



Child and Vulnerable Person Protection Policy

May 2020

Circle of Friends Australia Inc.

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INTRODUCTION

Circle of Friends Australia (COFA) is committed to promoting and protecting the interests and safety of children and vulnerable people. COFA has zero tolerance for the abuse of children and vulnerable people.

All people involved with COFA or any of the affiliated Circles who in their volunteering are involved with children and vulnerable people are responsible for reporting information about the abuse of those people.

Under Australian federal and state legislation all children and vulnerable people, regardless of their gender, race, religious beliefs, age, illness, trauma or culture have full and equal rights to protection from abuse.

PURPOSE OF THIS DOCUMENT

The purpose of this document is to:

1. provide a clear statement to Circle members that any abuse of children and vulnerable people is forbidden
2. ensure all personnel are aware of their responsibilities for identifying possible abuse, whether within or outside the organisation
3. establish procedures for responding to suspicions of such abuse
4. provide guidance to Circle members on the screening of anyone who is in regular contact with children and vulnerable persons
5. set down a code of conduct for those involved in the support of children or vulnerable persons.

This document should be read as a whole.

SECTION 1 POLICY, SOUTH AUSTRALIAN LEGISLATION AND DEFINITIONS

SECTION 2 PROTECTION PROCEDURES

SECTION 3 THE CODE OF CONDUCT

SECTION 1

POLICY

COFA is committed to ensuring the best interests of children and vulnerable people involved in its programs. COFA has zero tolerance for abuse.

Protection is a shared responsibility between COFA and all Circle members.

COFA must inform Circle members on their reporting responsibilities.

SOUTH AUSTRALIAN LEGISLATION

There are two relevant Acts in South Australia.

The Child Safety (Prohibited Persons) Act 2016 provides for

- the screening of people who want to work or volunteer with children
- a central assessment unit to undertake screening of such people
- a system of accountability for such people
- the prohibition of those who pose an unacceptable risk to children from working or volunteering with children.

Under this Act, everyone who volunteers to work regularly with children must have a current Working with Children Check. Those doing volunteer work with refugees and asylum seekers may need a vulnerable person-related employment check.

The Act lists a number of services and activities classified as child-related work, which may apply to Circles or Circle Members.

The Children and Young People (Safety) Act 2017

This is an Act to protect children and young people from harm and to provide for children and young people who are in care. It sets down the powers and obligations of the Minister and the Chief Executive of the Department, and the obligations of organisations and individuals who may provide services to, or have other interaction with, children and young people.

Provisions most relevant to COFA and Circle members include Chapter 5, Part 1: Reporting of suspicion that a child or young person may be at risk.

This part of the Act applies to a range of organisations including volunteer organisations engaged in welfare services. Thus it applies to COFA and Circle members.

Section 31 of the Act provides, among other things:

- (1) A person to whom this Part applies must, if —
 - (a) the person suspects on reasonable grounds that a child or young person is, or may be, at risk; and
 - (b) that suspicion was formed in the course of the person's employment, report that suspicion, in accordance with subsection (4), as soon as is reasonably practicable after forming the suspicion.
- (4) A person reports a suspicion under this section by:
 - (a) making a telephone notification to a telephone number determined by the Minister for the purposes of this subsection. This telephone line is currently known as the Child Abuse Report Line or CARL.

This subsection also provides for other options for reporting, such as making an electronic notification.

Therefore, any Circle member who, in the course of Circle volunteer work, forms a suspicion, on reasonable grounds, that a child, young person or vulnerable person may be at risk, must immediately notify the Child Abuse Report Line (CARL), Telephone: 13 14 78, or notify by another officially sanctioned method. They should also advise the convenor of their Circle about their concern.

Cause for such suspicion includes suspicion that a child is in imminent danger of serious harm, serious injury, chronic neglect or being abused.

For further information see www.childprotection.sa.gov.au/reporting-child-abuse.

DEFINITIONS These definitions apply through this document.

Child

a person below the age of 18 years

Child protection

any responsibility, measure or activity undertaken to safeguard children from harm

Child abuse

- all forms of physical abuse
- emotional ill-treatment
- sexual abuse
- neglect
- commercial or other exploitation of a child
- any action that may result in actual or potential harm to a child

Child sexual assault

any act, which includes or involves a child in

- sexual processes beyond his or her understanding or contrary to accepted community standards
- physical acts such as the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts
- voyeurism, exhibitionism, and exposing the child to or involving the child in pornography
- child grooming to establish an emotional connection with a child in preparation for sexual activity with the child

Circle of Friends

a group of individuals who come together to support refugees and asylum seekers in the community. The Circles are informal in nature and are not registered as associations.

Circles of Friends Australia Incorporated (COFA)

an umbrella organisation for the affiliated Circles providing the formal structure and registration with the Australian Taxation Office and the Australian Charities and Not-for-profits Commission

Circle members

staff, contractors, associates, office holders, committee members, volunteers and members of Circles affiliated with COFA

Convenor

the person elected by Circle members as the contact person between the Circle and COFA and someone who may also chair meetings.

Employment

Employment, as used in SA Legislation includes working as a volunteer.

Vulnerable person

a person aged 18 years and above, who is or may be:

- unable to take care of themselves
- unable to protect themselves against harm
- open to exploitation by reason of gender, race, religious beliefs, age, illness, trauma, culture, disability, sexual orientation, family or social background or any other reason

SECTION 2

PROTECTION PROCEDURES

1. RESPONSIBILITIES

The Management Committee of COFA has ultimate responsibility for the Circles of Friends doing what is reasonably possible to prevent child abuse by

- ensuring that all Circle members are aware of relevant laws, COFA's policy and procedures, and the COFA Code of Conduct
- providing support for Circle members in undertaking their protection responsibilities
- maintaining a record of all Circle members who have Working with Children Check or Vulnerable Persons Clearance or the National Police Checks and the date of expiry of those checks
- keeping confidential records of any reporting, investigations of breaches of conduct, and responses, and ensuring that any report made is lodged with the appropriate authorities.

Circles of Friends are responsible for:

- keeping a record of the names of all children and vulnerable persons with whom their Circle has contact, and the names of Circle members who have regular contact with children and vulnerable persons, which can be made available to COFA
- ensuring that Circle members who are in contact with children and vulnerable persons have appropriate checks and the opportunity for training
- ensuring that the COFA Management Committee is aware that any report of child abuse it has been lodged with relevant authorities.

Circle members in contact with children and vulnerable persons should:

- familiarise themselves with the Code of Conduct, COFA's policy and procedures in relation to child and vulnerable person protection, and comply with all requirements
- conduct any activity in a manner that supports the emotional and physical safety of children and vulnerable persons
- report to their Circle convenor or to the Management Committee of COFA any suspicion that a child's or vulnerable person's safety may be at risk.

2. SCREENING OF PERSONNEL

South Australian legislation requires that all people working with children be screened by the Department of Human Services SA (DHS). The clearances appropriate for the work of the Circles are the Working with Children Check and the Vulnerable Person-related Employment Check.

In accordance with Australian legislation, COFA requires that Circle members, who have direct contact with refugees and asylum seekers as part of their role for their Circle, should be in possession of a DHS Working with Children Check and the Vulnerable Person-related Employment Check.

Those who believe they will not work with children for more than 7 days a year are not required by law to have a Working with Children Check. Nevertheless, it is advisable for those in a management role to seek a check.

Checks as now given, are valid for 3 years, and are valid for volunteering or employment in any organisation or industry. A check or clearance obtained previously for work as a volunteer or employee in any other area is also valid for Circle activities.

DHS has provided for individuals to apply for checks on-line. However, it is preferred that Circle members apply for the check through COFA on the appropriate application form

attached to this document, to enable COFA to maintain adequate records and advise members when renewal is necessary.

COFA is a registered organisation with DHS. All applications should be submitted by the applicant to the responsible COFA official at cofa.admin@bigpond.com. These applications incur no cost.

3. TRAINING

COFA will offer Circle members opportunities for training so that workers and volunteers will understand:

- the Protection Policy, the Code of Conduct and the Confidentiality Policy
- their responsibilities towards children and vulnerable people
- acceptable conduct
- reporting procedures.

4. INVESTIGATING

If any Circle of Friends or a Circle member makes a report regarding a child or vulnerable person's safety to the appropriate child protection service or the police, and the report is investigated, all Circle members must cooperate fully with the investigation.

5. RESPONDING

If it is alleged that a Circle member may have committed an offence or have breached COFA's policy or Code of Conduct, the person concerned may be stood down while an investigation is conducted by appropriate authorities. If the investigation concludes that, on the balance of probabilities, an offence or a breach has occurred, then disciplinary action may follow, up to and including dismissal or cessation of involvement with the Circle of Friends.

6. PRIVACY

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety.

7. REVIEWING

Every two years, and following every reportable incident, a review shall be conducted to assess whether COFA's Child and Vulnerable Person Protection Policy and procedures require modification to better protect children and vulnerable persons.

8. RELATED DOCUMENTS

This policy must be read in conjunction with the laws of the Commonwealth of Australia and of the relevant states or territories.

SECTION 3

CODE OF CONDUCT FOR CIRCLE MEMBERS WORKING WITH CHILDREN AND VULNERABLE PEOPLE

1. INTRODUCTION

This code of conduct articulates the way we conduct ourselves in our role as Circle members within COFA and within the individual Circles of Friends.

All COFA members are encouraged to read this Code of Conduct. However, if members' roles do not involve regular contact with children and vulnerable people, they are not required to sign the code.

It must be made clear to refugees and asylum seekers that we are community members who wish to assist and support them in whatever way we can, and help them make connections to the services they may need. We cannot provide professional advice, unless we are qualified to do so.

2. RESPECT

Many members of the refugee and asylum seeker community are from vastly different cultures and systems of belief, and often are survivors of traumatic and complex situations in their countries of origin. We will therefore ensure that we:

- are accepting of cultural and religious differences, personal difficulties and stresses
- are considerate of the difficulties faced by asylum seekers and refugees, both due to their status in Australia and whatever occurred in their countries of origin
- treat everybody with courtesy, respect and fairness
- when using an interpreter, direct all questions to the asylum seeker(s) or refugee(s), maintaining eye-contact with them and understanding that the conversation is with them, and not with the interpreter.

3. INTEGRITY

Asylum seekers or refugees come to us for support and we must ensure our work is of the highest possible quality and our dealings are fair. We therefore will ensure that we:

- always speak clearly, fairly, respectfully, professionally and honestly
- are reliable in our support, only making commitments which we are sure that we can fulfill
- notify both the relevant person and the refugee or asylum seeker if we are unable to attend an appointment to which we have committed
- observe confidentiality, as provided in Section 7 below
- be aware of their need for safety, security and privacy
- state clearly that we are not migration agents and do not provide migration advice.

4. EMPOWERMENT

The asylum seekers and refugees we assist are autonomous and capable and as volunteers our role is to support them, based on a thorough and sympathetic understanding of their situation. Therefore, we will ensure that:

- their comfort, understanding and empowerment are our primary concerns
- we facilitate them to taking steps themselves rather than taking those steps on their behalf
- we act only in a supportive capacity and explain to them the support we are able to give
- we ensure they are comfortable and agree with suggestions we make to support them

- we do not pressure them to share information with us or disclose information about their reasons for leaving their homelands or applying for protection
- we are respectful and mindful of their privacy and boundaries.

5. SUPPORT

Asylum seekers and refugees approaching us for assistance are in need of both emotional and practical support. We will:

- endeavour to be aware of other services provided by other organisations and refer them to such services when it seems necessary
- conduct ourselves in a professional, respectful and supportive manner
- be clear that we are here to support them in the community in whatever way they may need and we can provide.

6. COOPERATION

There are various services and advocates operating within the refugee sector and our role in supporting asylum seekers and refugees is recognising that they may need help accessing other services. Therefore, we will:

- cooperate with other services and, when there is a need, refer asylum seekers or refugees to other organisation.
- understand that, when we refer an asylum seeker or refugee to another service, that service has a confidential relationship with him or her.

7. CONFIDENTIALITY

Volunteers will have access to personal and private information, which is highly confidential. Respecting the privacy of asylum seekers and refugees is a key value for COFA. The possible consequences faced by people whose information is made public are severe. Members should always maintain an awareness of the needs of refugees and asylum seekers for their safety, security and privacy.

Therefore, we will:

- not disclose any information relating to asylum seekers (including names, personal details, information or facts, which may make their identity known, or other sensitive information) except where:
 - it may be necessary to discuss their needs and support options with other Circle members or with qualified members of other relevant organisations; or
 - there is a legal requirement to disclose information; or
 - the individual has provided express permission for the information to be disclosed; or
 - the failure to disclose the information could lead to abuse, harm, injury or death; or
 - documents such as financial reports, applications for assistance from COFA or a Circle, and receipts, need to be transmitted to Circle members and COFA whether electronically or by hard copy, as part of the business of COFA and the Circles.
- not hold confidential documents for asylum seekers and refugees except in the provision of support (such as assisting with payment of rent or utility bills).

CODE OF CONDUCT

Circle members are required to abide by this Code.

All people involved in the support of children or vulnerable persons on behalf of COFA:

- maintain a duty of care towards others involved in the programs and activities of COFA or their Circle
- establish and maintain a child-safe environment in the course of their work
- be fair, considerate, honest and respectful with others
- act as positive role models
- maintain strict impartiality
- respect the privacy of children, their families and vulnerable persons, only disclosing information to people on a need to know basis
- cooperate within the policies and guidelines of COFA.

Breaches of this Code of Conduct

If any breach of this Code of Conduct occurs, the person or persons committing the breach will face disciplinary action, including cessation of engagement with the organisation and termination of any employment with COFA.

COFA/CIRCLE VOLUNTEER DECLARATION

I have read and understood the above Code of Conduct. In my work as a Volunteer Support Person with COFA and my Circle, I will keep to the Code, and act in keeping the policy.

Signed

Printed name

Circle number and name.....

Date

Date of Receipt by COFA Management Committee



Circle of Friends Australia Inc.

PO Box 1294, Uraidla SA 5142
 Telephone: 0407 532 116
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Department of Human Services Screening Application

To COFA administration: Please commence an application for me using

the following information:

First name	
Last name	
Email address	
Confirm email address	
Date of birth	
Proposed start date	
Duration of work	
Role description	
Screening required	<ul style="list-style-type: none"> • Aged care sector employment • Disability services employment • General employment probity • Vulnerable Persons-related Employment Check • Working with Children Check
Signed:	
Date:	

Please complete the above form and email or post to one of the above addresses.

Notes:

1. Proposed start date: This question relates to those who may be engaged for a contracted period. For most people who want to receive a check as soon as practicable, this question need not be answered.
2. Duration of work: This question once again relates to those contracted for a period.
3. Role description: This can include activities such as visiting family, helping with homework, conversational English, taking shopping, providing household goods etc. Be as comprehensive as you can to encompass your potential roles.
4. Screenings required: Highlight the screening you need. COFA requires that Circle members who have direct contact with refugees and asylum seekers as part of their role for their Circle, should obtain a DHS Working with Children Check and a Vulnerable Person-related Employment Check.

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