

Managing staff and volunteers

Children and young people should feel confident about the standards established in an organisation, particularly in the areas of safety, health, number and suitability of staff, as well as supervision.

(Convention on the Rights of the Child, Article 3.3) [12]

National Principle 5 People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice



- 5.1 Recruitment, including advertising, referee checks and staff and volunteer pre-employment screening emphasise child safety and wellbeing.
- 5.2 Relevant staff and volunteers have current working with children checks or equivalent backgrounds.
- 5.3 All staff and volunteers receive an appropriate induction and are aware of their responsibilities to children and young people, including record keeping, information sharing and reporting obligations.
- 5.4 Ongoing supervision and people management is focused on child safety and wellbeing.

Recruitment and induction

The Department is committed to upholding its ethical and legislative obligations when recruiting and inducting workers, with advertising, screening, recruitment, and induction processes underpinned by best practice standards foundational to child safety and wellbeing.

The Department will not knowingly engage, either directly or indirectly, anyone who poses a risk to children or young people. All reasonable steps are taken to engage workers that are suited and supported to work safely with children and young people.

All workers will receive induction around child safety and wellbeing and are aware of their responsibilities, including reporting obligations. The Department will continue to implement and monitor human resources and recruitment practices to ensure they meet the requirements of the National Principles.

Human resources policies and procedures provide a consistent foundation across the Department that promotes a safe, positive, and productive work environment. Key principles of respectful and professional behaviour contribute to child safety and wellbeing overall. The policies and procedures outline the minimum requirements of all workers, and cover the Department's approach to recruitment, induction, and probation.

The Department's statements of duties will outline its commitment to child safety and wellbeing when recruiting new workers. Selection criteria and reference checks for roles involving children and young people will contain safety and suitability requirements that demonstrate that they are valued and respected, and that the Department is focused on meeting their diverse needs. Position descriptions and recruitment advertisements for roles involving children and young people will include the Department's commitment to their safety and wellbeing. [2]

The Tasmanian Government's Right Job Right Person Framework provides tools, resources and information to support the robust recruitment and selection of workers. The framework recommends the use of behaviourally based questions to assist in determining how a potential worker may perform in the role. The Department will adapt existing resources to provide a set of behaviourally based questions specific to children and young people. [80]

Departmental assessment panels comprise of multiple members to provide varying perspectives and help eliminate biases. For roles involving children and young people, panel members will need to have the appropriate experience to select the most suitable applicant.

Pre-employment requirements

Rigorous pre-employment checks allow the Department to make informed decisions about the suitability and eligibility of workers to better ensure the safety and wellbeing of all people, including children and young people.

All positions within the Department require pre-employment checks, not just those working directly with children and young people.

Specific pre-employment checks required for a position are listed as essential requirements in the statement of duties as, as well as in job advertisements. Students and volunteers also require pre-employment checks.

The following pre-employment checks will be conducted as appropriate to each position: [81]

- conviction checks

- working with vulnerable people registration
- eligibility to work checks (Immigration)
- identity checks, and
- disciplinary action in previous employment check.

Working with Vulnerable People (Children) Registration

The Department is committed to delivering high-quality care and takes reasonable steps to protect the safety, security, and wellbeing of vulnerable people, including children and young people.

Under the *Registration to Work with Vulnerable People Act 2013* (Tas), workers that engage directly or indirectly with children or their records must hold a valid Working with Vulnerable People (Children) Registration as a condition of employment, unless they are exempt under the legislation. [23]

This standardised, centralised background checking and risk assessment process deters individuals who pose a risk of harm to vulnerable people from applying for and gaining positions of trust in the Department.

The Department's policies and procedures relating to employment checks and working with vulnerable people reflect the requirements within the legislation.

The Tasmanian Department of Justice administers the *Registration to Work with Vulnerable People Act 2013* (Tas). Appropriate information sharing is essential to preserving the efficacy of checks. The Department works closely with the Department of Justice to share relevant information, maintain accurate registration details for applicable workers, and participate in a two-way notification process about changes in a worker's circumstances that may result in risk of harm to children or young people.

Conviction checks

Conviction checks are an employment requirement for many appointments and engagements, including for non-employees such as volunteers and students. Some areas of the Department require ongoing conviction checks in accordance with legislation. Further information about conviction checks is available on the Intranet.

Reference checks

Reference checks consider a potential worker's suitability to perform a role, including relevant work history, character and experience. Minimum standards for reference checks are outlined in policy directives. When undertaking reference checks, the Department requires a minimum of two referees, one of whom should be a recent line manager. Reference checks are undertaken in direct communication with the referee.

Conflict of interest

The Department is committed to proactively anticipating, managing and resolving potential, perceived, or actual conflicts of interest to protect children, young people, and workers.

Conflicts of interest may arise when a worker's personal interests have the potential to compromise, or be seen to compromise, their judgement, decisions, or actions in the workplace.

Conflicts may impact the Department's ability to deliver the best possible outcomes for children and young people, and may arise due several factors, including family, financial, professional, or social reasons. [82]

A range of discipline-specific codes of practice detail the need to manage conflicts of interest, particularly relating to interactions with, and provision of services to, children and young people, their families, and caregivers. Whenever possible, service provision to anyone a worker has a close personal relationship with should be avoided due to the lack of objectivity, possible discontinuity of care, and risks to the patient and worker.

Effectively managing conflicts of interest is an essential component of making decisions in the public interest, and in building public trust in the Department. [83]

Workers can access resources to manage conflicts of interest and are encouraged to take an 'if in doubt, declare' approach. More information about the Department's approach to managing conflicts of interest is available on the Intranet.

Performance and professional development

Frequent, open, and supportive supervision is an effective safeguard within organisational and professional settings. [84]

The Department will maintain a focus on safeguarding through performance and professional development programs, conversations, and agreements. Managers and workers are encouraged to have regular, quality discussions to build an understanding of development needs, and behaviour and performance expectations. [85]

Departmental services are expected to provide a means for ongoing performance development and review that embeds a focus on child safety and wellbeing and support all workers with practice supervision where appropriate.

Unpaid workers

Unpaid workers play an important role building and maintaining a child safe culture in the Department. The Department recognises the significant contribution made by unpaid workers in the delivery of quality care to children and young people and will support and enable them to contribute to a child safe culture. [86]

The Department's policy directives relating to unpaid workers provide a consistent best practice approach that upholds the National Standards for Volunteer Involvement. [87] The Department of Premier and Cabinet Guidelines for State Agency Management of Volunteer Activity are based on the National Standards and aim to improve volunteer

services delivered in partnership with all Tasmanian Government Agencies. [88]

Under the Department's policy directives, unpaid workers are required to:

- support the Department's objectives and undertake their tasks in accordance with relevant legislation, directives, policies and procedures
- fulfil their obligations under the *Work Health and Safety Act 2012*
- not gain, or attempt to gain, information that they are not authorised to access, and
- maintain appropriate confidentiality. [89]

Unpaid workers are bound by formal agreements that outline their rights and responsibilities, including but not limited to, the following:

- the type and duration of the activity
- roles and responsibilities
- the level of supervision, guidance and support
- responsibility for induction and training
- how relevant issues relating to induction, training, illness, injury, welfare, performance, conduct and/or behaviour will be managed
- the name and details of contacts for each party, and
- how personal accident and liability insurance related matters will be managed.

The Department observes the following principles when engaging unpaid workers:

- unpaid workers undergo the same robust recruitment, selection, and induction processes that apply for paid workers
- unpaid workers are aware of the Department's child safe governance are aware of and can access the Department's child safeguarding reporting processes
- unpaid workers are aware of and agree to abide by the Department's child safe policies and procedures
- unpaid workers have access to ongoing education and training, including mandatory induction training and annual refresher training
- unpaid workers are included in the Department's communications
- unpaid workers are clearly identified when providing services
- unpaid workers understand the Department's expectations around behaviour and conduct, for themselves and paid workers
- unpaid workers are adequately supported and effectively managed and supervised, and participate in best practice exit procedures, and
- unpaid workers have input into the Department's quality improvement processes.

The Department has a duty of care towards unpaid workers under the *Work Health and Safety Act 2012*. Safe Work Australia provides essential guidance around protecting the health and safety of unpaid workers that is reflected in the Department's policies and procedures. [90] [91] [92]