

## Policy Document

# CLIENT PROTECTION



### Introduction

Christian Youth Centre Inc. (Camp Clayton) is committed to providing a safe and secure environment for all its Employees, Members, Visitors, Volunteers and particularly to Children, Aged and Vulnerable People.

Camp Clayton's Client Protection Policy aims to reduce the risk of Abuse occurring, and to ensure that a caring and appropriate response is taken should Abuse occur.

### Scope

This Client Protection Policy applies to:

- All service organisations or subsidiary bodies authorised by or under the control of Camp Clayton
- All Employees, Members, Volunteers, Contractors and Visitors within Camp Clayton or engaged by Camp Clayton

This Client Protection Policy replaces the Youth Work Policy and is in conjunction with the standards and policies outlined in the Camp Clayton Employment Handbook.

Camp Clayton are committed to implementing the Client Protection Policy and to training our Employees, Members, Contractors and Volunteers in its content and application.

### Definitions

Abuse, can consist of one or more of but is not restricted to the following:

Elder Abuse, a single or repeated act, occurring in any relationship where there is an expectation of trust, which causes harm or distress to an older person.

Physical Abuse, any non-accidental physical injury resulting from practices such as:

- hitting, punching, kicking (marks from belt buckles, fingers), shaking, burning (irons, cigarettes), biting, pulling out hair, alcohol and/or other drug administration

Sexual Abuse, any assault or abuse of a sexual nature, sexual molestation, indecent exposure, sexual harassment or intimidation.

Emotional Abuse, the chronic attitude or behavior of one person which is directed at another person, or, the creation of an emotional environment which erodes a person's self esteem and social confidence over time.

Behaviours may include:

- Insulting, bullying, devaluing, ignoring, rejecting, corrupting, isolating, terrorising or other extreme acts in the aged or vulnerable person's presence

Financial Abuse may include:

Activities by an attorney in violation of their powers, duties and responsibilities under an Enduring Power of Attorney (EPA),

- Misappropriation of money, valuables or assets
- Forging signatures on cheques
- Denial of access to personal assets
- Accessing a person's funds electronically
- Forced or unauthorised changes to legal documents

Financial abuse may also occur where a person takes advantage of an older person who has already lost (or is losing) capacity, by coercing or arranging for the older person to sign an EPA in circumstances where the older person is unable to understand the nature and effect of the document.

This raises questions about the actions of witnesses to EPA's.

Neglect, characterised by the failure to provide for basic needs.

Any serious omission or commission which jeopardises or impairs a person's health or development.

Child, any person under the age of 18.

Leader, any person (paid or unpaid) who is responsible for the control and safety of members placed in their care whilst holding a formal position in a named Organisation. A leader could include but is not limited to:

- Activity Coordinators
- Small group Leaders
- Music, drama or other Leaders
- Counsellors,
- Youth Leaders,
- Teachers,
- Volunteers,
- Club Leaders,
- Sports Coaches and Organisers.

Member, any person, including children, who attends or participates in the named Organisation's activities, objectives or strategic plan.

Organisation, the Christian Youth Centre Inc, trading as "Camp Clayton" located at 41 Clayton Road, Ulverstone, Tasmania

Volunteer, any unpaid person over the age of 16 who is invited to assist in the care of Aged and Vulnerable people.

Vulnerable Personal, any person who is or may be in need of community care services by reason of mental or other disability, age or illness.

## **Obligations**

### **Responsibility**

The core expectations of any responsible Organisation require us to treat all people with fairness and dignity and to care for those who are less powerful and in need of nurture and protection.

### **Legal**

All relevant organisations within Australia are bound by Federal and State legislation and principles established through common law. Camp Clayton is committed to adhering to all relevant legislation.

### **Ethical**

Some actions may not be regarded as Abuse, but are unacceptable behaviour for Camp Clayton. These include:

- Inappropriate conversation of a sexual nature
- Coarse language, especially that of a sexual nature
- Suggestive gestures or remarks
- Jokes of a sexual nature
- Inappropriate touching
- Inappropriate literature (e.g. PG, M, MA, R or X rated material used with Elderly or Vulnerable Persons)
- Recording or filming with or without prior consent
- Acts of violence committed by a Worker, Leader or Volunteer in the course of an activity
- Camp Clayton Governance Board will ensure that high standards of conduct are maintained at all times

Note: The term 'residential care service' below means the same as 'aged care home'.

Each client of Camp Clayton has the right:

To full and effective use of his or her personal, civil, legal and consumer rights;

- To quality care which is appropriate to his or her needs;
- To full information about his or her own state of health and about available treatments;
- To be treated with dignity and respect and to receive services without exploitation, abuse or neglect;
- To receive services without discrimination or victimization, and without being obliged to feel grateful to those providing his or her care and accommodation;
- To personal privacy;
- To live in a safe, secure and home like environment, and to move freely both within and outside any residential care service without undue restriction;
- To be treated and accepted as an individual, and to have his or her individual preferences taken into account and treated with respect;
- To continue his or her cultural religious practices and to retain the language of his or her choice, without discrimination;
- To select and maintain social and personal relationships with any other person without fear, criticism or restriction;
- To freedom of speech;
- To maintain his or her personal independence, which includes a recognition of personal responsibility for his or her own actions and choices, even though some actions may involve an element of risk which the client has the right to accept, and that should then not be used to prevent or restrict those actions;

- To maintain control over, and to continue making decisions about, the personal aspects of his or her daily life, financial affairs and possessions;
- To be involved in the activities, associations and friendships of his or her choice, both within and outside any residential care service;
- To have access to services and activities which are available generally in the community;
- To be consulted on, and to choose to have input into, decisions about the living arrangements of any residential care service;
- To have access to information about his or her rights, care, accommodation and any other information which relates to him or her personally;
- To complain and to take action to resolve disputes;
- To have access to advocates and to other avenues of redress; and
- To be free from reprisals, or a well-founded fear of reprisal, in any form for taking action to enforce his or her rights.

The only person authorised to speak to the media in relation to any Camp Clayton matters is a current member of the Camp Clayton Management Team or Governance Board, or person appointed by them to do so. No other person should speak to the media.

## **Selection & Screening**

### **Employees, Agency Staff, Contractors & Volunteers**

Employees, Agency Staff, Contractors and Volunteers involved in activities or programs with children, aged and/or vulnerable people must be carefully selected and screened. Prior to commencing employment or volunteer services, the following precautions will be taken:

- All employees and/or volunteers must complete an application form which requests details of relevant past experience, positions held, details of two referees and permission to contact them (see Appendix 2 and 3)
- Both referees will be checked and spoken to, using an agreed set of questions which have been drafted by Camp Clayton
- The questions will seek to establish the applicant's suitability for the role or position and the conversation will be documented and retained on file
- All short-listed candidates must undertake a formal interview which includes an analysis of past experience working with children, the elderly or vulnerable people
- A Police and/or Community Services check which complies with the legislative requirements of Tasmania will be requested and received prior to the Employee or Volunteer commencing their proposed role. The check must show that the individual is not precluded from working in childcare or aged care

Where the Organisation has identified that an applicant has previously committed a violent or sexually related offence, they cannot, under any circumstances, be considered for employment or engagement with Camp Clayton.

## **Training**

All new Workers/Employees, including Agency Staff, Contractors and Volunteers will be issued with a copy of this policy and receive formal training in;

- The content and application of the Organisation's Client Protection Policy,
- Reporting procedures and the associated legal requirements

Refresher training courses based on current "best practice" and changes to legislation will be provided on an annual basis.

## **A Safe Environment**

Incidents of Abuse are unlikely to take place in front of another person and the presence of a witness can assist in clarifying questionable allegations. For these reasons, working in pairs is the preferred method.

Two or more employees and/or volunteers will be present whenever an individual child or vulnerable person is being supervised or cared for. Where this is not possible, it should be done in a room which can be observed easily by others. In circumstances where one-on-one care is provided, there must be measures in place to identify if abuse is occurring such as regular rotation of staff, client feedback framework and independent case workers.

Inexperienced staff/volunteers will always work with a more experienced staff member or volunteer when caring for a vulnerable person(s).

When transporting vulnerable clients, staff will avoid being alone with a client in a car. Where this is not practical, they should specifically confirm that they will take clients directly to and from arranged venues and not to spontaneously detour or make additional arrangements.

Staff will avoid one-on-one care with members of the opposite sex if possible. It is preferable to have another person present.

Workers will respect a client's feelings and privacy when engaging in physical contact of any kind.

Adults and Children are expected to respect each other's privacy during times that require undressing, dressing or changing clothes. Workers will set an example by protecting their own privacy in similar situations. No Worker will be alone in a room with a Child or an Elderly or Vulnerable person while any/either is changing.

Initiations and secret ceremonies are prohibited. All aspects of every program related to children, aged and vulnerable people will be open to observation by family, friends or guardians.

Workers have the right to ask people who do not have a valid reason to be present at such activities to leave. Police may be contacted if such persons refuse to comply with any reasonable request to leave.

## **Disciplining Children**

Is not the responsibility of Camp Clayton or its Workers, Volunteers or Leaders to discipline a Child. If a Child does not abide by the rules set down by the Organisation, or becomes an obstruction to the care of other Children or Members, and may cause harm, the Child will be removed and referred back to their parent or guardian.

At no time will a Leader administer any form of physical, emotional, financial or mental discipline.

## **Reporting Procedures**

Camp Clayton actively encourages the reporting of all abuse including Sexual Abuse.

Camp Clayton is committed to building an environment where either a victim or employee/volunteer feels able to report such abuse.

Employees and/or volunteers must report reasonable suspicions of abuse to the senior management of Camp Clayton.

Reasonable Suspicion means fair and practical reason to believe an incident involving abuse has occurred based on either verbal communication, hearsay, rumor or observation of behavior.

An independent person will be appointed by Camp Clayton with the specific duty of dealing with any allegations of harm or abuse that may arise.

The details of those reporting abuse will be kept private and confidential.

A documented reporting process with escalating procedures has been established by Camp Clayton for handling allegations of abuse.

The escalating procedures will be as follows:

- The automatic suspension from all work or other duties within Camp Clayton of any person while under investigation by Camp Clayton, or by the police, for committing abuse;
- The automatic termination of their employment, or involvement with Camp Clayton if found guilty of committing abuse, either by internal investigation or by a court.

If there is reasonable suspicion that a Member has been or is suffering abuse, the Police and the Organisation's Insurer will be contacted immediately.

The phone number for the Police is: 131 444

The phone number for Site Manager - Melle Zwerver is: 0448 496 456

The Police will also be notified if a Member discloses an incident of Abuse that has occurred somewhere other than Camp Clayton premises, (e.g. an outing).

If a disclosure of abuse is made, the person who receives the disclosure will maintain appropriate pastoral care to the one making the disclosure.

This will include:

- Treating each allegation seriously and not attempting to deny the allegation or minimise its impact on the alleged victim. The matter should not be swept under the carpet.
- Not pushing the Member to disclose details of the alleged assault or attempting to investigate the allegation.
- Assuring the Member that they are understood: that their disclosure is being taken seriously; that what has happened is not their fault, and that they are correct in disclosing the incident.
- Reporting the abuse to the police and (\*Organisation Name's) insurer.
- Not making contact with the alleged perpetrator. If the Worker or Volunteer is already providing counsel to the alleged perpetrator, it may be advisable for another person to assume this responsibility for the duration of any investigation.
- If the alleged assault has taken place recently, clothing worn by the Member should be, if reasonably practical, retained and handed to the police for forensic examination.
- Maintaining confidentiality.

Any disclosures by a Member, reports of suspected abuse and all details of the subsequent investigation will be documented promptly and the documents will be held in a secure location where a breach of privacy cannot occur.

### **Record-Keeping**

Information and documents that contain personal information will be stored confidentially and securely.

Camp Clayton will use the ChildSafe SP3 system and BrightHr for its record-keeping of its employees, including Agency Staff, Contractors and Volunteers.

### **Policy Review**

This Client Protection Policy will be reviewed annually. The Camp Clayton Governance Board will inform all interested parties when the date of review will occur, and any changes recommended by the interested parties should be submitted in writing to the governing body for consideration one month before the review date.

Any proposed changes will be submitted to the Camp Clayton Governance Board for approval before being implemented.

### **Acknowledgement**

This policy is based on Ansvr Prevention of Abuse Client Protection Policy 2020, and the SP3 – CSE3-POL1 Childsafe Policy 2016.

-----END POLICY-----

## Appendix 1

### Further Information to assist with Client Protection

#### **Tasmania**

To make an urgent notification about abuse or neglect to Child Protection Services, please ring 1300 737 639 at any time.

Child Protection Services prefer to talk to a notifier in order to aid them in gathering information. However, if it is after hours and you are a mandatory reporter, an online notification can also be made. See below.

The role of Child Protection Services is to protect children and young people who are at risk of abuse or neglect. In Tasmania, the protection of children and young people is covered by the Children, Young Persons and their Families Act 1997. In August 2009, amendments were made to the Act. Information about the amendments can be found on the Child Protection Services website.

Online notifications can be made to Child Protection Services, however, if the matter is urgent, please also call 1300 737 639 to advise that you have lodged an online notification.

The general public are encouraged to phone Child Protection with their concerns on 1300 737 639, which automatically refers them to the office in the area from where they are dialling.

#### Mandatory Reporters

Most professionals who provide services to children and families in Tasmania are “mandatory reporters” of child abuse, under the Children, Young Persons and their Families Act 1997. This includes, but is not limited to, the following groups:

- DHHS employees
- Child Care providers
- Dentists, dental therapists or dental hygienists
- Police officers and probation officers
- Psychologists
- Registered medical practitioners and nurses
- School principals and teachers
- Volunteers and employees of any organisation that provides health, welfare, education, care or residential services and which receives government funding.

As a DHHS employee, if you believe, suspect or know of a child who maybe at risk of abuse or neglect, you are bound by law to make a notification to Child Protection Services.

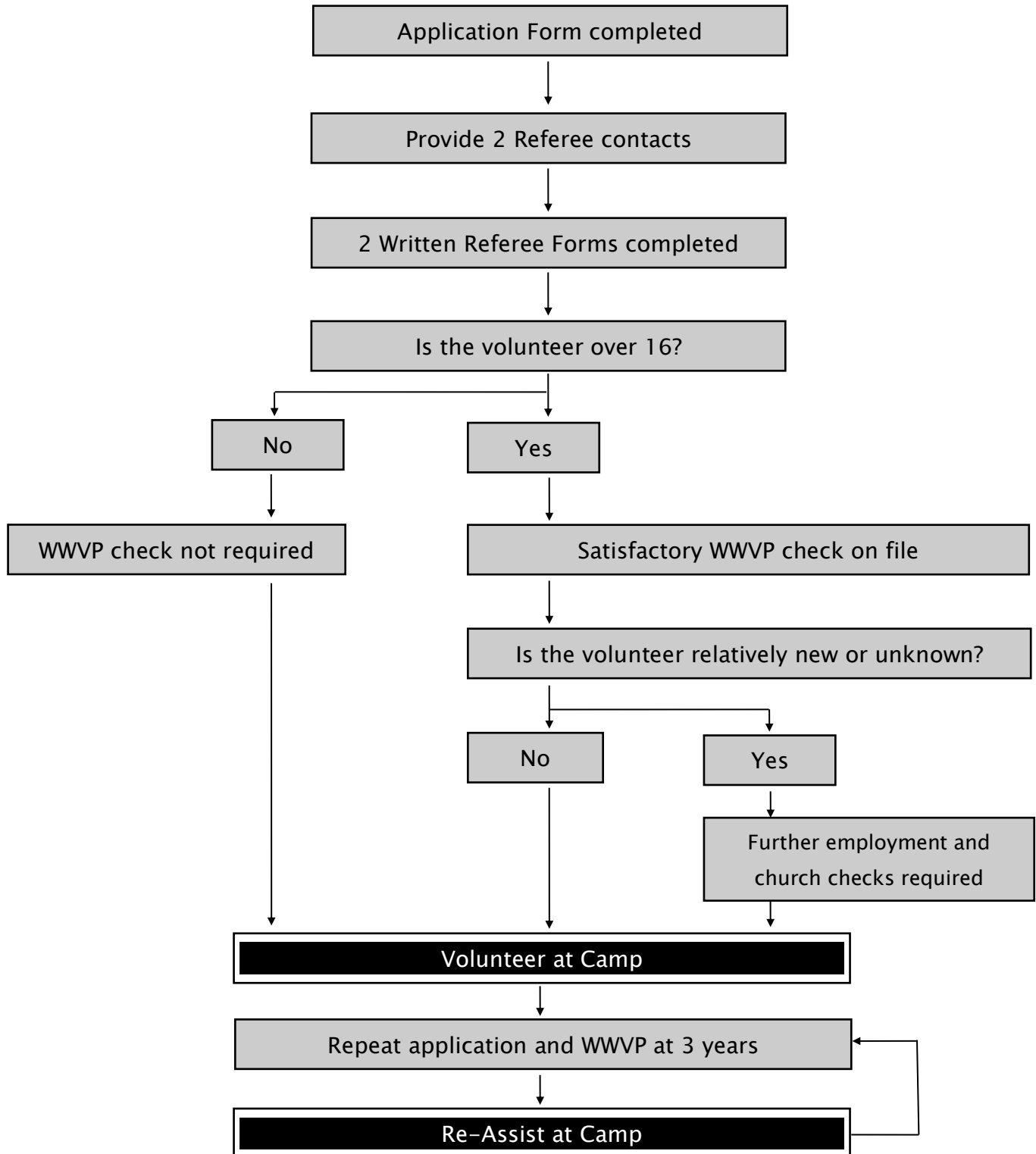
If you are one of these professionals and believe, suspect or know of a child who may at risk of abuse or neglect, you are bound by law to make a notification to Child Protection Services. For more information on these responsibilities please see the Information Sheet: Responsibilities of Mandatory Reporters on the Child Protection Services website.

All adults in Tasmania have a responsibility to report suspected or actual child abuse or neglect.



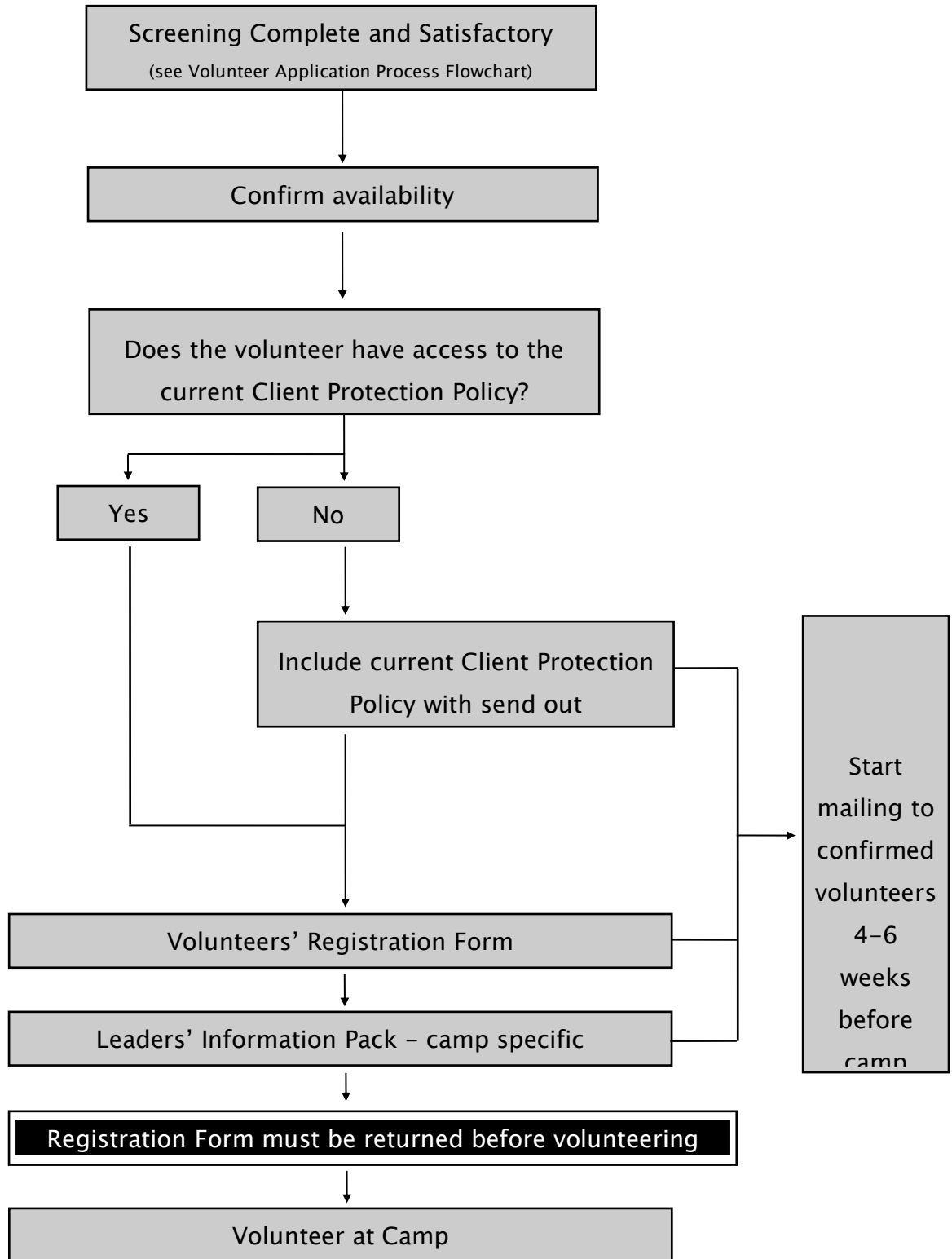
Appendix 2

# Volunteer Application Process Flowchart



Appendix 3

# Volunteer Confirmation Process Flowchart



## **Appendix 4**

Volunteer Application Forms - EmailmeForm