

Working with Vulnerable People

Overview

Bellchambers Music School (BMS) is committed to ensuring, as far as is reasonably practicable, a safe and secure environment for all workers, contractors, students, volunteers and particularly to children and other vulnerable people.

This policy aims to minimise the potential risk of abuse and to ensure a caring and appropriate response, should any abuse occur.

As a condition of using the services of BMS and our premises, contractors must agree to follow this policy to ensure all services delivered on BMS premises and consistent and of a high standard.

Scope

This Policy applies to all 'workplace participants' as detailed above.

Policy

BMS aims to create an environment of trust, openness, clear communication and support where we promote a positive culture and foster healthy relationships where each person is valued and supported.

We seek to ensure that all people who access our workplace are safe within the services and classes we provide.

We note that our classes involve relationships of trust, which arises where one party is involved with a person in a way which gives them power or influence over that person. We note, therefore, that within any relationship of trust there is a risk that one person could take advantage and harm the other person.

We cannot take responsibility for the actions any individual if they choose to abuse the trust vested in them, however we will take every precaution to minimise risk, identify and respond appropriately to any evidence of risk, harm or inappropriate behaviour.

We foster an environment that is open to acknowledging and addressing risk. Our response to any risk to the safety of a person will be thorough, appropriate and measured. We also acknowledge that in some cases, the behaviour of students in our school can pose a threat to the wellbeing of others and that this also requires an appropriate and measured response.

Principles

Principles that support healthy relationships in an environment of trust and safety include:

Accountability: Everyone is accountable for their own behaviour and open to supporting and nurturing healthy relationships.

Open Communication: Everyone communicates openly and honestly about their experiences and concerns.

Natural Justice: We take all concerns or suspicion of harm very seriously. The action that we take will seek to protect all parties from further harm whilst providing equity and natural justice.

Acknowledgment of Risks: It is much healthier to acknowledge that certain types of abuse are committed. To acknowledge this and act on it helps build a positive environment.

Support: In the event of an accusation or situation of risk, we encourage both parties to seek personal support and advocacy. BMS also acts in a manner that supports safety and resolution, taking a measured response to highly emotional reactions that increase harm.

Joint Responsibility: There is greater likelihood of a safe culture if all stakeholders undertake to contribute what they can. Each individual has a role to play in supporting BMS being a safe place.

To support these we have developed this and other policies, procedures and practices that are founded on these principles and promote safety; we have created an environment and behavioural expectations that demonstrate a commitment to these principles; and everyone connected with BMS is encouraged to find and suggest ways in which these principles can be applied in practice.

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Definitions

Violence: Violence is any act of force, threat or coercion with the intent to injure or abuse. Violence is the violation of another person's rights, choices and integrity.

Child: Any person under the age of 18.

Workers: Employees and contractors given an area of responsibility and are responsible for the control and safety of others placed in their care.

Students: Any child who attends or participates in activities of BMS.

Vulnerable person: includes a child or a young person as well as certain adults who are at risk of being abused on the basis of their personal capacity and particular circumstances.

Abuse Types

Abuse: May consist of one or more of but is not restricted to the following:

- **Physical Abuse:** Any non-accidental physical injury resulting from behaviour including hitting, punching, kicking, burning, biting, pulling out hair, forced alcohol and/or other drug consumption.
- **Sexual Abuse** Any sexual act or threat to perform such upon another person. It occurs when a person uses their power and authority to take advantage of another's trust to involve them in sexual activity. It may not involve genital contact but is an act which erodes the sexual boundary between two persons. It may seem consensual but the validity of consent is negated by the power differential.
- **Emotional Abuse** The attitude or behaviour of one person directed at another person, or the creation of an emotional environment which erodes a person's self-esteem and social confidence over time. This may include repeated, continual behaviour which is insulting, bullying, devaluing, ignoring, rejecting, corrupting, isolating, or other extreme acts in the vulnerable person's presence.

Obligations

We are responsible to treat all people with fairness and dignity and to care for those who are less powerful and in need of nurture and protection.

All workers are subject to Federal and State legislation and principles established through common law.

While some actions may not be regarded as abuse they could be considered unacceptable for workers and students. These include:

- Inappropriate conversation of a sexual nature
- Coarse language, especially that of a sexual nature
- Suggestive gestures or remarks
- Jokes of a sexual nature
- Inappropriate, but accidental touching.
- Acts of violence committed by a leader in the course of an activity.

The age of individuals is recognised as one of the determinants in deciding what acceptable and unacceptable behaviour is. Workers will ensure that high standards of conduct are maintained at all times.

Engagement and Training

In order to avoid any risk of abuse to vulnerable persons in their dealings with BMS, we require that:

- All staff and contractors undergo a Working with Vulnerable People check process for all staff prior to their engagement.
- Any person may make a complaint regarding abuse to the Director and this will be quickly investigated by the Director.

Reporting Procedures

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If there are reasonable grounds to suspect a vulnerable person has been, or is suffering abuse, the Police and the Association's Insurer will be contacted immediately.

Responding to allegations of violence and / or abuse

Any form of violence or abuse by one person against another is unacceptable in the course of providing activities and services.

It is the responsibility of BMS Director, workers and others to ensure the safety and wellbeing of all class participants within their capacity to do so. It is the responsibility of BMS Director, workers and others to respond appropriately and promptly when allegations or suspicions of violence and / or abuse are raised in the course of providing activities and services.

The safety and wellbeing of class participants is the priority of the BMS Director, and workers. We recognise the potential for immediate and long-term negative impacts of violence and abuse in all its forms.

Reasonable grounds to act

There are reasonable grounds to act when:

- A person tells you they have suffered non accidental physical injury, has been sexually abused, or experienced emotional abuse, or is neglected. This may have been outside of BMS premises
- Someone else tells you that a person has been abused or neglected, or
- Your own observations of the person's physical condition or behaviours lead you to believe that the person has suffered non accidental physical injury, sexual abuse, emotional abuse or is neglected.

You do not have to prove that abuse has occurred. Your role is to report your knowledge or suspicion or ensure that it is reported in accordance with this policy.

Responding to Disclosure Procedure:

If a person tells you they have been abused, another person tells you that a person has been abused, or if you have observed abuse yourself, it is important to ensure that the initial response is positive and encouraging.

Do:	Don't
<ul style="list-style-type: none"> • Say "I believe you" • Say "It's not your fault" • Acknowledge bravery in disclosing • Listen and allow space to talk at their own pace • Provide information about choices and options • Ensure immediate safety and privacy of information by offering personal support & confidentiality • Explain what you need to do next • Consult with another person and seek debriefing after the disclosure • Make verbatim notes about the disclosure and keep in a secure place. 	<ul style="list-style-type: none"> • Overreact • Make promises you can't keep • Talk about your own experiences of violence or abuse • Ask "Why ?" questions • Press for further details of what happened • Take matters into your own hands • Ignore the disclosure

Consulting about the disclosure or your concerns/suspicions

- Once you have responded to the initial disclosure and ensured the immediate safety of the person, consult with the Director about the disclosure and the next course of action.
- Discuss what the person said or what you have observed that leads you to suspect some form of violence or abuse.
- Seek further consultation support from a specific agency
- Make a record of the consultation conversation and store in a secure place.

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Making a Report or Notification

The decision to report knowledge or suspicion of violence or any form of abuse rests with the Director

The Director may choose to:

- Report a suspicion to an appropriate protection agency.
- Report knowledge of violence or abuse to an appropriate protection agency or the relevant police service.
- Consult with an appropriate protection agency or relevant police service regarding the need to report.

In consultation with the original person hearing the disclosure or whose suspicions were raised, an appropriate person will be nominated to make the official report to an appropriate protection agency or relevant police service.

Responsibility for the investigation of the allegation or suspicion to establish whether evidence is sufficient for criminal legal action then rests with the protection agency or police service.

After consultation with an appropriate protection agency or relevant police service, decide that because the matter does not meet definitions of violence or abuse, and/or is not a reportable offence or crime, to address the allegation or suspicion through an internal review process.

Allegations against a Person within the Organisation

A person within the organisation may be an employee or contractor, or any other person connected with or employed by the organisation to further its aims and class provision.

If an allegation of violence or abuse is made against a person within the organisation, or any person reports a suspicion that a person within the organisation has used violence or abuse against a student or other person in the organisation, the Director shall:

- Take the allegation or suspicion seriously and immediately implement procedures listed in this policy.
- Ensure the confidentiality of the identity of the complainant and alleged victim(s).
- Nominate a contact person for each of the parties affected by the allegation or suspicion. Where possible, allow parties to choose their preferred contact person.
- Document all contact and conversations with any parties in relation to the allegation or suspicion.
- Suspend the accused staff member, manager or executive manager from duties/position, on full pay, until the allegation is either substantiated or disproved.
- Provide anonymity for the accused while the matter is being investigated

Establish a regular contact timetable with all parties by their contact person to provide updates on progress in:

- Addressing the matter
- Personal support
- Communicate decisions taken by the organisation in relation to the matter

Procedure for informing the person named in the allegation or suspicion:

- Inform that person that an allegation has been made/suspicion raised, and that this policy document is being implemented.
- Provide a copy of this policy document to that person if they do not currently possess one.
- Inform that person of their rights under this policy and under the law.
- Encourage the person to seek personal support and/or legal advice.
- Inform the person that any direct contact with the alleged victim(s) or related persons is not permitted and they are suspended from work/delivering classes until the allegation or suspicion is investigated and resolved.

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- Be clear that until the allegation or suspicion is proved or not, the suspension of activities is to ensure safety of all parties, fairness in the investigation process, and to minimise harm to the reputation of BMS.

NB: Suspension does not imply that the BMS believes that person is guilty or that the allegations are true.

Procedure for supporting the complainant and/or alleged victim(s):

- Inform the person making the complaint (complainant) and alleged victim(s) of the violence or abuse that BMS takes the allegation or suspicion seriously and has implemented this policy. Include their family, caregivers or other supports in the process.
- Provide a copy of this policy document to that person if they do not currently possess one.
- Inform that person of their rights under this policy and under the law.
- Encourage the person to seek personal support from an appropriate agency or person(s).
- Inform the person that any direct contact with the person named in the allegation or suspicion has been suspended, but encourage continued attendance at classes if appropriate.

On Completion of the Investigation:

Document the outcome of the investigation process and file in a secure place.

The Director should inform parties about the outcome of the investigation, and further action to be taken if any.

If the allegation or suspicion is substantiated, and/or criminal proceedings are commenced, the suspension of the person named in the allegation is continued pending the outcome of further proceedings, or until the relationship with BMS is terminated.

If the allegation or suspicion is not substantiated or proved, and no criminal proceedings are commenced, but the Director still has concerns about the ability of the person to fulfil their responsibilities, or concerns about potential harm to the reputation of BMS, continued suspension or termination of any contract of employment/engagement, or other involvement in BMS can be considered with legal advice.

If the allegation or suspicion is not substantiated or proved, and no criminal proceedings are commenced, and the Director does not have further concerns about continuing involvement by that person, the suspension of the person named in the allegation is lifted and normal activity recommenced.

If the allegation or suspicion is not substantiated or proved and found to be spurious or malicious, the Director will consider whether BMS can genuinely continue to provide classes to the complainant or for them to have continued involvement in BMS. NB: A suspicion raised in good faith is not grounds for suspension or termination of involvement in the BMS.

BMS reserves the right to vary, replace or terminate this policy from time to time.

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Reviewed:	Xx/xx/xxxx	Next review:	Xx/xx/xxxx	Owner	Director