

The Duke of Edinburgh's Award in Australia



National Policy

Policy Topic	PROTECTION OF CHILDREN AND YOUNG PEOPLE AUTHORITY TO OPERATE
Policy Number	1.13
Date issued	2002
Source of Authority	ACC Minutes
Dates	12 April 2002
Review Date	November 2006

Preamble:

The Duke of Edinburgh's Award in Australia is committed to ensuring the protection of Young People from harm or abuse.

The terms of this policy are to be construed subject to any applicable Commonwealth or State statute, delegated legislation or industrial instrument such that if any provision of this policy is inconsistent with any such statute, legislation or instrument, the terms of the statute, legislation or instrument prevail to the extent of any inconsistency.

Purpose and Application of the Policy:

This policy aims to minimise the risk of harm to and support the well being of participants who are involved or engaged in the Duke of Edinburgh's Award in Australia Award Program (the **Award Program**) in Australia.

This policy applies to:

- (a) the National Award Authority, State Award Authorities, Registered Operators;
- (b) employees of the National Award Authority, State Award Authorities, Registered Operators;
and
- (c) all other individuals,
who participate in, are involved in or assist in organising the Award Program.

Definitions:

"Local Authorities" means local government agency or their nominated agency with a portfolio responsibility of protecting children and young people.

“National Level Matter” means where an incident involves a national employee or volunteers or is an incident that extends across more than one State.

“Young People” or “Young Person” means a person under 18 years of age.

State Award Authorities obligations:

- a. State Award Authorities must take reasonable steps to ensure board members, its employees, Registered Operators and volunteers are:
 - i. provided with a copy of and made aware of this policy, either through provision of the National Operations Manual or at www.dukeofed.org.au ; and
 - ii. informed of any child protection obligations relating to the specific activity in which they are involved, including relevant State and Commonwealth legislative requirements.
- b. The SAA to be responsible for providing access to copies of the National Operations Manual and/or licence document to state policies available at website.
- c. State Award Authorities must ensure that the orientation and training of board members, its employees, Registered Operators and other volunteers incorporates reference to this policy.

(2) Police and Referee Checks:

- a. The National and State Award Authorities or Licensed Operator (as applicable) must undertake a national criminal record check (or referee check if legislation does not permit) for all employees or volunteers who will have direct unsupervised contact with young people.
- b. Where an adverse report is received the employee or volunteer is to be informed they cannot work, or continue to work with young people.
- c. The relevant National or State Award Authority or Registered Operator is to ensure the privacy and confidentiality of any information obtained through the checking process.

*Note: direct unsupervised contact is the terminology used by the NSW Commission for Children and Young People

3. Insurance:

The National Award Authority will use reasonable endeavours to provide or cause the provision of insurance cover as advised from time to time to all participants who are involved or engaged in the Award Program.

4. Reports and Handling of Allegations of Harm or Abuse Involving Young People:

- (1) In the event of an allegation of harm or abuse to a young person involving a national employee or volunteer, the matter is to be reported to the National Chairman for the National Award Authority's consideration including seeking legal advice as appropriate. The report is to be in writing to include:
 - (2) content of the allegation/s
 - (3) employee/volunteer's position at the time of the allegation
 - (4) date on which the alleged incident occurred
 - (5) nature of incident
- (6) The National Award Authority will refer the matter to the relevant authority for investigation and appropriate action.
- (7) Where disciplinary action is taken, the National Award Authority must keep complete, accurate records about disciplinary proceedings. Full details of any disciplinary proceedings of this nature must be reported to the NSW Commission for Children and Young People.
- (8) In the event of an allegation of harm or abuse to a young person involving a State employee or volunteer, the matter is to be reported to the State Chairman for the State Award Authority Board's consideration including seeking legal advice as appropriate. The report is to be in writing to include:
 - i. Content of the allegation/s
 - ii. Employee/volunteer's position at the time of the allegation
 - iii. Date on which the alleged incident occurred
 - iv. Nature of incident
- (9) The State Award Authority will refer the matter to the relevant State authority for investigation and appropriate action. Full details of any disciplinary proceedings of this nature must be reported to the relevant State authority in accordance with local legislative requirements.

.....

National Chairman