



PROMOTING HOLISTIC TRAINING

Smart and Skilled Child Protection Policy

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Smart and Skilled 2019-2020**

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Child Protection Policy

Nurse Training Australia is aware of its statutory obligations in accordance with the Child Protection (Working with Children) Act 2012 and the Child Protection (Working with Children) Regulation 2013 to report concerns about the safety, welfare and wellbeing of students who are under 18 and to provide an environment where it is safe for young people to engage in learning.

This policy applies to all staff and contractors who come into contact with students under 18.

Procedure

1. Employment Screening
2. Enrolment screening

Nurse Training Australia will conduct appropriate child related employment screening of employees, agents or individuals we engage in accordance with the requirements established by the Office of the Children's Guardian or their successors. Accordingly, we will:

- Register as an Employer in child-related work in the Employer registration section of the Working With Children Check [online form](#)
- Verify a worker's clearance or update our organisation's details in the Verify section of the Working With Children Check [online form](#)

3. Reporting

Nurse Training Australia understands that under the definition of a mandatory reporter in NSW all management and trainers and assessors involved with delivering training and assessment to students under 18 are required to report concerns about their safety, welfare or wellbeing.

Reporting should occur when a staff member or contractor has reasonable grounds to suspect that a child is at risk of significant harm; and those grounds arise during the course of or from the person's work.

The process of reporting should be as follows:

Step 1: Collect Sufficient Information

Step 2: Decide What to Do

Step 3: Use the Mandatory Reporter Guide (MRG)

Step 4: Find Local Help

Further information with regard to these steps and the use of the MGR can be found on the NSW Government Child Story Reporter webpage.

4. Monitoring, evaluation and reporting requirements
 - A record is to be kept of reports to Family and Community Services as confirmation that mandatory reporting requirements have been met. The report reference number should be recorded.
 - The record and related papers are to be retained by CEO's in secure storage and kept confidential. These records are to be provided to any successor.
5. Training

Nurse Training Australia will:

6. ensure all relevant staff participate in child protection induction and annual updates
7. ensure all staff are aware of the indicators of abuse and neglect of children and young people
8. ensure all staff are aware of their obligation to advise the CEO of concerns about the safety, welfare and wellbeing of children and young people that arise during the course of their work
9. ensure that all staff are aware of their mandatory obligation to report suspected risk of significant harm and of the procedures for doing so.

Legislation

10. Child Protection (Working with Children) Act 2012
11. Child Protection (Working with Children) Regulation 2013
12. Crimes Act 1900
13. Privacy and Personal Information Protection Act 1998
14. Health Records And Information Privacy Act 2002;
15. Ombudsman Act 1974

Our Commitment to Child Safety

NTA is committed to child safety.

All students under eighteen (18) years of age who are supported by NTA have a right to feel and be safe. We want children to be safe, happy and empowered. We support and respect all children. We are committed to the safety, participation and empowerment of all children.

We promote diversity and tolerance, and people from all walks of life and cultural backgrounds are welcome. In particular we:

- Promote the cultural safety, participation and empowerment of Aboriginal children;
- Promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds; and
- Ensure that children with a disability are safe and can participate equally.

We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures. We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

NTA is committed to preventing child abuse and identifying risks early, and removing and reducing these risks. We have robust human resources and recruitment practices for all personnel and committed to regularly training and education our personnel on child abuse risks.

Legislative Framework

Providing services nationally, NTA has implemented a Child Safe framework aligned to national legislative requirements including, but is not limited to:

- Children and Young People Act 2008 (ACT);
- Child Protection (Working with Children) Act 2012 (NSW);
- Care and Protection of Children Act 2014 (NT);
- Commission for Children and Young People and Child Guardian Act 2000 (QLD);
- Children's Protection Act 1993 (SA);
- Working with Children Act 2005 (VIC);
- Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (VIC);
- Registration to Work with Vulnerable People Act 2013 (TAS); and
- Working with Children (Criminal Record Checking) Act 2004 (WA).

NTA is committed to establishing and maintaining child safe environments and has designed services with a particular focus on:

- The Keep Them Safe: A Shared Approach to Child Wellbeing framework (NSW); and
- Child Safe Standards (VIC).

As a child safe organisation, NTA:

- Has a visible culture of child safety that is part of everyday practice;
- Has strong leadership driving a culture of child safety;
- Has the safety of children as its prime consideration;
- Has well-articulated policies and procedures to implement its child safe approach;
- Actively encourages participation, empowerment and serves to protect children;
- Has actively considered risks of abuse within the organisation;
- Engages with children to create a child safe environment and empowers children to speak up if something is wrong; and
- Has inclusive approaches for children with a disability, Aboriginal children and children from culturally and/or linguistically diverse backgrounds.

Child Abuse

Reporting child abuse is a community-wide responsibility. Child abuse includes any act committed against a child involving:

- Physical violence;
- Sexual offences;
- Serious emotional or psychological abuse; and
- Serious neglect.

Call the police on 000 if you have immediate concerns for a child's safety.

All NTA personnel are required to report to police if they know or reasonably believe that a sexual offence has been committed by an adult against a child under the age of 16. It is a criminal offence (failure to disclose) to fail to comply with this obligation across jurisdictions.

What is a 'reasonable belief'?

A 'reasonable belief' is not the same as having proof. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed when:

- A child states that they have been sexually abused;

- A child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves);
- Someone who knows a child states that the child has been sexually abused;
- Observations of the child's behaviour or development leads to a belief that the child has been sexually abused; or
- Signs of sexual abuse lead to a belief that the child has been sexually abused.

A reasonable belief is a deliberately low threshold. This enables authorities to investigate and take action. If a person 16 years or older provided you with the information and they do not have an intellectual disability and they do not want the information reported to the police, an individual is then not required to report to police.

NTA will not tolerate incidents of child abuse. All personnel understand their obligation to notify relevant authorities as soon as practicable if they have a reasonable suspicion that a minor has been, or is being, abused or neglected by a member of their family or any other individual:

- Australian Capital Territory Child Protection Line – 1300 556 728
- New South Wales Child Protection Line - 13 21 11
- Northern Territory Child Protection Line – 1800 700 250
- Queensland Child Safety Line - 1800 177 135
- South Australia Child Abuse Report Line - 13 14 78
- Tasmania Child Protection Line – 1300 737 639
- Victoria Child Protection Crisis Line – 13 12 78
- Western Australia Child Protection Line – 13 14 44

Child Safety Officer

NTA has appointed a child safety officer for its RTO operations, being the designated person to hear or be informed about all allegations or concerns, and providing support to other personnel.

Child Safety Officer - NTA

Amit Kumar Gandla E: amit@nursetrainingaustralia.com.au and M: 0478012864

Our designated child safety officer provides a single contact for children, parents and personnel to seek advice and support regarding the safety and wellbeing of children.

Code of Conduct

All NTA personnel are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children and are responsible for supporting the safety, participation, wellbeing and empowerment of children by:

- Adhering to NTA's child safe policy at all times / upholding NTA's statement of commitment to child safety at all times.
- Taking all reasonable steps to protect children from abuse.
- Listening and responding to the views and concerns of children, particularly if they are telling you that they or another child has been abused and/or are worried about their safety or the safety of another child.
- Promoting the cultural safety, participation and empowerment of Aboriginal children.
- Promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds.
- Promoting the safety, participation and empowerment of children with a disability.
- Ensuring as far as practicable that adults are not left alone with a child.

- Reporting any allegations of child abuse to the Child Safety Officer & NTA management, and ensure any allegation is immediately reported to the police or child protection.
- Reporting any child safety concerns to the Child Safety Officer & NTA management.
- If an allegation of child abuse is made, ensure as quickly as possible that the child(ren) are safe.
- Encouraging children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them.

Personnel must not:

- Develop any 'special' relationships with children that could be seen as favouritism.
- Exhibit behaviours with children which may be construed as unnecessarily physical.
- Put children at risk of abuse.
- Do things of a personal nature that a child can do for themselves.
- Engage in open discussions of a mature or adult nature in the presence of children.
- Use inappropriate language in the presence of children.
- Express personal views on cultures, race or sexuality in the presence of children.
- Discriminate against any child, including because of culture, race, ethnicity or disability.
- Have organised contact with a child or their family outside of our organisation without our child safety officer's knowledge and/or consent.
- Have any inappropriate online contact with a child or their family.
- Ignore or disregard any suspected or disclosed child abuse.

By observing these standards all personnel acknowledge individual responsibility to immediately report any breach of this code to the Child Safety Officer & NTA management.

Risk Management

NTA ensures the protection of children when a risk is identified. In addition to general occupational health and safety risks, we proactively manage risks of abuse to children.

We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments and online environments.

Training and supervision

NTA culture aims for all individuals to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

NTA has specific policies, procedures and training in place that support our leadership team and personnel to achieve these commitments. We support personnel through ongoing supervision to ensure they understand our organisation's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate.

Regular review

NTA reviews this policy regularly and following any significant incidents should it occur. Where possible we do our best to work with families, children, local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

Procedures - Allegations, Concerns and Complaints

NTA takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Personnel are trained to deal appropriately with allegations.

We work to ensure all children, families and personnel know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour. We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place.

Fair procedures for personnel

The safety and wellbeing of children is our primary concern. We are also fair and just to personnel. The decisions made by NTA when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

We record all allegations of abuse and safety concerns using our incident reporting form, including investigation updates. All records are securely stored.

If an allegation of abuse or a safety concern is raised, we provide updates to children and families on progress and any actions we as an organisation take.

Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be personnel, parents or children, unless there is a risk to someone's safety. NTA has safeguards and practices in place to ensure any personal information is protected.

If a child discloses an incident of abuse

- Try and separate them from the other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.
- Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.
- Explain to them that this information may need to be shared others, such as with their parent/carer, specific people in your organisation, or the police.
- Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
- Provide them with an incident report form to complete, or complete it together, if you think the child is able to do this.
- As soon as possible after the disclosure, record the information using the child's words and report the disclosure to the Child Safety Officer and NTA management as well as police or child protection as relevant.
- Ensure the disclosure is recorded accurately, and that the record is stored securely.

If a parent/carer says their child has been abused or raises a concern

- Explain that NTA has processes to ensure all abuse allegations are taken very seriously.
- Ask about the wellbeing of the child.
- Allow the parent/carer to talk through the incident in their own words.
- Advise the parent/carer that you will take notes during the discussion to capture all details.
- Explain to them the information may need to be repeated to authorities or others, such as the NTA management or Child Safety Officer, the police or child protection.
- Do not make promises at this early stage, except that you will do your best to keep the child safe.
- Provide them with an incident report form to complete, or complete it together.
- Ask them what action they would like to take and advise them of what the immediate next steps will be.
- Ensure the report is recorded accurately, and that the record is stored securely.
- Be aware that:

- o Individuals from Aboriginal, culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse.
- o Individuals with a disability may experience barriers disclosing an incident.

You need to be sensitive to these issues and meet individuals' needs where possible.

Personnel must follow the Critical Actions below every time you become aware of a further instance or risk of abuse. This includes reporting new information to authorities.

If personnel believe that a child is not subject to abuse, but still hold significant concerns for their wellbeing they must still act.

YOU MUST TAKE ACTION

Personnel play a critical role in protecting children in our care.

You must act, by following the Four Critical Actions below, as soon as you witness an incident, receive a disclosure or form a reasonable belief that a child has, or is at risk of being abused.

You must act if you form a suspicion/reasonable belief, even if you are unsure and have not directly observed child abuse (e.g. if the victim or another person tells you about the abuse).

You must use an incident reporting form to keep clear and comprehensive notes.

ACTION 1: Responding to an emergency

If there is no risk of immediate harm go to ACTION 2.

If a child is at immediate risk of harm you must ensure their safety by:

- Separating alleged victims and others involved.
- Administering first aid.
- Calling 000 for urgent medical and/or police assistance to respond to immediate health or safety concerns.
- Identifying a contact person in your organisation for future liaison with Police.

Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.

Action 2: Reporting to authorities

As soon as immediate health and safety concerns are addressed you must report all incidents, suspicions and disclosures of child abuse as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

You must report all instances of suspected child abuse or suspected sexual abuse (including grooming) to Police.

You must also report internally to the Child Safety Officer and NTA management.

If the source of suspected abuse is from within the family or community, you must report the suspected abuse to the relevant Child Protection Authority in the State or Territory jurisdiction.

This includes if a child is considered to be:

- In need of protection from child abuse
- At risk of being harmed (or has been harmed) and the harm has had, or is likely to have, a serious impact on the child's safety, stability or development.

Action 3: Contacting parents / carers

The Child Safety Officer and NTA management must consult with Child Protection and / or Victoria Police to determine what information can be shared with parents/carers. They may advise:

- Not to contact the parents/carers (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parents/carers to be contacted); or
- To contact the parents/carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion).

Action 4: Providing ongoing support

NTA must provide support for children impacted by abuse. This includes the development of a Student Support Plan developed in consultation with wellbeing professional and/or counselling staff. Strategies may include development of a safety plan, direct support and referral to wellbeing professionals.

Additional support – mandatory reporting

NTA management uses appropriate tools to inform decision making, such as the online Mandatory Reporter Guide, professional judgment or specialist advice, where there are concerns about risk of harm.

The mandatory reporter guide is available at:

<https://reporter.childstory.nsw.gov.au/s/>

Working with Children Checks

All NTA personnel are required to undertake, as a component of the recruitment process, a National Criminal Check to ensure suitability in meeting NTA's legislative and contractual obligations. National criminal checks are valid for, and must be renewed every three years.

www.nationalcrimecheck.com.au

State and Territory Requirements

In addition to the above national check, the following state jurisdictional checks also apply to NTA personnel provided services in these jurisdictions. Personnel must have completed and provided an appropriate check prior to commencing employment or engagement:

Jurisdiction Requirements:

New South Wales: All personnel providing services in New South Wales must undertake screening in accordance with the requirements of the Child Protection (Working with Children) Act 2012 (NSW).

Checks are valid for five years.

<http://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check>

It is the responsibility of each individual to register for and obtain the required check(s). Potential personnel with adverse findings in these checks undertaken at the time of recruitment will not be employed by within a Student service role.

Importantly, a finding that a person has engaged in reportable conduct can trigger an assessment of whether that person is suitable to continue to work or volunteer with children, including a revocation of a person's Working with Children Check card.

Note: The Reportable Conduct Scheme does not replace the need to report allegations of child abuse to Victoria Police.

What types of conduct are reportable?

There are five types of 'reportable conduct' listed in the Child Wellbeing and Safety Act 2005:

- Sexual offences (against, with or in the presence of, a child);
- Sexual misconduct (against, with or in the presence of, a child);
- Physical violence (against, with or in the presence of, a child);
- Behaviour that is likely to cause significant emotional or psychological harm; and
- Significant neglect.

A reportable allegation can be made about any person over 18 years of age who is an employee, volunteer, contractor or office holder of NTA. Allegations can be made about the conduct of people even if:

- They do not have direct contact with children; or
- The conduct occurred outside of their work.

Requirements of heads of organisations

The NTA Chief Executive Officer (CEO) is the determined 'Head of Organisation' under the scheme. In the implementation of this Child Safety policy and procedures, it is ultimately their responsibility to ensure the Commission is notified of any reportable allegations they become aware of.

This includes requirements to:

- Have in place systems to prevent child abuse and, if child abuse is alleged, to ensure allegations can be brought to the attention of appropriate persons for investigation and response; and
- Ensure that the Commission is notified and given updates on the organisation's response to an allegation.

Key responsibilities include:

- Notifying the Commission within 3 business days of becoming aware of a reportable allegation;
- Investigating an allegation – subject to police clearance on criminal matters;
- Advising the Commission who is undertaking the investigation;
- Managing the risks to children;
- Within 30 calendar days, providing the Commission detailed information about the reportable allegation and any action you have taken; and
- Notifying the Commission of the investigation findings and any disciplinary action the entity has taken (or the reasons no action was taken).

The Commission carefully considers each allegation that it receives under the Reportable Conduct Scheme. The Commission may decide to:

- Give NTA support and guidance on the matter;
- Check NTA is handling the allegation in a timely manner; and
- Refer a substantiated allegation to Working with Children Check or a professional accreditation body.

Evidence

The following will be retained as evidence of compliance:

15. Professional Development Records
16. Records of any reports made with regard to Child Protection
17. Records of meetings held with regard to Child Protection issues
18. NTA however did not enrol any students under 18 years of age

References

19. [NSW Government Child Story Reporter webpage](#)
20. Smart and Skilled Operating Guidelines 2018/Section 2
21. [Working with Children Check](#)