, resulting from practices such as hitting, punching and kicking. It may also include, but is not necessarily limited to shaking (particularly babies) burning (irons, cigarettes) biting, pulling out hair and alcohol or other drug administration.
- **Sexual Abuse** - Any sexual act or threat to perform such upon another person. This occurs when a person uses their power and authority to take advantage of another's trust to involve them in sexual activity. It does not necessarily involve genital contact but is any act which erodes the sexual boundary between two persons. It may appear consensual, but the validity of consent is negated by the power differential. In South Australia, the legal age of consent is seventeen (17) years,
- **Emotional Abuse** - The chronic attitude or behaviour of one person, which is directed at another person, or the creation of an emotional environment which erodes a child's development, self-esteem and social confidence over time. Behaviours may include: devaluing, ignoring, rejecting, corrupting, isolating,

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terrorising or chronic and extreme domestic violence in the child's presence.

- Neglect - Characterised by the failure to provide for the child's basic needs. Any serious omission or commission which jeopardises or impairs a child's development.

Board Member – Persons elected by members of Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service who have the power to appoint the Chief Executive Officer; set goals, formulate strategy, and approve business plans: approve annual budgets and business results; set, review policies for Customer/Client communication and approve reports to Customer/Clients; and set and review budgetary control and conformance strategies.

Child - Any person under the age of eighteen (18) years.

Manager – A person who is charged with the management of Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service functions and employees.

Reasonable – The appropriate standard or quality of objective decision-making that must be brought to bear when making an administrative decision.

Responsibilities

Chief Executive Officer:

- A high standard of conduct is maintained at all times.
- In the case of a report of child abuse, Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service' Insurer is contacted immediately.

Managers:

- All employees are informed, understand and apply the principles of this policy.
- Accurate and confidential records of all reported cases of child abuse are maintained.
- Client and personnel confidentiality is maintained at all times.
- Feedback is sought in relation to reports of child abuse and neglect through Child, Youth and Family Services; and
- Appropriate feedback is issued to reporting employees.
- Legislative requirements both Federal and State are adhered to.
- Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service procedures are followed to protect the confidentiality of all parties concerned.
- Confidential paperwork relating to allegations of child abuse is retained in a safe

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environment to maintain confidentiality and in line with legislative and government policy.

Employees:

- A safe environment for children is maintained at all times.
- Any suspicious behaviour or actions are reported in accordance with this policy.
- They follow instructions established to protect children in their care and themselves.
- Accurate and confidential records of all reported cases of child abuse are maintained at all times.

Breaches of This Policy

A breach of this policy is grounds for disciplinary action, up to and including termination of employment. Ignorance of these procedures will not generally be accepted as an excuse for non-compliance. Only in extreme circumstances and where such ignorance can be demonstrated to have occurred through no fault of the individual concerned will Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service accept such an argument.

Documentation

Documents related to this policy	
Related procedure	P113 – Child Protection Procedure
Related policies	NDIS Employment Screening Policy and Procedure Q108 - Privacy Policy Q201 - Code of Ethics and Conduct Policy Q241 - Customer Feedback Policy Q245 - Risk Management Policy and Plan Q252 - Recruitment and Selection Policy Q308 - Behaviour Management Policy
Forms, record keeping or other organisational documents	QF106 – Incident Report