

Working with Vulnerable People (including Child Protection) - Procedures

1. Purpose of procedures

1.1 The purpose of these procedures is to provide the University community with the process to be adopted to ensure that the university meets the commitment within the Working with Vulnerable People (including Child Protection) – Governing Policy (the Policy). These procedures are intended to assist in the practical application of the Policy in the following areas:

- (a) approval of university regulated activities related to vulnerable people;
- (b) promotion of the safety and wellbeing of vulnerable people who the University interacts with, and their protection from abuse, neglect or exploitation;
- (c) recruiting, selecting, training and managing persons engaged or proposed to be engaged by the University in child-related employment;
- (d) responsibilities for incident reporting and responding to concerning behaviour;
- (e) implementing, reviewing and managing breaches of the risk management strategy; and
- (f) the creation and management of complete, accurate and reliable records relating to interactions with vulnerable people.

2. Scope and Application

2.1 These procedures apply to the University community and those that have contact with vulnerable people in the course of their activities.

2.2 Under the WWC Act, the University's overarching activities of teaching and learning are considered 'private teaching, coaching or tutoring'. However, as an education provider, the University's primary functions are exempt and therefore are not considered regulated employment.

2.3 The University operations include functions that are considered regulated employment under the WWC Act. These include, but are not limited to: health, counselling and support services (e.g. clinics and student services), marketing outreach activities in schools, and sport and active recreation. Staff and volunteers in these areas may be required to undergo a Working with Children Check and obtain a Blue Card if they undertake regulated employment for more than seven (7) days in a calendar year.

2.4 The procedures apply when undertaking work with vulnerable people on behalf of the University in all jurisdictions domestically and internationally. Individuals working on behalf of the University in other jurisdictions (including overseas) should be aware that they may be subject to different legislative requirements and must comply with all relevant requirements.

2.5 These procedures do not cover situations where a member of the University community brings a child in their care into a university facility. These situations are covered by the Children on Campus – Operational Policy

3. Definitions

Please refer to the University's Glossary of Terms for policies and procedures. Terms and definitions identified below are specific to these procedures and are critical to its effectiveness:

'Abuse, neglect or Exploitation': means all forms of physical and mental abuse, exploitation, coercion or ill-treatment. This may include, for example:

- sexual harassment, harassment, bullying or abuse;
- sexual criminal offences and serious sexual criminal offences;
- threats of, or actual violence, verbal, emotional or social abuse;
- cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crime;

APPROVAL AUTHORITY

Vice-Chancellor and President

RESPONSIBLE EXECUTIVE MEMBER

Vice-Chancellor and President

DESIGNATED OFFICER

Deputy Vice-Chancellor (Academic)

FIRST APPROVED

26 October 2018

LAST AMENDED

9 August 2021

REVIEW DATE

15 June 2026

STATUS

Active

- coercion and exploitation; or
- abuse of power.

Blue Card: refers to a card which is issued in Queensland to a person who is approved following a screening process known as a blue card check. The screening process is conducted to determine a person's eligibility to work with children based on past charges or convictions for offences, child protection prohibition orders, disqualification orders, information reported under legislation, disciplinary information from certain organisations and certain police investigative information.

Blue Card Services: is a section within the Queensland Department of Justice and Attorney-General that undertakes Working with Children checks and issues Blue Cards.

Child/Children: refers to any person under the age of 18 years (while recognising that young people under the age of 18 years may be independent and capable individuals.)

Disability Services Act: refers to the *Disability Services Act 2006* (Qld).

Disclosure: involves the sharing of information about an incident(s) of sexual assault or sexual harassment with another person.

Disability Worker Screening Clearance Card: refers to a card which is issued in Queensland to a person who has undergone a criminal history screening for eligibility to work with people with disabilities with a National Disability Insurance Scheme (NDIS) provider in a risk assessed role or a Queensland-funded provider delivering disability supports or services.

Regulated employment: are categories of employment regulated by the WWC Act.

Report: refers to providing a formal account or statement about sexual assault or sexual harassment to a person or institution that has the authority to take action. Reporting can be an outcome of disclosure, but it is not the only possible outcome.

University community: relates to University students, staff and other stakeholders engaging with the University, including visitors, contractors and volunteers.

Volunteer: is a member of the USC community who provides their services in a voluntary capacity to the University, not for financial reward but who may receive reimbursement for out-of-pocket expenses. Volunteers are not staff of the University.

Vulnerable person (people) means:

(1) a child

(2) an adult who is or may be unable to take care of themselves against harm or exploitation by reason of age, illness, trauma or disability or any other reason

Disability Worker Screening Clearance Card: refers to a card which is issued in Queensland to a person who has undergone a criminal history screening for eligibility to work with people living with disability with a National Disability Insurance Scheme (NDIS) provider in a risk assessed role or a Queensland-funded provider delivering disability supports or services.

Transitioned Clearance: refers to a positive notice (Yellow Card) or positive exemption notice held by a person before 1 February 2021 until either the expiration of the positive notice or, for a positive exemption notice where the person also holds a working with children authority, on the date of expiration of the working with children authority.

Workplace integrated learning (WIL) placement course: is any course undertaken within a program of university study to gain experience in a workplace setting, also known as Supervised Professional Experience (SPE), internship, practicum, workplace learning (WPL), clinical placement or Work Experience Scheme (WES).

WWC Act: refers to the *Working with Children (Risk Management and Screening) Act 2000* (Qld).

4. Approval of non-exempt university activities related to vulnerable people

4.1 All activities involving contact with vulnerable people must be approved by the appropriate authority (refer to section 6 in the Policy).

4.2 Each university member responsible for the delivery of an activity will consider whether the activities are related to vulnerable people and, if so, take actions to provide a safe environment by ensuring that the following actions are implemented:

- the activity is approved as "an activity related to vulnerable people" by the appropriate approval authority;
- a risk assessment specific to the activity is developed, approved and implemented including the risk of abuse, neglect or exploitation; and
- background checks are conducted in accordance with requirements of the relevant state or territory, if required.

5. Promotion of the safety and wellbeing of vulnerable people

5.1 University staff, volunteers, contractors and students are made aware of the University's commitment to safeguarding vulnerable people through the following protocols:

- (a) the University makes all reasonable efforts, through its recruitment procedures, to ensure that all members of staff whose role involves specific activities with vulnerable people have no known history of harmful behaviour and are suitable for the position in line with policy and legislative requirements. This includes full-time and part-time staff and volunteers;
- (b) it is the responsibility of the relevant Organisational Unit to make any third party aware of the Department of Foreign Affairs and Trade (DFAT) requirements for Preventing Sexual Exploitation, Abuse and Harassment which provide detailed information regarding preparing for and conducting overseas activities;
- (c) access to support services such as counselling and AccessAbility is provided to staff, volunteers and students if/when matters arise;
- (d) the Working with Vulnerable People (including Child Protection) policies and procedures are made available to all staff and the broader USC community on the policy repository; and
- (d) the Incident Management - Procedures highlight key responsibilities, notification requirements under commonwealth and state legislation and the appropriate levels of response required. These procedures are available to staff through the University's Policy and Procedures Library.

6. Regulated Employment and Blue Card requirements

6.1 The guidelines for regulated employment addresses in detail the recruitment, selection and managing of persons conducting regulated employment.

6.2 Regulated employment

6.2.1 The following University activities are regulated employment under the WWC Act:

- (a) a health service – which is a service for maintaining, improving, restoring or caring for a person's health or wellbeing – is regulated if:
 - (i) by its nature, it requires physical contact with the child; or
 - (ii) where the worker may be physically present with the child while no-one else is present.
- (b) a counselling service – which is a service that provides or purports to provide, on a professional basis, help or guidance to persons to resolve personal, social or emotional problems or difficulties – is regulated if:
 - (i) the worker is physically present with the child while no-one else is present; or
 - (ii) the worker is not physically present with the child while providing the service, for example, an internet or telephone help line service.
- (c) a support service – which is a service that provides emotional support, mentoring or pastoral care, but does not include legal advice or a legal advocacy service – is regulated if:
 - (i) the worker is physically present with the child while no-one else is present; or
 - (ii) the worker is not physically present with the child while providing the service, for example, an internet or telephone help line service.
- (d) sport and active recreation – is regulated if:
 - (i) the services provided are directed mainly towards children; or
 - (ii) the activities conducted mainly involve children.
- (e) schools—workers other than teachers and parents – is regulated if:
 - (i) the services provided at a school are directed mainly towards children; or
 - (ii) the activities conducted at a school mainly involve children.

6.2.2 The University offers the following activities that are regulated employment under the WWC Act:

- (a) USC Clinics which are open to the public and provide professional services to our wider community;
- (b) SafeUSC services for students, who may be under the age of 18 or may be vulnerable persons;
- (c) the University's Student Wellbeing offers counselling and support through the complaints process for students, who may be vulnerable people;

(d) AccessAbility Services provides students living with a disability, and those who are a primary carer for someone with a disability, access to reasonable academic adjustments. Services are also provided to prospective students;

(f) USC Sport offers a range of activities for the general public, which may include children; and

(g) the University may undertake various marketing or extra-curricular learning activities at primary and secondary schools and may have programs, including indigenous outreach programs, that involve children.

The WWC Act (Schedule 1) sets out other types of regulated employment, including primary and secondary schools and childcare services, in which students of the University may be employed as 'trainee students' through participation in a workplace integrated learning (WIL) placement course. Further details are provided in section 4.4.

6.3 Responsibilities of staff in regulated employment

6.3.1 The University's Academic Support Unit (ASU) is responsible for managing the Blue Card compliance requirements for staff, with oversight by the General Manager ASU.

6.3.2 Staff must renew, link or apply online for a Blue Card in accordance with Appendix 1.

6.3.3 Staff are responsible for monitoring expiry dates closely. Blue Card Services accept renewal applications up to 16 weeks before the expiry date. If a staff member submits their renewal application before their current card expires, they can continue to work whilst their application is processed. If a staff member does not renew their Blue Card before it expires, they are subject to the No Card, No Start laws and must not continue in child-related activities.

6.3.4 Staff whose application for a Blue Card is rejected or whose Blue Card is revoked must immediately inform their supervisor. The supervisor must work with USC People and Culture to review the work tasks and activities of the staff member to ensure that USC is compliant with all legislative requirements.

6.4 Responsibilities of volunteers and contractors in regulated employment

6.4.1 Each relevant Organisational Unit is responsible for identifying their own Blue Card compliance requirements for volunteers and contractors, with oversight by the Executive Member of that area. Each Organisational Unit is required to work with the ASU, who is responsible for managing the Blue Card register for volunteers and contractors.

6.4.2 Volunteers and contractors, unless otherwise exempt under the WWC Act, must be in possession of a Blue Card prior to commencing in regulated employment activities. Volunteers must renew, link or apply online for a Blue Card in accordance with Appendix 1.

6.4.3 Volunteers and contractors are responsible for monitoring expiry dates closely. Blue Card Services accept renewal applications up to 16 weeks before the expiry date. If the volunteer or contractor submits their renewal application before their current card expires, they can continue to volunteer or contract whilst their application is processed. If a volunteer or contractor does not renew their Blue Card before it expires they are subject to the No Card, No Start laws and must not continue in child-related activities.

6.4.4 Volunteers and contractors whose application for a Blue Card is rejected or whose Blue Card is revoked must immediately inform their supervisor and cannot undertake voluntary activities or contract work involving children. The supervisor must review the activities of the volunteer or contractor to ensure that USC is compliant with all legislative requirements.

6.5 Responsibilities of students in regulated employment

6.5.1 Students undertaking a workplace integrated learning (WIL) placement course which may involve working with children, must be in possession of a Blue Card prior to commencing their WIL placement course. Depending upon the mandatory program requirements and the jurisdiction where the placement is located, students may require other types of criminal history checks which may be in place to safeguard vulnerable people.

6.5.2 WIL placements are managed by the ASU through the approved University placement system, and students are required to lodge evidence of meeting all of their program's mandatory requirements through this system, including having a current Blue Card. Refer also to the Work Integrated Learning (Placement) – Procedures.

6.5.3 Students are responsible for monitoring expiry dates closely. Blue Card Services accept renewal applications up to 16 weeks before the expiry date. If the student submits their renewal application before their current card expires, they can continue to undertake their placement. If a student does not renew their Blue Card before it expires, they are subject to the No Card, No Start laws and must not continue in their placement.

6.5.4 Students whose application for a Blue Card is rejected or whose Blue Card is revoked must immediately inform their course placement coordinator and cannot undertake work involving children. If a student receives a negative notice or has their approval revoked, the course placement coordinator, and Head of School where relevant, will advise the student how this will affect their ongoing studies.

6.6 Training

6.6.1 The onboarding process requires all University staff to complete training including equity online, elicis modules and essential readings. These address elements of equity, protection and responsibilities relevant to working with vulnerable people.

6.6.2 Students enrolled in courses have integrated course work in elements of equity, protection and responsibilities under the relevant Acts.

7. Disability Worker Screening

7.1 Students, staff and volunteers engaged in disability services or NDIS supports or services, as defined in the *Disability Services Act 2006* (Qld) (The Disability Services Act), must be in possession of a Disability Worker Screening Clearance Card or transitioned clearance. Students, staff or volunteers engaged in disability services in other jurisdictions will need to comply with the relevant disability worker screening requirements.

7.2 WIL placements are managed by the ASU through the approved University placement system, and students are required to lodge evidence of meeting all of their program's mandatory requirements through this system, which may include having a current Disability Worker Screening Clearance Card.

7.3 Students, staff and volunteers are responsible for monitoring expiry dates closely. The No Card, No Start laws apply to Disability Worker Screening Clearance Cards and therefore the provision of disability services or NDIS supports or services cannot be conducted without a current card.

7.4 The ASU is responsible for managing the Blue Card register (which includes Disability Worker Screening Clearance Cards) for staff, students and volunteers.

7.5 Students whose application for a Disability Worker Screening Clearance Card is rejected or if the clearance is revoked must immediately inform their course placement coordinator and cannot undertake work with people living with disability. If a student's application is rejected or has their clearance revoked, the course placement coordinator, and Head of School where relevant, will advise the student how this will affect their ongoing studies.

8. Reporting and responding to concerning behaviours

8.1 Responsibility to report

8.1.1 As stated in the Policy, the protection of the safety and wellbeing of vulnerable people relies on every University community member accepting responsibility to report any concerning behaviour.

8.2 When to Report

8.2.1 It is mandatory for any member of the University community to report when a vulnerable person could be at risk of abuse, neglect or exploitation. This may come to the attention of a University community member by, for example:

- (a) observing or witnessing behaviour towards vulnerable people;
- (b) a Disclosure about behaviour or incidents by a person including vulnerable people; or
- (c) vulnerable people exhibiting signs (e.g. behaviour or appearance) which suggests they may not be receiving proper care.

8.2.2 The Incident Management - Procedures provide guidance for when an incident is considered notifiable under commonwealth or state legislation.

8.3 Making a Report

8.3.1 The process of making a Report is aligned to the Critical Incident Management – Governing Policy and associated procedures. Reports of concerning behaviour about a member of the University community or a person on a University site or participating in a University activity should be made immediately to the following:

NATURE OF CONCERNING REPORT TO BEHAVIOUR

1. Situation requires an emergency response. That is, vulnerable person is being abused, neglected or	Police - call 000 Also notify SafeUSC on 5430 1168 or one of the University Officers identified below in (3), providing the same information.
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exploited or in imminent danger.

2. Child abuse and/or neglect or exploitation is witnessed or suspected.

(i) Child Safety Queensland

<https://www.csyw.qld.gov.au/child-family/protecting-children/reporting-child-abuse>

Business hours 1300 682 254

After hours 1800 177 135 or (07) 3235 9999.

(ii) Also notify SafeUSC on 5430 1168.

3. Other concerning behaviour (i.e. not specifically identified in (1) or (2)).

A University Officer in a position of authority within the University such as:

(i) the University person associated with the activity involving vulnerable people. This may be the Responsible Officer for the activity or a supervisor, manager or coordinator;

(ii) Also notify SafeUSC on 5430 1168.

8.4 Emergency response or child abuse and/or neglect (i.e. (1) or (2) above)

8.4.1 When a Report is made to the Police or Child Safety Queensland and SafeUSC or a University Officer in accordance with (1) or (2) above, the matter will be handled by activating the Incident Management Framework. These Procedures may inform the actions of the Incident Response Team established under the Critical Incident Management - Governing Policy.

8.5 Other concerning behaviour (i.e. (3) above)

8.5.1 Reports to University Officers under (3) above may be made verbally or in writing. The University Officers will act immediately on all reports of concerning behaviour, whether they are made formally or informally.

8.5.2 If an initial complaint of harm and/or child abuse and/or neglect is made to a University Officer under (3), the person reporting (referred to as the "reporter") will be advised to contact the Police (1) or Child Safety Queensland (2). In any case, the University Officer must refer the reported abuse and/or neglect and or exploitation to the following and the matter will then be handled by activating the Incident Management Framework.

9. Complaints

9.1. Complaints can be submitted at any time to the University through the website at the following address. Feedback about USC's policies and procedures relating to vulnerable people can also be provided through this mechanism.

Compliments, complaints, feedback or student grievances | Have your say | University of the Sunshine Coast (usc.edu.au)

9.2. Vulnerable people can also make confidential disclosures through the Counselling team within Student Wellbeing at studentwellbeing@usc.edu.au or by telephoning +61 7 5430 1226. In the case of a report of harm or abuse, trained trauma informed Counsellors will provide assistance to the vulnerable person.

10. Risk management strategy

10.1 The Working with Vulnerable People Framework is consistent with the University's Risk Management Framework.

10.2 Organisational Units or work areas are responsible for identifying regulated activities involving contact with vulnerable people. To manage the risks associated with these activities, the University requires that:

- (a) all activity involving vulnerable people must be approved by the relevant member of Executive;
- (b) a risk assessment is conducted, approved by the relevant Organisational Unit Manager and implemented in accordance with section 6;
- (c) based on the seven (7) day frequency test, background checks are conducted on volunteers and students of the event;
- (d) the host organisation has gained consent of parents and guardians for children to participate; and
- (e) all records relating to the activity are created, captured and managed in accordance with section 10 Recordkeeping.

10.3 Risk Assessment

10.3.1 A risk assessment is required for all activities involving vulnerable people. The risk assessment will be conducted in accordance with the Risk Management Framework and must include the risk of abuse, neglect or exploitation to vulnerable people and the controls implemented to manage the risk.

10.3.2 The following risks may be present in activities conducted or may be a factor that impacts the risk rating (this is not a comprehensive list):

- (a) the age or age range of children and/or nature of the disadvantage of vulnerable adults;
- (b) safety of location and facilities;
- (c) nature of the activity or interaction, including whether it is one-to-one, or one-to-many;
- (d) the setting of the activity, e.g. is it a private setting away from scrutiny or a public area;
- (e) the suitability of members of the University community to engage in activities with vulnerable people;
- (f) capacity of members of the University community to predict, respond to and manage the behaviour of the vulnerable people and others involved in the activity;
- (g) equipment required for the activity and its suitability;
- (h) accessibility of location including the ability to find the location on the way to or during the activity;
- (i) likelihood of accidents and injury;
- (j) theft, loss or damage of personal property;
- (k) the serving of food and/or alcohol;
- (l) consent of parents or guardians to the participation of the vulnerable person in the activity and/or assent of the vulnerable person to be involved in the activity; and
- (m) photography and/or filming of the activity by organisers and/or participants including on personal electronic devices.

10.3.3 Controls, which may be implemented for working with vulnerable people, include but are not limited to:

- (a) University staff and students sign acknowledgement document outlining appropriate enforceable standards of conduct, compliant with University policies;
- (b) staff and students are advised on importance of reporting and the appropriate reporting procedures for incidents or events;
- (c) prohibited activities (transactional sex and/or fraternisation) are clearly defined and communicated to staff and students;
- (d) interactions with vulnerable people is not in isolation or one-on-one.
- (e) student activities do not specifically aim to involve victims/survivors of trafficking and/or other sexual or gender-based violence;
- (f) where interaction with vulnerable people is a part of the work activity, vulnerable persons are identified and managed according to government and/or University approved guidelines;
- (g) interaction with vulnerable people is supervised and monitored; and
- (h) University staff and students are required to complete an appropriate screening such as a police check report, Blue and/or Disability Worker Screening Clearance Card.

11. Recordkeeping

11.1 Recordkeeping

11.1.1 Complete, accurate and reliable records relating to interactions with vulnerable people must be captured by all University staff, at every stage of each activity and should provide evidence of decisions and actions. All records relating to vulnerable people must be captured in an approved records management system, in accordance with the University's Information and Records Management – Procedures.

11.1.2 The University's compliance with the relevant Acts, including the Public Records Act 2002 (Qld), will be reported annually as part of the University's Compliance Management Framework.

11.1.3 The Blue Card register (which also contains the information regarding Disability Worker Screening Clearance) for staff, students and volunteers should record the currency of each staff member, students or volunteer's Blue Card, Disability Services Clearance Card or exemption, including an expiry date.

11.1.4 Born-digital records regarding student WIL placement courses are captured and managed in the approved University placement system. Physical records, such as the confirmation letter the University receives from Blue Card Services, need to be retained. These should be attached in the system, then batched and sent to Information Management Services for processing and storage.

12. Confidentiality

12.1 Reasonable steps must be taken to protect the personal information contained within the documents pertaining to working with vulnerable people and other background checks from misuse, loss, unauthorised access, modification or disclosure. It may be unlawful to disclose information about vulnerable people to third parties without the permission of the person who is the subject of the check.

END

Appendix 1 – Blue Card Application Process

I need to apply for a blue card or renew my blue card

Applications for Blue Cards and Blue Card renewals is an online process completed via the Queensland Government website. We have provided the link for you below.

APPLY ONLINE Visit <https://my.bluecard.qld.gov.au/login>

- There is significant regular direct contact with current or prospective USC students under 18 years. On 31 August 2020, a simplified frequency test was introduced. People working with kids for not more than 7 days in a calendar year, do not need a blue card. The 7 day frequency test applies to volunteers, students and paid employees
- Register an account. (You will need to validate your identity using a Queensland Department of Transport product.)
- You will then be provided with an online account number. Please forward this email with your name, date of birth, ID number and school/organisational unit to staffbluecard@usc.edu.au
- We will then link you to USC
- You will be notified by SMS or email of the successful link to USC
- You will then be able to complete and submit your online application for your Blue Card
- Most online applications for people with no police information should be processed within five business days.

Complete step-by-step how to guide available via this link

I already have a current blue card through another organisation

If you already hold a Blue Card through another organisation or personally it will need to be linked to the University. To link your current Blue Card or Exemption Card to USC please provide your card number to us by emailing staffbluecard@usc.edu.au

RELATED DOCUMENTS

- Acceptable Use of ICT Resources - Governing Policy
- Acceptable Use of ICT Resources - Procedures
- Anti-Discrimination and Freedom from Bullying and Harassment - Governing Policy
- Children on Campus - Operational Policy
- Conduct on University Premises - Operational Policy
- Health, Safety and Wellbeing - Governing Policy
- Information Management - Governing Policy
- Performance Management - Operational Policy
- Recruitment, Selection and Appointment - Operational Policy
- Resolution of Complaints (Staff) - Guidelines
- Sexual Assault, Sexual Harassment and Respectful Relationships (Students) - Governing Policy
- Sexual Assault, Sexual Harassment and Respectful Relationships (Students) - Procedures
- Social Media - Operational Policy
- Social Media - Procedures
- Staff Code of Conduct - Governing Policy
- Student Conduct - Governing Policy
- Student Grievance Resolution - Governing Policy
- Work Integrated Learning (Placement) - Procedures
- Working with Vulnerable People (including Child Protection) - Governing Policy

LINKED DOCUMENTS

- Working with Vulnerable People (including Child Protection) - Governing Policy

RELATED LEGISLATION / STANDARDS

- Public Records Act 2002 (Qld)
- Disability Discrimination Act 1992 (Cth)
- Privacy Act 1988 (Cth)
- Disability Standards for Education 2005 (Cth)
- Information Privacy Act 2009 (Qld)
- Child Protection Act 1999
- Disability Services Act 2006 (Qld)
- Working with Children (Risk Management and Screening) Act 2000 (Qld)
- Working with Children (Risk Management and Screening) Regulation 2011 (Qld)
- Commonwealth Child Safe Framework