A logo for a disability awareness event

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# Children, Young People and Adults with Disability Safety

# and Wellbeing Policy

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| **Applies to:** | Employees (full-time, part-time or casual), volunteers (including students), management committee members and contractors (collectively referred to as ‘workplace participants’) undertaking work with, for, or on behalf of QAI. |
| **Approved:** | 23 November 2022 |

# Policy

This policy outlines Queensland Advocacy for Inclusion’s (QAI’s) commitment to ensuring the safety and wellbeing of all children, young people, and adults with disability by providing a safe and supportive service environment. It provides guidance to QAI staff, volunteers and other workplace participants on their obligations to act ethically to ensure the safety of all children and adults with disability. QAI is committed to the safety of all clients and is guided by the National Principles for Child Safe Organisations, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities*.*

# Scope

This policy applies to all QAI workplace participants at all times they are performing official duties, particularly involving or relating to children or adults with disability, including when representing QAI at conferences and business and professional forums, communicating online, travelling for QAI-related activities or attending QAI-related social functions.

# Implementation

* This policy will be distributed to all new and existing workplace participants.
* All workplace participants will be informed when this policy is update or amended.
* All workplace participants are required to act in accordance with this policy and associated procedures and processes.
* This policy will be available and accessible to children, young people and adults with disability, their families, carers and supporters and the public, including on QAI’s website.
* This policy will be reviewed and updated every two years or more frequently as determined by the Management Committee.

# Individual responsibilities

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| **Role** | **Responsibility** |
| **Management Committee** | * champion an organisational, service and online culture that is safe for children, young people and people with disability * develop organisational policies that support and guide a child safe and disability safe culture * hold all QAI workplace participants accountable for providing a child safe and disability safe service and online environment * review and update this policy and related policies and procedures every two years. |
| **CEO** | * champion and model an organisational and service culture that is safe for children, young people and people with disability * investigate and address reports of criminal conduct, misconduct or non-compliance with this policy by QAI workplace participants. * ensure all workplace participants are aware of relevant laws, organisational policies and procedures relating to safety and wellbeing of children, young people and adults with disability, including this Policy and the QAI Code of Ethics and Conduct * ensure workplace participants are provided with education and training about their responsibilities under this policy and the Code of Ethics and Conduct and are supported to contribute to a child safe and disability safe service and online environment * ensure reports of suspected or actual criminal offences by workplace participants, including child sexual offences are made to the relevant authorities and appropriately recorded * Review the annual self review of orgnaisational compliance against the National Principles for Child Safe Orgnaisations and the provision of disability safe services |
| **Management Team** | * promote and model an organisational and service culture that is safe for children, young people and people with disability * assess the risk of harm to children or adults with disability within their areas of responsibility and mitigate any risk to the extent reasonably possible * undertake appropriate recruitment and selection processes, including compliance with statutory requirements such as criminal history screening and employee performance monitoring and management * ensure workplace participants who work with children or adults with disability meet suitability requirements, in line with funding body and statutory requirements * provide education and training for workplace participants about their responsibilities under this policy and the Code of Ethics and Conduct appropriate to their service delivery roles and support them to contribute to a child safe and disability safe service and online environment * undertake an annual self-review of organisational compliance against the National Principles for Child Safe Organisation and the provision of disability safe services |
| **All Workplace Participants** | * actively contribute to a service and online environment that supports the safety and wellbeing of children, young people and adults with disability * be familiar with this policy and the Code of Ethics and Conduct, and understand and comply with all obligations relevant to their service delivery role * report any concerns about the safety of a child or adult with disability to either the Principal Solicitor, the Chief Operating Officer or the Chief Executive Officer in accordance with this policy, the Code of Ethics and Conduct and the Child Sexual Abuse Reporting Policy, where there is a reasonable belief that a child’s safety is at risk. |

# Commitment to the National Principles for Child Safe Organisations,

QAI is committed to ensuring the safety, wellbeing and human rights of children, young people and adults with disability. In all of our work with children and adults with disability, including direct and online service delivery, QAI is guided by the National Principles for Child Safe Organisations and the Convention on the Rights of Persons with Disabilities*.*

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| **National Principles for Child Safe Organisations** | **QAI commitment** |
| **National Principle 1: Child safety and wellbeing is embedded in organisational leadership, governance and culture** | The Management Committee, CEO and Management Team commit to championing and modelling a service and online culture prioritising children’s safety and wellbeing.  Workplace participants will receive appropriate induction, training and professional development about the *National Principles for Child Safe Organisations* and QAI’s policies implementing its commitment to being a child safe organisation.  Workplace participants are expected to actively contribute to a child safe service and online environment and to comply with this policy.  QAI will develop a Charter of Commitment to Children, Young People and People with Disability. |
| **National Principle 2: Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously** | This policy will be available and accessible to children and young people and their families, carers or supporters and the public on QAI’s website.  QAI will post its Charter of Commitment to Children, Young people and People with Disability and the Australian Human Rights Commission’s ‘Children’s rights’ poster in key places around its offices. It will also post the Charter in a prominent place on the QAI website.  Each child who receives services from QAI will be provided information about their rights under the Convention on the Rights of the Child (see UNICEF publication *Children’s Rights and* Responsibilities) and QAI’s Charter of Commitment to Children, Young People and People with Disability is displayed in various places around the office and is available online.  QAI workplace participants will comply with the Charter of Commitment to Children, Young People and People with Disability.  QAI legal staff will apply the Legal Aid Queensland *Best practice guidelines for working with children and young people* when providing services.  Children and young people will be provided with accessible and child-friendly information and advice about their rights, legal options and the purpose of, and procedure involved in, each legal and other process the child is involved in.  Children and young people will be given appropriate opportunities to ‘tell their story’ or version of events, to ask questions, to express their views and concerns about their situation and to make informed decisions about their circumstances.  Where appropriate, and with consent, children and young people will be referred to other appropriate services to address their other needs. |
| **National Principle 3: Families and communities are informed and involved in promoting child safety and wellbeing** | All QAI workplace participants will engage in open and respectful communication with the families and communities of children and young people and will explain how QAI will work with our child and young people clients.  Parents and carers of children and young people seeking QAI services will receive clear and accessible information about the services QAI offers, how they will be delivered and other information, as appropriate to the child’s circumstances and in accordance with QAI’s professional and ethical obligations, including obtaining consent for the child to receive QAI services and supports. |
| **National Principle 4: Equity is upheld and diverse needs respected in policy and practice** | In accordance with its vision, purpose and values, QAI will treat all clients, including children and young people equally and with respect for their unique and intrinsic value as human beings.  QAI is committed to the protection and advancement of the needs, rights and lives of children and young people and people with disability, including those who identify with diverse communities.  QAI recognises that discrimination and exclusion, whether intentional or otherwise, can work against a safe and inclusive culture.  All QAI workplace participants are expected to embrace the organisation’s vision and values and respect diversity in all employment activities. This is supported through QAI’s workplace training and policies, including the QAI Code of Ethics and Conduct, which are designed to ensure all workplace participants recognise and respond effectively to the diverse needs of children and young people and people with disability. |
| **National Principle 5: People working with children and young people are suitable and supported for any work involving children** | QAI’s recruitment and selection policies support pre-employment screening and emphasise the safety and wellbeing of children and young people and people with disability.  All QAI workplace participants who require them have current checks for working with children and with people with disability and other background checks as required by legislation and funding agreements.  QAI workplace participants with supervisory responsibilities recognise the importance of client safety and wellbeing, and supervision and performance management processes, particularly child safety, elements.  All workplace participants are required to complete induction processes and training that provide appropriate information about their responsibilities to children and young people and adults with disabilities, including record keeping, information sharing and reporting obligations. |
| **National Principle 6: Processes to respond to complaints and concerns are child-focused** | QAI has a Complaints Policy that is accessible and responsive to children and young people and adults with disability that outlines the roles and responsibilities of leadership, staff and volunteers, how complaints will be dealt with and who clients should talk to if they are feeling unsafe.  The Complaints Policy outlines a process for responding to children and young people, adults with disability, their families, supporters and carers and QAI workplace participants who raise concerns or complaints. This process includes providing information during the course of the investigation into the complaint and final feedback about any findings or outcomes of the investigation to provide closure for the person who complained and ensure learnings from the incident are identified and applied.  Information about QAI’s Complaints Policy and who clients can speak to if they are feeling unsafe is displayed prominently in QAI offices.  Reporting, privacy and employment law obligations are clearly outlined in QAI policies and are included in induction training processes.  All QAI workplace participants are well-informed about their roles and responsibilities, privacy obligations and obligations and processes for reporting disclosures of abuse to relevant authorities.  Complaints and disclosures are taken seriously and responded to promptly and thoroughly and final feedback is provided to the complainant.  Complaints handling processes prioritise the safety and wellbeing of all complainants, with a particular focus on the safety and wellbeing of children and adults with disability, and the role of families, supporters and communities in these matters.  Complaints policies and processes demonstrate regard for fairness to all parties to the complaint, including providing support and information as appropriate. |
| **National Principle 7: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training** | All workplace participants are trained and supported to effectively implement this policy, including:   * to recognise indicators of harm * to respond effectively to issues of safety and wellbeing and * how to build culturally safe environments for children and young people and adults with disability.   Annual refresher training about this policy is provided to all QAI workplace participants.  Safety and wellbeing of clients is a standing agenda item for all team meetings. |
| **National Principle 8: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed** | An annual organisational risk assessment and plans identify and mitigate risks to children and young people and people with disability in QAI’s online and physical environments and activities.  QAI workplace participants are proactive in identifying and mitigating physical and online risks. |
| **National Principle 9: Implementation of national child safe principles is regularly reviewed and improved** | QAI reviews this Policy every two years to ensure its ongoing effectiveness in ensuring that children and young people and people with disability have their safety and wellbeing protected.  These reviews include analysis of complaints, concerns and safety incidents to identify and address systemic and other failures and implement continuous improvement.  Bi-annual reviews seek input from children and young people and people with disability, their parents, supporters and carers.  An annual self-audit of performance under this Policy is conducted to identify areas of non-compliance and improvement. |
| **National Principle 10: Policies and procedures document how the organisation is safe for children and young people** | This Policy implements the national child safe principles and is publicly accessible through the QAI website.  Other QAI policies, procedures and information guiding actions under this Policy are accessible to QAI workplace participants and clients. |
| **Obligations under the Convention on the Rights of Persons with Disabilities (CRPD)** | **QAI commitment** |
| **Article 3: General principles**   1. Respect for inherent dignity, 2. Non-discrimination 3. Full participation in society 4. Respect for difference 5. Equality of opportunity 6. Accessibility 7. Equality between men and women 8. Respect for the evolving capacities of children with disabilities | QAI commits to compliance with the principles and general obligations outlined under the CRPD and to supporting people with disability to exercise the rights articulated by the convention.  Article 3 of the CRPD will provide an ideological and values touchstone for all QAI values, policies and practice and will guide QAI’s approach to service provision, advocacy and legal argument for its clients.  QAI will provide education and training for all workplace participants about the CRPD and how its values and commitments should be reflected in QAI service practice. |
| **Articles 5 to 30** | All QAI actions and services will be consistent with, and advance, the rights of people with disability under Articles 5 to 30 of the CRPD, including:   * raising awareness about the rights of adults with disability generally, and women and children specifically; * fighting discrimination; * advocating for accessible physical environments, transportation, information and communication, (including communications technologies), health, education, justice, employment and an adequate standard of living; * advocating for freedom from arbitrary detention, torture, cruel, inhuman or degrading treatment, violence and abuse; * advocating for participation in political and public life, recreation and leisure, and the right to privacy, home and family. |
| **National  Standards for Disability Services** | **QAI commitment** |
| **National Standard 1: Rights**  The service promotes individual rights to freedom of expression, self-determination and decision-making and actively prevents abuse, harm, neglect and violence. | As a disability service provider, QAI commits to implementing the National Standards for Disability Services in our vision, actions and services.  This policy will be available and accessible to people with disability and their families, carers or supporters and the public on QAI’s website.  QAI will post its *Charter of commitment to children and young people and people with disability* in key places around its offices. It will also post the Charter in a prominent place on the QAI website.  People with disability will be provided with accessible and disability-responsive information and services including advice about their rights, legal options and the purpose of, and procedure involved in, each legal and other process the person is involved in.  People with disability will have appropriate opportunities to ‘tell their story’ or version of events, to ask questions, express their views and concerns about their situation and to make informed decisions about their circumstances.  Where appropriate, and with consent, clients with disability will be referred to other appropriate services to address their non-legal and advocacy needs. |
| **National Standard 2: Participation and Inclusion**  The service works with individuals and families, friends and carers to promote opportunities for meaningful participation and active inclusion in society. | QAI will provide legal advice and advocacy for clients to access services and supports and other opportunities to participate meaningfully in the community and live their best lives.  With our clients’ consent, all QAI workplace participants will engage in open and respectful communication with the families and communities of clients with disability and will explain how QAI will work with the person they are supporting. |
| **National Standard 3: Individual Outcomes**  Services and supports are assessed, planned, delivered and reviewed to build on individual strengths and enable individuals to reach their goals. | QAI will provide legal advice and advocacy that is tailored to our individual client needs, is consistent with their instructions and supports them to achieve the best legal and personal outcomes.  Where appropriate, and with consent, clients with disability will be referred to other appropriate services to address their non-legal and advocacy needs. |
| **National Standard 4: Feedback and Complaints**  Regular feedback is sought and used to inform individual and organisation-wide service reviews and improvement. | QAI has a Complaints Policy that is accessible and responsive to children and young people and adults with disability that outlines the roles and responsibilities of leadership, staff and volunteers, how complaints will be dealt with and who clients should talk to if they are feeling unsafe.  See QAI commitment to Child Safe National Principle 6. |
| **National Standard 5: Service Access**  The service manages access, commencement and leaving a service in a transparent, fair, equal and responsive way. | As a community legal centre, QAI understands its legal and ethical obligations to clients and respects the right of all people to access quality legal services that are responsive to their needs as well as their right to make complaints and to terminate instructions without explanation. |
| **National Standard 6: Service Management**  The service has effective and accountable service management and leadership to maximise outcomes for individuals. | All workplace participants are trained and supported to effectively implement this policy, including:   * to recognise indicators of harm * to respond effectively to issues of safety and wellbeing and * how to build culturally safe environments   for children and young people and adults with disability.  QAI has a Complaints Policy that is accessible and responsive to children and young people and adults with disability that outlines the roles and responsibilities of leadership, staff and volunteers, how complaints will be dealt with and who clients should talk to if they are feeling unsafe.  See QAI commitment to Child Safe National Principle 6.  QAI reviews this Policy every two years to ensure its ongoing effectiveness in ensuring that children and young people and people with disability have their safety and wellbeing protected.  These reviews include analysis of complaints, concerns and safety incidents to identify and address systemic and other failures and implement continuous improvement. |

# Compliance with this Policy

All workplace participants are expected to comply with the principles and commitments outlined in this policy. Where this policy is breached, workplace participants may be subject to disciplinary action which can range from a warning or counselling to dismissal, depending on the seriousness of the breach.

# Review of this Policy

This policy will be reviewed and updated every two years or at the discretion of the Management Committee.

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| **Standards or other external requirements:** | [National Standards for Disability Services](https://www.dss.gov.au/sites/default/files/documents/05_2021/nsdsfullversion-may-2021.pdf)  [National Principles for Child Safe Organisations](https://childsafe.humanrights.gov.au/national-principles)  [Online Queensland Child Protection Guide](https://secure.communities.qld.gov.au/cpguide/engine.aspx)  Legal Aid Queensland, Best practice guidelines for working with children and young people  [*Convention on the Rights of the Child*](https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child)  [*Convention on the Rights of Persons with Disabilities*](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html) |
| **Legislation or other requirements:** | Working with Children (Risk Management and Screening) Act 2000  Working with Children (Risk Management and Screening) Regulation 2020  Disability Services Act 2006  Child Protection Act 1999  Criminal Code s 229BC |
| **Related Policies:** | [Code of Ethics and Conduct](https://queenslandadvocacy.sharepoint.com/:w:/r/sites/QueenslandAdvocacy/Policy%20Library/Code%20of%20Ethics%20and%20Conduct.docx?d=wd9de2eb60c6d4505a3baa2e52290e19c&csf=1&web=1&e=RMSn94)  Charter of Commitment to Children and Young people and People with Disability  [Child Sexual Abuse Reporting](https://queenslandadvocacy.sharepoint.com/:w:/r/sites/QueenslandAdvocacy/Policy%20Library/Child%20Sexual%20Abuse%20Reporting.docx?d=we2cdd388dafb4aeeb666e34a91de3ccf&csf=1&web=1&e=DrwbMN)  [Staff Recruitment and Selection](https://queenslandadvocacy.sharepoint.com/:w:/r/sites/QueenslandAdvocacy/Policy%20Library/Staff%20Recruitment%20and%20Selection.docx?d=wc5c6d5b094e24621833f68d13fb72a31&csf=1&web=1&e=pSVCws)  [Staff Induction](https://queenslandadvocacy.sharepoint.com/:w:/r/sites/QueenslandAdvocacy/Policy%20Library/Staff%20Induction.docx?d=w0701d1cd1b3949068fd474e86a202bd9&csf=1&web=1&e=bht1JN)  [Staff Support and Training](https://queenslandadvocacy.sharepoint.com/:w:/r/sites/QueenslandAdvocacy/Policy%20Library/Staff%20Support%20%26%20Training%20.docx?d=w434beae9295d4cb5ad202c7c93042e6f&csf=1&web=1&e=xo0AgP)  [Privacy and Confidentiality Policy](https://queenslandadvocacy.sharepoint.com/:w:/r/sites/QueenslandAdvocacy/Policy%20Library/Privacy%20and%20Confidentiality.docx?d=w572e9203f6074bc8a5a62d6435aa322e&csf=1&web=1&e=DsoFEk)  [Complaints Policy (External)](https://queenslandadvocacy.sharepoint.com/:w:/r/sites/QueenslandAdvocacy/Policy%20Library/Complaints%20Policy%20External.docx?d=w7a6a23e9270b47978bbe14d6a253e987&csf=1&web=1&e=xEucO5)  [Workplace grievance and dispute resolution policy](https://queenslandadvocacy.sharepoint.com/:w:/r/sites/QueenslandAdvocacy/Policy%20Library/Workplace%20grievance%20and%20dispute%20resolution%20policy.docx?d=wc0af8285d50b47a4bd8180e7e76bf6fd&csf=1&web=1&e=seJiCu)  [Staff Disciplinary Procedures](https://queenslandadvocacy.sharepoint.com/:w:/r/sites/QueenslandAdvocacy/Policy%20Library/Staff%20Disciplinary%20Procedures.docx?d=wc9237180d6224ebfbb684f0f5efe6686&csf=1&web=1&e=roaHQM)  [Interview and Home Visit](https://queenslandadvocacy.sharepoint.com/:w:/r/sites/QueenslandAdvocacy/Policy%20Library/Interview%20and%20Home%20Visits%20Policy.docx?d=w6f443353cfa04c23a107d3d4146cbbda&csf=1&web=1&e=Bc8yME)  [Work health and safety](https://queenslandadvocacy.sharepoint.com/:w:/r/sites/QueenslandAdvocacy/Policy%20Library/Workplace%20grievance%20and%20dispute%20resolution%20policy.docx?d=wc0af8285d50b47a4bd8180e7e76bf6fd&csf=1&web=1&e=seJiCu) |
| **Forms and other organisational documents:** | [Child Safe Organisation Annual Self-Assessment](https://childsafe.humanrights.gov.au/learning-hub/organisational-self-assessment)  [Compliance Register](https://queenslandadvocacy.sharepoint.com/:x:/r/sites/QueenslandAdvocacy/Finance/Compliance%20Schedule%202022%202023.xlsx?d=w581b70f38a0256a087e7425f8d2203ee&csf=1&web=1&e=QsRdbr)  QAI Team meeting agendas  [Feedback form](https://queenslandadvocacy.sharepoint.com/:b:/r/sites/QueenslandAdvocacy/Community%20Engagement/Feedback%20and%20evaluation/Client%20Feedback%20Form.pdf?csf=1&web=1&e=6TEIJh)  [Complaint form](https://queenslandadvocacy.sharepoint.com/:w:/r/sites/QueenslandAdvocacy/Management/Client%20Complaints/Complaint%20Form.docx?d=wa8017e93a97744018f326daf0c8aab04&csf=1&web=1&e=xQZz3g)  [Incident form](https://queenslandadvocacy.sharepoint.com/:w:/r/sites/QueenslandAdvocacy/Operations/WHS/Incident%20Report%20Form.docx?d=w24e48b0a5c484d6eb4d60b1dc2693088&csf=1&web=1&e=IYusvP)  [Mandatory Reporting Register](https://queenslandadvocacy.sharepoint.com/:x:/r/sites/QueenslandAdvocacy/Governance/PII%20Risk%20Management/Defamation%20and%20other%20legal%20risk/Mandatory%20Reporting%20Register.xlsx?d=w1a2c513f8747430a810e887a600e8e3f&csf=1&web=1&e=q3uOet)  [Position Descriptions](https://queenslandadvocacy.sharepoint.com/:f:/r/sites/QueenslandAdvocacy/People%20%20Culture/Position%20Descriptions?csf=1&web=1&e=LcX1hc)  Sentrient onboarding compliance  [Risk Management Plan](https://queenslandadvocacy.sharepoint.com/:x:/r/sites/QueenslandAdvocacy/Governance/Planning/Business%20Continuity/Risk%20Managment%20Plan%20DRAFT.xlsm?d=wda1d3907b4844564ab4feb2dec0f3390&csf=1&web=1&e=1gFkEx)  [Performance review](https://queenslandadvocacy.sharepoint.com/:f:/r/sites/QueenslandAdvocacy/People%20%20Culture/Performance?csf=1&web=1&e=CtS7r6)  DSS Annual Compliance Report |
| **Approved Date:** | 23 November 2022 |
| **Review Date:** | 23 November 2024 |