

A Rocha Australia Safeguarding policy

A ROCHA
AUSTRALIA



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Responsible person	Stuart Blanch President	Approved by Board	6 Sept 2024

Policy Statement

1. All people, regardless of their age, gender, race, religious beliefs, disability, sexual orientation, or family or social background, have equal rights to protection from abuse, neglect or exploitation.
2. A Rocha Australia commits to promoting and protecting the welfare and human rights of people that interact with, or are affected by, our work - particularly those that may be at risk of abuse, neglect or exploitation. We have no tolerance for abuse, neglect or exploitation and we will take a survivor-centric approach in all that we do.
3. All board directors, staff, volunteers, partners, contractors, and third parties of A Rocha Australia share responsibility for protecting everyone from abuse, neglect or exploitation. Beyond this, particular people have specific responsibilities, and they must carry out their duties without exception.
4. A Rocha Australia has a process for managing incidents that must be followed when one arises.

Purpose

5. The purpose of this policy is to:
 - a. Help protect people that interact with, or are affected by, A Rocha Australia.
 - b. Define the key terms we use when talking about protecting people or safeguarding.
 - c. Set out and develop the way A Rocha Australia manages safeguarding risks.
 - d. Set out the specific roles and responsibilities of persons working in and with A Rocha Australia.
 - e. Facilitate the safe management of incidents.
 - f. To support a positive and effective internal culture towards safeguarding.

Definitions

6. 'Safeguarding' means protecting the welfare and human rights of people that interact with, or are affected by, A Rocha Australia, particularly those that might be at risk of abuse, neglect or exploitation. This refers to any responsibility or measure undertaken to protect a person from harm.
7. 'Abuse, neglect or exploitation' means all forms of physical and mental abuse, exploitation, coercion or ill-treatment. This might include, for example:
 - a. Sexual harassment, bullying or abuse;
 - b. Sexual criminal offences and serious sexual criminal offences;

- c. Threats of, or actual violence, verbal, emotional or social abuse;
 - d. Cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crime;
 - e. Coercion and exploitation;
 - f. Abuse of power.
8. 'Reasonable grounds to suspect' is a situation where a person has some information that leads them believe that abuse, neglect or exploitation has taken place, is taking place, or may take place. It comes with a low burden of proof (in fact, no proof is needed at all), but is based on some information. Questions that may help a person to determine whether they have 'reasonable grounds to suspect' might include:
- a. Could you explain to another person why you suspect something? This helps to make sure that your suspicion is based on information, even if you have no proof.
 - b. Would an objective other person, with the same information as you, come to the same conclusion? This helps to make sure that your suspicion is as objective as possible.
9. A 'survivor-centric approach' means considering and lawfully prioritising the needs, right and wishes of survivors.

Roles and responsibilities

10. While the responsibility to protect people is shared by all who work at or with A Rocha Australia, some individuals have specific obligations with which they must comply.
11. The members of the board of A Rocha Australia are responsible for:
- a. Protecting all people that interact with, or are affected by, A Rocha Australia;
 - b. Ensuring that there are appropriate and effective ways for A Rocha Australia to do this;
 - c. Ensuring that A Rocha Australia observes all relevant laws relating to safeguarding;
 - d. Ensuring that A Rocha Australia takes a survivor-centric approach.
12. The Executive Officer of A Rocha Australia must:
- a. Ensure A Rocha Australia has effective and appropriate ways to manage safeguarding and legal compliance;
 - b. Ensure that, within the charity's approach, reasonable steps are taken to protect people;
 - c. Provide a copy of this policy to all partners and contractors upon entering an arrangement with them, highlighting the need to comply with Clause 16 below;
 - d. Ensure that reports to external parties are made where required.
13. The Safeguarding Officer of A Rocha Australia must:
- a. Manage reports of abuse, neglect or exploitation;
 - b. Ensure that all staff, contractors, and volunteers are aware of relevant laws, policies and procedures, and A Rocha Australia's Code of Conduct;
 - c. Ensure that all staff, contractors and volunteers are aware of their obligations to report suspected incidents of abuse, neglect or exploitation;
 - d. Manage reports of abuse, neglect or exploitation;
 - e. Provide support for staff, contractors and volunteers in undertaking their responsibilities.

14. The Executive Officer and any Managers of A Rocha Australia must:
- a. Promote a positive culture towards safeguarding;
 - b. Implement this policy in their area of responsibility;
 - c. Ensure that the risks of incidents have been considered in their area of responsibility;
 - d. Ensure that there are appropriate controls in place to prevent, detect and respond to incidents;
 - e. Facilitate the reporting of any suspected abuse, neglect or exploitation;
 - f. Take a survivor-centric approach to potential incidents and ensure that any incident is dealt with transparently and accountably.
15. All Staff and Volunteers of A Rocha Australia must:
- a. Familiarise themselves with the relevant laws, the Code of Conduct, policies and procedures for safeguarding;
 - b. Comply with all requirements;
 - c. Report any incident to the appropriate authority when it is reasonable to suspect that a person's safety or welfare is at risk
 - d. Report any suspicion that a person's safety or welfare may be at risk to the appropriate authority; and
 - e. Provide an environment that is supportive of everyone's emotional and physical safety.
16. All partners and contractors of A Rocha Australia must:
- a. Implement the provisions of this policy and A Rocha Australia procedures in their dealings with A Rocha Australia;
 - b. Report any suspicion that an incident may have taken place, is taking place, or could take place.

Managing safeguarding risk

17. The way A Rocha Australia manages the risks of safeguarding will be:
- a. Holistic. A Rocha Australia and its stakeholders will work to prevent, detect and take action on incidents.
 - b. Risk-based and proportionate. A Rocha Australia will regularly assess the risks to people in its operations and develop proportionate controls to mitigate those risks.
 - c. Survivor-centric. A Rocha Australia will put survivors at the heart of its approach to safeguarding.
 - d. Lawful. A Rocha Australia will ensure that it understands and complies with the law in everything it does, in all jurisdictions in which it works.
18. A Rocha Australia will manage the risk of safeguarding by:
- a. Adhering to this Safeguarding Policy and its Code of Conduct;
 - b. Maintaining a register of A Rocha Australia 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 up-to-date and documented risk assessments;

- e. Ensuring a safeguarding risk assessment is carried out before holding events if ARA staff and associated personnel are required or likely to have direct contact with children and/or adults at risk or meetings or starting a new project/programme;
- f. Undertaking due diligence checks of directors, staff, volunteers and third parties;
- g. Implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents;
- h. Ensuring all staff and volunteers have access to, are familiar with, and know their responsibilities in relation to this policy; and receive training on safeguarding at a level that is commensurate with their role in the organisation;
- i. Conducting awareness-raising for stakeholders on risks, expectations, and individual responsibilities;
- j. Encourage open discussions on safeguarding throughout the organization;
- k. Maintaining two reporting processes: the confidential reporting process, and the overt reporting process;
- l. Having an incident response plan;
- m. Following up safeguarding concerns promptly and to minimise the risk of a safeguarding incident occurring;
- n. Monitoring and reviewing the effectiveness and proportionality of its safeguarding approach.

Prevention

19. A Rocha Australia staff and associated personnel must not:

- Engage in sexual activity with anyone under the age of 18
- Undertake, support or encourage any form of abuse, harm, neglect, or exploitation
- Show favouritism towards specific people
- Make sarcastic, insensitive, derogatory, or sexually suggestive comments or gestures to or in front of others
- Exchange money, employment, goods, or services for sexual activity/gratification.
- Engage in any sexual relationships with participants or beneficiaries of ARA's programmes and activities where there are unequal power dynamics.

20. Additionally, A Rocha Australia staff and associated personnel are required to:

- Maintain an environment that prevents safeguarding violations and promotes the effective implementation of ARA's Safeguarding Policy.
- Treat people fairly and respectfully, without prejudice or discrimination.
- Avoid disclosing their personal contact details (e.g., telephone number, address, social media profiles etc.) to children and adults at risk.
- Ensure there is more than one adult present during activities with children and adults at risk or, if this is not possible, that they are within sight or hearing of other responsible adults.
- Ensure any contact with children and adults at risk is appropriate (for example, never taking a child/adult at risk to their home).
- Ensure that equipment provided by ARI is used safely and for its intended purpose.

Additional guidance and examples of acceptable and unacceptable behaviours are provided in A Rocha Australia's Code of Conduct Policy.

Managing incidents

21. Harassment, abuse, neglect and exploitation are all serious misconduct and A Rocha Australia reserves the right to:
 - a. Take disciplinary action against those it believes are responsible, which may include dismissal;
 - b. Take civil legal action;
 - c. Report the matter to law enforcement.

Reporting suspected incidents

22. All staff, volunteers 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.
23. They may do this through direct reporting to:
 - a. Any member of the board;
 - b. The Executive Officer;
 - c. The Safeguarding Officer;
 - d. Their Manager or Supervisor.
24. If a person wants to report confidentially, including with anonymity, they may use the confidential reporting system. If a person believes that another person is at risk of immediate harm or the victim of a criminal offence, they must dial 000.

Responding to suspected incidents

25. All suspected, perceived, potential or actual incidents will be managed through the incident response plan.

External reporting

26. A Rocha Australia will:
 - a. Report any suspicion of a criminal offence to the police or the relevant criminal judicial body;
 - b. Meet all donor requirements regarding the reporting of incidents;
 - c. Report any qualifying matter to the ACNC.

Privacy and data protection

27. All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. A Rocha Australia will protect personal information.
28. A Rocha Australia's Privacy Policy applies.

Administration of this policy

29. This Policy will be reviewed every **three years**. The next review will be in 2027.

Procedures created by the policy

30. The following procedures are designed to minimise risk of abuse, neglect or exploitation of venerable adults and of children. ARA will:
 - a. identify a board director responsible for Safeguarding
 - b. adopt a robust recruitment and screening processes including child safety check and police checks as relevant
 - c. provide clear communication about the Safeguarding Policy and Code of Conduct and related obligations to directors, staff, volunteers, partners, and contractors
 - d. provide or arrange safeguarding training
 - e. include safeguarding in event risk assessment
 - f. maintain a register of legal obligations, an action plan and incident response plan and reporting procedures
 - g. request sight of partner organisations safeguarding policies and procedures
 - h. reference this Safeguarding Policy and make it explicit that by entering into and signing an arrangement with ARA, partners and contractors agree to comply with this policy.

Related policies and procedures

31. This should be read alongside A Rocha Australia's Code of Conduct Policy Workplace Discrimination, Harassment and Bullying Policy, Privacy Policy, Volunteer Policy, WHS Policy, Internal Grievance and Complaints Policy and Disciplinary Policy.