



## Guardianship Policy and Procedures

### **Purpose**

National Maritime College (NMC) is committed to ensuring it is providing a safe and protective environment for all students under 18 years of age who participate in NMC courses programs and activities. This policy reflects our commitment to provide a safe environment where every person has the right to be treated with respect and is safe and protected from abuse and to document guidelines for staff regarding Duty of Care for students under 18 years of age.

### **Scope**

This policy applies to all employees, trainers, assessors, children and other individuals involved in the organisation. This policy applies to students between the ages of 6-18 years old attending courses where a minimum age restriction is applied.

It complies with our obligations under Children's Protection Act 1993. It also complies with the Principles of Good Practice and Standards for dealing with information obtained about the criminal history of employees, trainers and volunteers who work with young people on behalf of NMC.

### **Young people participation**

All young people who come to NMC have a right to feel and be safe. We are committed to the safety and well-being of all young people accessing our services and the welfare of the young people in our care will always be our first priority. We aim to create a safe and friendly environment where all young people are valued and feel safe.

NMC staff and trainers encourage young people to express their views, and make suggestions, especially on matters that directly impact on their training. NMC actively encourages young adults who use our services to 'have a say' about those things that are important to them and we listen to and act on any concerns children, or their parents, raise with us.

### **Recruitment**

NMC takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with young people. We employ a range of screening measures and apply best practice standards in the screening and recruitment of staff, trainers, contractors and volunteers. We interview and conduct referee checks on all trainers. We conduct criminal history assessment for people working with children and ensure relevant staff complete current state working with children checks. We ensure that trainers and staff who work with young people have access to ongoing supervision, support and induction so that their performance is developed and enhanced to promote the establishment and maintenance of a child safe environment.

### **Communication**

NMC will ensure that everyone to whom this policy applies is aware of and has had an opportunity to read the policy. We also ask staff and trainers (where appropriate) to sign a written statement indicating that they have read and will abide by our policies and procedures.



## **Handling complaints, concerns and allegations**

A complaint, concern or allegation may come from a number of sources: the young person, their parents/guardian, someone else within NMC. An allegation may range from mild verbal bullying to physical or sexual abuse. If a staff member, or trainer has concerns that a young person may be being abused, it is NOT NMC's responsibility to investigate further, BUT to ensure staff and trainers contact NMC immediately so that the appropriate statutory authorities can be informed.

### **Handling an allegation from a young person**

- Stay calm – ensure that the young person is safe and feels safe.
- Show and tell the young person that you are taking what he/she says seriously. Reassure the young person and stress that he/she is not to blame.
- Be careful about physical contact, it may not be what the young person wants.
- Be honest, explain that you will have to tell someone else to help stop the alleged abuse.
- Make a record of what the young person has said as soon as possible after the event, using the young person's own words and report to NMC immediately following the National Maritime College's complaint procedures.

Do not:

- Rush into actions that may be inappropriate.
- Make promises which cannot be kept (eg. you won't tell anyone)
- Ask leading questions (see 'Recording and handling information' below)
- Take sole responsibility – consult with NMC first so that appropriately trained and approved authorities can be notified.

### **Recording and handling information**

If it is suspected a young person may have been the subject of any form of physical, emotional or sexual abuse or neglect, the allegation must be referred to NMC Head Office immediately so that appropriate State authorities can be notified. Leading questions should not be asked which could jeopardise any formal investigation.

A leading question is where you suggest an answer or provide options that only need a 'yes' or 'no' answer, instead of allowing the young person to explain things in their own words. An example would be asking 'did X hit you?' instead of 'how did you get that bruise?' Use open questions such as 'what happened next? Only, ask questions to confirm that you need to refer the matter to NMC.



Listen to and keep a record of anything the young person tells you or that you have observed.

A Complaint Form must be completed and forwarded to NMC immediately. All information must be treated as confidential and only shared with those who need to know. The matter/incident must not be discussed by anyone within NMC other than the person who received or initiated the allegation and, the College Directors.

Guidelines for minimising risk to young people:

- Staff and trainers are encouraged not to transport children but make alternative arrangements where possible.
- Photographs or other images of children must not be taken by or on behalf of NMC without the young person's parent (or guardian's) permission. Verbal permission is acceptable at a training venue.
- Young people are to be informed of and encouraged to use NMC's complaints procedure if they have any reason to complain about any aspect of the course or program they are undertaking or NMC personnel involved.
- No physical contact is to be made between NMC staff or a trainer with young people undertaking NMC courses or programs unless required in an emergency situation, in order to render first aid or unavoidable as part of the training requirements.
- The National Maritime College protects the privacy and confidentiality of information provided to them by children and will only provide information about the young person to those organisations sited in NMC's Privacy Policy and as sited on the course enrolment/booking form.
- Any staff or trainer who is being investigated for a criminal offence will be suspended from duty, at the discretion of the Managing Director, while the investigation takes place. If a staff member or trainer is found guilty of a serious criminal offence they will be dismissed immediately.

### **Related documents**

Access and Equity Policy #2070

Complaints Policy #2079

Complaints Procedure #2262

Complaints Lodgement Form #2112

Complaints Progress Form #2113

Privacy Policy #2097

Learner Handbook #2142 Staff Handbook #2139

Staff Policy #2182