

Safeguarding Children and Young People Procedure

MercyCare is dedicated to safeguarding children and young people through a structured Safeguarding Policy Framework, approved, endorsed, and overseen by the MercyCare Board. This framework ensures our policies, procedures, and practices align with best practice safeguarding principles and legislative requirements.

We uphold a zero-tolerance approach to abuse and neglect. Our priority is to create a safe and supportive space within our operating environment, where all individuals feel protected, valued, and empowered. MercyCare is committed to embedding trauma-informed approaches within safeguarding practices, ensuring that all responses to harm are sensitive, appropriate, and prioritise the wellbeing of those affected.

This procedure should be read in conjunction with the **Safeguarding Children, Young People, and Vulnerable Adults Policy, Code of Conduct**, and the **Responding to Child Abuse, Neglect, and Other Harms Policy and Procedure**, which outline the responsibilities and expectations for all MercyCare people in maintaining a safe environment. The definitions of abuse, neglect, and harm that guide safeguarding responses are detailed in the Responding to Child Abuse, Neglect, and Other Harms Policy, and all MercyCare people must be vigilant in recognising and addressing these concerns.

1 Outcomes

This procedure ensures that all MercyCare people understand and comply with safeguarding expectations to uphold the safety and wellbeing of children and young people across our services. It reinforces their fundamental right to feel safe and be safe in all interactions within MercyCare.

Through clear procedures, proactive measures, and a strong reporting culture, MercyCare is committed to:

- Preventing harm and abuse before it occurs
- Responding effectively to safeguarding concerns in a timely and trauma-informed manner.
- Creating a positive safeguarding culture where concerns are raised, addressed, and used to strengthen safeguarding measures.

2 Scope

This procedure applies to all MercyCare personnel, including employees, volunteers, contractors, and third-party service providers. It sets clear expectations for safeguarding behaviours across physical, digital, and service environments to ensure the highest standards of safety and wellbeing.

For the purpose of this procedure, the term “children and young people” refers to individuals up to the age of 24 years old, in line with MercyCare’s safeguarding policy framework.

This procedure does not apply to the safeguarding of vulnerable adults. A separate Safeguarding Vulnerable Adults Procedure will be developed to guide safeguarding responsibilities in adult services.

3 Roles and Responsibilities

3.1 Employees, Volunteers and Contractors

- Ensure compliance with this procedure.

3.2 Managers

- Ensure procedure is implemented and followed by team members.

3.3 Safeguarding Manager

- Review and update the procedure and supporting resources in consultation with relevant stakeholders.
- Monitor organisational compliance with safeguarding procedures and recommend improvements.

3.4 Human Resources

- Provide training and advice in the application of the procedure.

3.5 Safeguarding Reference Group

- Offer advice and feedback on the safeguarding program to strengthen practices within the organisation.

3.6 CEO and Executive Leadership Team

- Ensure all MercyCare people are aware of and understand the safeguarding procedures.
- Ensure all managers and supervisors receive the support and advice needed to implement the procedure.

3.7 Board

- Approve and endorse the Safeguarding Children and Young People Procedure.

4 Procedure

This procedure establishes guidelines for all MercyCare people to safeguard children and young people and outlines actions required to prevent harm, respond to concerns, and ensure compliance with safeguarding expectations.

It supports the creation of safe, inclusive, and culturally respectful environments where children and young people feel safe, are safe, and are empowered to speak up. The procedure reflects MercyCare's zero-tolerance approach to abuse and neglect and ensures that all personnel understand their roles and responsibilities in preventing, identifying, responding to, and reporting harm.

4.1 Reporting Obligations

All MercyCare people must immediately report any concerns, allegations, near misses, or incidents involving children and young people, including suspected abuse, breaches of safeguarding expectations, or inappropriate behaviour by other personnel.

Reports must be made:

- As soon as possible, and ideally before the end of the staff member's shift or session.
- Via the incident management system (CAMMS), or within 24 hours if immediate reporting is not possible.

Reports must be escalated to the Responsible Officer (RO) (typically the staff member's direct line manager), in line with internal escalation requirements.

MercyCare people must report when:

- They become aware of any allegations of abuse, neglect or harm.
- They have a concern for the safety or wellbeing of a child or young person.
- They observe behaviour by any MercyCare person that breaches the Code of Conduct or Safeguarding Procedure.

In all cases involving suspected or confirmed abuse, staff must follow the full reporting steps outlined in the [Responding to Child Abuse, Neglect and Other Harms Procedure](#).

In emergencies or where reporting through usual pathways is not possible, MercyCare people must contact management immediately after ensuring the child or young person is safe.

All reports must be accurate, timely, and comply with legal obligations, including mandatory reporting to relevant authorities.

4.2 Compliance and Accountability

- Non-compliance with the safeguarding procedure may result in disciplinary action, up to and including termination of employment or engagement.
- Any instances of unlawful conduct will be reported to the appropriate law enforcement or statutory authority.

4.3 Induction and Training Requirements

- All MercyCare people are required to complete the **New Employee Checklist** during induction, which includes:
 - A review and acknowledgment of safeguarding policies, procedures, and practices.
 - A commitment to adhere to safeguarding principles and report any subsequent criminal convictions or charges that could pose a risk to children or young people.
- All MercyCare people are required to participate in regular safeguarding training and refresher courses to reinforce their understanding of safeguarding responsibilities, emerging risks, and best practices. This includes completing the ACF Safeguarding Course upon commencement and every three years thereafter.

4.4 Sexual Misconduct

- MercyCare has a zero-tolerance policy for any form of sexual behaviour involving, directed towards, or in the presence of children or young people in its services. "In the presence of" includes exposing children to inappropriate media, suggestive language, or explicit content.
- Engaging in sexual behaviour with any child or young person while involved in MercyCare's programs or services is strictly prohibited, even if the young person is above the legal age of consent.
- Sexual behaviour must be interpreted broadly to include any actions reasonably considered sexual in nature, including but not limited to:
 - **Contact behaviour:** Sexual intercourse, kissing, fondling, sexual penetration, or exploiting a child through prostitution.
 - **Non-contact behaviour:** Flirting, sexual innuendo, inappropriate text messaging, inappropriate photography, or exposure to pornography or nudity, or engaging in any form of sexual behaviour in presence of a child or young person.
 - **Grooming:** Any deliberate act of building a relationship of trust with a child, young person, or their family to facilitate sexual abuse. This includes inappropriate personal attention, gift-giving, secrecy, or attempts to isolate a child from protective adults.

4.5 Positive guidance [Discipline]

- MercyCare is committed to creating a positive and respectful environment for all children and young people involved in its programs and services.
- MercyCare people may use appropriate techniques and behaviour management strategies to:
 - Promote an effective and positive environment.
 - Ensure the safety and wellbeing of children, young people, and MercyCare people.
- These strategies must be:
 - Fair, respectful, and age-appropriate, taking into account the developmental stage of the child or young person.
 - Based on clear communication and the opportunity for children and young people to redirect their behaviour positively.
- MercyCare requires our people to use strategies that are fair, respectful and appropriate to

the developmental stage of the children or young people involved. The child or young person needs to be provided with clear directions and given an opportunity to redirect their behaviour in a positive manner.

Guiding Principles:

The following principles must be considered when developing and implementing behaviour management strategies:

Person centred principles - reflects MercyCare's Person Centred Approach

Contemporary - reflects current practices and community expectations

Evidence based - reflects best practice in the sector

Transparent - ensures all stakeholders understand the purpose and direction of the strategy outcome

Involve minimal restriction – ensure the service user is not restricted in their daily life activities due to the supports or services in place.

Prohibited Actions

Under no circumstances are our MercyCare people to take disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

4.6 Adhering to Professional Role Boundaries

- MercyCare people must operate within the scope of their professional roles and responsibilities, as defined in their position descriptions, ensuring that all interactions with children and young people uphold their safety and wellbeing.

Prohibited Activities

- Provide unauthorised transportation to children and young people, for example, dropping children/ young people off at the shops following a service meeting.
- Engage in personal relationships and activities with children or young people who are clients/members of our organisation outside authorised program hours and locations.
- Provide unauthorised assistance to a child, young person or their family, that falls outside of MercyCare's services, such as offering to take a child to the movies to support a parent or caregiver who is visiting family at MercyCare Aged Care Services.
- Seek personal contact with children or young people (including former participants) outside our programs and services.
- Babysit or provide informal care for children or young people who are clients/members of our organisation outside MercyCare's programs and services.
- Accept an invitation to attend any private social function at the request of a child or young person who has participated, or is involved, in any of our services – or at the request of their family.

Special Considerations

- Employees whose children are participants in MercyCare services (e.g., ELS staff have their own children attend MercyCare daycare centre) must disclose any invitations to private social events involving their children to management before accepting. Employees must adhere to all behavioural guidelines if attending.

Seeking Additional Support

- If any of MercyCare people become aware of a situation in which a child or young person requires assistance that is beyond the confines of that person's role, or beyond the scope of our organisation's usual service, they should at the earliest opportunity:
 - Refer the matter to an appropriate support agency, or
 - Contact the child or young person's parent or guardian, or
 - Seek advice from management.

4.7 Identification

- MercyCare people should use MercyCare identification only in delivery of our programs and services or when attending MercyCare functions.

4.8 Use of language and Tone of Voice

- MercyCare people are expected to use language and tone of voice that:
 - Provide clear direction, boost their confidence, encourage or affirm them
 - Avoids causing harm to children and young people. In this respect, language and tone of voice must not:
 - Be discriminatory, racist or sexist.
 - Be derogatory, belittling, or negative (e.g., calling a child a 'loser' or commenting on their appearance in a harmful way such as saying they are "too fat").
 - Be intended to threaten, frighten, or intimidate.
 - Contain profane or sexual content.
 - Favour one child or young person over another in a way that undermines fairness or inclusion.

MercyCare people must also respect a child or young person's gender identity, including the use of their correct pronouns and names. Misgendering or refusal to acknowledge a person's identity is considered disrespectful and can be harmful.

For further guidance on the importance of using correct pronouns, see [Minus18's explainer on pronouns](#).

4.9 Supervision

- MercyCare people are responsible for supervising the children and young people in MercyCare programs and services to ensure those participants:
 - Engage positively in activities.
 - Behave appropriately toward one another.
- While one-to-one unsupervised situations should be avoided whenever possible, some service roles may require them due to the nature of care provided. In these cases, the following safeguarding measures must be in place:
 - Strategies such as open-door policies, scheduled check-ins, and ensuring visibility of interactions should be implemented to mitigate risk.
 - MercyCare service delivery staff, carers, and volunteers who require unsupervised one-to-one contact with children or young people must have all relevant checks current and valid. Their role and responsibilities must be clearly outlined in their Position Descriptions or signed agreements.
 - Unsupervised one-to-one contact with children will not be delegated to unauthorised individuals, and activities must be conducted within line of sight of other authorised MercyCare staff.

- If any concerns are raised or incidents occur, MercyCare people should immediately seek advice from management and report incidents according to the **Responding to Child Abuse, Neglect, and Other Harms Policy and Procedure**.

Supervision During Intergenerational Activities

- Intergenerational activities, such as children visiting residential aged care facilities, require additional planning to ensure a safe and enriching experience for all participants.
- MercyCare people must:
 - Ensure children and young people are supervised at all times during all interactions with residents.
 - Conduct risk assessments prior to any intergenerational activity to identify and mitigate potential risks.
 - Facilitate activities in line with MercyCare's safeguarding guidelines, promoting positive interactions and protecting all participants from harm.
 - Provide clear guidelines and expectations for all involved, including residents, staff, and children.
 - Any concerns or incidents during intergenerational activities must be reported and documented in accordance with MercyCare's safeguarding procedures.

4.10 Use of Electronic Communications

MercyCare is committed to ensuring the safe and appropriate use of electronic communication to protect children and young people from harm or exploitation in digital environments. MercyCare people are expected to uphold these guidelines when engaging in electronic communications:

Guidelines for Communication

- Whenever possible, email and text messages directed to a child or young person should also be copied to their parent or caregiver.
- If a parent or caregiver is not copied, communications must:
 - Focus exclusively on service-related matters, such as schedule changes or cancellations.
 - Maintain a professional tone and avoid personal or social content beyond what is required for the service-related message.
 - Never include content that could reasonably be interpreted as inappropriate, suggestive, or sexual.
 - Be documented in case notes, including the reason for the communication and a summary of the message.

Use of Personal Devices

- Personal phones or other devices must not be used to communicate with children or young people unless explicitly authorised by management and aligned with service requirements.
- Where authorised, communication must:
 - Be limited to necessary, service-related matters.
 - Comply with all organisational safeguarding expectations.Be recorded in a case note or other appropriate documentation system.

Prohibited Actions

- MercyCare people must not:
 - Use Internet chat rooms, social networking sites, gaming sites, or instant messaging platforms for direct communication with children or young people.

- Encourage secrecy in communications or asking children to withhold information from their caregivers.
- Social Media and IT Policy
 - MercyCare people are expected to follow MercyCare’s Social Media Procedure and IT Communication Policy.
 - Any use of organisational computers or electronic equipment must comply with these policies and include safeguards to prevent inappropriate online activities.
- Monitoring and Online Safety Awareness:

MercyCare people are encouraged to promote online safety awareness and actively monitor the use of MercyCare’s communication systems to prevent inappropriate interactions and exposure to harmful content.

4.11 Photographs of Children and Young People

- MercyCare people may take photographs of children and young people in MercyCare services under the following conditions:
 - No personal devices (e.g., personal phones, tablets, or cameras) are to be used to take photographs of children and young people.
 - Permission is obtained from the child or, if not possible, from their parent or caregiver.
 - The photograph is directly related to the child’s participation in the service.
 - The child is appropriately dressed and posed, and the photograph is taken in the presence of other staff.
 - A copy is provided to the child, parent or caregiver.
 - Photographs are not distributed (e.g., via email or social media) to anyone outside MercyCare, except with management’s knowledge and approval.
 - Images displayed on MercyCare’s website or promotional material must not identify children unless parental or guardianship permission is obtained, and risks are mitigated.
 - Image Storage and Deletion:
 - Digital images must be stored in password-protected folders.
 - Physical copies must be kept in locked storage.
 - All images must be destroyed or deleted when no longer required for service delivery, documentation, or organisational purposes, and in line with MercyCare’s data retention and privacy guidelines.

4.12 Giving gifts

- MercyCare people may give gifts to children and young people involved in MercyCare services only if:
 - Prior approval is obtained from a supervisor or manager.
 - Parents or caregivers are informed about any gift given.
- Gift-giving should always align with MercyCare’s commitment to equity, fairness, and maintaining professional boundaries.

4.13 Physical Contact with Children and Young People

Guidelines for Physical Contact

- MercyCare people are required to ensure that any physical contact with children and young people is appropriate, respectful, and in line with the delivery of services. Contact must always prioritise the needs of the child or young person and never serve the personal interests of the staff member.

Permissible Contact

- Physical contact may occur when necessary for:
 - Providing day-to-day care, such as nappy changing or assistance with dressing.
 - Comforting a distressed child or young person, but only if the child initiates or clearly welcomes the contact. Any comfort offered must be respectful, non-intrusive, and trauma informed.
 - Delivering medical or allied health services.
 - Supporting safe and appropriate play and engagement in early learning settings (e.g., facilitating activities that require guidance or physical support)
 - Wherever possible, physical contact should occur within line of sight of another MercyCare person, or with another authorised adult present. If contact is one-to-one or involves heightened risk (e.g. toileting, emotional distress), it should be documented in a case note or appropriate record.

Prohibited Contact

- MercyCare people must not engage in any personal, social, or support activities with children or young people outside the scope of authorised programs or services. This includes offering private support, attending social functions, or initiating contact in personal settings or online.
- Physical contact must never:
 - Involve touching of genitals, buttocks, or breast area (except as required for medical care or hygiene purposes).
 - Be other than as part of delivering medical or allied health services.
 - Appear to a reasonable observer to have a sexual connotation.
 - Be intended to cause pain or distress to the child or young person (e.g., corporal punishment).
 - Be overly physical (e.g., wrestling, horseplay, tickling, or other roughhousing).
 - Be unnecessary (e.g., assisting with toileting when a child does not require assistance).
 - Be against the wishes of the child or young person, except when required to prevent harm.

Use of Force

- MercyCare does not permit the use of force, physical punishment, or coercion in any circumstance.
- Physical restraint may only be used as a last resort to prevent immediate and serious harm to the child, young person, or others. It must be reasonable, proportionate, and limited to the minimum of force necessary to ensure safety.
- Acceptable physical interventions may include:
 - Blocking a doorway to prevent a child from running into danger.
 - Gently guiding a child or young person away from a hazardous situation.
 - Using approved de-escalation holds, but only if the staff member has been trained and authorised to do so.
- When restraint is used, it must:
 - Be brief, non-harmful, and only used to prevent immediate danger.
 - Be aimed solely at ensuring safety and never used as a disciplinary measure.

- Be immediately reported to management and documented in MercyCare's incident management system (CAMMS).
- Be followed by a debrief with the child or young person (where appropriate), to support their understanding and recovery.
- Be followed by a debrief with the child or young person, where appropriate, to support their understanding and recovery.
- MercyCare people are expected to use de-escalation techniques and non-physical interventions wherever possible to manage challenging behaviours.
- Physical restraint should only be used as a last resort to prevent harm and must:
 - Be proportionate to the specific circumstances, such as preventing imminent harm to the child, young person, or others.
 - Be aimed solely at ensuring safety and never used as a punitive or disciplinary measure.
 - Be limited to the minimum amount of force necessary to manage the situation safely.
 - Be immediately reported to management, documented in MercyCare's incident management system (CAMMS), and reviewed for compliance with safeguarding policies.

Reporting inappropriate or aggressive contact

- MercyCare people must report to management any sexualised, inappropriate, or physically aggressive contact initiated by a child or young person as soon as possible, so it can be effectively assessed, documented, and managed in line with safeguarding procedures.

4.14 Overnight Stays and Sleeping Arrangements

Guidelines for Overnight Stays

- Across our services, there can be a variety of reasons why overnight stays occur or when sleeping arrangements with children, young people and our MercyCare people need to be considered.
- Overnight stays are permissible only when:
 - They align with MercyCare's delivery objectives
 - Prior written authorisation is obtained from management and the child's or young person's parent or caregiver.
 - A documented risk assessment is completed and approved prior to the stay occurring.

Standards of Care

During overnight stays, MercyCare people are expected to:

- Provide children and young people with privacy when bathing and dressing
- Maintain appropriate dress standards, such as no exposure to adult nudity.
- Ensure sleeping arrangements:
 - Do not compromise safety (e.g., an adult sharing a bed with a child or young person is prohibited).
 - Are supervised when necessary to ensure safety without infringing on privacy.
- The right of children to contact their parents, or caregivers, if they feel unsafe, uncomfortable or distressed during their stay.
- Children must not be left under the supervision of unauthorised individuals.
- Exposure to inappropriate content, such as pornography or violent media, is strictly prohibited.

- A document risk-assessment must be completed for all overnight stays, including:
 - Location and facilities.
 - Travel arrangements
 - Supervision and emergency protocols (including first aid and wellbeing supports, where applicable).

4.15 Change Room Arrangements

Supervision Guidelines

- MercyCare people are to supervise children and young people in change rooms to prevent harm while respecting privacy. MercyCare people should:
 - Avoid one-to-one situations with a child or young person in a change room area.
 - Use change rooms that align with the child or young person's gender identity.
 - Ensure adequate supervision in public or shared change rooms by remaining positioned near entry points and conducting periodic visual checks when appropriate. MercyCare people must never be alone with a child or young person in these spaces. Supervision must be discreet, non-intrusive, and respectful of privacy.

Prohibited Practices

- MercyCare people must not:
 - Use the change room to undress while children or young people are present.
 - Enter change rooms of the opposite sex unless necessary and with appropriate safeguards.

4.16 Bathroom Arrangements

- MercyCare personnel are required to supervise children and young people in bathrooms in a way that balances safety with respect for privacy.
- Avoid one-to-one situations with a child or young person in a bathroom whenever possible.
- Ensure appropriate supervision based on the child's age, abilities, and level of need.
- Knock and announce yourself clearly before entering a bathroom or stall.
- Where supervision is required, bring another authorised adult whenever possible.
- MercyCare personnel should use separate bathroom facilities from those used by children and young people.
- Female personnel should not enter male bathrooms, and male personnel should not enter female bathrooms, unless there is a safety concern, and safeguards are in place.
- Bathroom use must be aligned with the individual's gender identity and privacy preferences.

4.17 Use, Possession or Supply of Alcohol or Drugs

- While on duty, MercyCare people must not:
 - Use, possess or be under the influence of an illegal drug
 - Use or be under the influence of alcohol
 - Be incapacitated by any other legal drug such as prescription or over-the-counter drugs
 - Supply alcohol or drugs (including tobacco and vapes) to children and young people participating in our services.
 - Use of legal drugs other than alcohol is permitted, provided such use does not interfere with your ability to care for children involved in our service. For more information, see MercyCare's Alcohol and Drugs Policy.

4.18 Transporting Children

Guidelines for Transport

- Transporting children must be directly related to service delivery and authorised by management and parents or caregivers.
- MercyCare people are to provide detailed journey plans, including:
 - The reason for the journey.
 - The mode of transport.
 - The route including any stops or side trips and expected timeframe.
 - The names of all individuals involved in the journey.

Service Specific Requirements

- Early Learning Services – An excursion and transport risk assessment must be completed prior to all excursions, as outlined in the [Curriculum and Programs Procedure](#).

Safeguarding During Transport

- MercyCare people should avoid transporting children alone unless unavoidable, in which case:
 - Notification of transporting children involves providing information and case noting the proposed journey, including:
 - The reason for the journey.
 - The route to be followed, including any stops or side trips, and expected timeframe.
 - Details of anyone who will be present during the journey other than our MercyCare people who are involved in delivering our service.

4.19 Promoting Equity and Diversity

- MercyCare has zero tolerance for any form of discrimination. All personnel must treat children and young people with dignity and respect, regardless of their race, culture, gender, sexual orientation, disability, religion, age, or socio-economic status.
- Discriminatory behaviours, including exclusion, harmful language, or decisions that disadvantage individuals or groups, are prohibited and will be addressed in line with MercyCare's Code of Conduct and safeguarding policies.
- MercyCare is committed to creating an inclusive environment that values the unique identities, backgrounds, and abilities of all children and young people.
- MercyCare people are encouraged to:
 - Engage in diversity and inclusion training opportunities, including but not limited to cultural awareness, LGBTQIA+ education, and disability inclusion.
 - Ensure their actions, communication, and use of resources reflect the diverse needs of children and young people.
 - Actively work with families and communities to support inclusive practices and respond to individual needs.
 - Contribute to creating welcoming and accessible environments for all participants.

5 Internal References

- Alcohol and Other Drugs Policy
- Code of Conduct
- Definitions of Terms and Acronyms
- Incident Management Procedure – Safeguarding
- Incidents Internal Escalation Guidelines
- IT Communication Policy
- Policy Management Framework
- Responding to Child Abuse, Neglect and Other Harms Policy and Procedure
- Safeguarding Children and Young People Policy
- Social Media Procedure

Approved by: MercyCare Board
Date: 07/08/2025

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