



Child Safety Policy

Background and context

Lifetime Schemes is committed to promoting the health, safety and wellbeing of the children and young people we interact with. An important part of this commitment is that we respond appropriately should a child be at risk of harm.

Lifetime Schemes supports participants, workers and clients by funding treatment, rehabilitation and care that is delivered by external providers. We recognise that Lifetime Schemes' employees, providers and contractors may, in the context of their work, need to report a risk of significant harm to a child or young person, or be required to have a *working with children check*. This policy applies to Lifetime Schemes employees. A separate guidance document for external providers will be located on our website www.icare.nsw.gov.au.

This policy addresses the following areas:

1. Requirements for a NSW Working with Children Check
2. Child Protection Training
3. Mandatory reporting
4. Aboriginal and Torres Strait Islander considerations
5. Reportable conduct
6. Legislation

Purpose

This policy outlines the responsibilities and obligations of Lifetime Schemes regarding child safety and associated mandatory reporting requirements. It informs Lifetime Schemes employees of the legislation, and the tools and resources available to assist them to meet their responsibilities.

Definitions

Term	Definition
Lifetime Schemes	<p>Lifetime Schemes is how we refer to the four schemes that pay for treatment, rehabilitation and care for people who have been severely injured in a motor accident injury, at work, or who have a dust related disease.</p> <p>Of these four schemes, Lifetime Care, Workers Care and CTP Care either work with child participants or work with adult participants who have children. There may be a small number of instances where Dust Diseases Care work directly with clients who have children.</p>
Working with Children Check (WWCC)	<ul style="list-style-type: none"> • A requirement for anyone who works or volunteers in child-related work in NSW. • It involves a National Police Check and a review of reportable workplace misconduct and if cleared, is valid for 5 years.

Mandatory Reporting	<ul style="list-style-type: none"> The legislative requirement for selected people to report suspected child abuse and neglect to government authorities. In NSW, mandatory reporting is regulated by the Children and Young Persons (Care and Protection) Act 1998 (the Care Act). Under the Act, mandatory reporters¹ are those who during their work deliver health care, welfare, education, children's services, residential services or law enforcement wholly or partly to children and includes managers in these organisations.
ChildStory	<p>https://reporter.childstory.nsw.gov.au/s/</p> <p>Website for reporting risks of harm to children or young people in NSW managed by the NSW Department of Communities and Justice.</p>
Child Protection Helpline	<p>13 21 11</p> <p>Phone number for reporting risks of harm to children or young people in NSW managed by the NSW Department of Communities and Justice</p>
Child or young person	<ul style="list-style-type: none"> For the purposes of mandatory reporting, a child is a person who is under 16 years old and a young person is a person who is over 16 years old but younger than 18 years old In the context of a Working with Children Check, a child is a person under 18 years old.
Reportable Conduct Scheme	<p>A scheme administered by the NSW Children's Guardian that monitors how organisations investigate and report on allegations of certain conduct towards children. The conduct is referred to as <i>reportable conduct</i> or <i>reportable allegations</i>².</p>
MRG	<p>https://reporter.childstory.nsw.gov.au/s/mrg</p> <p>A mandatory reporter guide produced by the NSW Department of Communities and Justice which assists mandatory reporters with their decision making.</p>

¹ [Who is a Mandatory Reporter \(nsw.gov.au\)](https://www.nsw.gov.au/who-is-a-mandatory-reporter)

² [Children's Guardian Act 2019 No 25 - NSW Legislation](#)



Scope

This policy applies to the Lifetime Care and CTP Care schemes, and the Workers Care program. It also applies to Dust Diseases Care, in instances where clients are living with children. This policy outlines the requirements of certain roles in Lifetime Schemes to have a current Working with Children Check and/or complete training in child protection. icare employees working in these schemes who are mandatory reporters must comply with their legal obligations set out in the relevant legislation.

In accordance with our commitment to the safety of children and young people, icare staff members who are not mandatory reporters may use the resources and tools referred to in this policy to make a report if they believe that a child or a young person is at risk of significant harm.

The policy applies to Lifetime Schemes employees providing services to children and young people who are in one of the three schemes mentioned above, or parents or guardians in the schemes who have children or young people. Due to Lifetime Schemes being funders of services, it may be that the providers we fund are more likely to make a report, however this doesn't preclude Lifetime Schemes employees from reporting should they need to, or be involved in making a joint report.

1. Requirements for a NSW Working with Children Check

icare has identified certain roles within Lifetime Schemes that require a current WWCC. People who apply for these roles will be notified of this requirement. A new employee who already has a current WWCC does not need to apply for a new check when starting their employment in one of these identified roles. All existing employees who are working in the identified roles are required and are responsible for renewing their WWCC before it expires. Identified roles may change should a scheme change its service delivery model to the extent that a role becomes or no longer becomes an identified role.

2. Child Protection Training

Child protection training is required to strengthen the skills of employees who are either:

- Mandatory reporters, or
- Not mandatory reporters but are required to be aware of risk factors and how to respond

Child protection training is provided regularly to icare employees who are either mandatory reporters or who require the knowledge for their role by a registered training organisation at a frequency determined by Lifetime Schemes.

3. Mandatory reporting

Certain roles in Lifetime Schemes have a statutory responsibility to make a mandatory report when they become aware that a child or a young person may be at risk of significant harm.

In the event that a third party has made a report and is notifying us of this, the employee is not required to make a second report. If we are notified that a provider or support worker poses a risk to the child or young person, we will immediately engage the Provider Engagement team to employ strategies to mitigate or remove the risks.

If an employee thinks the child or young person is in immediate danger, they must call the police immediately on 000 and then discuss their concerns with their people leader.



What to report?

Lifetimes Schemes employees are to report when a child or young person is at risk of significant harm. A child or young person is at risk of significant harm if any of the following circumstances exist or are at risk of occurring:

- Emotional abuse or psychological harm
- Physical abuse, sexual abuse or ill-treatment
- Risk of harm due to presence of domestic and family violence in the home
- Concerns about their carer/s such as substance abuse, mental health, grooming behaviours or domestic violence
- Lack of appropriate care – their basic physical or psychological needs are not being met due to failure to provide adequate care (eg. food, supervision, attending school, medical care, relinquishing care)
- Concerns that an unborn child may be at risk of significant harm after their birth.

Should we need to report any of the above, we will identify any immediate actions we can take to keep the child or young person safe while the report is being made, which could include liaising with the providers involved such as a case manager or contacting the police.

Who can report?

All icare employees in Lifetime Schemes can raise concerns about a child or young person's safety and well-being. icare encourages the reporting of actual or potential harm and abuse of children and young people. Employees may report their concerns regardless of whether they are a mandatory reporter and may report even if a provider has already made a report.

Reports made to the Child Protection Helpline are confidential and the reporter's identity is generally protected by law. However it can be accessed by NSW Police if it is needed in connection with an investigation of a serious offense against a child or young person.

Who to report to?

If an employee has concerns that a child or young person is at risk of being neglected or physically, sexually or psychologically abused they should use the Mandatory Reporter Guide (MRG) detailed in the definitions section of this policy to determine if a report should be made.

For children located in NSW, employees can report through one of the following ways:

1. By eReport through the ChildStory Reporter website.
2. By calling the Child Protection Helpline on 132 111 which is available 24 hours a day, 7 days a week.

If a report is made by either a staff member or a provider, we will follow up on the matter and liaise with the reporter to monitor the progress of the report and to make sure any safeguarding actions are implemented.

For children located in another state or country, staff should follow the relevant reporting obligations and processes in those locations.

Privacy and confidentiality

All employees are required to exchange and maintain personal information related to the safety and well-being of children and young people in accordance with the legislation. Information may be exchanged under Chapter 16A of the Child and Young Persons (Care and Protection) Act 1988, with other agencies who have responsibilities relating to the safety, welfare or wellbeing of children or young people, for example NSW Police.

4. Aboriginal and Torres Strait Islander considerations

Lifetime Schemes seeks to recognise the important role culture plays in the lives of the First Nations people we serve and the enduring impact of racism and policies that led to the Stolen Generation.

Lifetime Schemes recognises that Aboriginal and Torres Strait Islander people are over-represented in the child protection system and that the [*Children and Young Persons \(Care and Protection\) Act 1998*](#) gives particular consideration to decisions affecting Aboriginal and Torres Strait Islander families.

Lifetime Schemes acknowledges the importance of the [*Aboriginal and Torres Strait Islander Children and Young Persons Principles*](#) set out in the Act in promoting participation in decision making. Noting that child protection agencies work differently with Aboriginal and Torres Strait Islander families engaged in the child protection system, Lifetime Schemes will work collaboratively with these agencies when appropriate, while also prioritising the safety of the child or young person.

5. Reportable conduct

icare has certain obligations under the Children's Guardian Act 2019 to investigate and report reportable conduct allegations and convictions. In the course of their work, if a complaint is raised that involves a reportable allegation or a reportable conviction about a provider or an employee, they must report this to their people leader and regional manager immediately. Regional managers are required to notify their General Manager and icare's People and Culture team of these allegations within 24 hours of receiving the complaint.

The complaint will be managed by icare in accordance with the obligations stipulated in the Children's Guardian Act 2019. Lifetime Schemes employees may be required to take part in an investigation and/or adopt or comply with any findings or recommendations.

6. Legislation

The legal responsibilities of employees who have statutory requirements as set out above are identified in the following legislation:

1. Children and Young Persons (Care and Protection) Act 1998
2. Children's Guardian Act 2019
3. Commission for Children and Young People Act 1998
4. Child Protection (Working with Children) Act 2012
5. Ombudsman Act 1974