

**Mac's CrankIt Foundation Limited**  
**ABN 55 624 227 701**

**Working with Children and Vulnerable Persons Policy Handbook**

## **I. INTRODUCTION**

Mac's KrankIt Foundation Ltd is committed to safeguarding children and vulnerable.

We believe that legislation is not necessary to ensure that people are protected, and that providing a policy for safeguarding children does not stand alone, it takes part of a good employment selection process and ongoing positive relations which is safe and supportive to children and vulnerable persons.

Mac's KrankIt Foundation Ltd endorses and supports the recommendations of the Royal Commission into institutional response towards children abuse and adopts the Australian Child Protection Act (2018), in all its legislations and regulations.

This policy is approved by committee members and applies to all employees, both paid and volunteer, in Australia and overseas.

## **II. COMMITMENT STATEMENTS**

### **Our Commitment**

Mac's KrankIt Foundation Limited is committed to being a community of safeguarding that actively promotes the dignity and rights of all persons, special children and those who are vulnerable.

We commit to justice and equity by exhibiting the highest ethical standards of language, behaviour and personal integrity in our professional conduct.

We have zero tolerance to abuse or neglect of any form. We are committed to ensuring that all children and vulnerable people under our care are safe, protected and supported.

### **Serving Members' Commitment**

All serving members of Mac's KrankIt Foundation Limited shall:

- commit to a culture of justice and safety illustrated by integrity and professional behaviour;
- uphold the dignity and right to respect all persons, disregarding their background;
- commit to ensuring all people engaged are suitable, supported and skilled for their role, by following a robust screening processes, supervision, support and ongoing education and training;

- respond with integrity to those who are poor, alienated or marginalised by acting without prejudice by sharing concerns about suspicious or inappropriate behaviour with the appropriate person in their organisational structure;
- Strive for excellence in all their work by following the policies and procedures of the Mac's KrankIt Foundation Limited; accepting their professional responsibility in the protection of children, young people and vulnerable adults from all forms of abuse; and by providing a professional work environment that is free from harassment;
- Maintain appropriate professional boundaries in all contact settings, including virtual by:
  - demonstrating language and behaviour consistent with their role and responsibilities;
  - avoiding inappropriate emotional attachment;
  - not forming or engaging in relationships of a personal or inappropriate nature;
  - maintaining distance between work and personal space;
  - not accepting gifts or entering into financial relationships or transactions;
  - not disclosing inappropriate personal information; and
  - avoiding touch in a manner, which is not a legitimate occupational requirement.

### **Inconsistent conduct**

Any conduct that is not consistent with the Code of Ethical Behaviour includes, but is not limited to, being engaged in activities or situations that can give the appearance of: bullying, sexual or other harassment, exploitation, sexual exploitation, conflict of interest, abuse, possession or distribution of pornographic material, abuse of alcohol, drugs or gambling in a way that interferes with the person's service, any form of criminal conduct including stealing or any other form of theft or any form of assault.

Breaches of this policy could lead to the discipline of those found to be in breach which may eventuate in the termination of employment or termination of voluntary position.

### **III.LEGISLATIVE BASIS**

This document is based on the following government acts and regulations:

- Child Protection (Working with Children) Act 2012
- Child Protection (Working with Children) Regulation 2013
- Child Protection (Working with Children) Amendment (Miscellaneous) Regulation 2013
- The Privacy Act 1988
- Privacy and Personal Information Protection Act 1998 ( NSW )
- Health Records and Information Privacy Act 2002 ( NSW )
- Data Protection & Privacy 2014
- Australian various states and territories child protection agencies.

## IV. POLICY AIMS AND OBJECTIVES

This policy aims to create a safe culture for children and vulnerable adults.

We are committed to taking the necessary steps to:

- Foster best practice to safeguard children and vulnerable persons,
- Demonstrate accountability through establishing effective structures and practices, to support persons serving;
- Uphold safe recruitment and selection practices for all personnel including volunteers;
- Uphold and maintain standards of conducts which set our clear guidelines regarding ethical behaviour as an essential part of reducing the risk of harm to all people.
- Operate a safe play, learning and pastoral environments that ensure safety.

## V. DEFINITIONS

### Abuse

- Physical abuse: Any non-accidental physical injury or injuries to a child or adult. This includes inflicting pain of any sort or causing bruises, fractures, burns, electric shock, or any unpleasant sensation.
- Sexual abuse: Any sexual contact between an adult and child 16 years of age and younger; or any sexual activity with an adult who is unable to understand, has not given consent, is threatened, coerced or forced to engage in sexual behaviour. Sexual abuse includes sexual behaviour involving the person and another person in the following circumstances:
  - Offers bribes, coerces, exploits, threatens or is violent toward the relevant person; The relevant person has less power than the other person;
  - There is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.

Sexual abuse can be physical, verbal or emotional and can include: having any kind of sexual contact with a child, rape, incest, having sexual relations with a child under 16 years, talking in a sexually explicit way that is not suitable for a child's age, sending obscene mobile messages or emails to a child, persistently intruding on a child's privacy, showing pornographic material to a child or forcing them to watch a sexual act, child prostitution.

- Psychological or emotional abuse: Verbal assaults, threats of maltreatment, harassment, humiliation or intimidation, or failure to interact with a person or to acknowledge that person's existence. This may also include denying cultural or religious needs and preferences.

- Financial abuse: The improper use of another person's assets or the use or withholding of another person's resources.
- Legal or civil abuse: Denial of access to justice or legal systems that are available to other citizens.
- Systemic abuse: Failure to recognise, provide or attempt to provide adequate or appropriate services, including services that are appropriate to that person's age, gender, culture, needs or preferences.

## **Neglect & Deprivation**

Forms of Neglect include (but are not limited to):

- Physical neglect: Failure to provide adequate food, shelter, clothing, protection, supervision and medical and dental care, or to place persons at undue risk through unsafe environments or practices.
- Passive neglect: A caregiver's failure to provide or willful withholding of the necessities of life including food, clothing, shelter or medical care.
- Emotional neglect: The failure to provide the nurturance or stimulation needed for the social, intellectual and emotional growth or well-being of an adult or child.
- Willful deprivation: Willfully denying a person who, because of age, health or disability, requires medication or medical care, shelter, food, therapeutic devices or other physical assistance - thereby exposing that person to risk of physical, mental or emotional harm.
- Constraints and restrictive practices: Restraining or isolating an adult for reasons other than medical necessity or the absence of a less restrictive alternative to prevent self-harm. This may include the use of chemical or physical means or the denial of basic human rights or choices such as religious freedom, freedom of association, access to property or resources or freedom of movement.

## **Harm**

- Harm is any detrimental effect of a significant nature on the person's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by physical, psychological or emotional abuse or neglect; or sexual abuse or exploitation. It may be caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances.
- Self-harm: Deliberate and voluntary physical self-injury (that is not life-threatening and is without any conscious suicidal intent) in an attempt to cope with strong feelings such as anger, despair or self-hatred. Those expectations and behaviours of workers/volunteers as articulated in the National Standards.

## **Who is in need of protection?**

- Child: a child as an individual less than 18 years of age.
- Vulnerable Adults: Those aged 18 or over, who may be in need of community services due to age, illness or a mental or physical disability; or who may be unable to take care of him/herself or protect him/herself against significant harm or exploitation.

- A child or vulnerable person in need of protection as one who has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and does not have a parent who is able and willing to protect them from the harm.

## **Responsibilities and Accountabilities**

Mac's KrankIt Foundation Limited recognizes its moral and legal obligations and responsibilities to provide a safe environment for children and vulnerable persons. Through his delegates, he will ensure a safe environment by endorsing procedures to protect all people from harm or abuse.

Key persons are considered officers and other persons in supervisory and management roles; this would include all personnel involved in doing the work. They play a key function by ensuring processes are followed to minimize the risk to children and vulnerable adults.

Families play a vital role by encouraging the children to follow the rules put in place to protect them. They can take part with activities, where applicable, to assist other volunteers, especially in major events. Members of the families are expected to report any suspicious activities and encourage their children to do so.

Children and vulnerable adults are expected not to place themselves in situations where they may be exposed to bullying, harm or abuse. They are to follow the processes and rules put in place to protect them, especially respect other people's private space. Children are encouraged to report any unacceptable behaviour, should they feel something inconsistent is happening.

## **VI. PREVENTION AND PROTECTION PRACTICES**

The Mac's KrankIt Foundation Limited acknowledges the responsibility of providing a safe environment and taking the necessary precaution to prevention and protection of children and vulnerable adults, by adopting the following three principles:

- Safe recruitment, selection and training
- Code of ethical behaviour
- Define what is improper behaviour
- Two adult rule
- Adopt other safeguarding practices
- Implement safe activities

### **Safe Recruitment Selection and Training**

The first step to ensuring a safe environment is by selecting the right personnel to perform duties.

Working with Children's checks from the relevant states and territories are pre-requisites to anyone in child-related work.

As obtaining these differ from state to another, below are the relevant bodies of which you obtain such clearance:

- NSW Working with Children Check: NSW Office of Children's Guardian <https://www.ocg.nsw.gov.au/>
- Queensland Blue Card: Queensland Department of Children, Youth Justice and Multicultural Affairs <https://www.cyjma.qld.gov.au/protecting-children>
- Victoria Working With Children: Commission for Children and Young People, Victoria <https://ccyp.vic.gov.au/>
- ACT Working with Children Check: ACT Community Services, Child and Youth Protection Services <https://www.communityservices.act.gov.au/ocyfs/children/child-and-youth-protection-services>

Any employee paid or volunteer is to attend an induction session, as they will also be required to attend further training, at least once per year.

### **Code of Ethical Behaviour**

This Code of Ethical Behaviour clarifies and affirms the standards of behaviour that are required of lay employees, students on placement and volunteers within the Mac's KrankIt Foundation Limited. Breach of this code may result in disciplinary action being taken, up to and including dismissal.

Those who serve in Mac's KrankIt Foundation Limited, including employees, students on placement and volunteers - shall:

1. **Commit to justice and equity** by exhibiting the highest ethical standards of language, behaviour and personal integrity in their professional conduct.
2. **Uphold the dignity of all people and their right to respect** by conducting themselves in a moral manner consistent with the discipline norms.
3. **Commit to safe and supportive relationships** by not taking advantage of any pastoral or authoritative role for their own benefit; and by adhering to the requirements of the relevant laws regarding reporting any suspected abuse of children, young people and vulnerable adults.
4. **Respond with integrity to those who are poor, alienated or marginalised** by not acting in an abusive or neglectful manner; and by sharing concerns about suspicious or inappropriate behaviour with the appropriate person in their organisational structure.
5. **Strive for excellence in all their work** by following the policies and procedures; accepting their professional responsibility in the protection of children, young

people and vulnerable adults from all forms of abuse; and by providing a professional work environment that is free from harassment.

**6. Maintain appropriate professional boundaries in all contact settings including virtual by:**

- a. demonstrating language and behaviour consistent with role and responsibilities.
- b. avoiding inappropriate emotional attachment.
- c. not forming or engaging in relationships of a personal or sexual nature.
- d. maintaining distance between work and personal space.
- e. not accepting gifts or entering into financial relationships or transactions.
- f. not disclosing inappropriate personal information; and
- g. avoiding touch in a manner, which is not a legitimate occupational requirement.

**Conduct not consistent** with this Code of Ethical Behaviour is considered a breach and could lead to discipline and may eventuate in the termination of paid or voluntary employment.

### **What is Improper Behaviour**

Improper conduct of a sexual nature against a child or young person includes sexual intercourse and other forms of sexual misconduct. Sexual misconduct includes:

- Obscene language or gestures;
- Suggestive remarks or actions;
- Jokes of a sexual nature;
- Unwarranted and inappropriate touching;
- Sexual exhibitionism;
- Undressing in front of children or young persons;
- Personal correspondence in respect of sexual feeling for the child or young person;
- Deliberate exposure of students to sexual behaviour of others;
- Possession, distribution or display of pornography;
- Electronic transmission of messages or files which are sexually explicit, offensive or contain inappropriate jokes;
- Sending SMS (text) messages which are sexually explicit, offensive or contain inappropriate jokes.

## Two Adult Rule

General safe practice in all activities, recommends the application of the Two Adult Rule which serves to keep children and vulnerable adults, as well as the adults serving them safe.

Wherever practical no fewer than two adults are present at all times during any sponsored program, event or ministry involving children, young people and vulnerable adults. It is advisable that the two adults not be related.

Why is this rule so powerful?

- The witness of two people is trustworthy.
- Working together by *twos* multiplies strength.
- The two can support each other
- protects the adults against false allegations;
- reduces the possibility of a claim of negligence;
- parents and adults more likely to volunteer to lead if they know they will have help on a regular basis;
- provides help if there is an accident or emergency;
- sends a clear statement that children/youth are important and valued.
- And therefore, drastically reduces the risk of an incident of abuse (potential abuser will lose interest if they are constantly in sight of another adult);

Professional counsellors who have been previously authorised to work one on one with children are not bound by this rule, however, other measures can be taken to protect both parties involved.

## Other Safeguarding Practices

- **Behaviour Management**

Managing behaviour of children, young people and vulnerable adults should always take the form of positive reinforcement i.e. Catch them doing the correct thing and draw attention to that. We must ensure that behaviour management is at no time punitive, humiliating or aggressive.

At the outset of any activity, expectations about appropriate and socially acceptable behaviour and taking responsibility for one's own behaviour should be made clear to children and young people.

- **Physical Contact**

Physical contact with children and young people may be required in some circumstances. These may include: management of an injury, to assist with toileting.



Where practical an adult should provide an explanation to the child/young person as to what the physical contact will be and why it will occur. Consideration should be given to whether it is necessary to seek permission from the child and/or parents in relation to the physical contact and any supervision which is required in relation to the physical contact (depending on the nature of the contact).

Any physical contact with a minor is expected to be in a manner appropriate for the ministry activity and always with safeguarding from harm all those involved.

- **Transport of Children and Vulnerable Persons**

In the event that a child needs to be transported for safety reasons the Two Adult Rule applies.

All people travelling in a vehicle must wear seat belts, the driver should be appropriately licensed and the vehicle should be registered insured and safe to drive.

- **Change Rooms/Toilets**

Children/young people should be afforded privacy when using toilets and change rooms. Responsible ministry requires that adequate and appropriate supervision be given to children in these circumstances. Where an adult needs to assist a child the principles set out above regarding physical contact apply. Supervising adults should work to maintain the privacy of the individuals e.g. announcing entry to the room. The Two Adult Rule applies.

- **Managing Injuries or Illness**

Should a child be injured or fall ill during an activity first aid should be rendered and parents contacted immediately. An ambulance should be called if the injury/illness cannot be alleviated by simple first aid or parents are not available to make that decision.

Sick or injured children should be appropriately supervised until either parents or the ambulance take over their care.

The ministry leader should complete a Notification of Injury/Illness form.

## **SAFE ACTIVITIES**

*Please adapt this form to suit the particular needs of your parish and to reflect accurately which photos are to be taken and for what purpose. [Remove this advice before circulating this form.]*

I, the undersigned, hereby:

- consent to the collection and use of my personal images by photography or video recording.
- acknowledge these may be used on website, online and printed material, if necessary.

- consent to the use of photographs or video footage for use for electronic use or distribution to members
- acknowledge that my image may be used by the committee and media to promote in the future.
- I understand that no personal information, such as names, will be used in any publications unless express consent is given.

I also understand that my consent can be withdrawn at anytime in writing

### CONSENT FORM

I \_\_\_\_\_  
 (name of person giving consent and name of parent/guardian if under 18 years of age)

Willingly and voluntarily consent to the above.

Signature of person giving consent:

Date:

\_\_\_\_\_ / \_\_\_\_ / \_\_\_\_\_

*Use kindly note that this information will be stored in a secure place in the Office and will only for the reason for which it was specifically prepared. It is considered private information and will be handled in accordance with the Privacy Policy.*

### VI.1. RISK MANAGEMENT

Our commitment to safety along with State and National Legislation requires us to undertake risk assessments of activities and services provided. As part of the overall risk management strategy, assessing any potential risks is critical in minimising harm to a child, young person or vulnerable adult.

A risk is anything, including the behaviour of others that can cause harm or loss to a person.

In assessing any activity or service provision, it is important to consider how harm might occur, why and when it could occur. Once the level of risk is determined, the risks can be prioritised and options that effectively control the situation can be considered for implementation. Refer to sample risk assessment sheet.

Risk assessments must be conducted on all activities and services that involve children, young people and vulnerable adults. These assessments are to be kept on file and reviewed annually in light of the current circumstances.

We can minimise the risk of harm to children and young people by:

- ensuring that activities support the interest of those involved;
- providing constant supervision by reliable and trained adults;
- knowing where participants are at all times;
- implementing appropriate risk mitigation strategies within the environment to keep participants safe e.g. installing glass windows into doors to give a line of sight into a particular space.

Risk assessments for some typical activities can be provided for adaptation to specific context.

There may be times when other organisations conduct activities for children and young people with Mac's KrankIt foundation Limited. In such a case it is imperative that a risk assessment be undertaken. A checklist of issues to be considered for these special events can be found in the resource folder. It is also important to know who is in attendance at activities along with who has delivered and who has collected the child.

## **VII. PHOTOGRAPHY, VIDEO**

We host a range of activities that include minors and vulnerable persons. It is not uncommon for parents and other family members to take photographs (of their children) at these activities. It is important to be aware that there are some people who may attend these activities to take inappropriate photographs or video footage of children.

It is essential to make it clear to all in attendance that taking a photograph can be construed as obtaining personal information and therefore should be treated as any other item of personal, confidential information. Attendees are to be encouraged to use sensitivity when taking photographs and to confirm with the parents of children other than their own that they are comfortable to have their child included in photographs taken by someone other than their own family members. A similar courtesy should also be extended to adults who may be included in the photographs.

The responsibility for this notification lies with the leader but can be delegated, for example to the coordinator of the activity.

A typical script to convey this information could be:

*We understand that you may wish to make a photographic or video record of this celebration. In so doing please exercise courtesy, sensitivity and common sense in relation to photographing children other than your own. We request that you confirm with other children's parents before including them in your personal photographs. The images that you take should only be used as your mementos of this event. Where photos contain children who are not yours, these should not be shared in any public forums such as social media.*

## **Good Practice**

- For formal photography of a celebration for use, permission to take images of children must be sought, signed off by parents and kept on file.
- It is advisable to have one photographer who takes each child's photograph for particular activity. This person is subject to the relevant working with children check prior to engagement.
- Provide identification for the designated photographer. This ID is to be worn for the duration of the ritual/event and then returned to us.
- Affirm for adults present that photographs are to be taken only for the purpose of the event/ritual and that Privacy Laws include the protection of images as well as written documents.
- All photographs should be taken in a public setting.
- Images should be used for the intended outcomes.
- Ensure all children are appropriately dressed.
- Images should be carefully stored with consent attached or cross referenced. Names, dates and other contextual information should also be stored.
- Images should only be passed to third parties for their use where this has been agreed as part of the consent process.
- Vulnerable children or those whose identity may require protection should not be photographed.

Refusal of consent should not in any way limit children's or young people's participation in activities.

We aim to make clear to all in attendance, the guidelines on the use of images as there is evidence that information posted on the internet or published in a magazine/newspaper can be used to target children, to locate them and then to groom them.

## **Social Media with Children and Young People**

'Social media' is the term commonly given to web-based tools which allow users to interact with each other in some way – by sharing information, opinions, knowledge and interests online. As the name implies, social media involves the building of online communities or networks to encourage participation and engagement.

The underpinning principle for use of social media by personnel is respect for human dignity, both on-line and off-line, in both private and professional life.

Users of networks have a duty of care to maintain network security and are required to adhere to policies and procedures for the professional use of electronic mail (Email) and the Internet.

This includes, but is not limited to:

- duty of care;
- ethical and appropriate use;
- the need to maintain privacy, confidentiality and the rights of individuals and copyright owners;
- cost efficient use of the information services;
- adherence to considered and appropriate records management practices;
- appropriate use of systems, accounts and passwords;
- Compliance with legislation not only prohibiting anti-discrimination and /or harassment but also provisions such as found in the following:
  - Intellectual Property Laws Amendment Act 1998
  - Privacy Law
  - Electronic Transactions Amendment Act 2011
  - Copyright Act 1968

## **VIII. REPORTING**

Reporting of any concerning behaviours should follow the reporting chart, as annexed.

Serious misconduct will be reported to the Police or other relevant child protection agencies in accordance with the relevant state.

## **IX. CONFIDENTIALITY**

Any issues relating to suspected or alleged harm or / and abuse to children or vulnerable persons is highly sensitive and must be treated in such a way. The Mac's KrankIt Foundation Limited is committed to adhere to private and confidential practices, in line with the Privacy Act (1988).