

Child Safe – Child Safety & Wellbeing Policy



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Child Safe – Child Safety & Wellbeing Policy



Policy Statement

Mountains Youth Services Team (MYST) is committed to the safety and wellbeing of children and young people at our service, which will be fostered through responsive relationships, engaging experiences and a safe and healthy environment.

MYST acknowledges its responsibility to respect and listen to the opinions of the children and young people we work with, and recognises the importance of developing and implementing systems that protect children and young people from risk of harm.

Note: All MYST staff are Mandatory reporters and must possess a verified Working with Children Check (see *Working with Children Check Policy*).

Scope

This policy applies to all Board members, staff, volunteers and students of MYST.

Policy context

The *Children's Guardian Amendment (Child Safe Scheme) Bill 2021* amends the *Children's Guardian Act* to embed the NSW Child Safe Standards as the primary framework guiding child safe practices in NSW. These standards align closely with the National Principles for Child Safe Organisations.

This policy relates to:

Standards	<ul style="list-style-type: none">• National Principles for Child Safe Organisations https://www.childsafety.gov.au/system/files/2022-09/english-national-principles-feb-2019.pdf• NSW Child Safe Standards https://ocg.nsw.gov.au/child-safe-scheme/implementing-child-safe-standards• United Nations Convention of the Rights of the Child
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Legislation	<ul style="list-style-type: none"> • Family Law Act 1975 (Cth) • Children and Young Persons (Care and Protection) Act 1998 (NSW) • Children and Young Persons (Care and Protection) Regulation 2012 (NSW) • Children’s Guardian Act 2019 (NSW) • The Children’s Guardian Amendment (Child Safe Scheme) 2021 (NSW) • Child Protection (Working with Children) Act 2012 (NSW) • Child Protection (Working with Children) Regulation 2013 • Crimes Act 1900 (NSW) • Ombudsman Act 1974 (NSW) • Children Legislation Amendment (Reportable Conduct) Act 2017 • Disability Inclusion Act 2014 (NSW) • Anti-Discrimination Act 1977 (NSW)
Organisation policies	See under ‘Related documents’

Definitions

Child: a person under 16 years of age.

Young person: a person 16 or 17 years of age.

Employee: In section 25(1) of the Ombudsman Act 1974 (Amendment), there are two groups of people who are considered to be employees and who may have reportable allegations made against them or be the subject of a reportable conviction.

These are:

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- Employee (contd):**
- i) any employee of MYST whether or not employed in connection with any work or activities of MYST that relates to children; and
 - ii) any individual engaged by MYST to provide services to children (including in the capacity as a volunteer). This can include contractors, work experience participants, and student placements.
- Head of Agency:** MYST Chief Executive Officer (CEO) is the designated Head of Agency with responsibility to respond to ‘reportable allegations’ and ‘reportable convictions’ against employees and allegations which are exempt from notification to the Ombudsman, as defined in section 25A (1) of the Ombudsman Act 1974.
- Allegation:** means an assertion that someone has done something wrong. Proof is not required for an allegation.
- Disclosure:** means that a person has reported, or made known, an instance of abuse or suspected abuse.
- Mandatory reporter:** is an individual required under section 27 (1)(a) Children and Young People (Care and Protection) Act 1998 to report to Community Services when they have reasonable grounds to suspect that a child, or a class of children, is at risk of significant harm from abuse or neglect and those grounds arise during the course of or from the person’s work.
- Note: all staff members at MYST are mandatory reporters.*
- Mandatory Reporter Guide (MRG):** means the Structured Decision-Making tool that supports mandatory reporters in NSW to determine whether a report to the Child Protection Helpline is needed for concerns about possible abuse or neglect of a child or young person. It also identifies alternative supports for vulnerable children, young people and their families when a report to the Child Protection Helpline is not advised.

Prohibited Person: is a person who is convicted of the following (whether in NSW or elsewhere):

- i. serious sex offence
- ii. child-related personal violence offence
- iii. murder of a child
- iv. indecency offences punishable by imprisonment of 12 months or more
- v. kidnapping (unless the offender is or has been the child's parent or carer)
- vi. offences connected with child prostitution
- vii. possession, distribution or publication of child pornography; or
- viii. attempt, conspiracy or incitement to commit any of the above offences.

Reportable allegation: means an allegation of reportable conduct against an employee, volunteer, contractor or visitor or an allegation of misconduct that may involve reportable conduct.

Reportable conduct: The Children's Guardian Act 2019 defines reportable conduct as:

- a sexual offence
- sexual misconduct
- ill-treatment of a child
- neglect of a child
- an assault against a child
- an offence under s 43B (failure to protect) or s 316A (failure to report) of the Crimes Act 1900; and
- behaviour that causes significant emotional or psychological harm to a child. *

(Source: Office of the Children's Guardian – Identifying Reportable Allegations – the NSW Reportable Conduct Scheme – Fact Sheet 1).

<https://ocg.nsw.gov.au/organisations/reportable-conduct-scheme/reportable-conduct-fact-sheets>

* This might also include grooming.

Principles for a child safe environment

MYST is committed to upholding a safe environment for children and young people in which children and young people's rights are respected, differences are celebrated, children and young people's views and voices are sought and acted on, and particular effort is made to advocate for the most vulnerable or marginalised.

To that end, MYST has set principles for how we work so everyone understands what a child safe environment means to us, and that we are expected to live up to these principles in our work at all times. These are:

1. We have zero tolerance of child abuse.

We see child safety as everyone's responsibility and the leading priority in our decision-making. We promptly report all unreported allegations of child abuse to the relevant authorities. We take any concerns about the conduct of Commission employees, volunteers, contractors or authorised persons seriously and prioritise the safety of children and young people in our response.

2. We strive to show leadership in child safety.

We strive to model best practice and regularly review our approach to child safety and commit to continuous improvement.

3. We recognise, respect and foster children and young people's rights.

We promote the rights, safety and wellbeing of children and young people in line with the United Nations Convention on the Rights of the Child (UNCRC). The UNCRC recognises that children have a right to be protected from physical and mental harm and neglect, and enjoy the full range of human rights – civil, cultural, economic, political and social. Our work is informed by these principles and the principles of social justice.

4. We advocate to improve the experience of vulnerable and marginalised children and young people in the Blue Mountains.

We advocate for their safety and wellbeing, for their voices to be heard, and for a standard of care that enables them to flourish and achieve their potential.

5. We uphold a culturally safe environment for children and young people, staff and stakeholders.

We understand that cultural safety is fundamental to the safety and wellbeing of Aboriginal and cultural and linguistically diverse children and young people. We recognise the impacts of past government policies and practices on Aboriginal peoples and challenge discrimination, unconscious bias and racism of any kind. We embrace Aboriginal culture through the organisation and seek to build positive relationships with communities to advance the wellbeing of Aboriginal children and young people.

6. We respect and celebrate diversity and seek to be inclusive of all children and young people.

We see diversity as a strength and work to ensure all children and young people are treated with respect. We have regard to the safety, wellbeing and inclusion of children and young people with disability, from cultural and linguistically diverse backgrounds and faiths, Aboriginal children and young people, and lesbian, gay, bisexual, trans/transgender, non-binary and gender diverse, intersex, queer and questioning children and young people.

7. We value and empower children and young people to participate in decisions that affect their lives.

We reach out to children and young people to hear and understand their experiences through interviews, surveys and other engagement opportunities. We seek their feedback on how we are doing and amplify their voices through our advocacy.

8. We respect the importance of families and carers in children and young people's lives and value their input and views.

We support families and carers to know what to expect from child safe organisations and communicate openly about our child safe approach. We take seriously the concerns of families and carers about the safety of children and young people, and encourage any concerns about MYST services and people to be raised.¹

Procedures

1. Roles and responsibilities of governing body, staff and volunteers

All members of the governing body, management, staff, volunteers and contractors must sign and act in accordance with the MYST Code of Conduct as part of their induction into the organisation, to commit to keeping children safe within the organisation and act in their best interests at all times.

Governing body

The MYST Board of Directors has ultimate responsibility for policies and procedures to be in place that are appropriate for the size and type of services provided, and for ensuring that all staff and volunteers abide by these to prevent and respond to child abuse. They must also be aware of their legal liability for failure to disclose abuse or failure to reasonably protect based on known risks.

¹ Adapted with permission from the Victorian Commission for Children and Young People's *Child Safety and Wellbeing Policy*
<https://ccyp.vic.gov.au/assets/Uploads/child-safety-and-wellbeing-policy.pdf>

Management

The Chief Executive Officer (CEO) and senior staff should be aware of all mandatory and voluntary reporting obligations which apply in the jurisdiction in which MYST operates, and ensure that all staff and volunteers are made aware of the obligations that apply to them. Management is also responsible for being aware of and managing any risks to children, and to facilitate internal and/or external reporting by any members of staff/volunteers.

Child Safe Officer

A Child Safe Officer may be appointed within the organisation, or the CEO or most senior staff member on the day will act as Child Safe Officer, to respond to any questions or concerns about child safety related issues, and to be the primary contact person in the event of any incident or allegation coming to light. The Child Safe Officer/CEO is the contact person for external bodies, and will coordinate with the CEO to investigate any incidents or allegations of harm.

Staff and Volunteers

Staff and volunteers have a responsibility to act in accordance with the Code of Conduct, and be aware of and comply with their obligations relating to reporting concerns, allegations and incidents of child abuse, including internal and external reporting.

2. Providing a safe environment

- MYST is committed to ensuring that all children and young people attending our service are provided with a safe physical and online environment.
- MYST recognises the importance of identifying and managing risks of child harm and abuse in the physical and online environments operated by MYST. We conduct regular risk assessments and have a risk management plan to address the risk of child abuse and harm at MYST (*see also Procedure 12, Risk Management*). In the development of risk management plans we take into account how to minimise risks of child abuse and harm without compromising a child or young person's right to privacy, access to information, social connections and learning opportunities.
- Children's wellbeing is paramount and children and young people will be actively involved in decision-making to provide an environment that encourages them to reach their potential.
- Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

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- At all times, reasonable precautions and adequate supervision ensure children and young people are protected from harm and hazard.
 - Procedures to effectively manage incidents and emergencies are in place and regularly rehearsed.
 - Nominated supervisors, educators and staff members at the service who work with children and young people are advised of the existence and application of the current child protection law (or child safe standards, where applicable) and any obligations that they may have under that law.
 - Where the program involves simultaneous use of indoor and outdoor environments, educators will effectively supervise children and young people in both environments.
 - All MYST and staff private vehicles authorised to transport children and young people must be fitted with a Dash Cam (internal dashboard camera).
 - Staff will not take photos of children on their personal devices. Staff will ensure that permissions have been obtained when taking photos with MYST's own devices. MYST will respect a child's wishes not to be photographed.
 - Staff will not have any personal contact or relations with young people who use MYST outside of work. This includes via Facebook, other social media, email, texting, and so on.
 - Procedures to keep the online environment safe for children and young people at MYST drop-in centres, include sign-in books, supervision of homework and other online activities such as gaming, and monitoring of computer use by our IT company. (*See also Young People's Use of Computers Policy.*)

Duty of care

- All staff have a duty of care to ensure no child or young person is exposed to any reasonably foreseeable risk of harm. The standard of care owed to children and young people by MYST staff is that of a caring professional. The standard of care also needs to take account of the age, maturity and level of dependence of children and young people.
- In their relationships with children and young people, staff are always expected to act in accordance with their professional status, ensuring that the physical, emotional, spiritual and psychological welfare of the student is safeguarded, and that their behaviour with students is always regulated by this professional relationship, both within and beyond the MYST setting.

The duty of care obligation encompasses but is not limited to the following:

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- minimising risks to young people through MYST activities by undertaking an assessment of possible risks prior to the activity and taking action to minimise identified risks
 - ensuring staff responsible for supervising students have appropriate training and experience
 - providing adequate supervision for children and young people
 - ensuring that clear policies and procedures are available and applied in all MYST settings in all matters affecting children and young people including but not limited to student discipline, serious incidents and reporting risk of harm
 - treating students with respect, sensitivity, fairness and consistency

3. Recruitment

At MYST we take all reasonable steps to employ skilled people to work with children and young people. For the recruitment of staff and volunteers, we develop selection criteria and advertisements that clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities.

All people engaged in child-related work, including volunteers, are required to hold a Working with Children Check and to provide evidence of this Check. Please see the website <https://ocg.nsw.gov.au/working-children-check> for further information.

We carry out reference checks to ensure that we are recruiting the right people. Police record checks are a requirement for some positions.

Please refer to the Staff Recruitment Policy for more detail.

4. Fair procedures for MYST workers

The safety and wellbeing of children is our primary concern. We are also fair and just to MYST workers. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

We record all allegations of abuse and safety concerns using our Child Safe Complaints Allegations Form, including investigation updates. All records are securely stored.

5. Training and supervision

Training and education are important to ensure that everyone in our organisation understands that child safety is everyone's responsibility.

Our organisational culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse and neglect

We also support our staff and volunteers through ongoing supervision to:

- develop their skills to protect children from abuse
- promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.

New employees and volunteers will be supervised regularly to ensure they understand our organisation's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate (please refer to the MYST Code of Conduct and Code of Ethics to understand appropriate behaviour further). Any inappropriate behaviour will be reported through appropriate channels.

Ongoing supervision

All staff and volunteers will have ongoing supervision with their direct supervisor. Ongoing supervision will include both supporting staff to implement child safe practices, and to ensure that they are complying with their child safety-related obligations and behavioural expectations.

Regular staff performance reviews will also include an assessment of staff members' adherence to child safety and wellbeing procedures.

6. Taking child and young people's participation and empowerment seriously

MYST is a child-centred and young-person-centred organisation that actively seeks to include children's views and ideas in organisational planning and delivery of services. MYST regularly engages with children about their needs and aspirations, and what they can do if they feel unsafe, through such ways as:

- involving children and young people in informal discussions
- consultation with children and young people about any proposed changes
- a suggestion box
- online polls
- surveying children and young people

7. Supervision of children and young people

Drop-in centres, programs, activities and events

- MYST staff will always be present at drop-in centres and other programs, activities and events whilst young people are present. Young people must be supervised at all times throughout a session or activity. A minimum of two staff must be present at a MYST centre when open for drop-in.
- Young people and staff must sign-in and sign-out when at a MYST drop-in centre or other activity.
- When meeting a young person at the Katoomba centre, please ensure that another worker is present on the ground floor area so that you are not alone on that floor whilst meeting with the young person.
- The key practices for working with young people at MYST when supervising them at drop-in centres or other events and activities are:
 - i. **Establish trust:** MYST staff will strive to establish trusting relationships with young people.
 - ii. **Fostering an inclusive environment:** MYST staff will strive to create an environment that is safe and welcoming, inclusive, and free of judgement. Staff will remind young people that they are there to support them in reaching their goals as well as encouraging and supporting personal development.
 - iii. **Ensuring young people feel listened to and taken seriously:** MYST staff will be attuned to the specific needs and concerns of young people and address issues of safety and inclusivity.
 - iv. **Be versatile and flexible:** MYST staff will strive to be versatile and flexible within best practice guidelines in terms of supporting young people.
 - v. **Duty of care:** A common law concept that refers to the responsibilities of organisations and staff to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility of staff to provide young people with an adequate level of care and protection against foreseeable harm and injury when at a MYST workplace or activity.

One-on-one meetings with children and young people

- There are occasions where there needs to be one-on-one meetings with children and young people, whether that be a counselling session, a meeting to discuss any issues arising or ongoing case management, or in some outdoor activities. Where possible, the door to a meeting room should be kept open and

two workers be present at the meeting, and in an outdoor activity there should be a clear sight-line to the client and worker by other staff.

- For confidential counselling sessions, privacy and confidentiality must be maintained, so the door may be closed for privacy. It should be made clear to the young person that they can leave the room at any time during a closed session if at any time they felt uncomfortable or unsafe, and they should be seated near the door. Staff members should have their My Safety Buddy app activated in case of any challenging behaviours from the client and shake the phone to trigger the duress alarm.²

Home visits

- If you are meeting a young person under the age of 18 at their home, you cannot do so alone. Another person must be present, either a parent or guardian, or another worker.

8. Physical contact with children and young people

Physical contact with a child or young person is acceptable if it is part of fulfilling a legitimate work purpose as part of our duty of care obligation and is acceptable for both the child and the staff member. Acceptable conduct in physically handling children and young people include:

- comforting a distressed young person
- attending to a young person who has hurt him/herself whilst in the care of MYST
- guiding a young person by the shoulders, arms or hands
- patting a young person on the back by way of congratulations
- children/young people who initiate a hug should not be refused but gently moved into a sideways hug to avoid full frontal contact
- wherever possible, do not be alone with a child or young person
- if children or young people are fighting, attempt to separate them by loudly calling their name to get their attention and asking them to let go of each other.

In extreme circumstances (the safety of the child or other children or young people), it may prove necessary for staff to restrain and/or physically remove a child or young person. In such circumstances another worker should be involved. Contact with a

² My Safety Buddy is a smartphone app and web portal lone worker safety solution to keep you safe when working alone, in isolation, or remotely from home.

The app sends rapid alerts in emergency situations to activate effective and timely help responses. The user can choose to have alerts sent automatically if they miss a check in or check out, or if they become incapacitated. With a simple shake of the phone, My Safety Buddy's emergency duress (panic) alarm is activated. Emergency Alerts and streaming video are sent to your Emergency Contacts or to our 24/7 Monitoring Service.

child should only be by taking hold of them by the upper arm or around their waist from behind if they are in an altercation with another young person. An Incident Report needs to be completed after the event.

Please also refer to the Code of Conduct, and to Appendix 3 of this Policy, *section 158 NSW Children & Young Persons (Care and Protection) Act 1998*).

Unacceptable physical contact include:

- corporal punishment, such as smacking or other forms of physical discipline
- initiating, permitting or requesting unacceptable physical contact with a child or young person, such as massages or kisses
- facilitating situations which unnecessarily result in close physical contact with a child or young person, such as wrestling or tickling
- pressuring a child or young person to have unnecessary physical contact.³

9. Involving families and communities

MYST recognises the important roles that families play, and involves parents and carers when significant decisions are made about their child. We encourage families to provide feedback by emailing us or providing a suggestion in our anonymous suggestion box. MYST provides information to families to ensure that they are involved in decisions about their child. We distribute this information by:

- making the child safe policy publicly available on our website
- sending out an information manual which contains information on our approach to child safety, our management structure and our complaints management system
- sending out our newsletter which updates families on our latest news.

MYST involves families and communities by:

- creating an inclusive environment for all families
- ensuring information is easy to understand and accessible
- seeking input on decisions affecting children and young people
- providing opportunities to provide feedback on our policies and procedures, in particular on the guidelines around conduct and behaviour for our drop-in centres
- ensuring transparent complaints handling and discipline processes.

³ Office of the Children's Guardian: Child Safe Code of Conduct
https://ocg.nsw.gov.au/sites/default/files/2021-12/ChildSafeCodeofConduct_1_3.pdf

10. Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety. We have safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it.

11. Legislative responsibilities

Our organisation takes our legal responsibilities seriously, including:

- **Failure to disclose:** As Mandatory Reporters, failure to report child abuse and neglect can result in significant penalties and consequences.
- **Failure to protect:** If a staff member knows that a co-worker poses a serious risk of abusing a child, he or she has the power to reduce the risk and is negligent if they fail to do so.

12. Risk management

In addition to general work, health and safety risks, MYST proactively manages risks of abuse to children.

Our risk management plan will include strategies to identify, assess, and take steps to minimise child harm and abuse risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments.

13. Identifying and managing child abuse risks

All staff, volunteers and managers will be trained in identifying, assessing and managing these risks, and detecting signs of abuse. Training should also include protective factors that reduce the risk of abuse, and ways to promote these protective factors in the context of the organisation.

Where a risk is identified and not appropriately managed, MYST management, staff member and the Board may be held legally liable, as this may constitute a 'failure to protect'.

Please refer to the Child Protection and Reporting Policy for more detail.

14. Allegations, concerns and complaints

MYST takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with observations and allegations.

We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place (see information about failure to disclose above).

If an adult has a **reasonable belief** that an incident has occurred, then they must report the incident. Factors contributing to reasonable belief may be:

- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- behaviour consistent with that of an abuse victim is observed
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing concerning or suspicious behaviour.

Please refer to the Child Protection and Reporting Policy for more detail.

Related Documents

- Child Protection & Reporting Policy
- Child Safe Complaints Guide for Children and Young People
- Child Safe Complaints Policy
- Code of Conduct
- Code of Ethics
- Staff Recruitment Policy
- Young People's Use of Computers Policy

Policy Review

Version	Date reviewed	Amendment notes	Next Review Date
V.1 Created	Created October 2023	New policy at 13 October 2023. Draft 7 at 21 November 2023. Draft 8 update at 16 January 2024; working policy. Some additions on 5 February 2024.	
V.1 Approved	February 2024	Approved by the CEO, 5 February 2024.	

Date

5 February 2024

Appendix 1

National Principles for Child Safe Organisations

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.

<https://www.childsafety.gov.au/system/files/2022-09/english-national-principles-feb-2019.pdf>

Appendix 2

The NSW Child Safe Standards

1. Child safety is embedded in organisational leadership, governance and culture.
2. Children participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved.
4. Equity is upheld and diverse needs are taken into account.
5. People working with children are suitable and supported.
6. Processes to response to complaints of child abuse are child focused.
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
8. Physical and online environments minimise the opportunity for abuse to occur.
9. Implementation of the Child Safe Standards is continuously reviewed and improved.
10. Policies and procedures document how the organisation is child safe.

<https://ocg.nsw.gov.au/child-safe-scheme/implementing-child-safe-standards>

Appendix 3

NSW Children & Young Persons (Care and Protection) Act 1998, Section 158

<https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-1998-157#sec.158>

158 Physical restraint of child or young person

- (1) This section applies if, in the opinion of the relevant carer of a child or young person, the child or young person is behaving in such a manner that, unless restrained, he or she might seriously injure himself or herself or another person.
- (2) In circumstances to which this section applies, the relevant carer—
 - (a) may restrain the child or young person, but only on a temporary basis and only to the extent necessary to prevent injury to any person, and
 - (b) may seize and take from the child or young person—
 - (i) any weapon or other thing that is being used by the child or young person in a dangerous manner, and
 - (ii) any alcohol, and
 - (iii) any illegal substance, and
 - (iv) any other thing, the deprivation of which is necessary to prevent the child or young person from causing injury to any person.
- (3) If a child or young person is restrained under this section, the restraint must be consistent with any behaviour management requirements of a care plan applying to the child or young person, otherwise reasonable force may be used.
- (4) The Secretary may specify procedures that may be followed for the purposes of this section.
- (5) A relevant carer who acts in accordance with this section or any procedure specified by the Secretary for the purposes of this section, and who is able to satisfy the court on the balance of probabilities that his or her actions were reasonable in all the circumstances of the case, is immune from any criminal or civil liability that arises as a consequence of so acting.
- (6) In this section, the relevant carer of a child or young person means—
 - (a) a parent of the child or young person, or
 - (b) the authorised carer of the child or young person.