



New Start Counselling And Psychotherapy

Working with Children and Young People Code of Conduct

Purpose

This document serves as the Working with Children and Young People Code of Conduct for New Start Counselling and Psychotherapy meeting the requirements of the *Children and Young People (Safety) Act 2017* and the *Child Safety (Prohibited Persons) Act 2016* to ensure safe environments for children and young people (under 18 years of age).

Aboriginal Impact Statement Declaration

Cultural considerations are a crucial part of the risk assessment process in providing a safe environment to children and young people and when responding to feedback. NSCP is committed to working with cultural competency practices, strategies, and activities that adhere to the Principles for Child Safe Organisations.

Scope

This policy applies to all NSCP personnel working with children and young people across all settings and activities.

Legislative definitions

This policy uses critical definitions drawn from the [Children and Young People \(Safety\) Act 2017](#) including:

ABN: 517 337 002 04

T 0402 055 752

W www.newstartcounselling.net.au

E info@newstartcounselling.net.au



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The definition of 'Child or Young Person'

- child or young person means a person who is under 18 years of age.

The definition of 'Harm'

- For the purposes of this Act, a reference to harm will be taken to be a reference to physical harm or psychological harm (whether caused by any act or omission) and, without limiting the generality of this subsection, includes such harm caused by sexual, physical, mental, or emotional abuse or neglect.
- psychological harm does not include emotional reactions such as distress, grief, fear, or anger that are a response to the ordinary vicissitudes of life.

The definition of 'At Risk'

For the purposes of this Policy, a child or young person will be taken to be at risk if:

- the child or young person has suffered harm (being harm of a kind against which a child or young person is ordinarily protected); or
- there is a likelihood that the child or young person will suffer harm (being harm of a kind against which a child or young person is ordinarily protected); or

The definition of 'Parent'

Includes, but is not limited to:

- Biological parent; and
- a step-parent of the child or young person; and
- a person who stands *in loco parentis* to the child or young person.



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The definition of 'Guardian'

- Guardian or guardians of the child or young person pursuant to an order of the Court under the Safety Act.

The definition of "Employee"

- a self-employed person; or
- carries out work under a contract for services; or
- undertakes practical training as part of an educational or vocational course; or
- carries out work as a volunteer,

The definition of a mandated reporter

The general term is applied to all employees who are legally required to report reasonable suspicion of risk of harm to a child or young person.

The definition of Mandatory Reporting/Notification

The general term is applied to the process of reporting reasonable suspicion of risk of harm to a child or young person. NSCP will be guided by the [Mandatory Reporting Guide](#)



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Code of Conduct Detail

Expectations of New Start Counselling and Psychotherapy

Reference to NSCP includes all those working under its ownership.

NSCP will:

- ensure risk assessments are undertaken to identify and mitigate risks to child safety within its organisation.
- implement and demonstrate supportive communication practices between themselves, children, young people, families, and other stakeholders that encourage honesty and feedback.
- empower (any) staff to listen to and act upon any concerns raised by children, young people, or their families or carers.
- ensure that the needs and perspectives of the diverse groups of children and young people in South Australia are considered when designing, implementing, monitoring, and evaluating programs and services; and
- Investigate when the Code of Conduct is not upheld.

When collaborating and sharing information about children and young people, NSCP will:

- work with relevant statutory authorities, other state government agencies and non-government organisations to promote and protect the safety of children and young people.
- undertake consultation with PEAK bodies to ensure the sharing of information is provided in a culturally safe and appropriate manner.

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Expectations of Personnel

NSCP will:

- comply with the conditions set out under Chapter 8 of the *Children and Young People (Safety) Act*.
- demonstrate the highest standards of behaviour in their professional and personal lives.
- report any actual or suspected incident or risk of harm to a child or young person in accordance with the Mandatory Notification Guide.
- value and respect the contributions of children and young people in continuous improvement activities and service development.
- ensure every decision is made in the best interests of the child.
- participate in training and ongoing professional development activities to obtain and maintain the necessary skills and knowledge to meet the mandatory requirements of their role as it relates to their interaction with children and young people.
- promote the safety of children and young people, working with statutory authorities, other state government agencies and non-government organisations as required; and
- promote the sharing of information about child safety and wellbeing when working with children, young people, families, and the community.

When engaging with children and young people, NSCP will:

- provide information to children, young people, families, and carers about program/service activities, their rights, and responsibilities.

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- ensure children, young people, families, and carers have access to appropriate support and feedback mechanisms, including confidential complaint procedures and professional counselling and psychotherapy.
- listen to and act upon any concerns raised by children, young people, or their families or carers.
- provide feedback to children, young people, and families on the actions being taken to address concerns raised; and
- demonstrate understanding and valuing of diversity, being aware of their own biases, and taking steps to ensure this does not influence their actions and behaviours.

Breaches of the Code of Conduct

Unacceptable behaviour, which may be deemed to be a breach of this code, includes:

- undertaking an unlawful activity with or in relation to a child.
- engaging in activity likely to cause any physical, sexual, or emotional harm to a child.
- abusing the trust of a Child or Young person.
- being alone with a child unnecessarily.
- arranging personal contact, including online contact, with children or young people they work with for a purpose unrelated to their work activities.
- discriminating against any child or their family members.
- disclosing personal or sensitive information about a child, including images of a child, without the consent of the child or young person and/or the consent of their parent or legal guardian (except where this is required for mandatory reporting or other legal requirements).
- using inappropriate language in the presence of children or young people.



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- showing or providing children or young people with access to inappropriate images or material.
- undertaking work activities with children or young people when under the influence of alcohol or prohibited drugs; and
- ignoring or disregarding any suspected or disclosed the risk of harm to a child or young person.

Reporting breaches to the Code of Conduct

All children, young people, parents, guardians of children, or young people are encouraged to report any breach of the code of conduct. To do so the following procedures are encouraged:

- Report the incident to NSCP immediately via telephone or feedback form at <https://www.newstartcounselling.net.au/policies-practices>

Other avenues for reporting breaches can be made via:

- Australian Counselling Association ACA - Complaint process and ethical codes provided at: www.theaca.net.au
- NDIS complaints process: www.ndiscommission.gov.au/complaints-feedback/complaints
- Health and Community Services Complaints Commissioner via hcsss.sa.gov.au or by phone at (08) 8226 5666 or 1800 232 007 (for country callers)

Code of Conduct Review

This code will be reviewed on an as needs basis, or every three years, whichever is the earlier



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Reference documents

- [Children and Young People \(Safety\) Act 2017](#)
- [Child Safety \(Prohibited Persons\) Act 2016](#)
- [Mandatory Reporting Guide](#)
- [National Principles for Child Safe Organisations \(PDF 1.9MB\)](#)
- [National Principles for child-safe organisations](#)