

# Care and protection of children

## Policy

<b>Document title</b>	Care and protection of children	Version 2.02
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<b>Approved by</b>	Director Operational Policy	
<b>Date approved</b>	31/01/2017	
<b>Document review</b>	24 months from date of approval	
<b>TRM number</b>	HSG2016/01805-3~001	

Version	Active from	Author	Changes made
2.02	30/03/2022	Operational Policy	Rebranded
2.01	31/01/2017	Director Policy	Editorial amendments
2.00	4/08/2016	Chief Executive Officer	Revised
1.00	2/09/2013	Executive Director, Housing Operational Client Support	New separate policy derived from Housing Services Operational Policy Manual, Chapter 1

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# 1. Purpose

To guide Department of Territory Families, Housing and Communities ('the Department') staff on their responsibilities to promote the wellbeing of children and protect them from harm and exploitation.

# 2. Scope

This policy applies to all Department staff who interact with clients, including any agent or contractor engaged to deliver services on behalf of the Department. Clients include applicants for housing assistance and tenants.

# 3. Policy

As a provider of housing assistance, the Department recognises its role in safeguarding the wellbeing of children. A child is defined as a person less than 18 years old or a person apparently less than 18 years old if their age cannot be proved.

## 3.1. Legislative requirements

Under the *Care and Protection of Children Act 2007* (section 26) every adult in the Northern Territory must report to a police officer, if they have a reasonable belief of any of the following:

- a child has suffered or is likely to suffer harm or exploitation;
- a child aged less than 14 years has been or is likely to be a victim of a sexual offence; or
- a child has been or is likely to be a victim of an offence against section 128 of the *Criminal Code Act 1983* (sexual intercourse or gross indecency involving a child over 16 years and under the offender's special care, for example, the offender is a stepparent or teacher of the victim).

Harm to a child is any significant detrimental effect caused by any act, omission or circumstance on the physical, psychological or emotional development or wellbeing of the child. Exploitation of a child includes sexual and any other forms of exploitation of the child.

The Department acknowledges its role as a potential source for early identification and intervention to prevent ongoing harm to children and will report suspected child abuse or neglect to the police as soon as realistically possible.

## 3.2. Duty of care

The Department has a duty of care for those living in public housing, and places a priority on the welfare of children. To this end, the Department's policies aim to ensure that children are living in an appropriate and safe premises which maximises the opportunities for them to realise their full potential.

This includes ensuring, where practicable, that any premises in which children reside is appropriate to their needs, including size (such as the number of bedrooms), safety (such as the height of fences) and location (such as proximity to schools). Staff will reassess the requirements of a household when new children move in, such as when caring for a relative or foster children.

### 3.3. Domestic and family violence

Significant harm can be caused to children who witness and are exposed to violence against their mothers, fathers or other family members. The Domestic and Family Violence policy outlines how the Department delivers services to clients who have been or are currently affected by domestic and family violence.

## 4. Discretionary decision making

No discretion applies to this policy. See Discretionary Decision Making policy.

## 5. Complaints and/or appeals

If a client is not satisfied with either a decision or action of the Department, they can access the Department's complaints and/or appeals processes. For further information, please refer to the Complaints and/or Appeals policies.

## 6. Review of the policy

If at any time the legislative, operating or funding environment is so altered that the policy is no longer appropriate in its current form, the policy shall be reviewed and amended accordingly. This policy will be reviewed within two years of release.

## 7. References

### 7.1. Legislation

*Care and Protection of Children Act 2007*

*Criminal Code Act 1983*

*Domestic and Family Violence Act 2007*

### 7.2. Policies

Allocations and Commencement of a Tenancy policy

Appeals policy

Complaints policy

Discretionary Decision Making policy

Domestic and Family Violence policy

Entitlement policy

Priority Housing policy