

3.1 National Child and Vulnerable Persons' Safety Standards

Purpose

As an organisation working with children and vulnerable persons, St John Ambulance Australia:

- recognises that children and vulnerable persons have the right to be treated with dignity and respect, free from emotional and physical danger, abuse, neglect and exploitation regardless of special needs, age, cultural or socioeconomic status;
- recognises that children and vulnerable person may encounter difficulty in accessing or receiving appropriate, fair and equitable services;
- places the highest priority on its responsibility to ensure that the children and vulnerable persons, for whom it has a duty of care, are protected against people and events which may cause them harm; and
- acknowledges that it has a role in fostering a safe environment and in contributing towards the safety and protection of children and vulnerable persons engaged in St John services or activities.

Reference to 'children' in St John rules, standards and guidelines includes all people under the age of eighteen (18) who are involved in the activities of, or who are receiving services from, St John Ambulance Australia.

References to 'vulnerable persons' in St John rules, standards and guidelines includes those who may be at risk of abuse or exploitation due to their dependency on others or experiences of disadvantage, their inability to protect themselves against significant harm or exploitation, and could include people with a physical, intellectual or psychological disability, sensory impairment, the frail or aged, has some form of illness, children, people from culturally and linguistically diverse backgrounds, refugees and those living in poverty.

Rules

Child and vulnerable person protection legislation in the relevant jurisdiction.

Age Discrimination Act 2004

Aged Care Act 1997

Disability Discrimination Act 1992 (as amended)

Sex Discrimination Act 1984

Standards

1. All adult members are required to follow the National Child and Vulnerable Persons' Safety Guidelines.
2. All adult members must complete Child and Vulnerable Persons' Safety Awareness Training. This includes cadets turning 18 years of age remaining in divisions with cadets.
3. Any manager in a cadet division must complete the unit of competency *Identify and Respond to Children and Young People at Risk* (CHCPRT001) or successor prior to appointment.
4. Each St John entity will select and train suitable members to be appointed as Child and Vulnerable Persons' Safety Officers throughout their jurisdiction. Child and Vulnerable Persons' Safety Officers must complete the unit of competency *Identify and Respond to Children and Young People at Risk* (CHCPRT001) or successor prior to appointment. Child and Vulnerable Persons' Safety Officers will be able to recognise all forms of abuse and exploitation, know the correct procedure for reporting to authorities in their State/Territory,

and be able to provide support and assistance to members dealing with matters of child and vulnerable person abuse or exploitation.

5. All adult members must complete the annual Child and Vulnerable Persons' Safety Recertification Course.
6. All members under 18 years of age must receive annual personal safety education.
7. Criminal history screening will be conducted for all adult members, including members when they turn 18 years of age during their membership (or other age as stipulated by state/territory legislation).
8. Each St John entity will develop and implement procedures prescribing the:
 - a. mandatory screening of all members for criminal convictions or other concerned behaviours relating to minors or vulnerable persons in line with state/territory legislative requirements
 - b. responsive and timely management of all incidents, allegations and reporting of matters concerning the safety and wellbeing of children and vulnerable persons accessing St John services or activities.

Procedures must be reviewed at least every 3 years. Procedures must be reviewed whenever relevant state/territory legislation or Government guidelines are changed.

Accountability

Chief Executive of St John entity in relevant jurisdiction

Guidelines

Child and Vulnerable Persons' Safety Guidelines

Endorsed by the National Board

28 November 2014

Child and Vulnerable Persons' Safety Guidelines

A. Aims

1. The Child and Vulnerable Persons' Safety Guidelines ('Guidelines') aim to enable members of St John Ambulance Australia to carry out their responsibilities in ensuring safe environments for children and vulnerable persons engaging in St John services or activities as set out in the Child and Vulnerable Person Safety Standards. They also aim to assist members in establishing a safer environment for children and vulnerable persons for whom they have a duty of care, other adults and the members themselves.

B. Principles

2. Children and vulnerable persons have the right to be:
 - free from emotional and physical danger, exploitation, abuse and neglect and feel safe in the activities and services that they access
 - listened to and heard
 - valued and treated as individuals
 - involved in decisions, where appropriate
 - respected for their individuality and identity.

C. Identifying vulnerable persons

3. The following is considered a guide for identifying vulnerable persons engaging in St John services or activities (this list is not exhaustive):
 - (a) children
 - (b) immaturity, whether in terms of age or development
 - (c) illness or infirmity
 - (d) mental illness
 - (e) intellectual disability
 - (f) illiteracy or limited education that may affect a person's ability to understand
 - (g) inability or limited ability to speak English
 - (h) physical disabilities
 - (i) sensory impairment
 - (j) chronic alcoholism or drug dependence
 - (k) intoxication (where at the time of contact, the person is under the influence of alcohol or drugs to the extent as to make them unable to look after themselves or manage their own personal needs)
 - (l) impaired capacity
 - (m) persons of Aboriginal or Torres Strait Islander descent
 - (n) older persons (commonly defined as persons aged 65 and over).

D. Preventative supervisory practices

4. All St John members should take all reasonable measures to avoid potentially risky situations or opportunities for allegations/misunderstandings to occur. Such situations can, for example, occur in training or administration of first aid, working in a program in which there are cadets or vulnerable persons present. There needs to be a balance between protecting children and vulnerable persons and guarding the reputation of the member.

5. It is recognised that members providing services as caregivers of persons with disabilities may be unable to meet the following codes of behaviour by the very nature of their work. In these situations, members must be selected with particular care and their interaction with clients regularly reviewed by supervisors in a risk management framework.
6. Billeting of children and vulnerable persons in St John will not be practiced. This practice could pose significant risk to the health and wellbeing of children and vulnerable persons.
7. Practices to be **avoided** include:
 - (a) being in one-to-one situations with a child or vulnerable person in an enclosed space. Where such a situation is unavoidable, it is recommended that preventative practices be adopted
 - (b) transporting a child or vulnerable person in a one-to-one situation. If this is necessary, members should always ensure they tell someone of their intentions (i.e. a parent/carer, supervisor or Divisional Superintendent)
 - (c) running a division that involves cadets or vulnerable persons single-handedly. Members responsible for running a division should always ensure an appropriate balance of male and female helpers
 - (d) showing favouritism or singling out individuals on a regular basis
 - (e) using inappropriate language and subject matter
 - (f) using harmful techniques in managing the behaviour of children and vulnerable persons including (but not limited to):
 - (i) dismissing or trivialising
 - (ii) using bullying behaviour to manage children or vulnerable persons or maintain discipline
 - (iii) verbal abuse, derogatory remarks or intimidation
 - (iv) corporal punishment
 - (v) use of excessive force (except in circumstances where doing so would protect the child or vulnerable person or others from harm)
 - (h) on-going familiarity with any one child or vulnerable person on the part of an adult member is questionable and requires immediate intervention and restraint. It is important that members understand the difference between friendliness and familiarity
 - (i) on-going familiarity by a child or vulnerable person toward an adult member is also cause for concern and should be discouraged by the adult concerned
 - (j) taking a child or vulnerable person to a member's home
 - (k) doing things for a child or vulnerable person of a personal nature that the child or vulnerable person can do for themselves
 - (l) engaging in sexually suggestive behaviour within a child or vulnerable person's sight or hearing
 - (m) sharing or giving anything to a child or vulnerable person that may be construed as pornographic
 - (n) allowing inappropriate or offensive language by a child or vulnerable person to go unchallenged
 - (o) allowing bullying behaviour by another member to go unchecked
 - (p) inappropriate touching
 - (q) entering into a physical relationship with a vulnerable person to whom you are in a position of trust, even if they have given their consent

- (r) letting any allegation of harm go unrecorded or unreported.
8. Practices to be **adopted** include:
- (a) ensuring that a teacher is present within a reasonable distance when working in a school environment
 - (b) being aware of children and vulnerable persons' sensitivities during first aid practical work, including:
 - (i) giving prior notice so that children and vulnerable people can wear suitable clothing
 - (ii) avoiding touching the child or vulnerable person—demonstrate on a colleague with their pre-arranged permission or ask an experienced participant to demonstrate with a peer, preferably of the same sex
 - (c) ensuring, for example, in first aid training where physical contact is unavoidable, that:
 - (i) another adult is present
 - (ii) the child or vulnerable person's consent is gained
 - (iii) the breast, buttocks and groin area are never touched
 - (d) where a child or vulnerable person is upset and in need of comfort, seeking ways to provide comfort and support without unnecessary physical contact
 - (e) giving thought to the arrival and departure of children and vulnerable members at St John events, including:
 - (i) being there before they arrive
 - (ii) ensuring that all children and vulnerable persons have been collected before leaving the premises
 - (iii) seeking parental/carer permission should it be necessary to walk or drive a child or vulnerable person home
 - (f) involving vulnerable persons, cadets and juniors in establishing their own list of group rules or understandings, including outlining what is and what is not acceptable in a division
 - (g) ensuring members conduct themselves in a manner consistent with their position as a positive role model and in line with the St John Code of Conduct
 - (h) ensuring, during residential events, that a minimum of 2 supervisors (1 male and 1 female if mixed group) must be on duty at all times. Supervisors will only go to children or vulnerable person's quarters when accompanied by another responsible adult
 - (i) cautioning members engaging in 'at risk' situations or behaviours, or acting outside the Code of Conduct
 - (j) encouraging children and vulnerable persons to question things they don't understand, without fear of repercussions
 - (k) encourage children and vulnerable persons to say 'no' in situations where they feel uncomfortable
 - (l) ensuring that disciplinary methods are fair, consistent and unlikely to give rise to complaints of harassment or allegations of misuse of power/authority. It is recommended that responses to misbehaviour:
 - (i) address why the behaviour was unacceptable
 - (ii) stipulate the consequences of the unwanted behaviour, and
 - (iii) provide options for better behavioural choices in the future
 - (m) asking a child or vulnerable person about their welfare. This is part of the response in keeping children and vulnerable people safe. It is important to:

- (i) ensure you do not probe or question too deeply
- (ii) minimise the need for the child or vulnerable person to re-tell the details of any reported abuse experience. Re-telling may cause further psychological harm
- (iii) use language the child or vulnerable person understands
- (n) where being in a one-to-one situation with a child or vulnerable person in an enclosed space is unavoidable, ensure that a door is kept open and another adult is close by
- (o) advising someone (e.g. a supervisor or the Child and Vulnerable Persons' Safety Officer) where a member:
 - is concerned that a relationship is developing that may be an abuse of trust
 - is concerned that a child or vulnerable person is becoming attracted to a member who supervises or works with a child or vulnerable person
 - believes a child or vulnerable person has misunderstood or misinterpreted something they have said or done
 - has been required to physically restrain a child or vulnerable person to prevent them from harming themselves or others
 - suspects abuse or harm, a child or vulnerable person tells a member they are being abused or harmed, or a third party makes a report to a member.

E. Educating children

9. Education of all members is the primary means of promoting safe environments.
10. St John has a responsibility to teach protective behaviours to children. The St John Personal Safety Toolkit, amongst other resources, has been developed for this purpose. The aim of an education programme should be for the child to:
 - (a) recognise situations that may result in harm
 - (b) be able to assert the right to resist an offender
 - (c) set up a network of trusted adults
 - (d) feel confident that an adult will take action to prevent further abuse.
11. Without creating undue fear or alarm, children and young people should be made aware:
 - (a) "...of potential dangers and how to avoid them
 - (b) that they should not talk to, accept presents or lifts in cars from strangers
 - (c) that, if in trouble, they should seek an appropriate authority figure such as a police officer or teacher
 - (d) that sometimes it is necessary to scream and shout to attract attention or be rude to a potential abuser if they think they are in danger
 - (e) that they should not have to accept touching, kissing or language that makes them feel uncomfortable
 - (f) that some secrets are wrong and should not be kept
 - (g) that adults will listen to them and believe them if they reveal a secret
 - (h) of their right to say 'no' if someone, even someone they know well, tries to touch them in a way that frightens or confuses them..." (St John Ambulance UK, 2001:26)
 - (i) of the difference between feeling safe and feeling uncomfortable or scared
 - (j) not to hitch-hike
 - (k) to travel with friends rather than alone.

F. Understanding the nature of abuse and neglect

12. St John will ensure that members are made aware of the forms and indicators of abuse, neglect and exploitation, and the impact of abuse on children and vulnerable people as per the contents of the St John Ambulance Child and Vulnerable Persons' Safety–Information for Members booklet.

G. Mandatory and voluntary reporting provisions

13. Members will receive training regarding mandatory and voluntary reporting requirements in their state/territory.
14. Members who are mandatory reporters in their paid (or other voluntary) profession or role are considered mandatory reporters in a St John context in line with any state/territory legislative framework or as stated the rules or requirements of the members professional or registration body.
15. All members who identify as voluntary reporters will follow their state/territory procedures regarding responding to allegations or suspicions of abuse/neglect.

H. Responding to a disclosure of abuse/neglect

16. St John Ambulance Australia will respond to all reports made regarding allegations or suspicions of abuse or neglect regarding the safety of children and/or vulnerable persons.
17. Where there is the possibility that a criminal offense has occurred, St John Ambulance Australia will refer the matter to Police, or the relevant child protection agency/authority in the jurisdiction in which the alleged offence occurred, regardless of any other considerations.
18. Members, through training, will familiarise themselves with methods of responding appropriately to a disclosure of abuse or neglect (please refer to the Child and Vulnerable Person Safety–Information for Members booklet and/or state/territory procedures).
19. Members will be made aware, through training, that responding inappropriately may cause further psychological harm to the child or vulnerable person.
20. Where a disclosure has been made, members will be trained to understand the importance of not pushing/pressuring the child or vulnerable person for information or asking intrusive questions.
21. Members must not approach the alleged offender.
22. St John Ambulance Australia will take appropriate action regarding the tenure of any member who has allegedly committed an offence relating to children or vulnerable persons while any internal enquiries or external investigation occurs, e.g. suspension or termination (as appropriate).
23. In conducting any internal enquiries, nothing will be done by St John Ambulance Australia that may interfere or jeopardise any Police (or other legislated authority) investigation. St John will seek advice from police or other authorities regarding any proposed course of action to establish that the course of action will not jeopardise or interfere with an investigation.
24. Members will be made aware that **it is not the role of members to investigate allegations of abuse or neglect**. Investigation is the role of either the Police or the legislated child and vulnerable person protection department/authority in your state/territory. Members will be made aware that conducting an investigation can jeopardise any formal investigation.
25. Members will maintain confidentiality, telling only those persons/agencies that need to know (i.e. the Child and Vulnerable Persons' Safety Officer, state/territory Child Protection Agency/Authority or the Police).

26. Members are required to document all suspicions or allegations of abuse, neglect or harm regarding a child or vulnerable person accurately and factually, and in line with their state/territory procedures.

I. Recruitment Practices

27. All St John entities will develop reasonable measures to screen potential employees and volunteers regarding child and vulnerable persons' safety matters. This will include, but is not limited to:

- (a) advertising and selection criteria
- (b) screening and interview process
- (c) criminal history screening with respect to offences that relate to children or vulnerable persons (in line with state/territory legislative requirements), and
- (c) probationary periods.

J. Member response to abusive or violent behaviour

28. Where a child or vulnerable person is abusive or violent towards a member or members of the public, members will:

- call 000 in an emergency
- ensure the safety of all involved, including themselves and any other vulnerable persons. This might involve removing themselves from the situation where practicable or calling 000 for assistance
- seek assistance from other adults
- avoid restraining a child or vulnerable person where possible (although circumstances may arise where this is the only option to prevent the child or vulnerable person harming themselves or others)
- seek appropriate first aid or medical attention for anyone injured
- provide the opportunity for the child or vulnerable person to reflect on the incident once the child or vulnerable person is calm (where appropriate)
- report the incident to their supervisor or the Child and Vulnerable Person Safety Officer
- undertake appropriate de-briefing with all involved, as appropriate
- inform parents or carers of the incident
- document the incident in line with state/territory incident reporting procedures.

K. Obtaining consent

29. When working with children and vulnerable adults, it is important that valid consent is always obtained for participation in St John activities and services. Consent might be, for example, from parents for a child to take part in a specified St John activity, or consent given expressly from a vulnerable person for a member to provide first aid. Consent may also be signalled by a person's conduct. For example, where a vulnerable person turns up to participate in an event voluntarily or a child tells a leader it is ok to demonstrate a first aid practice on their person in a lesson.

30. Regardless of the method of obtaining consent, it is important that members ensure the consent given is *valid*. To determine if consent given is valid, members must consider:

- whether the individual providing consent has the capacity to give that consent (e.g. that person can understand and weigh up the information needed to make the decision)

- sufficient information has been provided to the individual to base their decision on, and the information is provided in an appropriate way
 - the consent is given voluntarily, and is free from coercion or repercussions.
31. Where a member is concerned that consent given is not valid, it is important to seek the advice of a supervisor or the Child and Vulnerable Person Safety Contact Officer.

Glossary of Terms

Adult member refers to both voluntary and paid staff 18 years of age and over.

Allegation is an assertion made, yet to be proved in legal proceedings.

Billeting refers to the practice of lodging a child in a private home.

Child includes *all* people under the age of eighteen who are involved in the activities of St John or are receiving services from St John.

Child Abuse is an act or omission that endangers a child's physical or emotional health or development.

Child and Vulnerable Persons' Safety Training refers to the completion of the pre-course workbook 'Child and Vulnerable Persons Safety: Information for Members' and three hour workshop 'National Child and Vulnerable Persons Awareness Training'.

Child and Vulnerable Persons' Safety Recertification Course refers to the annual completion of the online 'Child and Vulnerable Persons' Safety Recertification Course'.

Criminal history screening is a process where a report is obtained from the Police or other prescribed source detailing the criminal history of a person for the purposes of determining whether that person is suitable to work with children and vulnerable persons.

Elder—see 'older people'.

Elder Abuse is a single or repeated act, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person. A 'relationship where there is an expectation of trust' includes family members and friends where the older person is often dependent on the offender (although being dependent is not a requirement under the definition of elder abuse) (www.agedcareaustralia.gov.au).

Exploitation is "the use or manipulation of another person for one's own advantage" (<http://www.thefreedictionary.com/exploitation>).

Indicator of abuse refers to physical and/or behavioural signs in a child that may potentially provide evidence that abuse is/has been occurring.

Member refers to both voluntary and paid staff of St John Ambulance Australia entities.

Older persons is a person who is 65 years or over.

Preventative practices describes any action that is designed to prevent or minimise the likelihood of harm occurring to children and vulnerable members. For example, keeping the door open when in an enclosed space with a child, or ensuring another adult is close by.

Protective behaviours are skills designed to enable children to develop workable strategies to better help them deal with problems or difficult situations.

Unit of competency refers to achieving the qualification *Identify and Respond to Children and Young People at Risk* (CHCPRT001). To achieve this qualification, members are required to complete the requirements of the Child and Vulnerable Persons' Awareness Training (see above) plus the Post Workshop Assessment Workbook (or equivalent qualification).

Vulnerable persons are those people who may be at risk of abuse or exploitation due to their dependency on others or experiences of disadvantage, their inability to protect themselves against significant harm or exploitation, and could include people with a physical, intellectual or psychological disability, sensory impairment, the frail or aged, has some form of illness, children, people from culturally and linguistically diverse backgrounds, refugees and those living in poverty.

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