

POLICY:

CHILD SAFETY AND WELLBEING [CK-POL-0001]

If any person believes a child is at immediate risk of child abuse or harm, telephone 000.

Authorised by:



20/10/2024

(Signature: Board Secretary)

(Date: Board approved)

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Introduction

The Board of commonkind is committed to being a child safe organisation - one that proactively creates a culture, adopts strategies and takes action to promote child safety and wellbeing and prevent harm to children and young people.

commonkind acknowledges that under the United Nations *Convention on the Rights of the Child* 1990, children possess human rights AND also have the right to special protection because of their vulnerability to exploitation and abuse.

We have zero tolerance for child abuse and harm.

We consciously and systematically:

- create an environment where children’s safety and wellbeing is the centre of thought, values and actions
- place emphasis on genuine engagement with, and valuing of children
- create conditions that reduce the likelihood of harm to children and young people
- create conditions that increase the likelihood of identifying any harm
- respond to any concerns, disclosures, allegations or suspicions.

We are committed to embedding a child safe culture across our own organisation and when working with other partners. We have adopted and applied the National Principles for Child Safe Organisations into the development of our Child Risk Management Strategy as well as this Child Safety and Wellbeing Policy and all relevant procedures.

Purpose

The purpose of this document is to clearly demonstrate commonkind's commitment to the safety and wellbeing of children and young people. This Child Safety and Wellbeing Policy serves to:

- a. ensure commonkind meets its responsibilities for the safety, protection and wellbeing of children and young people;
- b. create and foster an organisational culture that places child safety at the forefront of commonkind's operations, and in which children feel valued, respected and cared for;
- c. establish controls and procedures for preventing child abuse or harm and detecting it when it occurs within all commonkind Environments;
- d. provide a clear statement to all stakeholders forbidding child abuse or harm;
- e. provide assurance that any and all suspected child abuse or harm will be reported and fully investigated;
- f. place an emphasis on genuine engagement with and empowerment of children;
- g. ensure all leaders, Staff and volunteers of their obligations to act ethically towards children and their roles and responsibilities in ensuring the safety and wellbeing of children within all commonkind Environments including to:
 - i. provide information and guidance on exercising the judgements involved with reporting risks of significant harm to children and the action that should be taken where a person suspects child abuse or harm within all commonkind Environments
 - ii. give guidance on the processes and procedures that aim to ensure children’s safety and wellbeing across all areas of commonkind's work.

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Guiding Principles

- commonkind has a zero tolerance for child abuse and harm.
- All forms of child abuse and neglect cause harm to children and young people.
- The best interests, safety and wellbeing of children and young people are paramount.
- All children and young people have a right to be safe and protected from harm and abuse and have equal rights to protection from abuse and neglect.
- Child safety is a shared responsibility of all adults in the community.
- All commonkind Staff have a duty to report risks, complaints of abuse and harm, disclosures, observations of concern or indicators of harm or a reasonable belief that a child or young person is suffering abuse or harm, and must comply with the Reporting Procedure.
- commonkind has and will consider the opinions of children and young people when developing child safety policies and procedures to promote engagement with and the empowerment of children and young people by discussing with children in age appropriate ways as part of group discussions and individual conversations with children.
- commonkind will ensure that families participate in decisions effecting children and young people, and will openly communicate with families, carers and the community about its approach to child safety and ensure that information about child safety including information about making a complaint is readily available and accessible.
- commonkind will take into account the diversity of all children and young people, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, lesbian, gay, bisexual, transgender and intersex children and children who are vulnerable, and make reasonable efforts to accommodate them.
- commonkind is committed to the cultural safety of Aboriginal and Torres Strait Islander children and young people, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability and lesbian, gay, bisexual, transgender and intersex children.

Definitions

- **The United Nations *Convention on the Rights of the Child* 1990** - A “child”, “children” or “young person” is every human being below eighteen years of age.
- **Section 10 of the *Child Protection Act* 1999** - A “child in need of protection” is a child who:
 - has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and
 - does not have a parent able and willing to protect the child from the harm.
- **“Child Safety”** - matters related to commonkind's duty of care to children in its care, protecting all children from harm, managing the risk of child abuse or harm, taking steps to prevent the occurrence or reduce the occurrence of child abuse or harm, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.
- **“Child Safety Officers or “CSOs”** - people appointed by commonkind to listen, discuss and clarify issues raised by Staff and children in relation to actual or suspected child abuse or harm.

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- **The *Criminal Code Act 1899 (Qld)*** - A “**child sexual offence**” is an offence of a sexual nature by an adult against a child under 16 years or a person with an impairment of the mind.
- “**Clients**” - Children, young people and families accessing or intending to access commonkind services. Other parties may, by association, be included as clients (such as carers or advocates).
- “**commonkind Environment**” - means all physical and virtual environments and places made available or authorised by commonkind for use by a child, including but not limited to:
 - the offices, buildings, centres and sites of commonkind;
 - buildings operated by external agencies where commonkind provides services
 - online commonkind Environments (including email, portals, intranet systems, telecommunication, social media and other online communications); and
 - other locations provided by commonkind for a child's use (such as locations used for excursions and other events).
- “**Cultural safety**” - includes children being provided with a safe, nurturing and positive environment where they are comfortable with being themselves, expressing their culture, their spiritual and belief systems, and they are supported by a carer who respects their culture and therefore encourages their sense of self and identity. Cultural safety of children from a culturally and/or linguistically diverse background is an environment which is spiritually, socially and emotionally safe, as well as physically safe for children. This environment must be free from assault, challenge or denial of their cultural or linguistic identity, of who they are and what they need.
- “**Duty of Care**” - commonkind has a duty of care to take reasonable care to protect children and clients from reasonably foreseeable risks of harm while involved in commonkind activities or at commonkind Environments.
- **Section 229BB of the *Criminal Code Act 1899 (Qld)*** - “**failure to protect**” is a criminal offence which states that, all adults in positions of power or responsibility within institutions to reduce or remove the risk of child sexual offences being committed must take reasonable steps to protect children in their care from a child sexual offence.
- **Section 229BC of the *Criminal Code Act 1899 (Qld)*** - “**failure to report**” without a reasonable excuse, is a criminal offence which states that all adults must report sexual offences against a child by another adult to police as soon as reasonably practicable after the belief is, or ought reasonably to have been, formed. A reasonable excuse not to make a report includes
 - that a report has already been made under the Education (General Provisions) Act 2006 (reporting sexual abuse or likely sexual abuse) and
 - the Child Protection Act 1999 (reporting significant harm or risk of significant harm) as per this policy.
 - All commonkind Staff should assume they are a person who has power or responsibility to reduce or remove a substantial risk of child sexual abuse by nature of their position. Reporting internally and to police is recommended. Refer to the Child Safety Reporting Procedure.
- **Section 218B of the *Criminal Code Act 1899 (Qld)*** - “**grooming**” - Grooming is predatory conduct to gain trust from a child and the people surrounding the child with the intention to commit later sexual abuse. No sexual conduct needs to occur for grooming to be occurring. commonkind Staff should treat grooming is a type of child abuse. Examples of grooming behaviour may include but is not limited to:
 - giving gifts or special attention to a child, young person, parent or carer to make the person feel special or indebted to the perpetrator;

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- making close physical contact which may or may not be sexual in nature such as cuddling, tickling, wrestling or play fighting;
- intentionally or inadvertently exposing the child or young person to nudity, sexual material or sexual acts including telling jokes which may be sexual or inappropriate;
- exposing children and young people to pornography or inappropriate conversations about sexuality and nudity;
- controlling a child through threats, force, or use of authority making the child feel fearful to report the unwanted behaviour.
- attempting to be alone with a child.
- initiating interactions with a child outside of the work environment eg such as befriending on social media platforms
- **Section 9 of the *Child Protection Act 1999* - “Harm”**, to a child, is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing.
 - It is immaterial how the harm is caused.
 - Harm can be caused by:
 - physical, psychological or emotional abuse or neglect; or
 - sexual abuse or exploitation.
 - Harm can be caused by:
 - a single act, omission or circumstance; or
 - a series or combination of acts, omissions or circumstances.
- **“Indicators of harm”** - can be behavioural or physical. Indicators of harm vary for different types of child abuse and can co occur with multiple types of child abuse. Examples of indicators of harm include but are not limited to:
 - Physical violence:
 - unexplained bruises, burns, welts, cuts grazes or scratches (or vague or unlikely explanations)
 - avoidance of physical contact, or disproportionate reactions or limited emotion displayed
 - unexplained absences and decline in academic performance
 - wearing clothing that is unsuitable for the weather conditions (to hide injuries)
 - substance abuse, self-harm or suicide attempts
 - Sexual offences:
 - signs of pain, itching or discomfort in the genital or rectal area
 - sexualised behaviours
 - withdrawal, low self-esteem, suicidal ideation, self harm
 - manifestation of psychological diagnoses including anxiety, depression and substance misuse.
 - presence of sexually transmitted diseases
 - frequent urinary tract infections
 - pregnancy (actual or suspected)
 - self-mutilation
 - displaying age-inappropriate sexual behaviour or knowledge
 - promiscuity or inappropriate expressions of affection
 - sudden fears of specific places or particular adults
 - obsessive and compulsive washing
 - complaining of headaches, stomach pains or nausea
 - sleeping difficulties
 - poor self-care or personal hygiene

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- regressive behaviours such as bedwetting and speech loss
 - substance abuse, self-harm or suicide attempts
 - Emotional or psychological harm:
 - delays in emotional, mental or physical development
 - speech impairments such as stuttering or being selectively mute
 - rocking, thumb-sucking or other infantile behaviours
 - eating disorders
 - exhibiting high anxiety or symptoms of stress
 - poor self-image or low self-esteem
 - displaying aggressive, demanding or attention seeking behaviour
 - compulsive lying or stealing
 - unexplained mood swings or depression
 - poor social and interpersonal skills
 - excessive neatness or cleanliness
 - substance abuse, self-harm or suicide attempts
 - Neglect:
 - Frequent hunger, or stealing or begging for food
 - Poor hygiene
 - Lack adequate or suitable clothing
 - Refusal or reluctance to go home
 - appearing dirty and unwashed
 - unattended health problems
 - appearing pale and weak
 - inadequate shelter or unsanitary living conditions.
 - aggressive or self-destructive behaviour
 - involvement in criminal activity
 - poor, irregular or non-attendance at school
 - limited positive interaction with parents, carers or guardians
 - poor academic performance
 - delays in emotional, mental or physical development
 - substance abuse
- A **"reasonable belief"** - a belief based on facts, that would lead a reasonable person in the same position to form a similar belief. A reasonable belief is more than suspicion, and must have some objective basis for the belief. A 'reasonable belief' does not require certainty. A person is likely to have a "reasonable belief" that a child is at risk of harm, a child has been subjected to abuse or reportable conduct has occurred if:
 - they observe or otherwise witness the conduct or abuse themselves;
 - a child tells them they have been physical or sexually abused, or a disclosure to that effect;
 - a child tells you they know someone else who has been abused;
 - they receive information from another source, including another person who has witnessed or observed the abuse or conduct;
 - your observations of the child's behaviour or development lead you to believe the child is at risk of harm, the child has been abused, or reportable conduct has occurred;
 - indicators of harm lead you to belief the child is at risk of harm, the child has been abused, or reportable conduct has occurred.
- **"Staff"** - all people who conduct work for commonkind in a paid or unpaid capacity in direct or non-direct child-related roles. This includes (but is not limited to) board

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members, executive leadership, Staff, volunteers, interns, trainees, contractors and consultants.

- “**WWCC**” - a Working with Children Check issued pursuant to the [Working with Children \(Risk Management and Screening\) Act 2000](#) (the Act) and the [Working with Children \(Risk Management and Screening\) Regulation 2020](#).

References

- [Blue Card Services](#)
- [Child Protection Act 1999 \(Qld\)](#)
- [Child Safe Organisations](#)
- [National Office for Child Safety](#)
- [National Principles for Child Safe Organisations](#)
- [The United Nations Convention on the Rights of the Child](#)
- [Working with Children \(Risk Management and Screening\) Regulations 2020 \(Qld\) Criminal Code Act 1899 \(sections 229BB and 229BC\)](#)
- CK-POL-0002 Privacy and Confidentiality Policy
- CK-POL-0003 Grievance and Complaints Handling Policy
- CK-POL-0004 Work Health and Safety Policy
- CK-POL-0005 Prevention of Harm in Communications Policy
- CK-PRO-0001 Risk Management Procedure
- CK-PRO-0002 Child Safety Reporting Procedure
- CK-FOR-0009 Child Protection Code of Conduct Declaration
- CK-FOR-0010 Report of Suspected Child in Need of Protection

Policy

1 Overview

- 1.1. This Child Safety & Wellbeing Policy (**Policy**) explains how commonkind Ltd (ABN 86 676 508 188) and its related entities (collectively referred to as **we, us, our** and **commonkind**) work to protect children’s safety and wellbeing.
- 1.2. We apply this Policy to all people who conduct work for commonkind in a paid or unpaid capacity in direct or non-direct child-related roles. This includes (but is not limited to) board members, executive leadership, Staff, volunteers, interns, trainees, contractors and consultants.
- 1.3. This Policy applies to all commonkind activities which involve, result in or relate to interactions with children including:
 - a) physical contact;
 - b) face to face contact;
 - c) contact by post or other written communication;
 - d) contact by telephone or other oral communication;
 - e) contact by email or other electronic communication (including online video calls and contact through social media).
- 1.4. This policy applies to all children who receive a service from commonkind.

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2 Risk Management

- 2.1. commonkind has written processes in place to enable it to comply with the requirements of the *Work Health and Safety Act 2011 (Qld)* and the *Working with Children (Risk Management and Screening) Act 2000 (Qld)*.
- 2.2. All Staff, contractors and volunteers must ensure that their behaviour towards and relationships with children reflect proper standards of care. Staff, contractors and volunteers must not cause harm to children.
- 2.3. commonkind understands there may be risks to child safety associated with its services and programs in relation to:
 - the supervision of children;
 - images or videos taken of children and young people during a program, service or event;
 - online environments in which children and young people engage with commonkind; and
 - excursions where children are taken off site and may engage with members of the public.
- 2.4. To mitigate or prevent these risks, commonkind:
 - requires Staff to comply with this Policy, Codes of Conduct and the Child Safety Reporting Procedure;
 - reviews its risk register annually and after a critical incident to assess systemic issues;
 - monitors and evaluates the effectiveness of the implementation of its risk controls;
 - makes child safety a part of its risk management strategy, including in its recruitment, screening and performance management activities;
 - ensures appropriate training is conducted at least annually;
 - providing a safe physical environment, ensuring commonkind Environments are free from identifiable OHS hazards and minimising locations and opportunities to be alone with a child;
 - plan activities, services and programs so no child is left alone (or is out of sight) with a contractor, volunteer, student, parent, guardian or visitor.

3 Responsibilities

The safety of children is everyone's responsibility. All Staff who are concerned for the safety or wellbeing of a child must report their concern (including any child safety concerns reported by clients, children, families or communities) to their direct line Manager or Team Leader and submit a CK-FOR-0010 Report of Suspected Child in Need of Protection.

commonkind will:

- continue to apply the National Principles for Child Safe Organisations and refine our practice in line with best practices and stakeholder feedback;
- ensure children and young people, families and communities are aware of the commonkind child safety policies and procedures;

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- consider the opinions of children and young people when developing child safety policies and procedures to promote engagement with and the empowerment of children and young people;
- ensure families participate in decisions effecting their child, and openly communicate with families, carers and the community about its approach to child safety and ensure that information about child safety including information about making a complaint is readily available and accessible;
- consider the diversity of all children and young people, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, lesbian, gay, bisexual, transgender and intersex children and children who are vulnerable, and make reasonable efforts to accommodate them;
- protect the cultural safety of Aboriginal and Torres Strait Islander children and young people, and those from culturally and/or linguistically diverse backgrounds.
- take all reasonable steps to ensure a culturally safe environment is provided to all children and young people and that racism is not tolerated within the organisation; and
- provide a safe environment for children and young people:
 - living with a disability;
 - who are unable to live at home, by understanding that not all children and young have the support of parents and families to report concerns, sign permission slips, or respond in a timely manner to communication;
 - who are lesbian, gay, bisexual, transgender and intersex, and gender diverse and queer, and other vulnerable children;
- provide a safe environment for all children and young people by making all reasonable changes and adjustments to ensure participation, providing accessible policy documents which are age appropriate and has zero tolerance of discrimination and provides an inclusive environment.

commonkind will ensure, as far as possible, that Staff are aware of:

- their responsibilities to create and maintain child safe environments, including a culturally safe environment for Aboriginal and Torres Strait Islander children and young people;
- their obligations under this Policy;
- the appropriate standard of conduct and behaviour required by commonkind, including as explained in applicable Codes of Conduct; and
- commonkind's commitment to empowering children and young people about their rights, including the right to feel safe, be informed and participate in decisions affecting them.

The CEO will:

- manage and oversee the response and investigation of reports of child abuse and harm to children or young people;
- prevent, identify and mitigate child safety risks, including the risk of child abuse or harm, within all commonkind Environments;
- make reports and adhere to all statutory obligations;

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- ensure Staff are aware of this Child Safety and Wellbeing Policy and relevant policies and procedures and their overall child safety obligations, including the obligation to report suspected child abuse or harm;
- ensure appropriate policies and procedures are in place, including effective internal control systems for the detection of child abuse and harm and risks of significant harm to children;
- provide support for Staff in undertaking their child safety obligations;
- ensure that this Child Safety and Wellbeing Policy, the Child Safety Codes of Conduct and the Child Safety Reporting Procedure is reviewed and updated every year and after every child safety incident; and
- monitor compliance with the Child Safety and Wellbeing Policy, Child Safety Reporting Procedure and Child Safety Codes of Conduct.

Child Safety Officers, Managers, Team Leaders will:

- have knowledge of child safety issues and obligations;
- inform and make Staff aware of policies in relation to child safety;
- be a key contact for others or their team members who have questions or concerns or want to report an allegation of child abuse or improper behaviour
- provide support to Staff in managing and reporting suspected child abuse
- be responsible for Staff who receive a disclosure, allegation or complaint regarding child abuse and must respond in a compassionate and confidential manner that puts child safety first.

All Staff will:

- have a shared responsibility for contributing to the safety of children and young people from child abuse and harm, and the risk of child abuse or harm;
- be responsible for identifying child abuse or indicators of harm and taking steps to prevent, reduce or eliminate that abuse, harm or risk;
- promote child safety at all times and provide a safe environment for all children and young people; and
- **phone 000 if they believe a child is at immediate risk of abuse.**

All Staff are required to:

- read and comply with this Policy, the Child Safety Codes of Conduct and Child Safety Reporting Procedure; and
 - before working with children, Staff must read, understand and agree to comply with the Child Safety Code of Conduct as part of commonkind's child safety induction and training.
- take all reasonable steps to maintain an environment that prevents child abuse or harm to children and young people;
- respond to a child or young person disclosing an incident of child abuse or harm in a child-focused manner, with sensitivity and professionalism;
- take all reasonable steps to empower children and young people, listen to their views and enable them to participate in decisions that affect them;
- treat families with respect and dignity, commit to regular and ongoing communication with families and regularly seek feedback from clients;
- participate in child safety induction and ongoing training as directed by commonkind;

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- report any concerns about actual or suspected child abuse or harm, and any identified indicators of harm and risks of harm, according to the Child Safety Reporting Procedure; and
- immediately report any breach or suspected breach of this policy by Staff to their direct Manager.

3. **Responding to Reports of Harm**

- 3.1. commonkind is committed to ensuring children and young people who access commonkind's services and programs are safe.
- 3.2. When commonkind receives any information alleging 'harm' to a child (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly so as to minimise any likely harm to the extent it reasonably can. This is set out in commonkind's Child Risk Management Strategy.
- 3.3. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy.
- 3.4. When commonkind suspects a child or young person has been harmed or is at risk of harm, commonkind will respond to that suspicion in a manner which prioritises child safety and is child focused.
- 3.5. All Staff are required to follow the Child Safety Reporting Procedure, which sets out how Staff must discharge their obligations under various child safety laws, including:
 - 3.5.1. Duty of care;
 - 3.5.2. Failure to disclose; and
 - 3.5.3. Failure to protect.
- 3.6. These child safety laws and schemes are explained in the definitions of this policy and the Child Safety Reporting Procedure.
- 3.7. commonkind will comply with all obligations under applicable laws, and will provide information to government agencies including police.

Including the child and family in the process of reporting

- 3.8. commonkind supports the rights of children and young people and their families, to be informed of a concern prior to reporting. However, where there is a concern which requires reporting to Police or Child Protection, commonkind Staff will make the report and be guided by Police and/or Child Protection as to whether and when children and families are subsequently notified.
- 3.9. Staff are responsible for using their professional judgement to determine if and when a parent will be informed of a report being made, subject to the guidance of external agencies including the Police and Child Protection. Child safety is the paramount consideration, and Staff must not inform children, parents or families where this may create a risk of harm to the child or another person.

Responding to allegations and complaints

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- 3.10. All allegations of or complaints about child abuse raised by children, parents, carers or commonkind Staff are taken seriously and responded to thoroughly and in a timely manner. Any allegations or complaints involving commonkind Staff are reported to the CEO within 24 hours.
- 3.11. Staff who receive a disclosure, allegation or complaint regarding child abuse must respond in a compassionate and confidential manner that puts child safety first, comply with this Policy and refer to the Child Safety Reporting Procedure. Staff must call 000 if there is an immediate risk of harm.

4. Reporting & Dealing with Breaches/Reports of Inappropriate Behaviour

- 4.1. If a child considers the behaviour of a Staff member to be inappropriate, the child should report the behaviour to:
 - a) the Session Facilitator or
 - b) the CEO or
 - c) the Board Secretary
- 4.2. Staff must immediately report any breach or suspected breach of this Policy, the Codes of Conduct or Child Safety Reporting Procedure to their direct Manager as soon as possible.
- 4.3. Reports will be dealt with under commonkind's Complaints and Grievance Handling Policy.
- 4.4. Staff may have other reporting obligations and should refer to the Child Safety Reporting Procedure.
- 4.5. A Staff member who receives a report of inappropriate behaviour must report it to the CEO. Where the CEO is the subject of the report of inappropriate behaviour, the Staff member must inform a member of commonkind's governing body.
- 4.6. If commonkind becomes aware of a suspected breach of this Policy, the Codes of Conduct or Child Safety Reporting Procedure, commonkind will:
 - a) take immediate steps to ensure the safety and wellbeing of any child who may be a risk of child abuse or harm in relation to the breach which may include standing the Staff down pending the investigation outcome;
 - b) treat the suspected breach seriously, including by conducting an investigation (either internally or externally);
 - c) ensure all investigations are conducted in a manner which affords procedural fairness, are child focused, and where required, are compliant with the Reportable Conduct Scheme.
- 4.7. Following an investigation of a suspected breach, any person who is found to be in breach of this Policy, the Codes of Conduct or Child Safety Reporting Procedure may face disciplinary action (including termination of their engagement with commonkind).

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5. Reporting Likely or Actual Sexual Abuse

5.1. If a Staff member becomes aware, or reasonably suspects, in the course of their employment at commonkind, that any of the following is likely to be or has been sexually abused by another person:

- a) a child under 18 years using commonkind’s service;
- b) a person with a disability

then the Staff member must give a written report about the abuse or suspected abuse to the CEO or to a director of commonkind’s governing body immediately.

5.2. commonkind’s CEO or a director must immediately give a copy of the report to a police officer.

5.3. If the first person who becomes aware or reasonably suspects sexual abuse is the CEO, the CEO must give a written report about the abuse, or suspected abuse to a police officer immediately and must also give a copy of the report to a director of the commonkind immediately.

5.4. A report under this section must include the following particulars:

- a) the name of the person giving the report (the first person);
- b) the child’s name and sex descriptor;
- c) details of the basis for the first person becoming aware, or reasonably suspecting, that the child has been sexually abused by another person;
- d) details of the abuse or suspected abuse;
- e) any of the following information of which the first person is aware:
 - i) the child’s age;
 - ii) the identity of the person who has abused, or is suspected to have abused, the child;
 - iii) the identity of anyone else who may have information about the abuse or suspected abuse.

5.5. No Retaliation for Reporting: commonkind does not tolerate any harassment, retaliation or adverse action whatsoever by any employee, director, contractor or other affiliate as a result of any safeguarding report provided in good faith to commonkind, law enforcement or other recognised reporting mechanism.

- a) Staff shall not be adversely affected because they refuse to carry out a directive that could reasonably be construed as likely to create abuse or neglect of a child or an adult programme participant.
- b) If Staff believe that they are being retaliated against, they should immediately contact HR. Anyone who retaliates against a Staff member for making a good faith report will be subject to disciplinary action up to and including termination. commonkind’s commitment to anti-retaliation does not prevent a reporter from appropriate disciplinary action if they are found to have engaged in unethical behaviour or misconduct.

6. Failure to Report

6.1. Under section 229BC of the *Criminal Code Act 1899 (Qld)*, all adults must report sexual offences against a child by another adult to police as soon as reasonably practicable after the belief is, or ought reasonably to have been, formed.

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6.2. Failure to make a report, without a reasonable excuse, is a criminal offence.

6.2.1. A reasonable excuse not to make a report under the *Criminal Code Act 1899* includes that a report has already been made under the *Education (General Provisions) Act 2006* (reporting sexual abuse or likely sexual abuse) and the *Child Protection Act 1999* (reporting significant harm or risk of significant harm) as per this policy.

7. **Failure to Protect**

7.1. Under section 229BB of the *Criminal Code Act 1899 (Qld)*, all adults in positions of power or responsibility within institutions to reduce or remove the risk of child sexual offences being committed must take reasonable steps to protect children in their care from a child sexual offence.

7.2. A failure to protect is an offence.

8. **Awareness**

8.1. commonkind will inform Staff, children and parents of its processes relating to the health, safety and conduct of all Staff in communications to them and it will publish these processes on its website and provide copies of relevant documents on request.

8.2. commonkind's governing body ensures that Staff, children and parents are made aware of commonkind's child protection processes. Evidence of this includes:

- a) publishing of Child Protection policies on the commonkind website,
- b) through newsletters,
- c) through Staff induction and induction checklist paperwork,
- d) in volunteer enrolment packages
- e) and the availability of child protection processes from the governing body, when requested.

9. **Recruitment**

9.1. commonkind has robust recruitment processes to ensure only suitable and qualified people are engaged to work with children. These processes include but are not limited to:

- a) including our commitment to child safety in all job advertisements, at the commencement of interviews and referee checks;
- b) examining applications and engaging in interviews where applicants are asked about previous work with children;
 - i) at least two behavioural based questions will be included as part of the interview process. The questions will refer to the roles and responsibilities of each candidate in relation to their work with children.

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- c) conducting reference checks including asking questions regarding the suitability of the candidate to work with children or for a child-focused organisation. Documentation of references is kept on file;
 - i) Two verbal reference checks will also be conducted that include asking questions relating to concerns about the candidates conduct in relation to child safety;
- d) screening applicants to ensure they have valid WWCC and are otherwise suitable to work with children (including commitment to child safety and commonkind values);
 - i) in the case of internal candidates in addition to reference checks, their personnel file is also reviewed for any previous infractions while working at commonkind; and
- e) informing all applicants that involve child-connected work of commonkind's child safety practices (including this policy).

9.2. Safeguarding screening measures are applied to all Staff including: candidates for employment, Board/Advisory Council members, volunteers, interns and individual contractors who will have access to children or to their identifiable personal data.

10. **Training and Supervision**

- 10.1. commonkind will train its Staff in processes relating to the health, safety and conduct of Staff and participants on their induction and will refresh training annually.
- 10.2. commonkind has strategies to ensure all Staff are adequately supervised, trained and supported to understand their obligations and responsibilities to create a child safe environment. These strategies include:
 - a) induction and annual refresher training for all Staff to support their understanding of this policy, their reporting obligations and the Child Safe Standards
 - b) ongoing performance management and supervision
 - c) compliance with the policy is monitored by General Manager, Quality Risk and Performance
- 10.3. Training provided by commonkind regarding child safety:
 - a) tailored to the complexities of Kids First's work with children;
 - b) includes how Staff must respond to child safety issues, incidents and concerns, including reporting obligations and immediate steps to reduce risk of harm; and
 - c) includes information about information sharing and recordkeeping.

11. **Visits to commonkind sessions**

- 11.1. **Visitors:** Visitors subject to this Policy include people going to a commonkind session or meeting children at a commonkind-facilitated event.
 - a) "Visitors" include sponsors, donors, other delegations such as celebrity supporters or journalists invited by commonkind.

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- b) Government officials or institutional donors (government, multilateral) do NOT require Safeguarding clearance, but are accompanied by commonkind Staff.
 - c) Unannounced visits to commonkind sessions are not permitted.
- 11.2. Visit Preparation: Visits by all sponsors and private donors, and other visitors are pre-approved by the CEO. Head office conducts a police background check on potential sponsor or donor visitors prior to any visit, where permitted by law.
- 11.3. Visitor Orientation to Safeguarding: commonkind is diligent to ensure that visitors uphold the relevant sections of this Policy. The following requirements apply to visitors who attend a project or have direct contact with commonkind community members.
 - a) Visitors who are from interstate or overseas commonkind Staff or Board Members: The local commonkind office provides a brief orientation to any distinctive Child Safety and Wellbeing Protocols that apply in that context, as well as local customs regarding adult interaction with children. Staff and Board members do not need to re-sign the policy or behaviour protocols
 - b) Visitors who are not commonkind Staff or Board Members: All such visitors are briefed on this Child Safety and Wellbeing Policy and Prevention of Harm in Communications Policy by commonkind prior to the visit. Upon arrival, visitors receive a brief written or oral orientation and sign acknowledgement of receipt of the protocols. The signed acknowledgement is kept on file by commonkind. These visitors are accompanied by a commonkind Staff when visiting sessions.

12. **Safeguarding Governance**

- 12.1. Accountability: The Board holds commonkind offices accountable to fulfilling their safeguarding responsibilities.
- 12.2. Risk appetite: The Board ensures that local risk appetite statements for Child Safeguarding set the risk area/category as Risk Averse.
- 12.3. Committee oversight: The Board mandates one of its committees to provide oversight to safeguarding. Given the heightened level of importance of safeguarding oversight, the full Board receives periodic reports and is informed as well as engaged on safeguarding issues.
 - 12.3.1. The Audit and Risk Committee of the commonkind Board will be informed of:
 - a) any child safeguarding or SEAH incidents including policy non-compliance. Victim/survivors will be de-identified.
 - b) management of safeguarding risk including the risk of SEAH.
- 12.4. Reports provided to the Board: commonkind's head office provides a copy of the Annual Safeguarding Update Report to the Board. Head office also provides the associated Safeguarding Action Plan outlining how they will maintain and improve safeguarding controls as outlined in the Annual Safeguarding Update Report.
- 12.5. Training of Board members: The entire Board are given training by commonkind.

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- 12.5.1. Every new member to the Board are given this training at orientation and sign an acknowledgement of having reviewed this policy. This acknowledgement is kept on file by head office.
- 12.5.2. Board members re-elected to serve another term repeat the training they received at orientation to refresh their knowledge.

13. **Communication, Content and Marketing**

- 13.1. **Dignity**: commonkind takes care to ensure cultural sensitivity and restrictions for reproducing personal images are adhered to before photographing or filming a subject, and commonkind ensures images are honest representations of the context and the facts. In all forms of communication, children and adults are treated and portrayed with dignity and not in sexually suggestive poses.
- 13.2. **Consent**: Children and adults who are primary subjects of text, photo, video, audio and/or data gathered on behalf of commonkind must provide informed consent and have the right to withdraw their consent at any time for any reason. commonkind must be able to demonstrate that informed consent has been given and have systems in place that allow commonkind to show that a request to withdraw consent has been respected.
 - 13.2.1. Informed consent means the subject has a general understanding of the purpose of the content and gives verbal or written permission thereof. If the primary subject is a child, informed consent is also collected from the parent, guardian, or other legally required entity or individual.
 - 13.2.2. In the following situations, verbal consent is not acceptable and written consent is collected from an adult or the child’s parent or legal guardian:
 - a) the sensitive nature of their personal disclosure or situation could possibly cause damage to their privacy, dignity, safety or reputation, or
 - b) where otherwise required by applicable law
- 13.3. **Prevention of Harm in Communications**: commonkind is committed to storytelling that raises awareness of and promotes solutions to ending violence and abuse against children and adults. commonkind takes the following steps to prevent harm through communications, content gathering and marketing (including digital or offline photographs/videos/audio clips, stories, articles, or any other communication materials):
 - a) Personal information on children and adults that is captured, stored or sent through electronic, on-line or mobile devices is password protected. In addition, data is handled in accordance with commonkind’s current information security standards for personal data, which may include encryption and other requirements.
 - b) commonkind ensures that relevant requirements for safeguarding are clearly communicated to all staff, sponsors, vendors and partners at the point of

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access to photographs, videos or data, and that appropriate measures are taken for child-safe usage of the content once it has been shared.

- c) Recognising the special vulnerability of children, material posted on social medial or digital channels mentions only the child’s first name and does not contain a child’s family name or child’s personal location/address.
- d) Material with a child or children is not geo-tagged to precise locations if it contains any part of the child’s name. An acceptable alternative is to retag photos with the child’s first name only to commonkind’s head office address.
- e) commonkind discourages direct, unfacilitated, undocumented communication through social media without commonkind’s knowledge between: a sponsor/donor/visitor and children and between employees/volunteers/other commonkind affiliates and children.
- f) Where commonkind facilitates communication between children and external parties, controls are put in place to protect children’s safety and well-being.
- g) commonkind provides reporting and response options so that sponsors, donors, visitors, children or their caregivers can report any incident(s) where either party feels uncomfortable or threatened. commonkind websites, domains and social media platform profile pages contain reporting options for child protection concerns or safeguarding incidents.
- h) Use of platforms to share marketing or communications content with no ability to track back evidence of informed consent and/or platforms that lack the ability to withdraw consent is forbidden. Only platforms that have been vetted by commonkind IT are permitted for sharing content between offices or with donors/external parties.
- i) Data is also handled in accordance with commonkind’s Privacy and Confidentiality Policy.

14. Privacy

- 14.1. commonkind recognises the importance of protecting privacy of individuals. commonkind is committed to handling, recording and storing personal information according to its Privacy Policy and applicable privacy laws.
- 14.2. All records relating to child abuse and child safety, including allegations, complaints, breaches of this policy, reports of disclosures to police or other regulators, investigation reports, and decisions and actions taken by commonkind in relation to child safety are required to be retained indefinitely.
- 14.3. Staff should not keep records of incidents concerns or indicators of harm in other locations (such as personal diaries) as this reduces commonkind’s ability to respond to these identified risks, and increases the risk those records will be lost or otherwise subject to a privacy breach.
- 14.4. Information relating to child abuse, harm or child safety may be disclosed to other regulators or police when authorised or required by law.

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15. Quality Improvement

- 15.1. commonkind welcomes feedback from all members of its community, including children and young people and families, on how it can improve its risk management approach to better protect the safety of children. Please direct feedback to hello@commonkind.org
- 15.2. commonkind monitors implementation and compliance with this policy as part of its risk management for child safety and performance management of Staff.
- 15.3. This policy is scheduled for review every year from the date of approval, or more frequently if appropriate, for example after a significant child safety incident.

16. Complaints

- 16.1. Suggestions of non-compliance with commonkind’s processes may be submitted as complaints under Complaints and Grievance Handling Policy.

17. Policy Revision History

Revision Date	Summary of revision	Section(s) changed
10/24	Correct reference to Prevent Harm in Communications Policy	References