

Background

PCYC NSW is a community based, not for profit organisation which is committed to creating and maintaining an environment that ensures all involved in PCYC NSW activities, services and programs act in the best interests of children, young people, and vulnerable adults.

PCYC NSW is against all forms of abuse and neglect of children and young people and works with the community and appropriate Government Departments to ensure the safety of these important members of our society. Education in this area for our staff, community and the children and young people we encounter is important to PCYC NSW.

It is essential that PCYC NSW creates a child and young person safe environment and has clear child protection procedures in place to prevent or minimise risk of harm to children and young people in our activities and clubs. We are also to be recognised as a safe environment for children and young people to disclose any concerns they may have in environments external to PCYC, or within PCYC.

This policy concerns the prevention, identification and handling of allegations of child abuse and neglect. It outlines processes for clearing adults to work or volunteer in PCYC facilities, programs and activities, responsibilities within those facilities, programs and activities, and the processes to be followed should this policy be breached.

Purpose

This policy provides direction to ensure that PCYC NSW is a Child Safe Organisation.

All adults involved with PCYC NSW have a duty of care to the children and young people linked to our facilities, activities, and programs. The NSW community views PCYC as a safe place for their children and young people to become involved with.

It is important that Frameworks are in place to ensure PCYC NSW continues to be this safe place for the children and young people in the community.

Scope

This policy applies to all PCYC NSW Board Members, committee members, staff, volunteers, student placement, consultants, contractors, Activity Licence Users, and those involved in both Short- and Long-Term Licence Agreements. It is effective for all activities, fundraisers and events run both on site and off site.

Definitions

Child - a person who is under the age of 16 years.

Young Person - means a person who is aged 16 years or above but who is under the age of 18 years.

Duty of Care – monitor the safety of those in our activities. Protect from danger from equipment, the activities, other participants and our staff/volunteers.

One Off Job - A job that will only require contractors on premises until the completion of that job, where there is little to no contact with children due to hours of work and location of job. Supervision is required when children are present. Examples might include air conditioner replacement, removal of a wall or floor refurbishment.

Mandatory Reporting - A term used to describe the legislative requirement to report suspected cases of child abuse and neglect to government authorities.

Mandatory Reporter - A person who, in the course of their professional work or other paid employment delivers health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children; and

A person who holds a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children.

Risk of Significant Harm - A child or young person is at risk of significant harm if the circumstances that are causing concerns exist for the safety, welfare or wellbeing of the child or young person are present to a significant extent. What is significant is not minor or trivial and may reasonable be expected to produce a substantial and demonstrably adverse impact on the child or young

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person's safety, welfare, or wellbeing or in the case of an unborn child, after the child's birth.

Policy

PCYC NSW has a multi layered approach to Child Protection, commencing with Police Checks for all adults who fall into the following categories:

- PCYC NSW Board Member
- PCYC NSW Committee Member
- Managers and staff
- Volunteers/student placements
- Contractors/workshop providers (Service Agreement)
- Activity Licence Users
- Short Term Licence Agreement holders
- Long Term Service Agreement holders

This is followed up with Working with Children Check verification for all adults who fall into the following categories:

- PCYC NSW Board Member
- PCYC NSW Committee Member
- Managers and staff
- Volunteers/student placements
- Activity Licence Users
- Short Term Licence Agreement holders, including employees/volunteers who will be on site.
- Long Term Service Agreement holders, including employees/volunteers who will be on site.

Working with Children Checks may be requested for those in the following categories if they fall under the clauses mentioned in Working with Children Check Section of the Child Protection Procedure.

- I. Contractors/subcontractors (Service Agreement)
- II. Workshop providers (Service Agreement)

All involved in PCYC NSW in the positions outlined above have a duty of care to protect children and young people from the risk of harm. This includes (but is not limited to) abuse, neglect, injury, allergy, and health requirements. All those outlined in the positions above must have a PCYC NSW Police Check conducted and must provide a

cleared Working with Children Check which will be verified by PCYC NSW.

All those outlined in the positions above will receive a copy of this policy, a Guide to the Protection of Children and Young People in PCYC and an induction that includes the embedded child safe practices within the activity and premises they will be working in.

All those outlined in the positions above have the responsibility to report any risk of harm; within their activity; by an employee or volunteer; suspected harm to a child or young person; or harm that has been disclosed to them by a child or young person.

References/Citations

Children's Guardian Act 2019

Children and Young Persons (Care and Protection) Act 1998 (NSW)

Children and Young Persons (Care and Protection) Amendment (Parental Responsibility Contracts) Act 2006 (NSW)

Children and Young Persons (Care and Protection) Amendment Bill 2009 (NSW)

Child Protection (Offenders Registration) Act 2000 (NSW)

Child Protection (Working with Children) Act 2012 (NSW)

Crimes Act 1900 (NSW)

Commission for Children and Young People Act 1998 (NSW)

The Ombudsman Act 1974 (NSW)

Family Law Act 1975 (Commonwealth)

Education and Care Services National Law 2010

Education and Care Services National Regulations 2010 and 2014 Update

Reportable Conduct – Identifying and Responding to Allegations against an Employee. (Sample Policy for OOSH – Network of Community Activities)

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Child Protection Policy

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A Guide to the Protection of Children and Young People in PCYC NSW


Appropriate Physical Contact in OOSH – Network of Community Activities

PCYC Child Protection Process (November 2016)

PCYC Code of Conduct

Providing a Child Safe Environment Policy (PCYC KidzCare)

Approval

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