

Policy: Safeguarding Children

Version: 5

Purpose

St John WA and its related entities (**St John WA**) is committed to promoting and protecting the welfare and human rights of people who interact with, or are affected by, our work. This includes both as patients and members of the public, and as Team Members themselves.

As an organisation that exercises care, supervision or authority over Children, St John WA is compelled to notify allegations of, or convictions for, Child abuse by Team Members to the Ombudsman and then to investigate these allegations. The Ombudsman will monitor, oversee and review these investigations. These obligations arise under the *Parliamentary Commissioner Amendment (Reportable Conduct) Act 2022 WA* (**Reportable Conduct Act**). St John WA supports Team Members to speak up about concerning behaviours and help prevent Child abuse, through its systems and processes for preventing and dealing with complaints and reports of abuse.

This Safeguarding Children Policy (**Policy**) outlines

- the expectations and responsibilities of all Team Members regarding the behaviours and actions that need to be undertaken during interaction and encounters with Children, and
- the principles and procedure to ensure that any incidents, interactions, or allegations that could be Reportable Conduct are reported as a matter of urgency.

Scope

This Policy applies to all individuals working for or representing St John WA, including but not limited to Board members, paid and volunteer team members, interns and contractors (**Team Members**).

It covers Reportable Conduct and claims of Reportable Conduct alleged to have been committed by Team Members whether those claims are made by the public, another Team Member, patients or their family members, suppliers or external authorities. This includes conduct that occurs outside of the place of employment that St John WA and/or Team Members become aware of.

Any Reportable Conduct witnessed or disclosed to Team Members by or about members of the public in the course of duty is not applicable to this Policy. For all Clinical Staff, please refer to Clinical Resources Connect Page for information on what Team Members should do in this instance.

The Safeguarding Vulnerable People Policy should be consulted along with this Policy when providing services to or during interactions or encounters with Vulnerable People.

What is Reportable Conduct?

Reportable Conduct means:

- A sexual offence.
- Sexual misconduct.
- A physical assault committed against, with or in the presence of, a Child.
- Significant neglect of a Child.
- Any behaviour that causes significant emotional or psychological harm to a Child.
- Other prescribed offences.

It does not include conduct that is:

- reasonable for the discipline, management, or care of a Child or of another person in the presence of a Child, having regard to:



- the characteristics of the Child, including the age, health, and developmental stage of the Child; and
- any relevant code of conduct or professional standard that at the time applied to the discipline, management or care of the Child or the other person.
- trivial or negligible that has been or will be investigated and recorded as part of another workplace procedure.
- of a class or kind exempt from being reportable conduct by the Parliamentary Commissioner.

A **Reportable Allegation** means any information that leads a person to form a suspicion on reasonable grounds that:

- an officer, employee, volunteer, contractor, sub-contractor, carer (whether paid or unpaid), family day care educator or family day care educator assistant, minister of religion (including a religious leader) of a “Relevant Entity”; or
- an officer or constable of the Western Australian Police Force

has engaged in Reportable Conduct or conduct that may involve Reportable Conduct, whether or not the conduct is alleged to have occurred within the course of that person’s employment.

A Reportable Allegation does not include information relating to a reportable conviction.

A **Reportable Conviction** is where someone is found guilty of an offence relating to Reportable Conduct involving a sexual offence or an offence prescribed by the Regulations.

Principles

St John WA will always put the safety of Children first and foremost at all times. The safety and wellbeing of a Child should never be compromised. St John WA is committed to protecting the safety and welfare of Children and young people.

It is the responsibility of St John WA and all Team Members to take the steps necessary to protect the Children who require St John WA’s services by creating a Child-safety first environment.

St John WA will:

- minimise the risk of reportable conduct occurring in, or outside of the workplace and respond appropriately when reportable conduct does occur by following the below principles; and
- ensure it is meeting its legislative requirements regarding reporting the reportable conduct to the Ombudsman.

Principle	Key Elements
Leadership	- All Executives, Line Managers and People Leaders will be aware of this Policy, remain up to date with education and training, and be aware of the legislative responsibilities to report. - All Executives, Line Managers and People Leaders will challenge behaviours that contradict the principles in this Policy. - All Executives, Line Managers and People Leaders will ensure they are always leading by example in their interactions and behaviour with Team Members and Children.
Prioritise the Wellbeing of Children	- St John WA has a zero-tolerance approach to abuse against Children. St John WA believes that the safety of Children is everyone’s responsibility. All Team Members are required to be aware of the duty of care, and responsibility to act appropriately in response to any concerns or complaints, and mandatory reporting requirements in relation to abuse against Children under the Reportable Conduct Act. - At all stages of an investigation process, St John WA will prioritise the wellbeing of Children to minimise unnecessary harm. - St John WA will ensure that the Reportable Conduct definitions are clear to prevent Reportable Conduct by Team Members and to ensure that Reportable Conduct is appropriately addressed.



Principle	Key Elements
Culture and Environment	- All Team Members will be aware of this Policy, remain up to date with education and training, and aware of the legislative responsibilities to report. - All Team Members will challenge behaviours that contradict the principles in this Policy. - St John WA will foster a work culture and environment based on trust and respect and acting with integrity when dealing with Children. - At all organisational levels, Reportable Conduct will not be tolerated. - St John WA will ensure that there is an environment where Team Members feel safe to report Reportable Conduct.
Monitor and Review	- St John WA will regularly monitor and review this Policy, procedure and related education.

Procedure for reporting Reportable Conduct

Where a reasonable belief is formed that Reportable Conduct or conviction has occurred a report must be made.

A reasonable belief may be formed by the disclosure of Reportable Conduct or convictions from a Child or Young Person, information from someone else provided to a Team Member, or from your own observations.

For the purpose of this Policy, hearsay is sufficient to form a reasonable suspicion, and a reporter does not need to prove that Reportable Conduct or a conviction has occurred.

Role	Procedure for Reporting	When to report
Team Members	Provide a verbal or written report to their Line Manager, the Child Safeguarding Officer (CSO) or the Group Chief Executive Officer (GCEO).	Immediately or as soon as reasonably practicable.
	Where the Reportable Conduct or conviction involves their Line Manager or the CSO, provide a verbal or written report to another People Leader or directly to the GCEO.	Immediately or as soon as reasonably practicable. Within 7 working days.
	Where the Reportable Conduct or conviction involves the GCEO, make a report directly to the Ombudsman.	
Line Managers & People Leaders	Where a Line Manager or People Leader has a reasonable suspicion, provide a verbal or written report to the CSO or the GCEO.	Immediately or as soon as reasonably practicable.
	Where the Line Manager receives a report from Team Members, the report must be provided to the CSO or directly to the GCEO.	Within 1 working day of receiving the report.
Child Safeguarding Officer	Where the CSO has a reasonable suspicion, provide a verbal or written report the GCEO.	Immediately or as soon as reasonably practicable.
	Where the report is received from Team Members or Line Manager or People Leader, the report must be provided to the GCEO.	Within 1 working day of receiving the report.
	Where the CSO is reporting to the Ombudsman on the GCEO's behalf, directly to the Ombudsman	Within 7 working days.
Group Chief Executive Officer	The GCEO must report any reasonable belief of Reportable Conduct or conviction directly to the Ombudsman.	Within 7 working days.



When making a report, the reporter needs to be prepared to give as much information as they can which may include:

- Details of the Team Member who is the subject of the Reportable Conduct or conviction.
- Name, date of birth, and address of Children or Young Persons.
- Name of parents/guardians/aliases and contact details.
- Nature of the Reportable Conduct or conviction.
- When and where the alleged Reportable Conduct or conviction is believed to have occurred.
- Details of when and how the person making the report became aware of the information.
- Names of others who may have witnessed the Reportable Conduct or conviction.
- Details of any disclosure made to the person making the report or others.
- Description of any injuries seen.
- Action taken to protect the Children or Young Persons.

Reports can be made direct to the Ombudsman via this form:

https://www.ombudsman.wa.gov.au/Reportable_Conduct/RCS-Notification-Form.htm

When the GCEO makes a report to the Ombudsman, the report must include the following information:

- Details of the alleged Reportable Conduct or conviction;
- The name (including any former name or alias) of the Team Member;
- The date of birth of the Team Member;
- The identifying number of any application made by the Team Member for an assessment notice under the Working with Children (Criminal Record Checking) Act 2004 or any current assessment notice issued to the Team Members under that Act;
- Whether the police have been contacted about the alleged Reportable Conduct or conviction
- The risk assessment made, and the risk management action taken, or proposed to be taken, by St John WA.
- The name, address and telephone number of St John WA.
- The name of the GCEO.
- How the GCEO intends to proceed with the matter.
- Any information prescribed by the regulations.

Investigations

Once a report has been made, St John WA may investigate the matter and take appropriate action if a finding of reportable conduct is made.

If St John WA investigates, the GCEO must provide the name and contact details of the appointed investigator to the Ombudsman as soon as practicable.

Any investigation undertaken by St John WA will be confidential and have regard to the requirements of procedural fairness.

Breach of Policy

Any activity which represents a failure to meet the obligations outlined in this Policy or any other relevant St John WA Policy or relevant legislation may be determined as misconduct or serious misconduct, resulting in Disciplinary Action, up to and including termination of employment, or engagement as a volunteer.

Evidence of a breach of this Policy or related policies, or relevant legislation will be investigated at the discretion of St John WA in accordance with, but not limited to, the Code of Conduct as deemed appropriate.



Roles and Responsibilities

Role	Specific Responsibility
St John WA	- Set standards for the conduct and behaviours of all Team Members. - Put procedures in place to ensure team members comply with this Policy and mandatory reporting requirements. - Ensure procedures are clear and training and support provided to allow compliance with this Policy. - Ensure a thorough and fair investigation will take place into any claim of allegation of Reportable Conduct or conviction. - Meet its reporting obligations by alerting the Ombudsman to any Reportable Conduct or allegation within seven working days after being alerted. - Report any Reportable Conduct to other bodies as required under legislation, such as WA Police, the Department of Communities, or other professional bodies. - Report the outcomes of all investigations in detail to the Ombudsman. - Ensure that there is no unnecessary duplication of investigations, including interviewing vulnerable Children. - Ensure confidentiality is maintained where applicable. There may however be times St John WA is required to provide information about Team Members in order to comply with its obligations.
Line Managers and People Leaders	- Ensure mandatory training is completed by all relevant Team Members. - Direct Team Members who become aware of Reportable Conduct to submit a reportable conduct alleged incident. - If urgent action is required to stop Reportable Conduct from occurring the Line Manager or People Leader must contact the Head of People Services and Child Safeguarding Officer. - Maintain confidentiality, except where required to as a part of an investigation, whether internal or external. - Participate and assist with an investigation as required, in an honest and impartial manner.
Child Safeguarding Officer	The Child Safeguarding Officer (CSO) is appointed by the Group Chief Executive Officer (GCEO). You can contact the CSO to report any concerns of child abuse or unacceptable behaviour while at work on safeguarding@stjohnwa.com.au or on 0488 370 101. The CSO must meet the following requirements – - hold the appropriate child protection qualifications and experience, including having worked in the field of Child Safety, child protection, education, social work, psychology or similar, for a minimum of five years. - have a thorough understanding of Child Safety protocols and legislation. - undertake annual Child Safety training. - hold a valid result for criminal history screening and Working with Children Check. The CSO is responsible for – - maintaining a thorough and updated knowledge of matters that affect the safety and wellbeing of Children. - having a sound working knowledge of the St John WA Policies, procedures and processes that relate to Child Safety. - remaining current with jurisdictional and relevant legislative requirements for Child Safety. - receiving reports of any allegations, suspicions or evidence of breach of the St John WA Child Safe Standard of Conduct or this Policy, or child abuse or neglect that may be the subject of Commonwealth or state/territory legislation. - informing the GCEO of any reports made or concerns regarding the safety and wellbeing of a Child that relates to the work of St John WA.



Role	Specific Responsibility
	- maintaining confidentiality in relation to any reported concerns of abuse or neglect of a Child, providing details to only those parties with a compelling need to know. - ensuring the thorough documentation of any reported concerns, suspicions or reports of abuse or neglect of a Child. - undertaking a support role to any person who has made a report. - where appropriate, undertaking a support role to the alleged victim and family or arranging for third party provision of support - liaising with governmental agencies responsible for child protection as appropriate. - assisting with the education of Team Members in preventative supervisory practices as required, and - maintaining St John WA training materials for Child Safety.
Team Members	- Team Members should familiarise themselves with this Policy and to the definitions of Reportable Conduct. - Ensure they always behave and interact in an appropriate manner during any encounters with Children. - Ensure they challenge behaviours that may be considered Reportable Conduct in a respectful manner, provided they are in a safe environment to do so. - Participate in and be up to date with organisational training related to this Policy. - Report any conduct, allegation, or conviction as soon as possible after either becoming aware of an allegation or being a witness to an incident or allegation in accordance with the Procedure. - Submit a report as soon as possible after witnessing or becoming aware of, an incident. - Maintain confidentiality about any alleged incident they have submitted, or any incidents they have personally witnessed that has been reported, unless required to do so as a part of an internal or external investigation.

Related documents

Under this Policy, the following documents are relevant and should be consulted if deemed appropriate:

1. Code of Conduct
2. Child Safe Standards of Conduct Policy
3. Child Safety & Wellbeing Policy
4. Complaints & Feedback Policy
5. Complaints & Feedback Management Framework
6. Safeguarding Vulnerable People
7. Privacy Policy
8. Communication Charter
9. Acceptable Workplace Behaviour Policy
10. Sexual Harassment Policy
11. Diversity & Inclusion Policy
12. First Nations Inclusion Policy
13. Whistleblower Policy
14. Conflict of Interest Policy
15. Work, Health & Safety Policy
16. Fitness for Work Group Standard
17. Alcohol & Other Drugs Group Standard
18. Professional Integrity & Relationships of Trust Group Standard
19. [Clinical Practice Guidelines - Suspected Abuse](#)



Commitment to Safeguarding Children

St John WA is committed to creating and maintaining an environment that protects the rights and dignity of Vulnerable People.

St John WA expects every Team Member to share this commitment and to actively contribute to Safeguarding efforts. Together, all Team Members will work to create a safe and supportive environment for all individuals who interact with St John WA.

Rene Anderson

Chief People Officer

Definition / glossary

Heading / Topic	Definition
Child, Children or Young Person	People who are under 18 years of age.
Department of Communities	Major human services department that brings together vital services and functions that support individual, family, and community wellbeing. (https://www.wa.gov.au/organisation/departments-of-communities)
Disciplinary Action	Action taken by St John WA against Team Members because of inappropriate behaviour or misconduct. Disciplinary action includes, but is not limited to: - written or verbal warning or reprimand; - formal counselling; - withholding of a salary increment/increase; - suspension (paid) for a limited period of time; - transfer to another position and/or work location; - delaying progression; - demotion by one or more classification levels or increments; or - termination of employment or volunteer arrangement (with or without notice).
Executives	Individuals who hold the top leadership positions within St John WA who have overall responsibility for leadership, vision, and strategic direction within the organisation - Group Chief Executive Officer, Chief Preventive Officer, Chief Community Officer, Chief Emergency officer, Chief People Officer & Chief Finance Officer.
Line Managers	A Team Members Direct Manager or supervisor who oversees and guides the day-to-day activities within the department.
Ombudsman	The Ombudsman Western Australia. An independent oversight body with investigatory and powers. (https://www.ombudsman.wa.gov.au/)
People Leaders	Individuals within St John WA who have direct responsibility for leading and managing Team Members.
Policy	A set of principles and rules for all Team Members to follow.
Policy Document	References, Charters, Policies, Code of Conduct, Standards, Procedures and Work Instructions/Guidelines within the Policy Framework.
Relevant Entity	Means an entity to which the reportable conduct scheme applies under the Reportable Conduct Act.
Safeguarding	The proactive measures and actions taken to protect and promote the welfare, rights, and dignity of individuals, especially those who may be vulnerable to harm, abuse, neglect, or exploitation.
Team Members	An employee, volunteer, or contractor with St John WA.



Heading / Topic	Definition
The Parliamentary Commissioner Amendment (Reportable Conduct) Act 2022	Legislation compelling heads of organisation for all officers, employees, volunteers, contractors, and sub-contractor's that exercise care, supervision, or authority over Children to notify allegations of, or convictions for, Child abuse by their Team Members to the Ombudsman and then investigate these allegations.

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Version History		
Version	Description of Change	Author
01	New Policy	Tara Coleman
02	Updated reference to St John WA, added definitions, and new template	Carly Rees
05	Updated to include Child Safeguarding Officer role	Jacqui Robertson