

SAFEGUARDING THE PEOPLE WE SUPPORT

Autism Spectrum Australia (Aspect) is committed to promoting an organisational culture that provides a safe and secure environment for the people we support, that meets its legal compliance obligations and is in consideration of the [Australian Human Rights Commission's National Principles for Child Safe Organisation](#). At Aspect this is done through the ongoing organisation-wide implementation of our *Culture of Safety & Wellbeing* (see [Attachment 1](#)). The *Culture of Safety & Wellbeing* is made up from the following ten principles, which are further outlined through Aspect's policy framework:

Principle 1. Committed Leadership, Governance and Culture

Aspect is committed to focusing on risk, safety and upholding human rights for all the people we support (see Strategy and Risk Management policy). We will work to prevent, and appropriately respond to any student/participant Safeguarding Incident (see Definitions).

The Board (see Corporate Governance policy) gives priority to monitoring and responding to quality and safeguarding (see [Definitions](#)) matters associated with delivering supports to students/participants through reports from the internal Safeguarding Governance Group (SGG) and the relevant actions against the related identified risks.

Principle 2. Participation and Inclusion of the people we support

Aspect will respect each individual's wants and needs, and uphold an environment where their voices and opinions are heard to achieve positive outcomes. We work collaboratively with each student/participant and their families, support network and advocates to get to know them and support each person to live a good life. Student/participants participate in individual services and supports delivery decisions affecting them through an agreed approach to person-centred planning, including the presence of an active consultation process with all stakeholders (see Aspect Comprehensive Approach policy).

Principle 3. Provide Information and Education

Aspect understands that promoting, educating and providing information on each person's rights and how to seek help if they need is essential to prevention of harm, risk of harm, abuse, neglect, discrimination, violence and exploitation and upholding human rights of the people we support. This is achieved through implementation within school's curriculum and information provision on human rights,

including the United Nations [Convention on the Rights of the Child](#), and the United Nations [Convention on the Rights of Persons with Disabilities](#), staff modelling and working with external providers, who may provide training.

Stakeholders are informed about their rights through proactive programs, resources and information provision; and engagement processes incorporated into everyday practice (see Stakeholder Management and Advocacy policy).

Principle 4. Safe Recruitment, Selection and Induction Practices

Aspect ensures robust recruitment and screening processes to ensure that we employ the right people for the job who are suitable and supported to reflect safety and wellbeing values in practice. Opportunities are provided to students/participants to be involved in the staff recruitment, selection and staff matching processes.

Principle 5. Staff training, Resourcing, Ongoing Supervision and Support

Aspect is committed to ongoing support and training of our staff (including the evaluation of its effectiveness) to help them to know how to best support the students/participants they work with. Opportunities are provided to students/participants to be involved in the development and delivery of staff training.

Principle 6. Maintain Safe Environments and Service Provision

Aspect ensures that we maintain safe supports, services and locations and promote ethical and respectful service provision. We work with the people we support to ensure that reasonable steps are taken to prevent and mitigate the risk of harm and promote wellbeing of all students/participants in Aspect schools and services.

Stakeholders are supported and encouraged to disclose complaints/incidents without fear of negative consequence or retaliation (see Ethical Business Conduct policy).

Principle 7. Regular Review and Evidence-Informed Practice

Aspect recognises that there is always room to improve, and regularly reviews its practices through audits, reviews, research evaluations, in collaboration with our diverse communities and co-produced with the people we support and their families (see Working in Partnership policy).

Principle 8. Maintain Policy Framework for Safeguarding

The Aspect Board is responsible for ensuring Aspect has in place appropriate policy and associated procedures for safeguarding (see



[Definitions](#)) students/participants. This is managed through the approval of this policy; and delegated to Aspect's Executive for the development and implementation of the associated procedures for each principle to ensure safeguarding (see [Definitions](#)) and legal compliance.

Each principle of the *Culture of Safety and Wellbeing* is addressed by Aspect within the context of our policy framework. This tells our staff how to:

- uphold the safeguarding (see [Definitions](#)) and wellbeing of the people we support,
- identify opportunities for improvement, and
- respond if something is not right, the mandatory reporting and child protection notification and escalation requirements and the actions we need to take.

Principle 9. Uphold Human Rights

Aspect welcomes diversity in all forms, and works to respect diverse needs and uphold human rights (see Embracing Diversity policy).

We build an organisational culture and provide services that acknowledges strengths and an individual's characteristics, and supports all regardless of their abilities, sex, gender, or social, economic, faith, nationality and cultural background to feel welcome and safe.

The Board, staff and volunteers apply the principles outlined in the Code of Conduct in all work undertaken.

Principle 10. Effective Complaint Handling, Incident Management and External Reporting

Aspect recognises and promotes the voices of the people we support. Information about feedback, complaints and incident management processes and supports is publicly available in a variety of formats. Where an individual has a complaint or allegation, or an incident has occurred, Aspect will provide support to those affected and undertake an investigation. Any suspicions, allegations or evidence of Safeguarding Incidents has occurred, including any allegations of inappropriate conduct by staff, will be immediately reported to the relevant authorities and all obligations strictly adhered to (including access to Redress Schemes). Aspect maintains an incident and complaint management system to ensure staff are supported to undertake these processes as promptly and sensitively as possible.



External Framework

The Safeguarding the People We Support policy illustrates Aspect's adherence to the:

- NDIS Practice Standards (2018) and NDIS Code of Conduct, specifically within the NDIS Practice Standards & Quality Indicators:
 - Core Module: 1. Rights and Responsibilities, under all Outcomes.
 - Core Module: 2. Provider Governance and Operational Management, under all Outcomes.
 - Core Module: 3. Provision of Supports, under all Outcomes.
 - Core Module: 4. Support Provision Environment, under all Outcomes.
 - Supplementary Module: 2. Specialist Behaviour Support Module, under the relevant Outcomes.
 - Supplementary Module: 2a. Implementing Behaviour Support Plans, under the relevant Outcomes.
 - Supplementary Module: 3. Early Childhood Supports, under all Outcomes.
 - Supplementary Module: 4. Specialist Support Coordination, under all Outcomes.
- Disability Standards for Education (2005), specifically:
 - Part 3: Making Reasonable Adjustments;
 - Part 5: Standards for Participation;
 - Part 6: Standards for Curriculum Development, Accreditation and Delivery;
 - Part 7: Standards for Student Support Services; and
 - Part 8: Standards for Harassment and Victimisation.
- NESA Registered and Accredited Individual Non-government Schools (NSW Manual), specifically:
 - 3. Requirements for Registered Non-government Schools, under requirements for Staff, Curriculum; Buildings and Premise; Facilities; Safe and Supportive Environments; Discipline; and Management and Operation of the School.
- Standards for Registration and Review of Registration of Schools in South Australia, specifically the relevant quality related criteria for:
 - Standard 1: School Governance
 - Standard 2: Student Learning and Assessment
 - Standard 3: Student Safety, Health and Welfare
- Australian Human Rights Commission's National Principles for Child Safe Organisations specifically:



- 1. Child safety and wellbeing is embedded in organisational leadership, governance and culture;
- 2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
- 3. Families and communities are informed and involved in promoting child safety and wellbeing.
- 4. Equity is upheld and diverse needs respected in policy and practice.
- 5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
- 6. Processes to respond to complaints and concerns are child focused.
- 7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
- 8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- 9. Implementation of the national child safe principles is regularly reviewed and improved.
- 10. Policies and procedures document how the organisation is safe for children and young people.

Critical Definitions

Culture of Safety & Wellbeing - refers to an organisational culture which takes a preventative, proactive and participatory stance on safeguarding the people we support by:

- * putting the safety and wellbeing of the people we support as a paramount consideration when developing activities, policies and management practices;
- * valuing and embracing the opinions and views of the people we support and creating an environment in which they feel confident to provide feedback and express concerns;
- * encouraging and assisting the people we support to build skills that will assist them to participate in society;
- * recognising that autistic people may be traumatised and affected by events that may not be considered traumatic by others, and
- * taking action to protect the people we support from harm, risk of harm and neglect.



Safeguarding – refers to measures to protect the health, well-being and human rights of individuals, which allow people especially children, young people and vulnerable adults to live free from harm, risk of harm and neglect.

Safeguarding Incident – any incident that places a student/participant in or at risk of harm, or involves an allegation of harm or risk of harm.

Harm – includes violence, assault, coercion, abuse, neglect, discrimination, harassment, victimisation, and exploitation; and can be physical, sexual, grooming, social, emotional, psychological, civil, legal, financial, human rights restrictive or systemic in its nature and/or its impact on a person or persons.

Legislation References

International

Universal Declaration of Human Rights (UDHR) 1948

United Nations Convention on the Rights of Persons with Disabilities (CRPD) 2006

United Nations Convention on the Rights of the Child (CRC) 1989

United Nations International Covenant on Civil and Political Rights (ICCPR) 1966

United Nations International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966

United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) 1979

United Nations Convention on the Elimination of All Forms of Racial Discrimination (CERD) 1965

United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) 1984

United Nations Slavery Convention 1926

United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery 1956

National

Age Discrimination Act 1992 (Cth)

Australian Education Act 2013 (Cth)

Australian Human Rights Commission Act 1986 (Cth)

Crimes Act 1914 (Cth)

Crimes Amendment (National Disability Insurance Scheme - Worker Screening) Bill 2018 (Cth)

Disability (Access to Premises- Buildings) Standards 2010 (Cth)



Disability Discrimination Act 1992 (Cth)
Disability Standards for Education 2005 (Cth)
Family Law Act 1975 (Cth)
National Disability Insurance Scheme Act 2013 (Cth)
National Disability Insurance Scheme Amendment (Quality and Safeguards Commission and other measures) Bill 2017 (Cth)
National Standards for Disability Services 2014 (Cth)
Online Safety Act 2021 (Cth)
Racial Discrimination Act 1975 (Cth)
Sex Discrimination Act 1984 (Cth)
Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth)
Work Health and Safety Act 2011 (Cth)

New South Wales

Anti-Discrimination Act 1977 (NSW)
Child Protection (Offenders Registration) Act 2000 (NSW)
Child Protection (working with children) Act 2012 (NSW)
Child Protection (Working with Children) Amendment (Statutory Review) Bill 2018
Children and Young Persons (Care and Protection) Act 1998 (NSW)
Children's Guardian Act 2019 (NSW)
Community Services (Complaints, Reviews and Monitoring) Act 1993 (NSW)
Crimes (Domestic and Personal Violence) Act 2007 (NSW)
Crimes Act 1900 (NSW)
Disability Inclusion Act 2014 (NSW)
Education Act 1990 (NSW)
Guardianship Act 1987 (NSW)
Ombudsman Act 1974 (NSW)
Poisons and Therapeutic Goods Act 1966 (NSW)
Public Interest Disclosures Act 1994 (NSW)
Work Health and Safety Act 2011 (NSW)
Civil Liability Act 2002 (NSW)
Education Standards Authority Act 2023 (NSW)
Inclosed Lands Protection Act 1901 (NSW)
Mental Health Commission Act 2012 (NSW)
Status of Children Act 1996 (NSW)
Advocate for Children and Young People Act 2014 (NSW)

Victoria

Charter of Human Rights and Responsibilities 2006
Children Youth and Families Act 2005 (Vic)
Crimes Act 1958 (Vic)
Crimes Amendment (Protection of Children) Act 2014 (Vic)



Disability Act 2006 (Vic)
Drugs, Poisons and Controlled Substances Act 1981 (Vic)
Equal Opportunity Act 2010 (Vic)
Guardianship and Administration Act 1986 (Vic)
Occupational Health and Safety Act 2004 (Vic)
Ombudsman Act 1973 (Vic)
Protected Disclosure Act 2012 (Vic)
Workplace Safety Legislation Amendment (Workplace Manslaughter and other matters) Act 2019 (Vic)

South Australia

Child Safety (Prohibited Persons) Act 2016
Children and Young People (Safety) Act 2017 (SA)
Consent to medical treatment and Palliative Care Act 1995 (SA)
Controlled Substances Act 1984 (SA)
Criminal Law Consolidation Act 1935 (SA)
Disability Services Act 1993 (SA)
Education Act 1972 (SA)
Education and Early Childhood Services (registration and Standards) Act 2011 (SA)
Equal Opportunity Act 1984 (SA)
Family and Community Services Act 1972 (SA)
Guardianship and Administration Act 1993 (SA)
Health and Community Services Complaints Act 2004 (SA)
Ombudsman Act 1972 (SA)
Ombudsman SA Information Sharing guidelines for promoting safety and wellbeing (ISG) SA
Whistle blowers Protection Act 1993 (SA)
Work Health and Safety Act 2012 (SA)
Children's Protection Act 1993 (SA)
Children's services Act 1985 (SA)

Australian Capital Territory

Children and Young People Act 2008 (ACT)
Crimes Act 1900 (ACT)
Disability Services Act 1991 (ACT)
Discrimination Act 1991 (ACT)
Guardianship and management of property Act 1991 (ACT)
Human Rights Act 2004 (ACT)
Public Disclosure Act 2012 (ACT)
Work Health and Safety Act 2011 (ACT)



Queensland

Anti-discrimination Act 1991 (QLD)
Child Protection Act 1999 (Qld)
Criminal Code Act 1899 (Qld)
Disability Services Act 2006 (Qld)
Guardianship and Administration Act 2000 (Qld)
Human Rights Act 2019 (Qld)
Whistle-blowers Protection Act 1994 (Qld)
Work Health and Safety Act 2011 (Qld)
Working with Children (Risk Management and Screening) Act 2000 (Qld)

Northern Territory

Anti-Discrimination Act 1992 (NT)
Anti-Discrimination Amendment Act 1996 (NT)
Care and Protection of Children Act 2007 (NT)
Children's Commissioner Act 2013 (NT)
Criminal Code Act 1993 (NT)
Disability Services Amendment Act 2012 (NT)
Guardianship of Adults Act 2016 (NT)
Information Act 2002 (NT)
Medicines, Poisons and Therapeutic Goods Act 2012 (NT)
Work Health and Safety (National Uniform Legislation) Act 2011 (NT)

Tasmania

Anti-Discrimination Act 1998 (Tas)
Children, Young Persons and their families Act 1997 (Tas)
Criminal Code Act 1924 (Tas)
Disability Services Act 2011 (Tas)
Guardianship and Administration Act 1995 (Tas)
Poisons Act 1971 (Tas)
Public Interest Disclosures Act 2002 (Tas)
Registration to work with Vulnerable People Act 2013 (Tas)
Work Health and Safety Act 2011 (Tas)

Western Australia

Occupational Safety and Health Act 1984 (WA)
Equal Opportunity Act 1984 (WA)



Attachment 1:

Aspect's Culture of Safety & Wellbeing Principles



*NPSCO = The Australian Human Right's Commission's National Principles for Child Safe Organisations

