

Vulnerable Persons' Safety and Wellbeing Policy

Policy Reference Number	6846161
Responsible Department	Corporate Services
Related Policies	Risk Management; Ageing Well; Volunteers; Youth; Physical Activity and Sports; Council Facility Hire; Arts and Cultural Development; Access and Inclusion; Library Service; Staff Conduct Policy
Related Procedures	Screening Check Procedures; CHSP Client Emergency and Non-Responsive Procedure, CHSP Extreme Weather Procedure, CHSP Incident Management Procedure, Volunteers' Handbook
Date of Initial Adoption	16 August 2024
Last Reviewed by Council	

1. Purpose

Council is committed to promoting and protecting the safety and wellbeing of vulnerable people in the Campbelltown area including vulnerable people who access Council services and programs.

Council has this policy and related procedures to ensure Staff, Volunteers and contractors providing support and services understand their role in upholding the rights of vulnerable people.

Who Does the Policy Apply To?

This Policy will apply to Council Elected Members, Staff members, volunteers and contractors providing services wholly or partly to vulnerable people. This Policy will be communicated to these Council representatives to ensure awareness and understanding of Council's commitment to ensuring a safe environment.

2. Power to Make the Policy

The legislative framework for this Policy includes:

- Commonwealth legislation
 - Aged Care Act 1997
 - Disability Discrimination Act 1992
 - Sex Discrimination Act 1984
- South Australian legislation
 - Disability Services Act 1993, Disability Services (Assessment of Relevant History) Regulations 2014
 - Criminal Law Consolidation Act 1935
 - Equal Opportunity Act 1984
 - Ageing & Adult Safeguarding Act 1995
- Relevant Council policies, procedures and standards of conduct documents.

The document on Council's Records Management System is considered to be the current and controlled version. Before using a printed copy, verify that it is the current version.

In particular, the Aged Care Act 1997 places legal obligations on approved providers of aged care services to:

- prevent and manage incidents, focusing on the safety, health and wellbeing of consumers
- use incident data to drive quality improvement
- notify reportable incidents to the Aged Care Quality and Safety Commission (Commission).

Providers must notify reportable incidents in accordance with Serious Incident Response Scheme requirements.

3. Strategic Plan Link

This Policy has the following link to Council's Revised Strategic Plan 2024:

- Supporting our Community (Goal 1)

4. Principles

The following principles underpin this policy:

- Everybody has a responsibility to promote and protect the health, wellbeing and human rights of a person to live free from harm or risk of harm.
- All forms of harm or abuse of anyone is abhorrent, illegal, can cause long-lasting and inter-generational effects, and under any circumstances, must not be tolerated or ignored.
- Vulnerable people should feel safe from all forms of harm at all times.
- The Council has a duty of care to foster a local environment contributing towards the protection of vulnerable people from harm or risk of harm. Council will take all appropriate legislative, administrative, social and educational measures to protect vulnerable people from all forms of harm or risk of harm, while they are in its care.

5. Definitions

Definitions for the purpose of this Policy are:

Acts	Any Act of Parliament (Federal or State) listed in, but not limited to, Clause 3 of this Policy.
CEO	Means anyone appointed or acting in the role of Chief Executive Officer at the Council.
CHSP	Campbelltown Home Support Program
Client	Registered with Council through My Aged Care
Council	Means the Campbelltown City Council
Criminal history screening	Refers to the process where a report is obtained from a prescribed source regarding the criminal history of a person for the purposes of determining whether that person is suitable to work with vulnerable people.

Disability	As defined in Section 4 of the Disability Discrimination Act 1992 (Cth).
EAP	Refers to Council's Employee Assistance Program, a confidential counselling program available to Council Staff
Elder	Refers to a person aged 65 or older.
Elder Abuse	Refers to all aspects of abuse, that is, neglect, physical, verbal, sexual, financial and social.
Elected Member(s)	Refers to a person who has been elected to a position on the Campbelltown City Council.
Harm	Refers to any detrimental effect of a significant nature on a person's physical, psychological or emotional well-being. Harm may be caused by physical, mental or emotional abuse, neglect, and/or sexual abuse or exploitation.
Reasonable Grounds	'Reasonable Grounds' of suspicion is suspicion that a 'reasonable person' in the same circumstances would form. Staff will not be required to 'prove' that Risk of Harm to a vulnerable person has actually occurred. Rather, Staff will have to demonstrate that they formed a suspicion on 'Reasonable Grounds'.
Regulations	Any Regulation of Parliament (Federal or State) listed in, but not limited to, Clause 2 of this Policy.
Reporting Agency	A Reporting Agency includes: 1. South Australian Adult Safeguarding Unit 1800 372 310; 2. National Disability Abuse and Neglect Hotline: 1800 800 052; 2. Aged Rights Advocacy Service: 8232 5377; or 3. SA Policy Emergency line: 000.
Risk	A vulnerable person will be taken to be at risk if: • They have suffered harm (as defined); or • There is a likelihood that they will suffer harm; or • Any other circumstance of a kind prescribed by legislation in relation to a vulnerable person.
SAPOL	South Australian Police
Safe	In the context of this policy, means providing programs, services and facilities that aim to prevent

	vulnerable people from being harmed whilst participating in organised activities on Council land.
Serious Incident Response Scheme (SIRS)	A scheme set up by the Aged Care Quality and Safety Commission for reporting incidents.
Staff	In this policy refers to Council employed Staff members, volunteers, work placement students or contractors working with vulnerable people on behalf of Council
Vulnerable Person / People:	Refers to an adult person who, by reason of age, ill health, disability, social isolation, dependence on others or other disadvantage, is vulnerable to harm.

6. Policy

Council is committed to ensuring the organisation and Council facilities are safe environments for Vulnerable People.

The following standards reflect the guidance provided by the Adult Safeguarding Unit on appropriate standards of conduct for adults working with vulnerable people.

6.1 Risk Management Strategy

Council will identify and assess potential sources of harm and take steps to decrease the likelihood that harm will occur to vulnerable people who use its services. Areas of risk assessment will include human resources, activities and programs, record keeping, physical spaces and organisational culture.

6.2 Codes of Conduct

Elected Members, Staff and any others providing services wholly or partly to vulnerable persons, will be required to comply with standards of conduct when providing services to this cohort of people. Council's Code of Conduct for Working with Vulnerable Persons is at Appendix A.

The standards of conduct are supported by relevant grievance procedures to address breaches of behavioural standards. Further information can be sourced from Council's Manager People & Culture regarding these procedures.

6.3 Recruitment, Selection and Training Council Employees

Council will take all reasonable steps to ensure that it engages the most suitable and appropriate people to work with, and provide services to vulnerable people.

For Staff working in CHSP, position descriptions will include a commitment to vulnerable people and include reference to the need to hold a satisfactory Vulnerable Person-Related Employment Check.

Applicants for CHSP positions will be screened for their suitability to provide services, and to be employed must meet the following screening requirements:

- A satisfactory Vulnerable Person-Related Employment Check
- An interview – including behavioural questions in relation to vulnerable persons' safeguarding
- Referees– at least two satisfactory referee checks
- Qualifications/Previous employment history – evidence/check of qualifications and previous employment history as applicable.

Where Council becomes aware of Staff involved in reportable incidents under the Aged Care Act, reports will be made in accordance with the Serious Incident Response Scheme (SIRS) requirements¹.

For CHSP Volunteers they will be screened for their suitability to provide services with the following requirements:

- A satisfactory Vulnerable Person-Related Employment Check
- Training in Elder Abuse
- Training in Serious Incident Response Scheme.

Council will ensure that other Staff who work with Vulnerable people, or who have access to their personal records:

- are inducted regarding their obligations in relation to keeping vulnerable persons' safe, including mandatory reporting, cultural safety, record keeping, supervision and information sharing
- complete and refresh training obligations in accordance with training requirements (eg Elder Abuse)
- renew their Vulnerable-Person -Related Employment Check every 3 years.

6.4 Involvement in decision-making

Council will:

- where relevant, promote the involvement of vulnerable people in service planning
- provide clear and appropriate explanations to vulnerable people including their right to safety, their right to be listened to and that they can provide feedback or make a complaint if they have a concern to any worker or ask their carer to do this on their behalf
- listen to and act upon any complaints or concerns that a vulnerable person raises with Council.

¹ Refer **Serious Incident Response Scheme – Guidelines for Providers of Home Services:**
https://www.agedcarequality.gov.au/sites/default/files/media/acr_shs_003_sirs_home_services_provider_guidelines_0.pdf

6.5 Recognising and Reporting Suspected Harm or Risk of Harm

CHSP clients

Council will ensure that CHSP Staff providing services to and/or working with vulnerable people are trained and appropriately supported to report incidents that:

- occur in connection with the provision of care and services to vulnerable persons
- cause harm to a CHSP client
- are one of the legislated types of reportable incidents for home services.

Reportable incidents include:

- Unreasonable use of force
- Unlawful sexual contact or inappropriate sexual conduct
- Psychological or emotional abuse
- Unexpected death
- Stealing or financial coercion
- Neglect.

Reports must be made by CHSP Staff and Clients using the SIRS reporting requirements where applicable, utilising the MAC Portal.

Other vulnerable people

Elected Members, Council Staff or any member of the public should report reasonable suspicions of harm to a vulnerable person to the Adult Safeguarding Unit to receive advice or make a report or the South Australian Police. In an emergency situation, telephone 000.

Council will collaborate and consult with relevant agencies, where possible, in matters concerning the protection of vulnerable people from harm or risk of harm.

Where a report has been made, Council will be guided by the relevant agency as to whether Council should conduct an internal investigation.

If Staff are reported to SAPOL for causing harm or risk of harm to a vulnerable person, they will be stood down from their role that involves working with any vulnerable person until the relevant authorities have concluded their investigation.

Following a report to SAPOL Council will support the vulnerable person, where appropriate, by:

- referring them or their family to external appropriate services; and
- continuing to provide a service to the person and their family and monitor their circumstances.

Council will document and record all information received regarding any report and ensure confidentiality in accordance with its Records Management procedures.

7. Review & Evaluation

Within twelve months of each new Council term, Council will review this policy. Following this initial review, this policy will be reviewed at least biennially by Staff with minor administrative adjustments being approved by the Chief Executive Officer.

8. Availability of the Policy

Copies of this Policy will be available at Council's principal office during ordinary business hours and at Council's website www.campbelltown.sa.gov.au.

Appendix A

City of Campbelltown Code of Conduct for Working with Vulnerable Persons

Council's employees are committed to the safety and wellbeing of all vulnerable persons accessing Council services. They support the rights of vulnerable persons and will act without hesitation to ensure a vulnerable person safe environment is maintained at all times.

Council supports the rights and wellbeing of its employees and encourages them to have active participation in building and maintaining a secure environment for all participants.

When working with vulnerable persons we recognise that caring for vulnerable persons brings additional responsibilities for our workers.

We are responsible for promoting and protecting the safety and wellbeing of vulnerable persons by:

- Complying with our organisation's Vulnerable Persons' Safety and Wellbeing Policy at all times and taking all reasonable steps to ensure the safety and protection of vulnerable persons
- Treating everyone with respect and honesty and ensuring their rights are upheld
- Setting clear boundaries and maintaining appropriate behaviours with vulnerable persons as boundaries help everyone to understand their roles
- Listening and responding appropriately to the views and concerns of vulnerable persons
- Being alert to behaviours that are or could cause harm and responding promptly and appropriately
- Being alert to vulnerable persons who have been harmed, or may be at risk of harm and reporting this quickly as follows:
 - To a relevant Reporting Agency
 - Where a vulnerable person is at immediate risk, it will be reported to South Australia Police (SAPOL) on 000.