

Working with Children and Vulnerable Persons' Safeguarding Policy

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Short description	A policy on Working with children and vulnerable person's safety
Relevant to	All employees
Authority	This Policy has been approved by Directors in accordance with the Policy on Delegations and Authorisations - Delegation Schedule 1
Responsible officer	Human Resources Manager
Responsible office	Human Resources
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Related My Pathway documents	Privacy Policy Recruitment, Selection and On-boarding Policy Recruitment, Selection and On-boarding Procedure Code of Conduct Customer Feedback Complaint Management Framework Risk Assessment – Working with vulnerable people
Related legislation	<i>Australian Human Rights Commission Act 1986 (Commonwealth)</i> <i>National Principles for Child Safe Organisations</i> <i>Disability Services Act 2006</i> <i>Work Health and Safety Act 2011 and Work Health and Safety Regulation 2011 (Qld)</i> <i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i> <i>Child Employment Act 2006 (Qld)</i> <i>Child Protection (international measures) Act 2003 (Qld)</i> <i>Registration to Work with Vulnerable People Amendment Act 2015 (Tas)</i> <i>Privacy Act 1988 (Commonwealth)</i>
Key words	Children, vulnerable, people, safety, abuse, protection, risk, harm, environment, physical, family

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1. Purpose

My Pathway has a duty of care and is committed to promoting and protecting the welfare and human rights of all people who interact with or who are affected by the organisation work. My Pathway has no tolerance for abuse, neglect or exploitation.

The purpose of this policy is to provide a set of internal preventative and responsive principles and approaches to give clarity and understating to staff and volunteers on how they should engage with children and other vulnerable people to ensure the safeguarding of all.

2. Scope

This policy applies to all employees, contractors, board members and volunteers of My Pathway and its affiliated companies, which commenced on 1 December 2013.

3. Definitions

Child or Children – Refers to a person less than 18 years of age.

Criminal History Screening – Refers to the process where a report is obtained from the Commissioner of Police or another prescribed source regarding the criminal history of a person that is 18 years or over for the purposes of determining whether that person is suitable to work with children.

Harm and Abuse – Means all forms of physical and mental abuse, neglect, exploitation, coercion or ill-treatment. This includes but is not limited to:

- Sexual harassment, bullying or abuse;
- Sexual criminal offences;
- Threats of, or actual violence. This includes physical, verbal, emotional and social abuse;
- Abuse of power;
- Coercion and exploitation;
- Cultural or identity abuse such as racial, sexual or gender-based discrimination or hate crimes.

Manager – Means any employee who has the responsibility for managing other employees or a program or who is responsible for recruiting and selecting new employees. Examples include but are not limited to Program Managers, Regional Managers, Project Manager, Team Leaders.

Prescribed Position – Is one that requires or involves one or more prescribed functions including:

- Regular contact with children or working in close proximity to children on a regular basis where that contact is not directly supervised at all times.
- Supervision or management of the above positions.

Safeguarding – Protecting the welfare and human rights of people the interact with, or are affected by My Pathway, particularly those that might be at risk of abuse. These are the steps taken to protect a person from harm.

Senior Department Manager – The senior line manager of a department who also holds a position in the Leadership Team, or where the context requires (e.g., in relation to Leadership Team members), the relevant member of the SLT.

SLT (Strategic Leadership Team) – the senior managers who report to the CEO and have overall responsibility for managing programs and contracts, and back of house functions within the business.

Vulnerable People - Those who may be at risk of abuse or exploitation due to their dependency on others or experiences of disadvantage, and could include people with a physical, intellectual or psychological disability, the frail-aged, children, people from culturally and linguistically diverse backgrounds, refugees, and those living in poverty.

4. Policy Statement

My Pathway Group is committed to the safeguarding of children, young people and other vulnerable people who access our services and programs. My Pathway Group supports the rights of the children and vulnerable persons in the community and will act without hesitation to ensure a safe environment is always maintained. My Pathway Group also supports the rights and wellbeing of staff and volunteers and encourage their active participation in building and maintaining a safe environment for all participants across all regional sites and locations.

The following principles underpin this policy:

- Harm and abuse is abhorrent, illegal and must not be tolerated or ignored.
- Children and vulnerable people deserve respect, care and protection of their human rights regardless of special needs, cultural or socioeconomic factors.
- All people, but in particular children and vulnerable people, should know that they have the right to be safe from harm and abuse at all times.
- Children and vulnerable people are entitled to the support of a responsible person if they experience or are at risk of harm and abuse.
- My Pathway Group has a role to play in fostering a safe local environment and in contributing towards the protection of children and vulnerable people from harm and abuse.

5. Procedure Overview

One of My Pathway Group's paramount considerations in delivering services and programs is to foster the safety of children and other vulnerable people. In doing so, My Pathway:

- Nominated a Children and Vulnerable People's Safety Contact Officer to provide support to staff, volunteers, contractors and consultants on the policy, procedure and guidelines.
- Increased awareness within the organisation about providing an environment where children and vulnerable people are safe and protected from abuse.
- Adopt the National Principles for Child Safe Organisations developed by the Human Rights Commission.
- Maintain a rigorous staff and volunteer recruitment, screening and selection process, including a criminal history screening of existing employees in a prescribed position at least once in every 3 years of employment.
- Obtains a criminal history screen for service providers, facilitators and other persons who are employed or contracted by My Pathway Group to work with or supervise children and vulnerable people (e.g., for youth events etc).
- Provides ongoing training and support to staff, volunteers and all those involved in the delivery of services and programs to ensure they understand the obligations as they relate to harm and abuse and can fulfil their duty of care.
- Established supportive and responsive procedures for fulfilling mandatory reporting obligations, where relevant, and dealing with complaints and issues effectively as they arise.

- Takes appropriate security measures for the collection and maintenance of appropriate records related to children and vulnerable people during delivery of My Pathway Group services and programs.
- Collaborates and consults with other relevant agencies in matters concerning the protection of children and vulnerable people from abuse.
- Develops, monitors, evaluates and reviews risk management strategies and procedures to minimise harm to children and other vulnerable people.
- Ensures that all employees, volunteers, contractors and consultants comply with the code of conduct endorsed by My Pathway Group which sets out standards of conduct when providing services to children and other vulnerable people.

6. Responsibilities

My Pathway Group, Directors

- Adopt the Policy.
- Promote protection of children and other vulnerable people from harm and abuse.
- Endorse and implement the National Principles for Child Safe Organisations.
- Ensure My pathway observes all laws relating to safeguarding.

Chief Executive Officer/Senior Leaders

- Ensure this Policy is implemented, monitored, reported on and evaluated.
- Ensure mandatory reporting requirements, procedures and associated legal responsibilities are adhered to.
- Endorse and implement the National Principles for Child Safe Organisations.
- Ensure significant changes to relevant legislation are brought to the attention of Directors in a timely manner.
- Ensure reports are made to external parties when required.

Managers

- Familiarise themselves with the relevant Laws relating to Safeguarding and mandatory reporting.
- Familiarise themselves with and implement the National Principles for Child Safe Organisations.
- Recruitment and selection in accordance with My Pathway Group policies, procedures and requirements for criminal history screening of existing employees and preferred applicants for prescribed positions.
- Effective implementation of the policies, procedures and safe work practices.
- Awareness and promotion of acceptable behaviours when dealing with children and other vulnerable people.
- Provide appropriate induction and ongoing training and ensure this training is completed when required.
- Establish and maintain supportive procedures for fulfilling mandatory notification requirements and ensure mandated notifiers understand their legal responsibilities.
- Report any reasonable suspicion of harm and abuse as required by relevant State legislation.
- Support staff and respond to enquiries regarding suspicions of harm and abuse or related issues, maintain appropriate records and ensure records are securely stored.
- Maintain confidentiality and fully cooperate with the Department for Families and Communities, the State/Territory Police and other relevant government agencies in their investigations of suspected abuse of a child or other vulnerable person.
- Complete training on the requirements of this policy when assigned and within the required timeframes.

Employees and Volunteers

- Familiarise themselves with the relevant Laws relating to Safeguarding and mandatory reporting.
- Familiarise themselves with and implement the National Principles for Child Safe Organisations.
- Follow the policy, procedures and guidelines for providing a safe environment for children and other vulnerable people.
- Report any reasonable suspicion of harm and abuse as required by relevant State Legislation.
- Complete training on the requirements of this policy when assigned and within the required timeframes.

Children and Vulnerable People's Safety Contact Officer

- Provide support and advice to management, employees, volunteers, contractors or consultants on the policy, procedure and guidelines.
- Delegated to WHS Officer.

7. Managing incidents

7.1 Reporting Suspected Incidents

All staff, volunteers and others covered by this policy must, as soon as practicable, report any suspicion that harm and abuse may be taking place, has taken place or is taking place. Allegations can be reported using the mediums provided in My Pathway's Feedback and Complaints Framework, WHS Incident Report or using communication channels within the organisation, such as direct reports to the following, who is not closely involved with the allegations:

- A Director or Board member
- The CEO
- The General Manager Corporate Services
- The Quality and Compliance Manager
- The WHS Manager
- The Human Resources Manager
- Direct manager

This information will be stored in the Feedback and Complaints Register or the Incident Register. There is no need to provide a name when making a report if staff member prefers to remain anonymous.

If there is a belief that another person is at immediate risk of harm and abuse or is the victim of a criminal offence, a call to OOO and the report of the incident must be done at once.

7.2 Responding to suspected incidents

All suspected, potential or actual incidents will be managed as described in section 6.2.5 of My Pathway's Feedback and Complaints Framework or per the Incident Management Procedure.

8. Availability of the policy

This Policy will be available from My Pathway's website www.mypathway.com.au, HR Site in Share Point and in the Learning Academy. Copies will also be provided to interested members of the community upon request.

9. Breach of Policy

The obligations imposed on employees by this policy are lawful and reasonable directions, with which employees must comply.

Harm and abuse are serious misconduct and disciplinary action up to and including termination will be taken against all people covered by this policy where they are found to be engaged in or involved in incidents of harm and abuse. In addition to internal disciplinary action, My Pathway reserves the right to refer all suspected incidents to the police.

As set out above, even an employee with an exemption may face termination of their employment, in the circumstances outlined in this policy.

10. Variations

My Pathway reserves the right to vary, replace or terminate this policy from time to time.

Employee Acknowledgement

I acknowledge that:

- I have received the My Pathway Policy
- I have read understood and will comply with the policy
- Disciplinary consequences may occur if I fail to comply, which may result in the termination of my employment.

Name: _____

Signed: _____

Date: _____

APPENDICIES (ATTACHMENTS)

1.

Table of amendments

Version	Date	Short description of amendment
1.0	26/02/2013	Development of policy
1.1	21/07/2016	Review of Policy
1.2	09/04/2018	Relevant legislation added
1.4	09/04/2020	Changes to wording
1.5	29/06/2021	Update Legislation
1.6	05/05/2022	Update template, insert definitions, update relevant policies and references and clarify responsibilities and reporting
1.7	11/07/2023	Add reference to National Principles for Child Safe Organisation and update responsibilities