



Framework Summary

Department of Health

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Community, Mental Health and Wellbeing

Child Safety and Wellbeing

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Acknowledgement of Country

The Department of Health Tasmania respectfully acknowledges Tasmanian Aboriginal people as the traditional custodians of the land on which we live, work and play and pays respect to Aboriginal Elders past and present.

Foreword

Every day our health workforce provides essential services to children and young people across Tasmania. From bringing new life into the world and aiding those precious first moments, to providing life-changing treatment, care, and support, our staff and volunteers are there every step of the way.

Working alongside families and caregivers to make a difference in the lives of children and young people is a privilege; ensuring they remain safe from harm is our duty.

While we each have a personal responsibility to uphold the rights of children and young people, it cannot be done alone. That is why the Department of Health is taking a systemic approach to enhance the way we work with children and young people.

Over the coming months, we will be prioritising the implementation of the National Principles for Child Safe Organisations. The National Principles are an ongoing commitment that will allow children and young people to grow and thrive in a health environment that is safe, welcoming, and supportive. This document provides a framework for how this will be done and importantly, how we can each contribute.

The action we take now as Tasmania's health agency will have a profound effect on the current and future generations in our State.

I am calling on each and every one of you to champion the safety and wellbeing of children and young people for a safer, brighter Tasmania.

Kathrine Morgan-Wicks

Secretary, Department of Health, Tasmania

September 2022

Statement of Commitment

All children and young people have the right to feel and be safe. Children and young people want to be believed and to be heard. Keeping children and young people safe is everyone's responsibility.

We are collectively and individually committed to improving the way we work with vulnerable people, with a specific focus on children and young people. Children and young people are dependent on adults to care for them, meet their basic needs, and make decisions for them. Adults are in positions of trust, and are responsible for the safety, wellbeing, and empowerment of children and young people. We have an opportunity to recognise the signs of harm to children and young people and respond accordingly, whether working directly with them or with their parents or caregivers.

We collectively and individually recognise that some children face additional risk of harm. We are committed to meeting the diverse needs and ensuring the cultural safety of:

- Aboriginal and Torres Strait Islander children and young people
- children and young people from culturally and linguistically diverse (CALD) backgrounds
- children and young people who are unable to live at home
- children and young people living with disability
- lesbian, gay, bisexual, transgender, gender diverse, intersex, queer, asexual and questioning (LGBTIQA+) children and young people

We will put in place strategies and actions to promote child safety and wellbeing, empower, and prevent harm to children and young people. It will work towards an environment where children and young people feel safe and are safe, have their voices heard, and are involved in the decisions that affect their lives.

Contents

Foreword	3
Statement of Commitment	4
Executive summary	6
About the Framework.....	7
How does the Framework help?.....	8
Aim	8
Concepts	9
Implementing the National Principles.....	10
What is new	10
How we will support the Framework.....	10
Child Safety and Wellbeing Principles	11
1. Leadership, governance and culture.....	11
2. Empowering children and young people.....	12
3. Involving family and community.....	13
4. Equity upheld and diverse needs respected	14
5. Managing staff and volunteers.....	15
6. Child friendly complaint processes and reporting.....	16
7. Education and development.....	17
8. Safe environments.....	18
9. Continuous improvement.....	19
10. Accessible and inclusive child safety and wellbeing policies.....	20
References.....	21

Executive summary

The National Principles for Child Safe Organisations (the National Principles) were endorsed by the Council of Australian Governments in February 2019. [1]

The Child Safety and Wellbeing Framework for Implementing the National Principles for Child Safe Organisations (the Framework) establishes a systemic approach to enhance the way the Department of Health (the Department) works with vulnerable people, specifically children and young people.

The Framework:

- ensures that structures, systems, and processes are in place to mandate and foster a child safe organisation and child safe culture. It recognises that effective leadership and governance must be embedded at all levels of the organisation to successfully foster this culture.
- establishes the National Principles as key priorities to be embedded into the Department's child safe approach. The National Principles set out a nationally consistent rights-based approach to creating an organisational culture that fosters child safety and wellbeing. [2]
- applies to the entire Department, as well as organisations funded by the Department. While the operational practicalities of a child safe approach may differ across services, all services must uphold the Department's commitment to child safety and wellbeing. The Framework recognises that this commitment is an obligation of both the individual and the organisation and is a shared responsibility at all levels.
- details the responsibility and requirements to be met by all people engaged by the Department in protecting the health, safety, welfare, and wellbeing of children and young people. All workers must act in accordance with their legal obligations and relevant statutory directions, and the Department's child safe policies, frameworks, guidelines, and procedures.

About the Framework

The Framework was developed as part of the Department's response to implementing the National Principles. The Department will implement the National Principles across the organisation. Doing this will give the Department tools to contribute to the safety and wellbeing of children and young people. This will help the Department meet the specific needs, rights and interests of children and young people within a child safe culture.

The Framework provides a common understanding of child safety and wellbeing ensuring that children and young people's voices are heard, and that they and their families and caregivers are involved in the decisions affecting them.

The Department's existing safety and quality principles and practices lay a strong foundation for the promotion and protection of the safety and wellbeing of children and young people. The implementation of the National Principles requires a specific child-focused methodology to be applied to the Department's existing approach to meeting the National Safety and Quality Health Service (NSQHS) Standards against which it is assessed and accredited. [3] They assist to provide a nationally consistent rights-based approach to creating organisational cultures that foster child safety and wellbeing.

The National Principles reflect a broad scope that spans beyond child sexual abuse to cover children and young people's rights and other forms of potential harm. They are intended to guide institutions to be child safe by setting out nationally agreed good practice, based on best available evidence. The principles also set benchmarks to assess an organisation's child safe capacity, and a structured framework to assess, and minimise or mitigate, the risks that contribute to institutional child abuse. [4] [5]

The National Principles outline at a high level the 10 elements that are fundamental for making an organisation safe for children and young people.

The National Principles are: [2]

- 1 Child safety and wellbeing is embedded in organisational leadership, governance and culture.
- 2 Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
- 3 Families and communities are informed and involved in promoting child safety and wellbeing.
- 4 Equity is upheld and diverse needs respected in policy and practice.
- 5 People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
- 6 Processes to respond to complaints and concerns are child focused.
- 7 Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
- 8 Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- 9 Implementation of the national child safe principles is regularly reviewed and improved.
- 10 Policies and procedures document how the organisation is safe for children and young people.

How does the Framework help?

The Framework establishes a formal right-based approach to child safety and wellbeing. It enables the Department to demonstrate to consumers, the community, government, and peers that it is accountable for the safety and wellbeing of children and young people.

The Framework outlines the commitment of the Department to promote child rights, safety and wellbeing, and prevent harm to children and young people and demonstrates a commitment to empower children and young people as active participants in the institutions which are a part of their lives.

It supports the achievement of a culture that promotes child wellbeing and prevents harm to children and young people. It explains the professional and legal responsibilities that employees, consultants, contractors and volunteers engaged by the Department must follow whether directly or indirectly involved with children and young people to provide a

child safe culture where children and young people feel safe and are safe, and able to actively participate in the decisions that affect their lives.

The Framework guides and informs workers on safe ways to behave, interact and engage with children and young people. It also references the tools, and resources available and the interagency arrangements in place to help workers meet their responsibilities.

The Framework aims to ensure a consistent and best practice Departmental approach to promoting health, safety, empowerment, and wellbeing of children and young people in accordance with the guidance and obligations as referred to throughout.

'Nothing is more important than the safety and wellbeing of children and young people'. Kathrine Morgan-Wicks, Secretary Department of Health

Aim

The Framework aims to empower and improve the wellbeing of children and young people, their families and caregivers, ensuring equitable, inclusive practice. It pays particular attention to groups of children and young people for whom equity and inclusion is a particularly critical safeguard.

It aims to minimise any risks that may impact the safety and wellbeing of children and young people and strengthens the Department's capacity to detect and respond effectively to harm in line with the principles of trauma-informed care. [6] [7]

The Framework:

- promotes a child safe culture where the Department works collectively to improve the safety and wellbeing of all children and young people in its care
- enables the Department to empower and better anticipate the diverse needs of children, young people, their families and caregivers and universally adapt environments, communication and ways of working to ensure equitable, inclusive practice
- outlines the requirements the Department must meet in relation to the National Principles,

statutory obligations, and relevant standards and accreditation processes

- details structures, systems, and processes that enable compliance with the principles and accountability for child safety and wellbeing to be demonstrated, and

- requires prevention and risk mitigation strategies, monitoring and continuous quality improvement systems and processes to be embedded and supported at all levels to improve the wellbeing of children and young people.

Concepts

Safeguarding children and young people

The Department and its workers have a duty of care and responsibility to safeguard children and young people. This is achieved by promoting the human rights and welfare of children and young people and protecting them from harm.

It encompasses adopting proactive, preventative, and responsive systems, policies, and practices that ensure that children and young people do not come to harm as a result of any direct or indirect contact with the Department. [8][9]

Child and youth wellbeing

The **Tasmanian Child and Youth Wellbeing Framework**, developed in partnership with people who work with children, young people, and their families, defines wellbeing as:

‘... the state where a child or young person feels loved and safe; has access to material basics; has their physical, mental and emotional health needs met; is learning and participating; and has a positive sense of culture and identity.’ [10]

Tasmania’s definition of wellbeing is based on six domains inspired by The Nest, a national, evidence-based initiative on child and youth wellbeing developed by the Australian Research Alliance for Children and Youth (ARACY). [11]

Safeguarding concerns to children and young people

The Department considers a safeguarding concern to encompass:

- any actual or potential harm, loss or damage to any child or young person’s rights, or
- psychological, physical, or cultural safety and welfare.

Concerns may arise from any event, circumstance, act, or omission that may have occurred while they were accessing, visiting, or receiving health services, or where a duty of care is owed.

A safeguarding concern does not include:

- harm, loss or damage resulting from safety events in the course of evidence-based service provision or
- clinical care in line with accepted norms or from the normal or expected progression of their clinical condition.

Implementing the National Principles

What is new

Creating a culture where children feel safe and are safe, where they can speak up and are believed

The Framework reflects the commitments, actions and policies that address each of the National Principles. It builds from a base of quality and safety approaches and outlines both how quality and safety practices contribute to child safety and wellbeing and specific aspects of

child safeguarding. The Framework is a foundation for child safeguarding practices and will continue to be updated as policies and processes evolve and are developed. Actions in the Framework include:

How we will support the Framework

Creating a system where risks are considered, we learn and follow up, and we improve

A Child Safety and Wellbeing (CSW) Service will be established to continue the implementation of the Framework once the Child Safe Organisation Project has wound up. The CSW Service will develop additional resources, policies and protocols, and other tools to ensure that systems are in place to address child safety and wellbeing risks and to develop further improvement strategies to promote child safety.

Our key focus will be on child safe behaviours, engagement with children, communication, speaking up, surveillance and monitoring, risk compliance and performance and improvement.

Child Safety and Wellbeing Principles

I. Leadership, governance and culture

Child safety and wellbeing is embedded in organisational leadership, governance, and culture.

Our Approach

The Department has established a policy framework to implement the National Principles for Child Safe Organisations. The Department will take action to promote child safety and wellbeing, empower, and prevent harm to children and young people.

The Department supports a culture where:

- the safety and wellbeing of children and young people is everyone's priority
- a culture of openness to enable disclosures of harm or risk
- safeguarding concerns are managed with a primary focus on child safety and wellbeing, are acted on and children and young people are provided appropriate care, support and feedback
- rigour is applied when investigating safeguarding concerns and are addressed accordingly
- the principles of trauma informed care are applied
- lessons learned are shared
- diversity is recognised and equity is promoted
- an accessible, centralised, single system is established to raise, report or assess, classify and appropriately act on safeguarding concerns

- children, young people, parents and carers are involved in decision making and are aware of their rights
- workers are supported through ongoing education and training

The Department's governance framework for safeguarding children and young people includes:

The **Child Safety and Wellbeing Panel** (the Panel) will be an independent panel of expert and impartial members with experience and understanding of child safety and wellbeing. The Panel will have advisory roles and responsibilities.

The **Child Safety and Wellbeing Service** (the Service) is a Department unit with experience and understanding of child safety and wellbeing. The service will have operational and advisory roles and responsibilities.

The **State Service Code of Conduct** and professional standards underpin the requirement to comply with the Framework. In addition to workers maintaining a duty of care and professional boundaries.

The **Department** will develop and enhance risk management tools to support the identification, assessment, and ongoing management of new and existing risk relating to child safety and wellbeing and will balance an individual's right to privacy and adequate information sharing to provide optimal care as well as protect children and young people from harm.

The **Department** will facilitate discussions to define the behaviours that support the rights of children accessing health care, with a focus on child rights.

'Adults often stop listening to us before we are finishing talking and often start to tell us what we think before they hear what we have to say'

2. Empowering children and young people

Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously

Our Approach

The Department is committed to the safety, participation, and empowerment of children and young people. We will foster a culture that supports and empowers children and young people to understand what child safety and wellbeing means.

The Department is committed to upholding and promoting the rights of children when accessing healthcare. It endeavours to demonstrate the following rights in all aspects of care, based upon and adapted from The Australian Charter of Health Care Rights, United Nations Convention on the Rights of the Child, Charter of Rights of Children and Young People in Healthcare Services in Australia and Tasmanian Charter of Health Rights and Responsibilities.

This means that the Department provides:

- Child-focused care
- Access to quality care
- Safe and supported
- Respectful care
- Participation and partnerships
- Rights to information
- Privacy
- Feedback and improvement

The Department seeks to ensure that children and young people contribute to and actively participate in building an organisational culture that is safe for them.

It is vital that children and young people are aware of the ways in which they can engage with the Department and participate in decision-making to the greatest possible extent.

The Department's Child Safe Approach, policies and resources will be made publicly available in clear accessible and age-appropriate formats.

The Department will provide age-appropriate platforms to regularly seek the views of children, young people, their families, and caregivers and encourage participation in decision making.

Workers will be supported to assist children, young people, their families, and caregivers to access, understand and use these services through ongoing guidance, education, and training.

The Department commits to ensuring its child safe approach is clearly communicated through the Department's public and internal website, recruitment and induction processes, education related to child safety and wellbeing and age-appropriate and health literate formats for children, young people, their families, and caregivers.

3. Involving family and community

Families and communities are informed and involved in promoting child safety

Our Approach

The Department is committed to protecting the best interest of children and young people by respecting and facilitating the role of families and caregivers. We will aim to empower families and caregivers, respecting their right to participate in decisions affecting their lives.

Families and caregivers will be informed about:

- their responsibility to keep children and young people safe
- the Department's approach to child safety and wellbeing, and
- how they can become more involved in the Department's child safeguarding governance.

They will be supported to identify and raise concerns of harm to children and young people. The Department will engage with children and young people and their families and ensure that we embed their contributions and representation.

The Department will observe the guiding principles that characterise effective and genuine engagement:

- participation
- people-centred
- mutual respect
- accessible and inclusive
- partnership
- diversity
- support
- influence
- continuous improvement

The Department is committed to promoting a collaborative healthcare environment where children, young people, their families and caregivers can ask questions, are informed about their options, have their values and preferences heard, and can engage in shared decision making.

The Department's informed consent processes comply with legislation and best practice. In general, Australian law recognises that individuals aged 18 years and over have full legal capacity to make decisions relating to their own health care.

4. Equity upheld and diverse needs respected

Equity is upheld, and diverse needs respected in policy and practice

Our Approach

The Department recognises and acknowledges the diverse circumstances of children and young people, enabling it to practice in a more child-centred way that empowers children and young people to participate more effectively.

We are committed to making sure the organisation's culture, values and behaviours enable children, young people, their families and caregivers:

- to be respected and
- to have equal access to opportunities and resources.

The Department aims to actively anticipate children and young people's diverse circumstances and will foster a child-focused environment.

The Department is committed to building an organisational culture that acknowledges the strengths and individual characteristics of and embraces all children and young people regardless of their abilities, sex, sexuality, gender, intersex variation, social, economic, or cultural background.

The Department will:

- practice cultural competence and inclusivity
- acknowledge diverse family systems and approaches to the development of children and young people

The Department will build and sustain strong cross-sectoral relationships with community-led organisations and lived experience to allow the co-design and co-development of its approach to equity and inclusion.

Accessing, understanding, or appropriately using health information is difficult for many people.

Workers have a role in making it easier for children, young people, their families, and caregivers to access, understand, and use health information and services.

The Department is committed to providing information in a variety of formats including written and spoken information, using plain language, and providing effective instructional and directional signage.

5. Managing staff and volunteers

People Working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice

Our Approach

The Department is committed to upholding its ethical and legislative obligations when recruiting and inducting workers, with advertising, screening recruitment, and induction processes underpinned by best practice standards foundational to child safety and wellbeing.

The Department is committed to delivering high-quality care and takes reasonable steps to protect the safety, security, and wellbeing of vulnerable people, including children and young people. All workers will receive induction around child safety and wellbeing. Workers will be aware of their responsibilities, including reporting obligations.

The Department's Statement of Duties will outline its commitment to child safety and wellbeing when recruiting new workers.

All positions within the Department require pre-employment checks, not just those working directly with children and young people.

We are committed to proactively anticipate, manage and resolve potential, perceived or actual conflicts of interest to protect children, young people and workers.

We will maintain a focus on safeguarding through performance and professional development programs, conversations, and agreement.

Specific pre-employment checks required for a position are listed as essential requirements in the Statement of Duties, students and volunteers also require pre-employment checks. Checks include Working with Vulnerable People (children) Registration, Conviction checks and Reference checks.

Managers and workers are encouraged to have regular, quality discussions to build an understanding of development needs, and behaviour and performance expectations. Departmental services are expected to provide a means for ongoing performance development and review that:

- embeds a focus on child safety and wellbeing and
- supports all workers with practice supervision where appropriate.

The Department's policy directives relating to unpaid workers provides a consistent best practice approach that upholds the National Standards for Volunteer involvement.

'All children have a right to feel safe and be safe'

6. Child friendly complaint processes and reporting

Processes to respond to complaints and concerns are child focused

Our Approach

By improving existing systems and processes, implementing the National Principles will ensure that workers can record, report on, and learn from safeguarding concerns to keep children, the public, and themselves safe and supported by a no-blame philosophy.

The Department will take a trauma-informed approach to the management of safeguarding concerns involving children and young people, upholding the guiding principles including:

- safety
- trustworthiness
- choice
- collaboration and
- empowerment

This approach aims to ensure the best outcomes for children and young people and considers the widespread impact of trauma, seeking to actively resist re-traumatisation.

The Department provides workers with guidance about their mandatory reporting obligations and making a report. A mandatory reporter must make the notification as soon as practicable after forming a suspicion. Failing to report suspected abuse, neglect, or other conduct reportable under legislation is a criminal offence and workers may be prosecuted.

Workers can access advice about their mandatory reporting requirements from the Tasmanian Government's Child Safety Service and/or the Department's Child Safety and Wellbeing Service.

The Department will provide pathways and process options and platforms for children, young people, their families, and caregivers to raise concerns that best meets their individual needs, such as developmental, age, physical ability, intellectual capacity, language, technology, communication, information, cultural, support and social needs.

A central complaints management process will be established, responsible for the review of all reports of inappropriate behaviour or misconduct by an employee, separate from Human Resources.

The Department's policy directives on Open Disclosure support the achievement of an open culture and provides statewide consistency for communication with children, young people, their families and caregivers following unexpected health care outcomes and harm.

The Department is committed to improving the protection and promotion of the rights, safety, and wellbeing of children and young people and will respect the needs, expectations, and preferences of any person who has experienced harm through the Department.

The Department will support workers to recognise and respond to neglect, grooming, and other forms of harm, provide appropriate support to children and young people in these instances, and meet legal requirements. This includes training to assist in responding to different complaint types, privacy considerations, listening skills, disclosures of harm, and reporting obligations.

7. Education and development

Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training

Our Approach

The Department has an opportunity to recognise signs of harm to children and young people early and respond accordingly, whether working one-on-one or with families and caregivers.

The Department seeks to make all workers aware of and comply with the National Principles and their commitment to child safety and wellbeing and child safe approach when providing services to children and young people and /or their family or caregivers.

The Department will provide information, ongoing education and training for workers to help them develop awareness and insights into their attitudes towards children and young people, and hold a contemporary understanding of child development, safety, and wellbeing.

Workers will be supported to have a sound knowledge of children and young people's rights and be able to recognise indicators of child harm including harm caused by other children and young people.

Workers will be assisted to create a safe, supportive environment for children, young people, and victims/survivors to express their views and concerns through the Department's child safety and wellbeing policy directives.

The Department acknowledges the conditions that encourage and support victims/survivors to disclose and seeks to embed these conditions wherever possible.

The Department's Child Safety and Wellbeing Service, Child Safety Services and Tasmanian Police are responsible for investigating reported safeguarding concerns.

The Department recognises that making a report does not necessarily conclude its duty of care to a child, young person, their family or caregiver. It is essential that any child or young person harmed while receiving care/service will receive appropriate care, support, and information.

The Department will work in conjunction with services to provide resources to support child safety and wellbeing in practice in accordance with the National Principles, and actively promote the dissemination of information about child safe practice to workers.

The Department's implementation of the National Principles will be regularly monitored, reviewed, and improved.

8. Safe environments

Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed

Our Approach

The Department observes the National Quality Framework (NQF) and supports their application to service provision, ensuring that the physical environment is safe, suitable, and promotes learning and development.

The following key principles from the Standards for the **Care of Children and Adolescents in Health Services** and the NQF we follow are:

- Safe People
- Visibility
- Facilities
- Privacy
- Access Control

The Department ensures that any product, service, and system used are safe, reliable and consistently performs as intended by selecting those that meet minimum quality and safety criteria as determined by Australian Standards.

Online environments are crucial to the efficient and best practice delivery of health services. These environments provide children and young people with new ways to communicate, learn, create, and contribute to their health and wellbeing.

Ensuring children and young people's right to privacy, best practice care and healthy

development in relation to online and physical environments is guided by the Department's child safe approach and relevant protocols.

The Department is committed to the provision of safe, age-appropriate, inclusive, and participatory digital environments for children and young people that observe the principles of the **Recommendation of the Council on Children in the Digital Environment:**

- fundamental values
- empowerment and resilience
- proportionality and respect for human rights
- appropriateness and inclusion and
- shared responsibility, co-operation and positive engagement.

The Department accounts for child safety and wellbeing when considering all third-party services, including where contact with children and young people is incidental or not standard to the funded activity. Third-party providers will be supported to ensure the best interests of children are promoted and encouraged to implement the National Principles.

9. Continuous improvement

Implementation of the National Principles for Child Safe Organisations is regularly reviewed and improved

Our Approach

The Department is committed to enhancing the experience of children, young people, their families and caregivers accessing its service and values their feedback. Feedback, whether it is a complaint, compliment, or suggestion, provides the Department with another mechanism to support consumer engagement and participation in health care services improvement.

Surveying children, young people, their families and caregivers about their experiences enables a focus on quality improvement that is inspired by them.

The Department will regularly review and improve its child safe practices in line with its Quality Governance Framework and key child safety and wellbeing indicators to effectively inform continuous improvement.

The Department is supported to analyse trends, compare, and implement improvement initiatives based on patient experience. The Department will enable children, young people, their families and caregivers to provide their experience through patient experience surveys that are accessible and inclusive of diversity.

The Department will develop measurable objectives and targets aimed at the elimination of safeguarding concerns to children and young people. Child safety and wellbeing performance and monitoring will be implemented at all levels of the organisation, such as child safety and wellbeing audit and risk management tools.

The Internal Audit function is an independent and objective quality improvement and assurance activity that works to understand and assess the Departments governance, risk management, and control environment, to provide recommendations for improvement to their efficiently and efficacy.

Transparency will be ensured by sharing the outcomes of recommendations and lessons learnt from the review, investigation, and analysis of risks and safeguarding concerns involving children and young people.

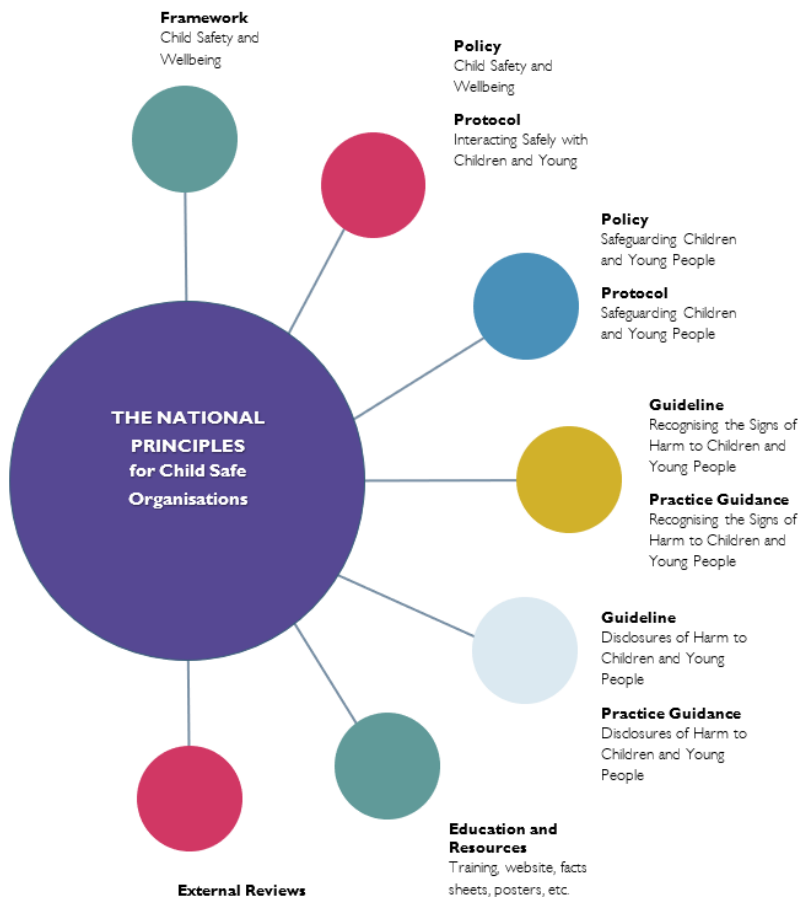
The Department will use best practice analysis and investigation techniques when managing safeguarding concerns to children and young people.

'Children need to be aware of their rights so that if they are in a vulnerable situation they need to know the things they can do to avoid being in those situations'

10. Accessible and inclusive child safety and wellbeing policies

Policies and procedures document how the organisation is safe for children and young people

Our Approach



The Department recognises the importance of having a clearly documented child safety and wellbeing policy framework that ensures consistent application of child safe practices across the organisation.

A child safety and wellbeing policy framework also enables the Department to examine, through review processes, adherence to child safety and wellbeing principles and practices.

The Department seeks to ensure that its child safe approach is comprehensive, robust, evidence-based, and sensitive to the needs and circumstances of all children, young people, their families, and caregivers.

The Framework was developed through a collaborative and consultative process, building on existing frameworks and systems.

The overarching policy framework underpinning the Department’s approach to child safety and wellbeing is outlined in this table.

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