

Safeguarding Vulnerable Persons Policy

Cerebral Palsy Support Network Inc (CPSN) works in partnership with our members to share knowledge, create connections and provide support.

CPSN is committed to rights-based, person-centred, high-quality, effective, and safe services and supports.

Cerebral Palsy Support Network (CPSN) is committed to recognising, actively promoting, and safeguarding the human rights and inherent dignity of all people, and in particular, people aged under 18 or other individuals who may be at risk or are unable to protect themselves against harm or exploitation.

Record of policy development

Version	Date approved	Date for review
1	February 2022	February 2024

Responsibilities and delegations

This policy applies to:	CPSN potential and current members, clients, and their representatives, the CPSN Board, employees, contractors, and volunteers.
Policy approval:	Board
Review of Policy Compliance	General Manager Quality and Practice
Specific responsibilities:	CPSN Board Chief Executive Officer (CEO) General Manager Business and Member Services General Manager Operations and Client Outcomes General Manager People and Culture General Manager Quality and Practice CPSN employees

Policy context - this policy relates to:

Service Standards	NDIS Practice Standards 2020 ACNC Governance Standards National Principles for Child Safe Organisations, 2018 Victorian Child Safe Standards, 2015 and 2021 (in force from 1 July 2022)
Legislation	Charter of Human Rights and Responsibilities Act 2006 (Vic) National Disability Insurance Scheme Act 2013 (Cth) Disability Act 2006 (Vic) Disability Discrimination Act 1992 (Cth) Children Youth and Families Act 2005 (Vic) Child Wellbeing and Safety Act 2005 (Vic) Carers Recognition Act 2012 (Vic) Charities Act 2013 (Cth) Australian Charities and Not-for-profits Commission Act 2012 (Cth) Fair Work Act 2009 (Cth)

	Equal Opportunity Act 2010 (Vic) Occupational Health and Safety Act 2004 (Vic) Workplace Gender Equality Act 2012 (Cth) Freedom of Information Act 1982 (Vic) Privacy and Data Collections Act 2014 (Vic) Privacy Act 1988 (Cth) Health records Act 2001 (Vic) Competition and Consumer Act 2010 (Cth)
Contractual obligations	NDIS Practice Standards
Organisation policies	Human Rights Policy and Framework Practice and Governance Policy and Framework Quality Policy and Framework Risk Management Policy and Framework Diversity and Inclusion Policy Child Safe Policy Privacy and Confidentiality Policy Complaints Management Policy NDIS Code of Conduct Work Health and Safety Policy Financial and Fraud Risk Management Policy Conflict of Interest Policy Worker Screening Policy Incident Management Reporting Policy Bullying and Harassment Policy Handling Participants' Money Policy Position
Other Conventions	United Nations Convention on the Rights of People with Disabilities (CRPD), 2006 United Nations Convention on the Rights of the Child 1989

POLICY STATEMENT

Policy Statement

CPSN has zero tolerance for the abuse of vulnerable people.

CPSN recognises that all people regardless of their culture, diversity, values, and beliefs have equal rights to protection from violence, abuse, neglect, exploitation, discrimination, bullying, and harassment.

CPSN is committed to giving all people the right to fair and equitable consideration in relation to using CPSN services as well as employment opportunities and job-related benefits within CPSN, regardless of any individual or personal characteristics.

CPSN is committed to diversity and inclusion by providing safe and high-quality person-centred supports, which enable clients to maximise choice and control over the supports they receive to live the life they choose, as well as promoting a work environment that is diverse and inclusive and demonstrates the organisation's values.

CPSN's foundational Human Rights Policy and Framework, and Practice and Governance Policy and Framework embed its commitment to safeguarding human rights of all involved in all that we do.

All clients, employees, volunteers, partners, and contractors share a responsibility for safeguarding vulnerable persons. We do not tolerate violence, abuse, neglect, exploitation, discrimination, bullying, and harassment. We take a trauma-informed approach to all that we do.

CPSN is committed to employee selection, induction, and development processes that screen for and continue to further develop an understanding of human rights, diversity, and safeguarding.

CPSN Clients Service Agreements and the employee NDIS Code of Conduct commit Clients and CPSN staff to responsibilities and behaviours that protect the human rights of all parties.

CPSN identifies and assesses safeguarding risks and develops strategies to mitigate them and

regularly reviews and improves its policies, procedures, and systems to enhance the safeguarding of the human rights of all involved in the work of CPSN.

CPSN has policies and procedures for managing incidents, complaints, work health and safety, bullying and harassment, and underperformance and misconduct that will be followed where allegations of violence, abuse, neglect, exploitation, discrimination, bullying, harassment, underperformance, or misconduct have been made.

CPSN encourages vulnerable persons to seek support from an advocate and will provide information and facilitate access to an independent advocate where desired by the vulnerable person where allegations of violence, abuse, neglect, exploitation, discrimination, bullying, harassment, underperformance, or misconduct have been made.

CPSN will only disclose information about vulnerable persons, without their consent, where required by law.

Definitions

Vulnerable Persons - CPSN has adopted the definition of the Australian Charities and Not-for-profits Commissions which defines **Vulnerable persons** as a person “aged under 18 or other individuals who may be unable to take care of themselves or are unable to protect themselves against harm or exploitation.

While all people must be protected from harm, there are additional legislative and ethical considerations for protecting vulnerable people. Vulnerable people can include:

- children and seniors
- people with impaired intellectual or physical functioning
- people from a low socio-economic background
- people who are Aboriginal or Torres Strait Islanders
- people who are not native speakers of the local language
- people with low levels of literacy or education
- people subject to modern slavery, which involves human exploitation and control, such as forced labour, debt bondage, human trafficking, and child labour.

Vulnerability may be either temporary or ongoing. Vulnerable people can include staff, volunteers, and people in third parties, such as partners.

Being able to recognise vulnerability in its various forms is important and the first step to being able to protect vulnerable people”. <https://www.acnc.gov.au/for-charities/manage-your-charity/governance-hub/governance-toolkit/governance-toolkit-safeguarding>

Safeguarding - CPSN has adopted the definition of the Australian Charities and Not-for-profits Commissions which defines Safeguarding as “protecting the welfare and human rights of people that are, in some way, connected with” CPSN. <https://www.acnc.gov.au/for-charities/manage-your-charity/governance-hub/governance-toolkit/governance-toolkit-safeguarding>

“Incidents of harm may include:

- Sexual harassment, bullying or abuse
- Serious sexual offences, such as rape
- Threats of violence or actual violence
- Verbal, emotional, or social abuse
- Cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crimes
- Coercion and exploitation

- Abuse of power”

Principles

CPSN had adopted the following principles which are founded in human rights and guide its practice and governance:

- Rights based and person-centred
- Self-determination, citizenship, and participation
- Collaboration, networks, and partnerships.

Specifically, in relation to safeguarding vulnerable persons, CPSN is committed to the following principles:

- That all vulnerable persons regardless of their culture, diversity, values, and beliefs have equal rights to protection from violence, abuse, neglect, exploitation, discrimination, bullying, and harassment.
- Protection of vulnerable people is a shared responsibility between the CPSN Board, employees, contractors and volunteers, and all clients, and their representatives of the CPSN community.
- Honesty, integrity, and best practice in all aspects of its operations. This includes application of procedural fairness and clear and transparent communication.

IMPLEMENTING THIS POLICY

While the responsibility to protect vulnerable people is shared by the whole CPSN community, the following roles communicate and operationalise this Policy:

Roles and Responsibilities

The Board

The Board is accountable for service quality and safety of all people involved in services provided by CPSN, and leading a culture that demonstrates its values, commitment to inclusion, safeguarding, continuous improvement, and accountability for practice. The Board is responsible for delegating operational requirements and decisions to the CEO.

Specifically, the Board is responsible for:

- Ensuring appropriate policies and protection measures are in place.
- Ensuring that appropriate and effective internal control systems are in place.

The CEO

The CEO is responsible for:

- Ensuring organisational adherence to legislation and principles that underpin safeguarding.
- Ensuring zero tolerance of abuse.
- Creating a culture of person-centredness, safety, inclusion and continuous improvement of service provision, systems and governance that ensures CPSN achieves its strategic and operational goals.
- Promoting a flexible and equitable work environment that values human rights, diversity, and safeguarding.
- Leading and demonstrating respect, inclusion, and safeguarding for all diverse people and practices, including beliefs and taboos.
- Managing risks, incidents, complaints, and quality improvement.

The CEO is responsible for delegating responsibility for financial, people and culture, operations, record keeping, policy development and accountability to the CPSN Leadership Team.

The CEO also has responsibilities as listed below for CPSN Managers where any direct reports are included in this Policy.

General Manager Quality and Practice

The General Manager Quality and Practice is responsible for:

- Ensuring that all Board members, employees, contractors, and volunteers are aware of relevant laws, CPSN policies and procedures, and the Code of Conduct.

- Education and support to Board members, employee, contractors, and volunteers in relation to this Policy.
- Receiving and managing and investigating reports of abuse, neglect, exploitation.
- Ensuring that all Board members, employees, contractors, and volunteers within the CPSN community are aware of their obligation to report suspected violence, abuse, neglect, exploitations, bullying and harassment.
- Ensuring timely reporting to relevant bodies, including Police, NDIS Quality and Safeguards Commission, Commission for Children and Young People, Victorian Child Protection Service, and the Victorian Worker Registration Board.
- Providing support for Board members, employees, contractors, and volunteers in undertaking their responsibilities.
- Monitoring and reviewing the effectiveness and proportionality of CPSN's safeguarding approach.
- Reviewing compliance with this Policy and ensuring the overall integrity of this Policy.
- Identifying, assessing, and managing risks, incidents, complaints, and quality improvement.

General Manager People and Culture

The General Manager People and Culture is responsible for:

- Education and support to employees and volunteers in relation to this Policy.
- Ensuring selection processes (including reference checks and background screening), induction, training, supervision, and performance management of staff emphasise an understanding of, and ongoing development of skills in staff to safeguard vulnerable persons.
- Ensuring all employee compliance expectations of external bodies are met including NDIS Quality and Safeguards Commission and the Victorian Worker Registration Board.
- Managing any incident where Work, Health and Safety, bullying and harassment, misconduct or underperformance issues are possibly involved.

CPSN General Managers

General Managers are responsible for the following:

- Leading and demonstrating respect, inclusion, and safeguarding for all diverse people and practices, including beliefs and taboos.
- Communicating and supporting employees, contractors, and volunteers in understanding their responsibilities under this Policy.
- Ensuring procedures and work instructions are clear to staff.
- Regularly assessing the risks to people (including clients, employees, and others) and developing proportionate controls to mitigate these risks.
- Supporting employees to take a trauma informed approach to safeguarding.
- Supporting the reporting of suspected violence, abuse, neglect, exploitation, discrimination, bullying, and harassment.
- Responding to and managing any breaches of this Policy.
- Maintaining appropriate records.
- Monitoring implementation and contributing to review of this Policy.

CPSN Employees

All CPSN employees are responsible for:

- Always promoting the safety of vulnerable people.
- Demonstrating respect for individual culture, diversity, values, and beliefs and safeguarding vulnerable persons.
- Actively engaging and participating in all required training and development programs, including programs designed to increase awareness, and understanding of the Code of Conduct and safeguarding vulnerable persons.
- Being familiar with the relevant laws, the Code of Conduct and CPSN's policies and procedures in relation to safeguarding vulnerable people and complying with all requirements.
- Assessing the risk of abuse within their area of control and eradicating/minimising any risk to the extent possible.

- Reporting, and supporting others to report any incident (using the CPSN Incident Management Procedure, Complaints Management Procedure, Work, Health and Safety Procedure or Bullying and Harassment Procedure) to CPSN management where discriminatory or disrespectful practices have occurred, or where it is reasonable to suspect that a vulnerable person's safety or welfare is at risk, including reporting inappropriate practices/behaviour themselves where required.
- Calling 000 immediately when a person's life or property is being threatened or in danger or a serious accident or crime has been witnessed, and then inform the General Manager Quality and Practice or their General Manager.
- Providing an environment that is supportive of all people's emotional and physical safety.
- Reporting any changes to their records which may affect their worker screening – for example, address changes, changes in police records.
- Providing feedback on the implementation and review of this Policy.

Maintaining appropriate records

CPSN records are maintained using technical systems, Salesforce, FoundU and Office 365. Records kept in these and any subsequent or replacement systems will reflect the principles outlined in this Policy.

Procedures that are relevant to this Policy:

- IC Service Agreement
- SupCo Service Agreement
- Goals and Outcomes Procedure
- Diversity and Inclusion Procedure
- Bullying and Harassment Procedure
- Work Health and Safety Procedure
- Training and Professional Development Procedure
- IC Manual
- SupCo Manual
- Finance Procedure Manual
- Delegation of Authority Document
- Risk Register
- Compliance Register
- Conflict of Interest Procedure (Board Members)
- Conflict of Interest Procedure (Employees)
- Incident Management Procedure (contained in Policy)
- Worker Screening Procedure
- Complaints Management Procedure
- Performance Procedure
- Underperformance and Misconduct Procedure

End of document
