

Safeguarding Policy

Australian Catholic Safeguarding Limited (ACSL)

Safeguarding 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. ACSL 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 are committed to creating and maintaining an environment which promotes the safety and inclusiveness of all children and adults at risk, including Aboriginal and Torres Strait Islander people, those with culturally and/or linguistically diverse backgrounds and those with a disability and/or particular vulnerabilities. We have zero tolerance for abuse, neglect or exploitation. We will take a survivor-centric approach in all that we do.
3. All personnel, partners and third parties of ACSL 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. ACSL 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 ACSL.
 - b. Define the key terms we use when talking about protecting people or safeguarding.
 - c. Set out and develop the way ACSL manages safeguarding risks.
 - d. Set out the specific roles and responsibilities of persons working in and with ACSL.
 - 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 ACSL, particularly those who 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:

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- 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 ACSL some individuals have specific obligations with which they must comply.
11. The members of the board of ACSL are responsible for:
- a. Protecting all people that interact with, or are affected by ACSL;
 - b. Ensuring that there are appropriate and effective ways for ACSL to do this;
 - c. Ensuring that ACSL observes all relevant laws relating to safeguarding;
 - d. Ensuring that ACSL takes a survivor-centric approach.
12. The Chief Executive Officer of ACSL must:
- a. Ensure ACSL has effective and appropriate ways to manage safeguarding and legal compliance;
 - b. Ensure that, within ACSL's areas of responsibility, reasonable steps are taken to protect people;
 - c. Ensure that reports to external parties are made where required.
13. The Director, Safeguarding & Improvement of ACSL must:
- a. Manage reports of abuse, neglect or exploitation;

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- b. Ensure that all staff, contractors, and volunteers are aware of relevant laws, policies and procedures, and ACSL'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. All Personnel of ACSL must:

- a. Promote a positive culture towards safeguarding;
- b. Implement this policy in their area of responsibility; Ensure that the risks of incidents have been considered in their area of responsibility;
- c. Ensure that there are appropriate controls in place to prevent, detect and respond to incidents;
- 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.

15. All partners and contractors of ACSL must:

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

Managing safeguarding risk

16. The way ACSL manages the risks of safeguarding will be:

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

17. ACSL will manage the risk of safeguarding by:
- a. Having up-to-date and documented risk assessments;
 - b. Maintaining a register of ACSL'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. Building a culture in which barriers that may prevent a disclosure of abuse being made and that hinder personnel from recognising and responding appropriately are identified and overcome;
 - e. Adhering to this Safeguarding Policy and its Code of Conduct;
 - f. Doing due diligence checks of staff, volunteers and third parties;
 - d. Implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents;
 - a. Conducting awareness-raising for stakeholders on risks, expectations, and individual responsibilities;
 - b. Maintaining two reporting processes: the confidential reporting process, and the overt reporting process;
 - c. Having an incident response plan;
 - d. Monitoring and reviewing the effectiveness and proportionality of its safeguarding approach.

Managing incidents

- e. Harassment, abuse, neglect and exploitation are all serious misconduct and ACSL 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

- f. 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.
- g. They may do this through direct reporting to:
 - a. Any member of the board;
 - b. The Chief Executive Officer;
 - c. The Director, Safeguarding & Improvement;
 - d. Their manager or supervisor.

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- h. If a person wants to report confidentially, including with anonymity, they may do so confidentially to ACSL Board Member Dr Robyn Miller.
- i. 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

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

External reporting

- k. ACSL will:
 - a. Report any suspicion of a criminal offence to the police or the relevant criminal judicial body;
 - b. Meet all canonical requirements regarding the reporting of incidents; and
 - c. Report any qualifying matter to the ACNC.

Privacy and data protection

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

Administration of this policy

1. This Policy will be reviewed every two years. The next review will be in **October 2023**.

Procedures created by the policy

2. *Incident Response Plan*
3. *Register of legal obligations*

Related policies and procedures

4. *ACSL Privacy Policy*
5. *Staff Recruitment and Induction Policy*
6. *Code of Conduct*
7. *Risk Management Policy*