

FRAMEWORK MANAGEMENT POLICY

Policy Name:	3.2 Protection of Children & Young People
Date(s) Revised:	2002, Sept 2013, Sept 2018, July 2019, Nov 2022, Nov 2023
Review Cycle:	Two yearly
Authority:	National Board
Handbook Reference (s)	Glossary Chapter 9; 9.2: Child Protection
Related Policies:	1.7 Code of Conduct for Directors 1.10 Risk Management 3.9 National Licence Monitoring & QA 4.13 Volunteer Code of Conduct 4.14 National Code of Conduct for Duke of Ed Employees

Introduction

The Duke of Edinburgh's International Award - 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/Territory statute (refer to State or Territory Government website) 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.

It is the responsibility of the Divisions/Duke of Ed Offices to ensure that their volunteers etc. meet the relevant Child & Young People legislation in their jurisdiction.

Purpose of the Policy

This policy aims to minimise the harm to and provide support towards the well-being of Registered Users who are involved with or engaged in The Duke of Edinburgh's International Award - Australia.

This policy applies to:

- 1) the National Award Operator, National Duke of Ed Centres, Divisions/Duke of Ed Offices, Duke of Ed Centres;
- 2) employees of National Award Operator, National Duke of Ed Centres, Divisions/Duke of Ed Offices, Duke of Ed Centres; and
- 3) all other individuals, who use, are involved in, or assist in organising the Duke of Ed.

1. Definitions

- 1.1 **"Local Authorities"** means local government agency or their nominated agency with a portfolio responsibility of protecting children and young people.
- 1.2 **"National Level Matter"** means where an incident involves a national employee or volunteer or is an incident that extends across more than one State or Territory.
- 1.3 **"Young People"** or **"Young Person"** means a person under 18 years of age.

2. Divisions / Duke of Ed Offices - Obligations

- 2.1 Divisions/Duke of Ed Offices must take reasonable steps to ensure board members, its employees, Duke of Ed Centres and volunteers are:
 - 2.1.1 Provided with a copy of and made aware of this policy, either through provision of the Duke of Ed Handbook or at www.dukeofed.com.au; and
 - 2.1.2 Informed of any child protection obligations relating to the specific activity in which they are involved, including relevant State/Territory and Commonwealth legislative requirements.

- 2.2 Divisions/Duke of Ed Offices are to be responsible for providing access to copies of the Duke of Ed Handbook, the relevant licence document, and any State/Territory policies.
- 2.3 Divisions/Duke of Ed Offices must ensure that the orientation and training of Board or Committee members, its employees, Duke of Ed Centres and other volunteers incorporates reference to this policy.
- 2.4 Divisions/Duke of Ed Offices and National Duke of Ed Centres are to ensure they have in place effective recording and monitoring systems to confirm that their employees and volunteers meet legislative requirements concerning working with children and child safety screening and that their Duke of Ed Centres are monitored for compliance (refer to Policy 3.9 National Licence Monitoring & QA).

Note: It is not a requirement of the Divisions/Duke of Ed Offices to sight that checks have been conducted for all their Duke of Ed Centre's volunteers. Refer to policy 3.9 National Licence Monitoring & QA, regarding the minimum level of sampling undertaken by a Divisions/Duke of Ed Offices.

3. Police and Referee Checks

- 3.1 The National Award Operator, Divisions/Duke of Ed Offices or Duke of Ed Centre (as applicable) must undertake a criminal record check in accordance with their State or Territory legislation (or referee check if legislation does not permit) for all employees or volunteers who will have direct unsupervised contact with young people¹.
- 3.2 Where an adverse report is received the employee or volunteer is to be informed they cannot work, or continue to work with young people.
- 3.3 The relevant National Award Operator, Divisions/Duke of Ed Offices or Duke of Ed Centre is to ensure the privacy and confidentiality of any information obtained through the checking process.

4. Insurance

- 4.1 The National Award Operator will use reasonable endeavors to provide or cause the provision of insurance cover as advised from time to time to all Registered Users who are involved or engaged in the Duke of Ed.

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

- 5.1 In the event of an allegation of harm or abuse to a young person involving a Duke of Ed employee or volunteer, the matter is to be immediately reported to the Divisions/Duke of Ed Offices board via the Chair and the National Chair for the National Award Operator's consideration including seeking legal advice as appropriate. The report is to be in writing to include:
 - 5.1.1 content of the allegation/s
 - 5.1.2 employee/volunteer's position at the time of the allegation
 - 5.1.3 date on which the alleged incident occurred
 - 5.1.4 nature of incident
- 5.2 The Divisions/Duke of Ed Offices Board or the National Award Operator will refer the matter to the relevant authority for investigation and appropriate action
- 5.3 Where disciplinary action is taken, the National Award Operator must keep complete accurate records about disciplinary proceedings. Full details of any disciplinary proceedings of this nature must be reported to the relevant authority, for example, in NSW it's the NSW Commission for Children and Young People.
 - 5.3.1 date on which the alleged incident occurred
 - 5.3.2 nature of incident

¹ "direct unsupervised contact" is the terminology used by the NSW Commission for Children and Young People. www.kids.nsw.gov.au

- 5.4** The Divisions/Duke of Ed Offices and National Board are to be kept informed of all matters whilst at the same time complying with privacy and confidentiality requirements.