



NURTURE + STRENGTHEN + CONNECT OUR COMMUNITY

RESPONDING TO ALLEGATIONS OF RISK
OF HARM & SERIOUS MISCONDUCT POLICY

Responding to allegations of risk of harm and serious misconduct policy

We are aware that relationships between adults and children and young persons, and those who are vulnerable persons are ones of unequal power. LIVEfree PROJECT is committed to exercising our duty of care and proper use of positional power whilst engaging ALL people within our community and especially children, young people, and vulnerable people who are disadvantaged for whatever reason.

LIVEfree PROJECT has a ZERO tolerance of any incidents of abuse.

Abuse is an act that endangers a person's physical, mental, or emotional health, development, or their finances. Abuse does not always, but generally, takes place over time, grooming the person into a distorted view of what is safe, respectful, and right.

Commonly recognized forms of abuse include the following:

Physical abuse occurs when a person suffers or is likely to suffer significant harm from an injury inflicted by another person. The injury may be inflicted intentionally or may be the inadvertent consequence of physical punishment or the physically aggressive treatment of a person.

Emotional abuse occurs when a perpetrator repeatedly rejects the person or uses threats to frighten the person and creates an emotional environment which significantly damages the persons physical, social, intellectual, or emotional development.

Sexual abuse occurs when a person uses their power or authority over a another to involve them in sexual activity and the person is not being protected or respected. Physical force is sometimes involved. Sexual abuse can involve a wide range of sexual activity.

Neglect is the failure to provide the basic necessities of life such as food, clothing, shelter, medical attention or supervision and safety to the extent that the persons health and development is, or is likely to be, significantly harmed.

Psychological abuse occurs when a person is repeatedly subjected to harmful mental stresses, traumatising behaviours or attitudes that are traumatising to a person's mental safety or development of a person's inner self.

Financial abuse occurs when a person assumes power or control over the finances of another without legal process or just cause. Where a person is stripped of their rights to access their own income, benefit or entitled payments by another. Where someone uses their power to control how another's finances are used or distributed without their expressed permission.

Underage Marriage occurs when a child is either given in marriage, forced, or submitted to an arranged marriage. This is when a child's rights can be violated through religious or cultural influences or coercion, which impacts negatively on their young life experience.

1a. Responding to significant risk of harm of children/young people:

If any person, staff member or volunteer, suspects or is informed of a child being abused or at risk of significant harm, they will notify the Program Coordinator / Program Director without delay.

The Program Coordinator / Program Director will then complete the following procedures:

- Ensure the child and other children close to that child are safe from immediate harm [Call Police if in immediate danger]
- Document concerns on a LIVEfree PROJECT incident report form within 24 hours and hand incident report to the PROJECT Coordinator / Project Director for processing through the reporting procedures
- Ensure a MRG report is made to the Department of Community and Justice (Child Protection Helpline PH: 132 111)
- Assist in notifying the child's family or carer if appropriate
- Assist the family/ child in connecting with support services as needed
- Offer reasonable support to the volunteers/staff who were involved in responding to the incident [referrals to additional support services should be utilised if required]

1b. Responding to risk of harm of adult persons, including vulnerable persons:

If any staff member or volunteer suspects or is informed of a person of adult age being abused, they will notify the Program Coordinator / Program Director without delay.

The Program Coordinator / Program Director will then complete the following procedures:

- Ensure the vulnerable person/s are safe from immediate harm [Call Police if in immediate danger]
- Report to NDIS reporter line if appropriate
- Document their concerns on the LIVEfree PROJECT incident report form and hand the form to the Director for confidential/secure storage
- Discuss possible options of actions with appropriate person(s) to determine the best course of action that offers confidential support, care, and discretion for the concerned person

1. Responding to Serious Misconduct within LIVEfree PROJECT:

- All complaints of misconduct towards participants of LIVEfree PROJECT, suspected or disclosed, will be communicated to the Director as soon as possible or a member of the board as appropriate
- If it is alleged that a staff member or volunteer has been involved in perpetrating any kind of abuse on a child or vulnerable person, that person will be removed /stood down from any role paid or voluntary and programs or activities that involve children or other vulnerable people within the organisation by the Board while an investigation is being conducted
- The board will seek appropriate advice and help outside of LIVEfree PROJECT to ensure that alleged victims, indirect victims, and perpetrators are supported and the responsibilities of LIVEfree PROJECT to Australia's justice system are upheld

2. Responding to persons proven guilty of offences who participate in events at LIVEfree PROJECT:

- Help and advice will be sought outside LIVEfree PROJECT to assist the Director / Board of Directors in determining reasonable steps/procedures to offer protection for all people who participate in LIVEfree PROJECT
- A forensic risk assessment will be conducted by qualified professionals - where appropriate to assist in this process
- LIVEfree PROJECT will not tolerate any person who is a risk to the safety of the community that LIVEfree PROJECT serves
- The board will inform such persons that they are not to attend any program or events associated with LIVEfree PROJECT

Context:

Child: a person who is under the age of 18 years.

Vulnerable person: an individual 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 any other reason.

PROJECT Director: person responsible for the oversight of the implementation of the WHS and Child and Vulnerable Persons Policy and supporting policies and procedures in LIVEfree PROJECT.

PROJECT Coordinator: responsible for the coordination of the day to day running of programs and staffing responsibilities.

Board: responsible for overseeing the vision and mission of the organisation.

Forensic Risk Assessment: assessment conducted by specialist psychologist/ psychiatrists to help predict the likelihood/ danger of a person reoffending.

Risk of Harm for children or young people: abuse including: physical, emotional, sexual abuse and/or neglect resulting in harm to the child's health, survival, development or dignity. This is often in the context of a relationship of responsibility, trust or power.

Additional Resources:

Australian Government Department of Social Services - <https://www.dss.gov.au/>

NSW Government Department of Family and Community Services -

<https://www.facs.nsw.gov.au/>

[Mandatory Guidelines: reporter.childstory.nsw.gov.au](https://www.facs.nsw.gov.au/mandatory-guidelines-reporter-childstory.nsw.gov.au)

National Domestic Violence hotline - <http://www.thehotline.org/> PH: 1800 737 732.

1800 Respect - <https://www.1800respect.org.au/>

NSW Elder abuse helpline - <http://www.elderabusehelpline.com.au/> PH: 1800 628 221

Carers Australia- <http://www.carersaustralia.com.au/> PH: 1800 242 636

Translating Interpreting Services (TIS): 131 450

Mental Health hotline: 1800 011 511

Lifeline- <https://www.lifeline.org.au/> PH: 13 11 14.

External Resources for Assistance with Difficult Decisions and Processes.

- John Mark Ministries: Tim Dyer
- SMR: Belinda Townsend
- LIVEfree PROJECT Solicitor: Mark Ramsland
- LSC Psychology - forensic risk assessments: PH:02 8205 7877
- NDIS Dispute resolution – 1800 800 1100