



---

## 1 Purpose

This Policy demonstrates the ongoing commitment of the Aboriginal Legal Service of Western Australia (**ALSWA**) to the safety and wellbeing of children and young people in addition to establishing and maintaining child safe and child friendly environments. Child and children, for the purpose of this Policy, means a person or persons under the age of 18 years old.

This Policy will inform ALSWA workers of their obligations to act ethically towards children and their roles and responsibilities in ensuring the safety and wellbeing of children. It will provide guidance on the processes and procedures ALSWA adopts to ensure children's safety and wellbeing across all areas of ALSWA.

## 2 Scope

This Policy applies to all persons performing work for ALSWA whether in a paid or unpaid position, including, without limitation, employees, board members, executive leadership, contractors, volunteers, interns, trainees and consultants (collectively, **Workers**).

This Policy applies to all ALSWA activities that will, or may, involve, result in or relate to contact with children.

## 3 National Principles for Child Safe Organisations

The National Principles for Child Safe Organisations must direct the implementation of this Policy and ALSWA's approach to ensuring a child safe and child friendly environment. These are, with their key action areas immediately beneath them:

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
  - 1.1. ALSWA makes a public commitment to child safety;
  - 1.2. A child safe culture is championed and modelled at all levels of the organisation from the top down and the bottom up;
  - 1.3. Governance arrangements facilitate implementation of this Policy at all levels;
  - 1.4. A Code of Conduct provides guidelines for staff and volunteers on expected behavioural standards and responsibilities;
  - 1.5. Risk management strategies focus on preventing, identifying and mitigating risks to children and young people; and
  - 1.6. Staff and volunteers understand their obligations on information sharing and record keeping.
2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
  - 2.1. Children and young people are informed about all of their rights, including to safety, information and participation;
  - 2.2. The importance of friendships is recognised and support from peers is encouraged, to help children and young people feel safe and be less isolated;



- 
- 2.3. Where relevant to the setting or context, children may be offered access to sexual abuse prevention programs and to relevant related information in an age appropriate way; and
  - 2.4. Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to express their views, participate in decision-making and raise their concerns.
  3. Families and communities are informed and involved in promoting child safety and wellbeing.
    - 3.1. Families participate in decisions affecting their child;
    - 3.2. The organisation engages and openly communicates with families and the community about its child safe approach and relevant information is accessible;
    - 3.3. Families and communities have a say in the development and review of the organisations policies and practices; and
    - 3.4. Families, carers and the community are informed about the organisation's operations and governance.
  4. Equity is upheld and diverse needs respected in policy and practice.
    - 4.1. The organisation, including staff and volunteers, understands children and young people's diverse circumstances, and provides support and responds to those who are vulnerable;
    - 4.2. Children and young people have access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand; and
    - 4.3. The organisation pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people.
  5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
    - 5.1. Recruitment, including advertising, referee checks and staff and volunteer pre-employment screening emphasis child safety and wellbeing;
    - 5.2. Relevant staff and volunteers have current working with children checks or equivalent backgrounds;
    - 5.3. All staff and volunteers receive an appropriate induction and are aware of their responsibilities to children and young people, including record keeping, information sharing and reporting obligations; and
    - 5.4. Ongoing supervision and people management is focused on child safety and wellbeing.
  6. Processes to respond to complaints and concerns are child focussed.
    - 6.1. The organisation has an accessible, child focused complaint handling policy which clearly outlines the roles and responsibilities of leadership, staff and volunteers,



- 
- approaches to dealing with different types of complaints, breaches of relevant policies or the Code of Conduct and obligations to act and report;
- 6.2. Effective complaint handling processes are understood by children and young people, families, staff and volunteers, and are culturally safe;
  - 6.3. Complaints are taken seriously and responded to promptly and thoroughly;
  - 6.4. The organisation has policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and co-operates with law enforcement; and
  - 6.5. Reporting, privacy and employment law obligations are met.
7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
    - 7.1. Staff and volunteers are trained and supported to effectively implement the organisation's child safety and wellbeing policy;
    - 7.2. Staff and volunteers receive training and information to recognise indicators of child harm, including harm caused by other children and young people;
    - 7.3. Staff and volunteers receive training and information to respond effectively to issues of child safety and wellbeing and support colleagues who disclose harm; and
    - 7.4. Staff and volunteers receive training and information on how to build culturally safe environments for children and young people.
  8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
    - 8.1. Staff and volunteers identify and mitigate risks in the online and physical environments without compromising a child's right to privacy, access to information, social connections and learning opportunities;
    - 8.2. The online environment is used in accordance with the organisation's Code of Conduct and child safety and wellbeing policy and practices;
    - 8.3. Risk management plans consider risks posed by organisational settings, activities and the physical environment; and
    - 8.4. Organisations that contract facilities and services from third parties have procurement policies that ensure the safety of children and young people.
  9. Implementation of the national child safe principles is regularly reviewed and improved.
    - 9.1. The organisation regularly reviews, evaluates and improves child safe practices;
    - 9.2. Complaints, concerns and safety incidents are analysed to identify causes and systemic failures so as to inform continuous improvement; and
    - 9.3. The organisation reports on the findings of relevant reviews to staff and volunteers, community and families and children and young people.



---

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

- 10.1. Policies and procedures address all National Child Safe Principles;
- 10.2. Policies and procedures are documented and easy to understand;
- 10.3. Best practice models and stakeholder consultation informs the development of policies and procedures;
- 10.4. Leaders champion and model compliance with policies and procedures; and
- 10.5. Staff and volunteers understand and implement policies and procedures.

#### **4 Responsibilities**

##### **4.1 SELF-ASSESSMENT AND REVIEW**

ALSWA must complete a self-assessment and review annually in the form at Annexure A.

As part of this review, ALSWA may identify areas of improvement in relation to maintaining a child safe and child friendly environment. To the extent that any areas of improvement are identified, ALSWA will take steps to implement these improvements.

##### **4.2 TRANSPARENCY AND COMMUNICATION**

Any child, or their parent or legal guardian, that engages with ALSWA will be communicated with in an open and transparent manner.

Workers must inform the child, or their parent or legal guardian, of any records being kept about them, for how long they will be kept and how they may access them. The child, or their parent or legal guardian, may read their records.

Workers must inform the child of their rights, including about safety and their engagement with ALSWA, and must seek their input and opinions about how their rights are protected.

##### **4.3 TRAINING**

Workers that will have, or are likely to have, interaction with children must receive training in relation to interacting with children (including in the induction process). This may include:

- Training on identifying signs of harm and abuse;
- Training on how to build culturally safe environments for children and young people;
- Training on ALSWA's, and its workers', reporting obligations; and
- Any other Training relevant to Child Safety in the workplace.

##### **4.4 RECRUITMENT AND STAFF**

During the recruitment process, ALSWA must ensure any workers it employs, or otherwise engages, must be capable of working with children. This includes holding any necessary qualification or check (such as a working with children check or national police check).



---

ALSWA employment and contractor contracts, for roles that interact with children, must ensure that the person must maintain, as a condition of their engagement, the necessary qualifications or checks to work with children.

#### **4.5 MANDATORY REPORTING**

ALSWA and its Workers must comply with all reporting obligations required by law. This includes complying with ALSWA's Reportable Conduct Scheme Policy.

#### **4.6 COMPLAINT PROCESS**

Any complaint or grievance raised by a child, or about a child, must be dealt with in accordance with ALSWA's Performance Management and Disciplinary policy. The complaint or grievance, and any investigation, must be conducted in a child focussed manner which focusses on protecting the child.

All decisions must be made with child safety as a priority.

### **5 Relevant legislation and standards**

ALSWA strives to act in accordance with all State, national and international standards for ensuring the safety and wellbeing of children. These include, without limitation:

- (a) The United Nations Convention on the Rights of the Child;
- (b) National Principles for Child Safe Organisations;
- (c) Child Safe Organisations WA Guidelines;
- (d) National Standards for Out-of-Home Care;
- (e) *Children and Community Services Act 2004 (WA)*;
- (f) *Parliamentary Commissioner Amendment (Reportable Conduct) Act 2022 (WA)*;
- (g) *Working with Children (Criminal Record Checking) Act 2004 (WA)*; and

### **6 Related organisational policies and procedures**

ALSWA policies and procedures that promote the safety and wellbeing of children include:

- (a) ALSWA Code of Conduct;
- (b) Working with Children Check policy
- (c) Working with Vulnerable Children Policy;
- (d) Reportable Conduct Scheme Policy;
- (e) Youth Engagement Program Health and Safety Plan;
- (f) Performance Management and Disciplinary Policy; and

These policies can be found at G:\Everyone\Policy, Procedures and Forms



---

**7 Policy status and review**

This Policy has been approved by the ALSWA Board and came into effect on 26 September 2024.

If you have any questions about this Policy or its application, please ask ALSWA's HR manager.

This Policy will be reviewed annually. The HR Manager will be responsible for its review.



Aboriginal Legal Service of Western Australia Ltd

**Company Policy - Child Safe Organisation**

**No 309**

Document control revision history

Revision	Effective Date	Date Approved	Description of Changes
	15 October 2024	15 October 2024	