



Child and Adult Safeguarding Policy Leadership

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. The Brotherhood of St. Laurence (BSL) 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.
3. BSL will also take active steps to make sure that Aboriginal people and people with culturally and linguistically diverse backgrounds feel that their culture and identity is respected, that they feel safe to be themselves and to express their culture in their own way.
4. BSL has zero tolerance for abuse, neglect or exploitation. We will take a survivor-centric approach by prioritising the rights, needs and wishes of the survivor, to ensure they have access to appropriate, accessible and quality services to support their recovery. We will always act in the best interests of children and young people who are our primary consideration. This is consistent with Article 3 of the United Nations Convention on the Rights of the Child, which Australia ratified in 1990
5. All staff, volunteers, partners and third parties of BSL share responsibility for protecting children and vulnerable adults from abuse, neglect or exploitation. Beyond this, certain people have specific responsibilities, and they must carry out their duties without exception.
6. BSL has a process for managing incidents that must be followed when one arises.

Purpose

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



Scope

This policy applies to all people who conduct work for, or are affiliated with BSL in a paid or unpaid capacity. This includes Board members, executive leadership, management, staff, volunteers, interns, trainees, contractors and consultants.

Definitions

8. Safeguarding

'Safeguarding' is the term used to describe measures to protect the health, wellbeing and human rights of individuals. This allows children, young people and vulnerable adults to live free from abuse, harm, neglect or exploitation. Safeguarding includes preventing, reporting and responding to harm or abuse of children, young people and vulnerable adults involved with BSL activities by BSL employees and affiliates.

9. Abuse, harm, neglect or exploitation

Child Abuse can take many forms and occur in many different settings. It can have lifelong and devastating impacts. This might, for example, include:

- a. A sexual offence committed against a child
- b. Grooming for sexual conduct with a child under the age of 16
- c. Physical violence against a child
- d. Causing serious emotional or psychological harm to a child
- e. Serious neglect of a child

Vulnerable (at-risk) Adult abuse is any knowing, intentional, or negligent act by a caregiver or any other person that causes harm or risk of harm to a vulnerable adult. This might, for example, include:

- f. Inflicting harm or failing to act to prevent harm
- h. Threats of, or actual violence, verbal, emotional or social abuse;
- i. Cultural or identity abuse, such as racial, sexual or gender-based discrimination or violence;
- j. Coercion – the practice of persuading someone to do something by using force or threats;
- k. Sexual Exploitation – actual or attempted abuse of someone's position of vulnerability, differential power or trust, to obtain sexual favours, including but not only, by offering money or other social, economic advantages. It includes trafficking and prostitution.
- l. Abuse of power – improper use of a position of influence, power or authority against another person.



10. Mandatory Reporting

All BSL Board members, staff, volunteers and affiliates have a responsibility to promote and provide an environment in which children and vulnerable adults are encouraged to speak up when they are uncomfortable or concerned. This includes:

- Recognising that the safety of children is everyone's responsibility
- Following the BSL Incident Reporting Process to immediately report allegations of abuse, harm, exploitation or neglect by any BSL staff, volunteer or affiliate

11. Reasonable grounds to suspect

'Reasonable grounds to suspect' is a situation where a person has some information that leads them to 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.

12. Survivor-centric approach

A 'survivor-centric approach' means considering and lawfully prioritising the needs, rights and wishes of survivors to support their recovery.

Roles and Responsibilities

While the responsibility to protect people is shared by all who work at or with BSL, some individuals have specific obligations with which they must comply.

13. The members of the Board of BSL are responsible for:

- a. Protecting all people that interact with, or are affected by, BSL;
- b. Ensuring that there are appropriate and effective ways for BSL to do this;
- c. Ensuring that BSL observes all relevant laws relating to safeguarding;
- d. Ensuring that BSL takes a survivor-centric approach.
- e. Ensuring timely notification to Commission for Children & Young People (CCYP) of all allegations of conduct that may involve reportable conduct by board members, employees, contractors, volunteers and affiliates of BSL.



14. The Executive Director of BSL must:

- a. Ensure BSL has effective and appropriate ways to manage safeguarding and legal compliance;
- b. Ensure the appointment of a Safeguarding Manager (Child Safe & Family Violence Lead) with appropriate skills and competency;
- c. Ensure that reasonable steps are taken to protect people;
- d. Ensure that reports to external parties are made where required.

15. All Managers of BSL must:

- a. Ensure that all staff, contractors, volunteers and affiliates are aware of relevant laws, policies and procedures, and BSL's Code of Conduct; and are aware of their obligations to report suspected incidents of abuse, neglect or exploitation;
- b. Manage reports of abuse, neglect or exploitation;
- 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 and response of any suspected abuse, neglect or exploitation.
- f. Take a survivor-centric approach to potential incidents and ensure that any incident is dealt with promptly, transparently and accountably.

16. All Staff and Volunteers of BSL must:

- a. Familiarise themselves with the relevant laws, the Code of Conduct, policies and procedures for safeguarding;
- b. Comply with all policy 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.
- f. Empower and encourage children to report if they feel unsafe or concerned.



17. All partners and contractors of BSL must:

- a. Implement the provisions of this policy and BSL's procedures in their dealings with BSL;
- b. Report any suspicion that an incident may have taken place, is taking place, or could take place.

Managing safeguarding risk

18. The way BSL manages the risks of safeguarding will be:

- a. **Holistic**
BSL and its stakeholders will work to prevent, detect and take action on incidents.
- b. **Risk-based and proportionate**
BSL will regularly assess the risks to people in its operations and develop proportionate controls to mitigate those risks.
- c. **Survivor-centric**
BSL will put survivors at the heart of its approach to safeguarding.
- d. **Lawful**
BSL will ensure that it understands and complies with the law in everything it does, in all jurisdictions in which it works.

19. BSL will manage the risk of safeguarding by:

- a. Having up-to-date and documented risk assessments
- b. Maintaining a register of BSL'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. Adhering to this Safeguarding Policy and the Code of Conduct
- e. Ensuring Child Safe Recruitment best practice and process due diligence, in particular:
 - Job advertisements, referee checks and staff and volunteer pre-employment screening
 - Relevant staff and volunteers have current working with children checks
 - All staff and volunteers receive an appropriate induction and are aware of their responsibilities to children, young people and vulnerable adults, including record keeping, information sharing and reporting obligations.
 - Ongoing supervision and people management is focused on child safety and wellbeing.



- f. Implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents
- g. Conducting awareness-raising for stakeholders on risks, expectations, and individual responsibilities
- h. Maintaining direct and confidential reporting processes:
 - Safeguarding incidents can be reported directly to the Child Safe & Family Violence Lead via Safeguarding@bsl.org or by phoning 0491 156 089 or
 - Online internal reporting via Incident Management System or
 - Independent Whistleblower reporting process
(Phone Stoline on 1300 304 550 or email BSL@stopline.com.au)
- j. Continuous monitoring and reviewing the effectiveness and proportionality of its safeguarding approach.

Managing incidents

20. Harm abuse, neglect and exploitation are all serious misconduct and BSL reserves the right to:
 - a. Take disciplinary action up to and including termination of employment for any breach of BSL Safeguarding Policy;
 - b. Take civil legal action;
 - c. Report the matter to law enforcement;
 - d. Terminate the contracts of independent contractors and other non-employees who are found to have breached this policy.

Reporting suspected incidents

21. 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.
22. They may do this through direct reporting to:
 - a. Any member of the Board;
 - b. The Executive Director;
 - c. The Safeguarding (Child Safe) Manager;
 - d. Their Manager or Supervisor.



23. All safeguarding incidents can be reported internally via the BSL Reporting page as well as in service-specific systems.
24. Children from particular backgrounds or with particular lived experiences may face extra barriers to reporting abuse. The BSL complaint handling policy will support an accessible and culturally safe process for everyone in the organisation's community.
25. 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

26. All allegations of incidents will be managed through the incident response plan.

External reporting

27. BSL will:
 - a. Report any suspicion of a criminal offence to the police or the relevant criminal judicial body;
 - b. Meet all funding and legal requirements regarding the reporting of incidents;
 - c. Report any qualifying matter to the ACNC (the Australian Charities and Not-for-profits Commission).

Privacy and data protection

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

Relevant Legislation

Children Youth and Families Act 2005

Child Safety and Wellbeing Act 2005

All BSL's "documented information" is prepared taking into consideration Australian jurisdictional laws and regulations, including instructions received from the relevant regulator.