

Policy 4.09 Child Safety, Reportable Conduct and Safeguarding

Purpose

SunnyKids is committed to creating and maintaining environments where children and young people are safe, respected, valued, heard and protected from harm.

This policy establishes the mandatory safeguarding responsibilities of all SunnyKids workers and provides a clear framework for identifying, responding to, reporting and investigating concerns relating to child safety, abuse, neglect, misconduct and reportable conduct.

This policy exists to:

- **Protect children and young people from harm.**
- **Ensure compliance with the Child Safe Organisations Act 2024 (Qld).**
- **Ensure compliance with the Queensland Child Safe Standards.**
- **Establish clear reporting obligations for all workers.**
- **Support the implementation of the Reportable Conduct Scheme.**
- **Promote a culture of accountability, transparency and child-centred practice.**
- **Protect SunnyKids, its employees, volunteers, Board Directors and stakeholders through clear governance and risk management systems.**

Child safety is everyone's responsibility. No worker may assume that another person has reported a concern.

Statement of Commitment

SunnyKids has zero tolerance for child abuse, child exploitation, grooming, neglect, violence, discrimination or any conduct that places a child at risk. The safety, wellbeing and best interests of children take precedence over organisational reputation, operational convenience, professional relationships or personal interests. SunnyKids expects every worker to actively contribute to a culture where:

- Children are safe.
- Children are listened to.
- Children are believed.
- Concerns are acted upon.
- Risk is managed proactively.
- Accountability is embedded at every level of the organisation.

Failure to act on concerns may place children at risk and may result in disciplinary action, termination of engagement, referral to statutory authorities and reporting under the Reportable Conduct Scheme.

Scope

This policy applies to:

- Board Directors
- CEO
- Managers and Team Leaders
- Employees
- Volunteers
- Students
- Contractors
- Consultants
- Labour Hire Personnel
- Placement Students
- Mentors
- Facilitators
- Partner Organisations delivering services on behalf of SunnyKids

This policy applies at all times when representing SunnyKids, which includes outside of ordinary work hours, including but not limited to:

- Offices and service locations
- Schools
- Community settings
- Sporting programs
- Camps and excursions
- Online environments
- Vehicles and transport
- Fundraising events
- Social media and digital communication
- After-hours activities where a child safety concern becomes known

Governance and Accountability

The Board of Directors retains ultimate governance oversight of child safety and safeguarding. The CEO is the designated Head of Reporting Entity under the Child Safe Organisations Act 2024 and is responsible for ensuring organisational compliance.

Child safeguarding will remain a standing agenda item at Board meetings.

Agenda's will include:

- Child safety incidents
- Reportable conduct matters
- Complaints involving children
- Compliance breaches
- Training compliance
- Emerging risks
- Continuous improvement actions

Duty to Report

Every worker has an individual responsibility to immediately report:

- Suspected abuse.
- Alleged abuse.
- Disclosures of abuse.
- Grooming behaviours.
- Child sexual offences.
- Child exploitation.
- Reportable conduct.
- Neglect.
- Emotional abuse.
- Significant behavioural concerns creating risk.
- Breaches of professional boundaries.
- Any conduct that may place a child at risk.

If in doubt – report.

Workers are not required to prove abuse has occurred. Workers are required only to report concerns based on a reasonable belief or suspicion. Failure to report concerns may constitute misconduct and may result in disciplinary action.

Reportable Conduct

SunnyKids adopts the definitions contained within the Child Safe Organisations Act 2024.

Reportable Conduct includes:

- Child sexual offences.
- Sexual misconduct involving a child.
- Ill-treatment of a child.
- Significant neglect of a child.
- Physical violence against or in the presence of a child.
- Behaviour causing significant emotional or psychological harm.

Reportable Conduct may occur:

- During work hours.
- Outside work hours.
- Online.
- In private settings.
- During volunteer activities.
- In any circumstance where the worker's behaviour indicates a risk to children.

The location of the conduct does not remove reporting obligations.

Mandatory Reporting Process

STEP 1 – Immediate Safety

Where a child is at immediate risk:

- Contact Queensland Police Service immediately.
- Contact emergency services where required.
- Ensure the child is safe.
- Notify a Manager immediately.

STEP 2 – Internal Notification

The worker must notify:

1. Line Manager
2. Relevant Executive Manager
3. CEO or Delegate

Notification must occur immediately and no later than the same business day.

STEP 3 – Incident Reporting

An Incident Report must be completed before the end of the worker's shift or within 24 hours.

Failure to complete required documentation will result in disciplinary action.

STEP 4 – CEO Assessment

The CEO or Delegate will determine:

- Whether the matter constitutes reportable conduct.
- Whether statutory reporting is required.
- Whether immediate risk controls are required.
- Whether suspension or alternative duties are required.

STEP 5 – Statutory Reporting

Where required, notifications will be made to:

- Queensland Police Service
- Child Safety Services
- Queensland Family and Child Commission
- Funding bodies
- Regulatory agencies

Reportable Conduct Scheme Requirements

Where a matter meets the threshold of reportable conduct:

SunnyKids will:

- Notify the Queensland Family and Child Commission within three business days.
- Commence an investigation as soon as practicable.
- Submit an interim report within thirty business days.
- Submit a final report upon completion of the investigation.

Workers must fully cooperate with investigations.

Failure to cooperate may result in disciplinary action.

Professional Boundaries

Workers must maintain professional boundaries at all times.

Workers must not:

- Engage in sexualised conversations.
- Share personal sexual information.
- Exchange personal gifts without approval.
- Develop secretive relationships.
- Communicate through private social media accounts.
- Transport children without approval.
- Meet children outside authorised activities.
- Use degrading, threatening or humiliating language.
- Use physical punishment.
- Share personal contact details without approval.

Any breach of professional boundaries must be reported.

Complaints and Child Participation

Children have the right to:

- Be heard.
- Make complaints.
- Be believed.
- Receive support.
- Access advocacy.
- Participate in decisions affecting them.

No child will experience negative consequences for:

- Raising concerns.
- Making complaints.
- Participating in investigations.
- Requesting support.

Children may provide feedback verbally, in writing, through drawing, technology, an advocate or another trusted person.

Whistleblower Protections

Any worker reporting concerns in good faith will be protected from:

- Victimisation
- Retaliation
- Bullying
- Harassment
- Discrimination

Reports may be made anonymously.

Retaliation against any person who raises a child safety concern will be treated as serious misconduct.

Breaches of this Policy

Breaches include:

- Failure to report concerns at every step.
- Failure to cooperate with investigations.
- Deliberate concealment of information.
- Breach of professional boundaries.
- Child safety misconduct.
- Retaliation against reporters.
- False or malicious allegations.

Consequences may include:

- Additional training.
- Formal warning.
- Performance management.
- Suspension.
- Removal from duties.
- Termination of employment.
- Termination of volunteer engagement.
- Notification to external authorities.
- Criminal prosecution.

Continuous Improvement

SunnyKids will review:

- Child safety incidents.
- Complaints.
- Reportable conduct investigations.
- Feedback from children and families.
- Legislative changes.
- Audit outcomes.

Lessons learned will be incorporated into policy, practice, supervision, training and governance systems.

Safeguarding children is not an optional responsibility. It is a condition of employment, engagement and leadership at SunnyKids.

Related Policies and Documents

1.03 Responsibilities of the Board
1.05 Communications
1.08 Quality and Continuous Improvement
1.12 Social Media Policy
1.14 Whistleblower Policy
1.15 Incident Reporting
4.02 Child Protection
4.03 Prevention of Harm, Neglect and Abuse
4.06 Duty of Care
4.08 Child Safety and Wellbeing Policy
5.03 Child Feedback, Complaints and Appeals Management Policy
6.01 Staff Recruitment and Selection
6.02 Staff Induction & Orientation
6.03 Staff Supervision and Support
6.07 Criminal History Checks
Child Safety Practices & Reportable Conduct Responsibilities Agreement
Child and Youth Risk Management Strategy
SunnyKids Code of Conduct
SunnyKids Code of Conduct Working with Children