

PROTECTION OF VULNERABLE INDIVIDUALS POLICY

First Adopted: April 2020 (ratified June 13th 2020)

Next Review: 2023

1. Introduction

- 1.1 All people, regardless of their age, gender, race, religious beliefs, disability, sexual orientation or family or social background have a right to feel safe, to be safe and to be protected from abuse, neglect or exploitation.
- 1.2 Every Home Global Concern] (EHGC) is committed to promoting and protecting the welfare and human rights of people that come into contact with EHGC, particularly vulnerable persons who may be at risk.

2. Purpose

- 2.1 The purpose of this Policy is to ensure that safe environments are created by EHGC which promote and enhance the safety and welfare of all people who come in contact with EHGC, including by:
 - (a) setting out the roles and responsibilities of people working in and with EHGC;
 - (b) setting out how EHGC manages safeguarding risks;
 - (c) facilitating the safe management of incidents; and
 - (d) promoting a positive and effective internal culture toward safeguarding.

3. Scope

- 3.1 This Policy applies to all Board members, staff, volunteers, partners, contractors and third parties of EHGC.

4. Regulatory context

- 4.1 All Australian jurisdictions have legal requirements around the prevention, protection and reporting of abuse, neglect or exploitation of vulnerable individuals.
- 4.2 The responsible persons for EHGC are required to carry out their duties with due care and diligence, which includes taking care to protect vulnerable individuals. EHGC is also required by the ACNC External Conduct Standards to protect vulnerable individuals delivering or benefiting from overseas programs – including EHGC’s own overseas programs or programs on which EHGC collaborates with third parties.

5. Definitions

“Abuse, neglect or exploitation” means all forms of physical and mental abuse, exploitation, coercion or ill-treatment, including:

- (a) sexual harassment, bullying or abuse;
- (b) sexual criminal offences and serious sexual criminal offences;
- (c) threats of, or actual violence, verbal abuse, emotional or social abuse;
- (d) cultural or identity abuse such as racial, sexual or gender-based discrimination or hate crime; and
- (e) abuse of power.

“at risk” means at risk of abuse, neglect or exploitation.

“external authority” includes the police and any relevant authority.

“Reasonable grounds to suspect” means a belief, based on some information, that a person has experienced, is experiencing or may experience abuse, neglect or exploitation. Proof is not required, a suspicion based on information is sufficient.

Questions that may help a person to determine whether they have reasonable grounds to suspect include:

Could you explain to another person why you suspect something? This helps to make sure that your suspicion is based on information.

Would an objective other person, with the same information as you, come to the same conclusion? This helps to ensure the suspicion is as objective as possible.

“Safeguard” means protect the welfare and human rights of people that interact with, or are affected by [EHGC], particularly those who are vulnerable or at risk.

“Vulnerable” means any person who is unable to take care or promote themselves (or their interest) against harm, abuse or exploitation by reason of age, illness, trauma, disability or any other reason. Vulnerability can be temporary or permanent.

6. Responsibilities

6.1 All people working in or with EHGC must help to safeguard people by:

- (a) maintaining a safe environment for persons in the course of their work;
- (b) ensuring that, if they have reasonable grounds to suspect a person is at risk, they report the suspicions internally and (if required or appropriate) to an external authority; and
- (c) immediately contacting the police if they believe a person is at immediate risk.

- 6.2 The Board is responsible for the protection of people that interact with, or are affected by EHGC. It must ensure that:
- (a) EHGC has appropriate and effective policies and processes in place to protect people and that these policies and procedures are implemented;
 - (b) EHGC complies with all relevant laws (both Australian and, where relevant, overseas laws) relating to safeguarding, including, in respect of children; and
 - (c) EHGC takes a survivor–centric approach to safeguarding.
- 6.3 The Executive Director of EHGC must:
- (a) take reasonable steps to protect people, including developing and implementing processes and policies;
 - (b) manage safeguarding and legal compliance;
 - (c) ensure that reports are made to external authorities when required or appropriate;
 - (d) manage reports of abuse, neglect or exploitation;
 - (e) ensure that all Board members, staff, volunteers, partners, contractors and third parties are aware of relevant laws, policies and procedures, including EHGC Code of Conduct;
 - (f) ensure that all Board members, staff, volunteers, partners, contractors and third parties are aware of their obligations to report suspected incidents of abuse, neglect or exploitation;
 - (g) provide support for all Board members, staff, volunteers, partners, contractors and third parties in undertaking their responsibilities;
 - (h) comply with the requirements under State and Territory Reportable Conduct Schemes.
- 6.4 All Managers/Coordinators/Supervisors must:
- (a) promote a positive culture towards safeguarding;
 - (b) implement this Policy in their area of responsibility;
 - (c) ensure that there are appropriate controls in place to prevent, detect and respond to incidents;
 - (d) facilitate the reporting process when someone has reasonable grounds to suspect; and
 - (e) ensure potential incidents are handled with accountability and transparency and with a survivor-centric approach.

- 6.5 All Board members, staff and volunteers of EHGC must:
- (a) familiarise themselves with the relevant laws, the Code of Conduct, policies and procedures for safeguarding;
 - (b) report any incident to the Executive Director and (if required or appropriate) to an external authority when it is reasonable to suspect that a person's safety or welfare is at risk;
 - (c) report any suspicion that a person's safety or welfare may be at risk internally or to an external party; and
 - (d) provide an environment that is supportive of everyone's emotional and physical safety.
- 6.6 All partners, contractors and third parties of EHGC must:
- (a) implement the provisions of this Policy and EHGC's procedures in their dealings with EHGC; and
 - (b) report any suspicion that an incident may have taken place, is taking place, or could take place to the Executive Director and (if required or appropriate) to an external authority.

7. Identifying vulnerable individuals

- 7.1 Vulnerable individuals are people who are unable to take care of themselves or protect themselves against harm or exploitation and includes:
- (a) Children (under 18 years of age); and
 - (b) Adults who are unable to take care of or protect themselves by reason of:
 - (i) Age;
 - (ii) Illness;
 - (iii) Trauma; and/or
 - (iv) Disability.
- 7.2 EHGC will take steps to identify vulnerable persons who may be delivering or benefiting from EHGC's programs (including overseas programs).
- 7.3 Vulnerable individuals may be:
- (a) beneficiaries;
 - (b) staff;
 - (c) volunteers; or
 - (d) third parties, their beneficiaries, staff or volunteers.

8. Managing safeguarding risk

8.1 EHGC will manage risks of safeguarding according to the following concepts:

- (a) Holistic - EHGC will regularly assess the risks to people in its operations and develop proportionate controls to mitigate those risks.
- (b) Survivor-centric - EHGC will put survivors at the heart of its approach to safeguarding.
- (c) Lawful - EHGC will ensure that it understands and complies with the law in everything it does, in all jurisdictions in which it works.

8.2 EHGC will manage the risk of safeguarding by:

- (a) having up-to-date and documented risk assessments;
- (b) maintaining a register of EHGC's legal obligations for safeguarding and workplace health and safety in all the jurisdictions in which it operates;
- (c) having an action plan that sets out how it will manage safeguarding;
- (d) having an incident response plan;
- (e) adhering to this Safeguarding Policy and its Code of Conduct;
- (f) doing all reasonable due diligence checks of Board members, staff, volunteers, partners, contractors, and third parties, including interviews, qualification checks and (for people that come or will come into regular or ongoing contact with children in connection with EHGC's programs) have a valid Working with Children Check or overseas equivalent (if available);
- (g) implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents;
- (h) conducting awareness-raising for stakeholders on risks, expectations, individual responsibilities, this Policy and reporting procedures;
- (i) maintaining two reporting processes: a confidential reporting process and an overt reporting process;
- (j) monitoring and reviewing the effectiveness and proportionality of its safeguarding approach;
- (k) take steps to increase awareness within EHGC of the importance of a safe place for vulnerable persons;
- (l) maintain responsive procedures for fulfilling mandatory reporting obligations; and
- (m) maintain responsive procedures for dealing with complaints and issues as they arise.

9. Managing incidents

9.1 Harassment, abuse, neglect and exploitation are all serious misconduct and EHGC reserves the right to:

- (a) take appropriate disciplinary action against those it believes are responsible, which may include dismissal;
- (b) take legal action; and
- (c) report the matter(s) to an external authority.

9.2 Reporting suspected incidents

- (a) All Board members, staff, volunteers, partners, contractors and third parties must, as soon as practicable, report any suspicion that an incident has taken place, may be taking place, or could take place.
- (b) A person may report a suspected incident internally or to an external authority.
- (c) If a person believes that another person is at risk of immediate harm or the victim of a criminal offence, they must report directly to the police immediately.

9.3 Internal reporting

- (a) A person may report internally to any member of the Board, or to the Executive Director.
- (b) A person may make an internal report of a suspected incident confidentially, including with anonymity to the Executive Director.

9.4 Reporting to an external authority

- (a) any person may report directly to an external authority.
- (b) EHGC must:
 - (i) report any suspected criminal offence to the police;
 - (ii) comply with all donor funding authority requirements regarding the reporting of incidents; and
 - (iii) report any incident that constitutes significant non-compliance with the Governance Standards or External Conduct Standards to the Australian Charities and Not-for-profits Commission.

9.5 Responding to suspected incidents

All suspected, perceived, potential or actual incidents must be managed in accordance with EHGC Incident Response Plan.

10. Privacy and data protection

- 10.1 All personal information considered or recorded must respect the privacy of the individuals involved unless there is a risk to someone's safety. EHGC will protect personal information obtained in connection with this Policy in accordance with its Privacy and Confidentiality Policies.

11. Third Parties and protection of vulnerable individuals

- 11.1 EHGC is required to take reasonable steps to ensure the safety of vulnerable individuals outside Australia that are benefitting from or delivering EHGC's programs or programs on which EHGC collaborates with third parties.
- 11.2 EHGC must review what reasonable steps are appropriate to ensure the safety of vulnerable individuals connected to programs delivered in collaboration with third parties, considering matters including:
- (a) whether the programs are likely to benefit or be delivered by vulnerable individuals;
 - (b) the risk of harm to vulnerable individuals arising from the delivery of the programs;
 - (c) the existing policies and processes the third party has in place to protect vulnerable individuals; and
 - (d) the experience that the third party has in managing risks of harm to vulnerable individuals.
- 11.3 Reasonable steps to ensure a third party ensures the safety of vulnerable individuals may include:
- (a) imposing protection of vulnerable individual obligations on third parties through a Memorandum of Understanding or other agreement;
 - (b) training third parties on the protection of vulnerable individuals; and/or
 - (c) asking to third party to provide details of their protection of vulnerable individuals policy and processes, assisting the third party to develop them or providing them for the third party to consider and adopt.

12. Compliance with this policy

- 12.1 The Board must comply with this policy and review compliance as part of its standard self-evaluation.
- 12.2 If the Executive Director or Board have reason to believe that this policy has not been complied with, they must investigate.

13. Authorisation

Chairman of the Board of Directors, Every Home Global Concern - Date: