

CHILDREN AND YOUNG PEOPLE AT RISK POLICY

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1 Purpose and Objective

This policy outlines how Housing Plus responds to suspected or actual risk of harm, abuse or neglect to children and young people.

2 Scope

- a. This policy applies to all Housing Plus and its subsidiaries, employees, management and other stakeholders including volunteers.
- b. This policy applies to Housing Plus tenants and applicants.
- c. This policy describes the organisation's objectives and policies regarding children and young people at risk of significant harm.

3 References

3.1 Legislation

- The Children and Young Persons (Care and Protection) Act 1998 particularly Chapter 16A
- The Privacy and Personal Information Protection Act 1998
- The Health Records and Information Privacy Act 2002
- Australian Privacy Principles under the Privacy Act 1988 (Commonwealth)
- Ombudsman Act 1974
- Housing Act 2001
- Residential Tenancies Act 2010
- Keep Them Safe: A shared approach to child wellbeing, 2009-2014
- NSW Crimes Act 1900
- NSW Children and Young Persons (Care and Protection) Regulation 2022
- NSW Children's Guardian Act 2019

4 Definitions

Term: Company

Definition: Housing Plus, ABN 83 147 459 461, and all of its related and associated entities

Term: Employee

Definition: An individual who is directly engaged and paid by the Company as an Employee

Term: Manager

Definition: An Employee who has direct reports (includes Executive, Senior Management and Team Leaders). In situations involving volunteers, 'Manager' refers to the Volunteer Supervisor

Term: Executive

Definition: A member of the Executive team

Term: Volunteer or Other Stakeholders

Definition: Collectively refers to any individual(s) who is not an Employee but who carries out work (whether paid or unpaid) for the Company, including (but not limited to) work as a volunteer, contractor, secondee, consultant or subcontractor, labour hire company, an apprentice or trainee, and a student gaining work experience.

Term: Work Environment

Definition: Includes but is not limited to:

- During and outside normal working hours.
- All functions, events and places which are work related (e.g. Including working from home under the flexible work policy, work lunches, conferences, Christmas parties and client functions).
- During the recruitment process; any environment which has sufficient connection to employment; decisions about promotions and other career opportunities, or in the termination of employment.
- In the course of providing goods and services.

Term: Child

Definition: A person under 16 years of age.

Term: Young Person

Definition: A person aged 16 years or above but under 18.

Term: Mandatory reporters

Definition: Mandatory reporters are people who deliver services, wholly or partly, to children as part of their professional work or other paid employment. Mandatory reporters are required by law to report suspected child abuse and neglect to government authorities.

Term: Risk of significant harm

Definition: The significance can result from a single act or omission or an accumulation of these. Harmful circumstances may be present where there is a risk of physical abuse, sexual abuse, a failure to meet basic needs or provide necessary medical care, exposure to domestic violence, or serious psychological harm resulting from the behaviour of a parent

or caregiver. Risk of Significant Harm (ROSH) is the likelihood that a child or young person may suffer physical, psychological or emotional harm as a result of what is done (physical, sexual or emotional abuse) or not done (neglect) to the child or young person by another person, often an adult responsible for their care. Risk of significant harm can also refer to young people who may suffer physical, psychological, sexual or emotional harm as a result of environmental factors (for example homelessness) or self-harming behaviour. In the case of an unborn child, what is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child after the child's birth. Risk of Significant Harm also includes at risk behaviours and environments from Housing Plus staff. Further information can be found here:

<https://dcj.nsw.gov.au/children-and-families/protecting-our-kids/reporting-a-child-at-risk/should-i-call-to-report-a-child-at-risk-.html>

5 Responsibilities

5.1 Executive

- a. Ensure adequate resources are provided to implement and support this policy.
- b. Manage the implementation of and adherence to this policy.
- c. Model appropriate standards of behaviour.

5.2 Management

- a. Ensure that all Employees and Other Stakeholders are aware this policy and understand their obligations.
- b. Ensure effective implementation of and adherence to this policy.
- c. Model appropriate standards of behaviour.

5.3 Employees, Volunteers and other Stakeholders

- a. Understand and comply with this policy.
- b. Model appropriate standards of behaviour.

6 Policy

Housing Plus prioritises the safety, welfare and wellbeing of children, young people and their families. Housing Plus works in partnership with other agencies to ensure the safety, welfare, and wellbeing of children and young people are addressed.

Housing Plus employees and volunteers are mandatory reporters under the *NSW Children and Young Persons (Care and Protection) Act 1998*. Employees who identify a child or young person at risk of harm or potentially at risk of harm must consult the Mandatory Reporter Guide to determine what action is required. The Mandatory Reporter Guide can be found here:

<https://reporter.childstory.nsw.gov.au/s/>

Housing Plus will report any reasonable suspicion that a child or young person is at risk of significant harm to the Child Protection Helpline on 13 21 11. The Child Protection Helpline is available 24 hours per day/-7 days per week. Further information can be found here:

<https://dcj.nsw.gov.au/children-and-families/protecting-our-kids/reporting-a-child-at-risk/child-at-risk-of-harm-and-neglect.html>

Where the suspected risk of significant harm is below the statutory reporting threshold, Housing Plus will work with other agencies to provide referrals and appropriate housing assistance to support children, young people, and their families.

6.1 Exchange of Information with Other Agencies

Under Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998*, Housing Plus has the authority to request or release information about a child or young person and their parent, without consent, if it relates to the safety, welfare and wellbeing of a child or young person. This means Housing Plus is obliged by law to provide the requested information to the relevant authorities.

Housing Plus may also share information or collaborate with other agencies in line with the NSW Interagency Guidelines for Practitioners found here: <https://dcj.nsw.gov.au/service-providers/deliver-services-to-children-and-families/nsw-interagency-guidelines-for-practitioners.html>

The guidelines detail general indicators of child abuse and neglect, which can assist employees in identifying whether a child or young person is being abused or neglected.

6.2 Privacy and Confidentiality

Housing Plus treats all information concerning a report in the strictest confidence. Housing Plus cannot disclose the identity of a reporter without their permission or unless directed by a judge or magistrate during court proceedings.

7 Review of Decisions

Housing Plus employees are legally required to make a mandatory report if they have reasonable grounds for suspecting a child is at risk of significant harm during the course of their work. Reviews of decisions are an internal process.

8 Document Control

8.1 Document History

Action	Responsible Person	Date
Created Draft	Lena Jenson	May 2024

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