

VERSION #	1	DEPARTMENT	Quality and Care
APPROVAL DATE	1 October 2024	NEXT REVIEW DATE	October 2026
DOCUMENT OWNER	Manager Quality and Care	DOCUMENT APPROVER	Board of Directors
DOCUMENT ENDORSER	Chief Commissioner	DOCUMENT CUSTODIAN	Executive Manager

TERM	DEFINITION
Vulnerable People	a) child or children, or b) a person aged 18 years and above who is, or may be, unable to take care of themselves, or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or for any other reason.
Adults in Scouting	refer Scouts Australia Policy & Rules P3.1
Adult Member	individuals who altruistically volunteer with Scouts WA with no expectation of remuneration.
Staff	individuals employed by Scouts WA in accordance with the <i>Fair Work Act 2009 (Cwlth)</i>
Age of Criminal responsibility	The age of criminal responsibility in Western Australia is 10 years old ¹ .
'either way' offence	An offence described as a crime for which the legislation sets out two maximum penalties – one that applies within the summary jurisdiction (Magistrates Court) and another that applies where it is dealt with on indictment (District or Supreme Court).
Unacceptable Disclosable Outcome	a disclosable outcome in a National Police Check which, when viewed against the following risk considerations is unacceptable to the organisation: <ul style="list-style-type: none"> • when the offence was committed or alleged to have been committed • the age of the applicant when the offence was committed or alleged to have been committed • the nature of the offence and the relevance it has to 'child-related work' • the effect of future conduct by the applicant in relation to a 'child'

For the purposes of this Standard, engagement as a staff member takes precedence over any volunteer role the individual may have with Scouts WA.
<https://www.legalaid.wa.gov.au/find-legal-answers/young-people/police-and-courts/age-criminal-responsibility>

Contents

Purpose and Scope	3
Purpose	3
Scope	3
Exclusions	3
Behaviour	3
Standard of Behaviour	3
Unacceptable Behaviours.....	4
Non-adult members, including parents and guardians, attending Scouting activities	4
Screening	5
Adult Members	5
Staff	5
Reporting	5
Incident Response	5
Reportable Conduct Scheme	5
Suspension of Membership and/or Employment	5
Cancellation of Membership and/or termination of employment	6
Risk Assessments	6
Review	6

Purpose and Scope

Purpose

This document states what Scouts WA will do to support the Scouts Australia Child Protection Policy in Western Australia considering jurisdictional requirements and business undertakings. It underpins our commitment to being a child safe organisation and protecting vulnerable people.

Scope

This Standard applies to all adults in Scouting, including parents attending overnight Scouting activities, and youth members over the age of criminal responsibility, which in Western Australia is 10 years old. This Standard applies when participating in Scouting in Western Australia and other jurisdictions both nationally and internationally. The laws of other jurisdictions take precedence over but may not negate Western Australian or Australian laws for the duration the individual is in another jurisdiction.

Exclusions

This Standard does not apply to the Chief Scout where that role is held by the Governor of Western Australia. The Chief Commissioner may recommend an exemption from this Standard for an Adult Member consistent with Policy and Rules P3.1.

The Manager Quality and Care will maintain a register of exemptions provided.

Behaviour

The Executive Manager will maintain a procedure which advises Adults in Scouting of Scouts WA's behavioural expectations, in support of the Code of Conduct, Code of Ethics and Mutual Agreement, at least annually.

Standard of Behaviour

Using the Safeguarding YOUth I Statements within the Introduction to Section component of our program, adults in Scouting educate young people under 10yo on acceptable and unacceptable behaviours.

Adults in Scouting and youth members over the age of criminal responsibility are expected to:

- support Scouts WA in a preventative, proactive and participatory approach to safeguarding vulnerable people
- value and deliver the goal of Youth Leading and Adult Supporting
- foster a culture of openness that supports all persons to safely disclose risks of harm to vulnerable people
- respect diverse cultures and support all vulnerable people to actively enjoy Scouting safely
- ensure that vulnerable people can feel safe and feel that they can openly discuss their feelings in a comfortable and encouraging environment.
- report all suspected abuse, neglect or persons not following the Child Protection Policy.
- deliver Scouting in line with the "Two Adult Leadership" principle
- undertake training in Child Safe Scouting when required

Unacceptable Behaviours

Adults in Scouting and youth members over the age of criminal responsibility recognise that the following behaviours are **never acceptable**.

Demonstration of any of the following behaviours or conduct by an individual will be investigated and they may subsequently be reported (including to external authorities), disciplined and/or dismissed from Scouting.

- Any form of physical, emotional, psychological, sexual, cultural, racial or religious abuse.
- Adults in Scouting entering an area where vulnerable people are changing or showering, or entering vulnerable people's tents or sleeping areas on camp or sleep overs when vulnerable people are in bed (without a valid reason, such as an emergency).
- Transporting an individual vulnerable person alone (except where an adult is the relative or guardian of the vulnerable person, or in an emergency).
- Adults in Scouting communicating one-on-one with vulnerable people, including but not limited to through text messaging or via social media and other digital technology.
- Developing special relationships, including one-on-one catch-up sessions for missed Scouting activities.
- Distributing inappropriate materials via any channel.
- Engaging in discussions with vulnerable people that are not age appropriate.
- Encouraging the use or consumption of alcohol, smoking, vaping or use of illicit substances by vulnerable people.
- Encouraging sexual or romantic activities by vulnerable people.
- Being under the influence of alcohol or illicit substances while undertaking duties as an Adult in Scouting.
- Behaving towards a vulnerable person in a manner that makes them uncomfortable.

Non-adult members, including parents and guardians, attending Scouting activities

Scouts WA will follow the requirements of the Scouts Australia Child Protection Policy for visitors, specifically

- Sign in and out with an accompanying adult member or staff member (this does not apply to parents/guardians delivering or collecting children from a Scouting activity)
- Wear a badge or lanyard which identifies the person as a visitor
- Be always accompanied by an authorised escort
- Be briefed on and following the Scouts Australia Code of Ethics and Code of Conduct.

For the avoidance of doubt Scouts WA takes the view that a non-adult member, including a parent or guardian, is unable to be always accompanied by an authorised escort when attending an overnight activity. For this reason, adults wishing to attend an overnight activity must be admitted to membership and meet the screening requirements.

Whilst the Scouts Australia Child Protection Policy provides up to 3 months for initial completion of the mandatory On Demand Learning modules it is a Scouts WA requirement that these are completed prior to the adult member's first attendance at an overnight activity.

Screening

Adult Members

The Executive Manager will collaborate with the Chief Commissioner in maintaining procedures for the initial screening and ongoing checking of adult members which includes the screening requirements of the Scouts Australia Child Protection Policy.

Staff

The Manager Quality and Care will maintain a procedure for screening employed staff who have access to vulnerable people or their personal information which includes the screening requirements of the Scouts Australia Child Protection Policy.

There will be a separate procedure, maintained by the Executive Manager, for employed staff who **do not** have access to vulnerable people or their personal information as a regular element of their role. This procedure must include a National Police Check and reference checks.

Reporting

Scouts WA requires application of the reporting requirements contained in the Scouts Australia Child Protection Policy to incidents involving any vulnerable person.

It is mandatory for Adults in Scouting to report concerns or allegations of abuse against any person. All instances or concerns must be reported immediately by phone to the Incident Liaison Officer on 08 6240 7798 and then supported by completion of an incident report available at www.scoutswa.com.au

Incident Response

The Incident Liaison Officer will undertake an initial review following prescribed procedures, which place the wellbeing of the vulnerable person as the highest priority, and provide that information to the Chief Commissioner and Executive Manager within 24 hours so that the Chief Commissioner can form a view on whether an Adult Member's, and the Executive Manager for a staff member's, conduct is detrimental to the interests of the Branch warranting suspension of their membership and/or employment.

Reportable Conduct Scheme

For the purposes of Western Australia's Reportable Conduct Scheme the Executive Manager fulfills the role of Head of the Organisation on behalf of the Chief Commissioner and the Board.

The Executive Manager will maintain procedures which comply with the reporting and investigation requirements of the Reportable Conduct Scheme.

Suspension of Membership and/or Employment

Scouts WA will immediately suspend an adult member or employee when

1. Adult Members who have access to vulnerable people or their personal information and fail to maintain a valid Working With Children Check or are the subject of an Interim Negative Notice will be suspended for no more than 30 days during which time a decision on continued membership will be made.
2. Staff who have access to vulnerable people or their personal information and fail to maintain a valid Working With Children Check or are the subject of an Interim Negative Notice will be suspended for no more than 30 days during which time a decision on continued employment will be made.
3. Completion of the mandatory training modules prescribed by Scouts Australia or Scouts WA is required and do not complete initially within 3 months or re-sit within the timeframe prescribed by Scouts Australia or Scouts WA.
4. Are charged with an indictable offence or an "either way" offence.
5. There is an unacceptable disclosable outcome on the National Police Check renewal for Adult Members or employees who have access to vulnerable people or their personal information.
6. The Chief Commissioner forms the view that an Adult Member's conduct is detrimental to the interests of the Branch.

Cancellation of Membership and/or termination of employment

The Chief Commissioner may cancel a person's membership as described in Rule 12 (2).

Staff who have access to vulnerable people or their personal information and fail to maintain a valid Working With Children Check or are the subject of an Interim Negative Notice will be suspended for no more than 30 days following which, should they not provide evidence of a valid Working With Children Check, their employment will be terminated subject to adherence to the *Fair Work Act 2009 (Cwlth)*.

Staff who are the subject of a Negative Notice will be terminated immediately subject to adherence to the requirements of the *Fair Work Act 2009 (Cwlth)*.

Risk Assessments


The Manager Quality and Care, with oversight by the Risk Management Committee, will maintain risk assessment documents which provide for consideration of specific risks to vulnerable people at all Scouting endorsed events in Western Australia.

Related Documents

INTERNAL	EXTERNAL
<ul style="list-style-type: none">• Policy and Rules• Scouts Australia Child Protection Policy	<ul style="list-style-type: none">• Reportable Conduct Scheme

Review

This procedure shall be reviewed every two years by the Manager Quality and Care unless required earlier due to a change in legislation or need arises.


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Signed – Board of Directors

Procedure Approver

...01/10/2024.....

Date


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Signed – Chief Commissioner

Procedure Endorser

...01/10/2024.....

Date

VERSION HISTORY					
VERSION	APPROVED BY	APPROVAL DATE	DESCRIPTION OF CHANGE	AUTHOR	REVIEW DATE
1	Board	01/10/2024	New Standard replacing the Scouts Australia Child Protection Policy with Western Australian Footnotes.	Executive Manager	27/08/2024