Blue Card Policy

SCOPE

This Policy supports Dignity and transition support services (DATSS) in upholding the rights of children and young people and its commitment to providing a safe and supportive environment for all Participants who engage in activities run by DATSS

This Policy has been created to protect all DATSS Participants who are under 18 years of age from all forms of physical or mental violence, exploitation and abuse (including sexual abuse) while under the care and conduct of any staff member, manager or other person associated in the care for participants under DATSS.

This Policy provides direction to all staff, Manager or persons contracted or volunteering within DATSS on the procedures for complying with the requirements of the Commission for Children and Young People and Child Guardian Act 2000 (the Commission's Act).

POLICY

BACKGROUND OF THE BLUE CARD SCREENING PROCESS

The blue card screening process assesses a person's eligibility to hold a blue card or exemption card based on their known past police and disciplinary information. The Commission monitors the Police information of all card holders and applicants. If the information changes, the Commission can take steps to immediately protect children from harm. The Commission also monitors service providers and card holders to ensure they are meeting their blue card system obligations and providing safe environments for children.

WHO REQUIRES A BLUE CARD or EXEMPTION CARD?

All staff whom are paid employees within DATSS and Volunteers over the age of 18 who work with children or young people must apply for a blue card or exemption card.

Children under 18 years of age who are volunteers are not required to obtain a blue card unless they are a trainee student doing a placement as part of their studies with an education provider.

The following is a list of persons who must obtain a positive notice blue card:

- Management with DATSS
- Support Workers
- Support Coordinators
- Volunteers

- Contractors
- Anyone whom directly works with a child under the age of 18 in any service provided by DATSS

NOTE: The list above provides examples of roles that require a blue card, there may be more roles that are not listed. Any volunteer involved in working with participants under the age of 18 years must complete the screening process.

PROCEDURES FOR COMPLETING THE BLUE CARD APPLICATION / RENEWAL

DATSS must warn any staff/volunteer prior to signing a blue card application, that it is an offence for a disqualified person to sign a blue card application. Penalties may apply to DATSS if a person is not warned. Each individual person who applies for a blue card or renewal is then responsible themselves for deciding whether they fall into the 'disqualified person' category.

It is an offence for a disqualified person to sign a blue card application. Penalties of up to five years imprisonment or a fine of up to $50,000 may apply.

DATSS shall require all staff/volunteers to complete the appropriate blue card application / renewal form which includes consent to check police information. Note: Proof of Identity must be sighted by a member of management when completing the application forms as specified on the application forms.

All volunteers must hold a blue card or have an application in progress with the Commission before they start volunteering in any area which involves contact with persons under 18.

Staff who currently hold a blue card or who have submitted an application through another organization / employer will be requested to complete an “Authorisation to confirm a valid blue card / application” form.

This form then updates employment details with the Commission and enables the Commission to advise DATSS of related matters.

If a Volunteer changes to paid employment they will need to lodge a Volunteer to Paid Transfer form with the Commission.

Note: It is an offence for an employee to fail to notify the Commission on the appropriate form of any change in personal details within 14 days.

BLUE CARD - REGISTER

DATSS will maintain a Blue Card Register that records all staff/volunteers involved in child-related activities.

The Register includes the following details:

- Name and Date of Birth
- Position within DATSS

- Whether or not the person requires a blue card
- The type of application (paid or volunteer)
- The status of the blue card
- If a negative notice or change of status has been issued and any action taken
- The blue card number
- The expiry date of the blue card
- The renewal date (this should be at least 30 days before expiry)

MONITORING

DATSS may require a staff member/ Volunteer to sign an "Authorisation to confirm a valid card / application" or request that the blue card be sighted from time to time.

NEGATIVE NOTICE, SUSPENDED BLUE CARD, WITHDRAWN APPLICATION – ACTIONS

All parties involved in the following procedures and processes will ensure that any information or actions relating to such issues remain confidential. Where a person cannot provide proof of holding a current blue card the following will apply:

(a) In the case of an applicant for a position within DATSS, the person shall not be appointed to that position.

(b) In the case of a person already acting in such a position, the person shall immediately cease to carry out that position.

When advice is provided to DATSS Management that any person has any of the following notices from the Commission:

(a) The person has withdrawn their consent to Employment Screening and a suitability notice has not been issued; or,

(b) A notice has been received in relation to discontinuance for Employment Screening indicating that the Commission was unable to contact the applicant and the application has been discontinued; or

(c) The person has had a change in criminal history which may be relevant to their child related employment; or,

(d) The person has been sent a negative notice indicating that the application has NOT been approved under the Commission for Children and Young People and Child Guardian Act 2000 and a blue card has NOT been issued.

DATSS Management or its appointee shall do the following:

(a) Withdrawn Consent or Discontinuance of Screening – the person must not fulfill any positions or activities involving young people under the age of 18 years, pending a suitability notice being issued by the Children's Commission and clearance from the Managing Directors or its appointee.

The Managing Director will speak with the staff member in question in confidence and ensure that the volunteer does not fulfill any positions or activities involving young people under the age of 18 years.

(b) Change In Criminal History – DATSS Management team will advise the Managing Director via a confidential email letter and phone call that the staff member has had a "Change in Criminal History" and requesting the Director to speak with the staff member in question in confidence and ensure that the staff ,member does not fulfill any positions or activities involving children and young people under the age of 18 years.

If he/she is acting in a position, he/she must cease to carry out that position.

NOTE: The Act states that an Employer must not terminate a person's employment or continued employment solely or mainly because of the notification of this change however should ensure that the Risk Management strategies cater for this situation.

(c) Negative Notice – A negative notice will be issued if a person has been convicted of a serious offence. Unless they can satisfy the Commissioner that their case is an exceptional one in which it would not harm the best interests of children.

The Managing Director or its appointee will suspend the staff member automatically who has been charged with a disqualifying offence".

NOTE: There is no right of appeal where a volunteer has been issued with a negative notice for a conviction for a disqualifying offence where they were sentenced to imprisonment or a disqualification order was made. This means the person is banned for life from holding or applying for a "Blue Card.

If an applicant is issued with a negative notice for any other kind of offence, the person is notified of the decision and the reasons for it. They then have the right to have the decision reviewed by the Children Service Tribunal.

A blue card holder can also become a 'disqualified person' if:

- They are convicted of a disqualifying offence and sentenced to a term of imprisonment; or
- become subject to reporting obligations; or
- become subject to a final offender prohibition order; or
- become subject to a disqualification order.

BLUE CARD RENEWALS

All staff will be required to renew their blue card every three (3) years. Staff must submit their renewal application at least 30 days before their blue card expires to continue working while their renewal application is being processed. The Commission will send card holders an invitation to renew their blue card 16 weeks before their card expires.

Individuals must notify the Commission of any changes to their contact details. Please note: exemption cards do not have an expiry date and remain valid as long as the card holder remains a registered teacher or police officer in Queensland.

MAINTENANCE OF INFORMATION

(a) When DATSS receives information from the Commissioner which shows that an applicant has a Positive Notice and a blue card was issued, information will be recorded into the blue card Employee Register.

(b) When DATSS receives a Negative Notice, Withdrawal, Discontinuance or Change of Criminal History Letter which shows that the person has not been issued with a blue card, the staff member will be identified on the 'Blue Card – Register' and any action taken recorded. For example, action may include restricted activities or suspended to ensure that the staff member does not fulfill any activities or work that are related to children or young people.

(c) Confidentiality must be maintained at all times.

Please note: DATSS requires all employees to obtain a W blue card, This means a paid workers blue card regardless of whether you are working with children. You will also need to apply for the Y card exemption. All employees with DATSS must hold a current Blue and Yellow card.