

Child Safety and Wellbeing Policy

Background

- In 1990 Australia ratified the **United Nations Convention on the Rights of the Child** (CRC). Under the Convention, children, like adults, possess human rights. They also have the right to special protection because of their vulnerability to exploitation and abuse. Under the Convention, a child is defined as every human being below eighteen years of age.
- In 2019, the **National Principles for Child Safe Organisations** were endorsed by members of the Council of Australian Governments. The Principles respond to recommendations of the (2013) Royal Commission into Institutional Responses to Child Sexual Abuse.
- In its final report, in 2017, the Royal Commission also made many other recommendations, including that State and territory governments require all institutions in their jurisdictions that engage in child-related work to meet the child safe standards.
- In 2023 the Tasmanian Government established the **Child and Youth Safe Organisations Framework**. The four main elements of the Framework are:
 - The Child and Youth Safe Standards: Ten principles that organisations must put into practice when they engage with children and young people. In putting the Child and Youth Safe Standards into practice, organisations must also give effect to the Universal Principle for Aboriginal Cultural Safety.
 - The Reportable Conduct Scheme: A compulsory scheme that requires leaders of certain organisations to report — and investigate — concerns about conduct related to child abuse involving a worker to an independent regulator.
 - The Independent Regulator: An independent regulatory body that will oversee the Framework, and make sure organisations have the support, advice, and education they need to do the right thing.
 - Information sharing provisions: Specific rules written into the law that mean leaders of organisations covered by the Framework are permitted to share personal information in certain circumstances.

Document ID	Published	Revision	Approved By	Version	Page
C47DOC-786998072-455	5/12/2023	05/12/2026	Angela Abbott	Version: 1.0	Page 1 of 5

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Purpose

Colony 47 is committed to the safety and wellbeing of all children and young people. The purpose of this policy is to ensure that all Board members, employees, students and volunteers are aware of this commitment and of their responsibilities and obligations in this regard.

Coverage

This policy applies to all Board members, employees, students and volunteers. For the purposes of this policy, the above are collectively referred to as 'employees.'

Definition

Colony 47 programs may use the terms baby, infant, children, child, young people, young person or young individual in service delivery and documentation. These all refer to a person under the age of 18, as per the Australian Human Rights Commission Act 1986.

Colony 47 is a 'prescribed person' under the definition of prescribed persons in the Children, Young Persons and Their Families Act 1997.

In Tasmania, the (state-based) *Child and Youth Safe Standards* mirror the *National Principles for Child Safe Organisations* so the two terms can be understood as being interchangeable. In this document they are referred to as The Child and Youth Safe Standards.

The *National Principles for Child Safe Organisations* and the *Tasmanian Child and Youth Safe Organisations Framework* both refer to young people. Please note that in the Tasmanian Child and Youth Safe Organisations Act 2023 a **child** means a person who has not attained the age of 18 years; and a **youth** means a person who has attained the age of 16 years but has not attained the age of 18 years.

Policy Statement

Colony 47 gives high priority to the safety and wellbeing of all children, including Aboriginal and Torres Strait Islanders; children with a disability; children from culturally and linguistically diverse backgrounds; children who are unable to live at home; lesbian, gay, bisexual, transgender and intersex children; and children accessing our services and in our care.

This policy, along with Colony 47's Child Safety and Wellbeing Implementation Guide, sets out the way in which:

1. child safety and wellbeing is embedded in Colony 47's leadership, governance, and culture;
2. children are informed about their rights, participate in decisions affecting them and are taken seriously;

Document ID	Published	Revision	Approved By	Version	Page
C47DOC-786998072-455	5/12/2023	05/12/2026	Angela Abbott	Version: 1.0	Page 2 of 5

3. families and communities are informed and involved in promoting child safety and wellbeing;
4. equity is upheld and diverse needs are respected in policy and practice;
5. people working with children 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. employees are equipped with the knowledge, skills, and awareness to keep children safe through ongoing education and training;
8. physical and online environments promote safety and wellbeing while minimising the opportunity for children to be harmed;
9. implementation of the national child safety principles is regularly reviewed and improved; and
10. policies and procedures document how the organisation is safe for children.

Children’s right to safety and participation

Colony 47 encourages children to express their views and make suggestions, especially on matters that directly affect them. We value diversity and inclusive practice.

We advise children about their rights to safety and provide information and advocacy in situations where a child may be unsafe. We actively encourage children to access our services and have their say about those things that are important to them.

We **will** advise children about what they can do if they feel unsafe. We listen to, and act on, any concerns children, their parents or their carers raise with us.

Cultural considerations

All children, regardless of their cultural background have the right to make decisions through their cultural lens as this may be their normal practice.

Colony 47 **will** consider all cultural practices throughout the Child Safety and Wellbeing Implementation Guide.

Recruitment of employees and volunteers

Colony 47 applies best practice standards in recruitment and screening of employees including referee checks, working with vulnerable people checks and good character checks.

All employees will undertake training in child safety at inductions and periodically while engaged with Colony 47.

Duty of care towards children and young people

All employees are bound by the Colony 47 Code of Conduct.

All employees will be held accountable for failing to take action that could have reasonably been seen to have prevented a child suffering physical or emotional harm.

Document ID	Published	Revision	Approved By	Version	Page
C47DOC-786998072-455	5/12/2023	05/12/2026	Angela Abbott	Version: 1.0	Page 3 of 5

Colony 47's online presence is controlled and reviewed by the Marketing and Communications Partner.

Program specific sites and social media is controlled by the relevant Executive Manager and Coordinator.

All information security including restricting access to pornography and child exploitation material is controlled and monitored by the Chief Information Security Officer or delegate.

Risk assessment

Colony 47 Leadership Team **will** implement and maintain risk management strategies that focus on identifying, assessing, mitigating and preventing breaches of child safety.

Complaints

Colony 47 **will** prioritise children's rights, safety and wellbeing when engaging with support programs.

Children are encouraged to speak up if they do not feel that their rights are being met.

All complaints will be followed up and actioned in a timely manner and no person will be penalised or suffer adverse consequences for making a complaint.

Third parties

Where applicable, controls will be implemented to manage vendors', contractors' and visitors' contact with children (for example, working with vulnerable people checks are required in certain settings.)

Reporting and responding to suspected abuse and neglect

As a prescribed person, all representatives of Colony 47 have a personal obligation to identify and report beliefs, reasonable suspicions or knowledge of abuse and neglect of persons under 18 years of age (including unborn children) by contacting the relevant authorities. No proof is required to make a mandatory report.

What must be reported?

1. The likelihood of a person 18 or under being killed, abused, or neglected by a person with whom they reside.
2. Likely harm to an unborn child.
3. Family violence in a home where a person 18 or under resides (whether the young person is a direct recipient of the violence or not).
4. Significant emotional or physical harm.
5. Significant neglect.
6. Physical violence.
7. A sexual offence or misconduct.
8. Grooming.
9. Relevant offences such as failing to report child abuse and female genital mutilation.

Document ID	Published	Revision	Approved By	Version	Page
C47DOC-786998072-455	5/12/2023	05/12/2026	Angela Abbott	Version: 1.0	Page 4 of 5

Reportable Conduct Scheme

Colony 47 is required to notify the independent regulator when concerns are raised about the conduct relating to child abuse involving a worker, volunteer or other people known to the child or young person. C47 **must** conduct an investigation.

Reportable conduct consists of the following:

- Significant emotional or psychological harm
- Significant neglect
- Physical violence
- A sexual offence
- Sexual misconduct
- Grooming
- Relevant offences such as failing to report child abuse and female genital mutilation

Related Documents

- Mandatory Reporting and Reportable Conduct Procedures
- Code of Conduct
- Feedback Framework
- Recruitment Handbook
- Problem and Sexually Abusive Behaviours Procedure
- Intimate Relationships Procedure

Document ID	Published	Revision	Approved By	Version	Page
C47DOC-786998072-455	5/12/2023	05/12/2026	Angela Abbott	Version: 1.0	Page 5 of 5