



Safeguarding Children and Vulnerable People Policy and Procedure



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Responsible Person	Safeguarding Officer	Scheduled Review date	2024-09-29

Background/Introduction

In the course of their activity, whether within Australia, overseas or with third parties, Days for Girls Australia (DfGAL) personnel contact vulnerable people, including children. In every setting, DfGAL is committed to safeguarding and promoting the human rights of everyone connected to our organisation and our work, particularly people that may be at risk of abuse, neglect or exploitation. Towards this end we strive to create an environment which is safe - culturally, physically and emotionally.

Purpose

The purpose of the DfGAL Safeguarding Children and Vulnerable People Policy and Procedure (Safeguarding Policy) is to help protect people who interact with or are affected by DfGAL. It outlines:

1. Key definitions when talking about protecting people or safeguarding
2. The expectations of all personnel who participate in DfGAL activities to help manage risks by adhering to policies, procedures, and systems
3. How we create safe environments and minimise risks
4. Who can work with children on behalf of DfGAL, and how they are supported
5. Management of information around safeguarding
6. How DfGAL personnel should respond when they have reasonable grounds to suspect that a vulnerable person - especially a child - is at risk of harm, neglect or exploitation.

Policy Statement

All people, regardless of their age, gender, race, ethnicity, sexual orientation, religion, disability, socioeconomic status, or other protected attributes under the Equal Opportunity Act 2010, should be treated with respect and have equal rights to protection from abuse, neglect or exploitation.

DfGAL is committed to safeguarding and promoting the welfare of children, and vulnerable adults, expecting all our personnel to share this commitment. We are an inclusive organisation that values diversity and inclusion.

DfGAL will take all appropriate measures to protect vulnerable people, including children, from all forms of abuse, neglect, and exploitation. We will cooperate with the relevant state authorities in these matters.

All personnel, volunteers, partners and third parties of DfGAL share responsibility for protecting everyone from abuse, neglect or exploitation. Beyond this, particular people have specific responsibilities, and they must carry out their duties.

DfGAL will make decisions about who can work with children on our behalf, and respond to instances or complaints of child(ren) or vulnerable person(s) being at risk of harm while within our program(s) with procedures consistent with the expectations of the relevant legislation, including those listed at Section 12.

Where allegations of abuse, neglect or exploitation arise, DfGAL's response will consider and lawfully prioritise the needs, rights and wishes of survivors.

1. Definitions

- 1.1. 'Safeguarding' means protecting the welfare and human rights of people that interact with, or are affected by, DfGAL, 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.
- 1.2. A 'child' is any person under the age of 18 years.
- 1.3. 'Abuse, neglect or exploitation' means all forms of physical and mental abuse, exploitation, coercion or ill-treatment. This might include, for example:
 - Physical abuse, threats of, or actual violence
 - Sexual harassment, grooming, sexual behaviours and activities
 - Emotional abuse - bullying, shaming, verbal abuse, or social abuse
 - Cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crimes
 - Coercion and exploitation including financial abuse
 - Abuse of power, including neglect.
- 1.4 A 'vulnerable person' is anyone who may be unable to adequately take care of themselves or protect themselves against harm or exploitation. This might be because of their age, disability, illness, socio-economic background, cultural or language background, being Aboriginal or a Torres Strait Islander, being subject to modern slavery, or some other disadvantage. The vulnerability may be either temporary or ongoing.

Vulnerable people are not limited to the beneficiaries of DfGAL products and services. They can include our personnel, volunteers, partners and third parties.
- 1.5 '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.

2. To create safe environments and minimise risks, DfGAL will:

- Ensure that it complies with the law in everything it does and in all jurisdictions in which it works

- Conduct, and document assessments of the risks to people in the physical and online environments of its operations, with particular attention to the risks to vulnerable people
- Develop proportionate controls to mitigate those risks
- Work to prevent, detect and take action on incidents
- Consult with children, vulnerable people and their carers to identify ways to increase their safety
- Require all personnel to adhere to this Safeguarding Policy and Safeguarding Code of Conduct
- Require Checks of personnel, volunteers, partners and third parties (as needed)
- Conduct training to ensure awareness of, and compliance with, Safeguarding Policy across the organisation.

3. Expectations of DfGAL personnel and stakeholders

This policy applies to DfGAL personnel, volunteers, partners and third parties. We all have a responsibility to protect people, and some people have special responsibilities:

The **Board and Executive** are responsible for:

- promoting a positive culture towards safeguarding and modelling safe behaviours
- maintaining a current Safeguarding Policy in line with legislation
- ensuring that DfGAL has effective and appropriate ways to manage safeguarding and legal compliance
- ensuring that DfGAL observes all relevant laws relating to safeguarding
- ensuring that reports to external parties are made where required
- ensuring that DfGAL's response to reports of risk of harm considers and lawfully prioritises the needs, rights and wishes of survivors.

The **Safeguarding Officer** is responsible for:

- overseeing the compliance of DfGAL and its volunteers to the organisation's Safeguarding Policy
- maintaining the database of Checks and related information across the organisation
- advising the DFGAL Board on the Safeguarding Policy
- working with the Training Officer to ensure awareness of, and compliance with the Safeguarding Policy.

Leaders - including but not limited to Team or Chapter Leaders, and persons with special roles in the organisation are responsible for:

- promoting a positive culture towards safeguarding and modelling safe behaviours
- implementing this policy and procedure in their area of responsibility
- ensuring that the risks of incidents have been considered and minimised in their area of responsibility
- facilitating the compliance of volunteers with safeguarding requirements, where applicable
- facilitating the reporting of any suspected abuse, neglect or exploitation.

Volunteers are responsible for:

- contributing to an environment that is supportive of everyone's emotional and physical safety during DfGAL activities and when representing DfGAL
- being familiar with the Safeguarding Policy and the Safeguarding Code of Conduct
- and complying with all requirements
- reporting any incident or suspicion that a child or vulnerable person's safety or welfare may be at risk during a DfGAL activity.

Other activity participants, including visitors, children, parents, carers or beneficiaries of our services are responsible for:

- behaving in a child-safe way
- contributing to an environment that is supportive of everyone's emotional and physical safety during DfGAL activities
- bringing any incident or suspicion that a child or vulnerable person's safety or welfare may be at risk during a DfGAL activity to the attention of a DfGAL leader.

Partners, third parties and contractors are responsible for:

- implementing the provisions of this policy and DfGAL's procedures in their dealings with DfGAL
- reporting any suspicion that an incident may have taken place, is taking place, or could take place in the course of their partnership with us
- entering into a memorandum of understanding or similar as required, which includes supplying a copy of the organisation's Safeguarding Policy (or equivalent) and providing assurance that they are capable of, and committed to, protecting children and vulnerable people.

4. How we manage safeguarding information

- All personal information considered or recorded as part of our safeguarding efforts will respect the privacy of the individuals involved, unless there is a risk to someone's safety. DfGAL will protect personal information and only share it with authorised individuals.
- All people who receive or hold safeguarding-related information will keep such information strictly confidential and not share it beyond what is required by this policy or legislation. Such information might include details of incidents or suspicions that breach this Safeguarding Policy.
- All DfGAL personnel must ensure confidentiality in all situations, and notes and information related to safeguarding are to be stored safely.

5. Who can work with children or vulnerable people on behalf of DfGAL?

DfGAL supports their personnel who work with children or vulnerable people by providing our Safeguarding Policy and safeguarding training, and support from Team and Chapter leaders, State Coordinators, and the Safeguarding Officer. We encourage any stakeholders with questions or concerns to discuss them with one of these leaders.

DfGAL decides who can work with children and vulnerable people on our behalf by considering relevant legislation, our obligations to and agreements with our partners, and our risk assessments.

5.1 Contact with children in Australia

Only personnel who have completed the necessary requirements listed below, may take part in child-related activities. Additionally, DfGAL will not allow any individual who they consider presents an unacceptable risk to children to be involved in a DfGAL activity involving children.

These requirements include:

- having a current and valid Check (not just an application)
- supplying requested information to the Safeguarding Officer
- being 'linked' to DfGAL through the relevant state system
- receiving a child-safe clearance email from DfGAL.

The following personnel must complete these requirements and keep them current:

Our Leaders:

- Team or Chapter Leaders
- Board members and Executive
- people with special roles eg Sewing Specialists, Country Liaison Officers etc.

Anyone who works with children for DfGAL:

- has planned contact with children eg. teaching, coaching, supervising or distributing to under 18's who are not in the care of their parents/carers
- goes into schools or children's clubs, or has them attend their Team location/event, even if their teachers/leaders are present.

Anyone involved in Kit distributions:

- any individual who organises, takes part in, or travels as part of a DfGAL Kit distribution
- provides Kits to, or arranges for other groups to undertake a distribution.

5.2 Contact with children and vulnerable people outside Australia

Many countries do not have a Check process or safeguarding requirements. In these situations personnel are still required to behave in accordance with Australian laws regarding working with children, and DfGAL's commitment to protecting children and vulnerable people remains the same.

In addition to the requirement at 5.1, any DfGAL personnel and/or volunteers travelling to Kit distributions outside Australia must sign a Safeguarding Code of Conduct.

6. How DfGAL personnel should respond when they have reasonable grounds to suspect that a child or vulnerable person is at risk of harm, neglect or exploitation

Any DfGAL personnel or volunteer who becomes aware of the inappropriate conduct of a DfGAL person, volunteer, partner or third party while involved in DfGAL business, or has 'reasonable grounds to suspect' that a vulnerable person (of any age) is at risk because of their DfGAL involvement, should report such suspicions. This is a mandatory requirement of DfGAL and where children are concerned reflects state and territory requirements.

Safeguarding Procedure

7. How to get child-safe clearance

Information on how to get a Check and child-safe clearance is provided in the Leadership Handbook, on the relevant state system's website, in relevant DfGAL information sheets or by contacting the Safeguarding Officer.

The WWCC *data collection form* (available in the Leadership Handbook or from the Safeguarding Officer), must be completed, signed and returned to the Safeguarding Officer cpau@daysforgirls.org. Linking the Check to DfGAL happens differently across states. Please carefully follow the process in the information sheet for your state in the Leadership Handbook.

Note that:

- Volunteers must have received the child-safe clearance email before commencing child-related work with DfGAL.
- Child-safe clearances expire at the same time as the Check. Updated information must be supplied and a new clearance email received with each Check renewal.
- If a Check becomes invalid (withdrawn by relevant authority) you must immediately cease work with children, and advise the Safeguarding Officer.
- Personnel or volunteers who decide not to renew an expired Check, or no longer work with DfGAL should advise the Safeguarding Officer to discuss how they will be 'unlinked'.
- Safeguarding training should be completed before, or as soon as practicable after, receiving a child-safe clearance.

8. Holding events and activities which include children or vulnerable people

8.1 Insurance

DfGAL's event insurance is only valid within Australia and covers participants between 12 and 90 years of age only. Event organisers and Team and Chapter Leaders should ensure that they have appropriate insurance cover for activity participants.

8.2 Child-related work, events or activity

DfGAL policy on who needs a child-safe clearance may go beyond your state requirements. When holding a DfGAL event, the organiser must determine if the event is considered a child-related event, and who needs to have DfGAL child-safe clearance in order to be involved.

The following activities are considered child-related events:

- those which provide programs or services intended for children
- those held in a child-related setting eg. a school or children's community club
- those where children are visiting a DfGAL event, without a parent or carer present. Note teachers are not considered caregivers in this context.

The following activities are **not** considered child-related events:

- those where contact with children is incidental eg. meeting children while holding a fundraising or awareness stall in public
- those that are open to everyone e.g. Team sewing day, where a child or children present are in the care of their parent/s or carer

- those where personnel or volunteers have no contact with children eg. set-up/pack-up, in another area.

8.3 Responsibilities of the organiser of a child-related activity

- Ensure all DfGAL personnel and volunteers have child-safe clearance prior to the event or activity.
- Keep records of who was in attendance during the activity.

8.4 Working with partners

Before engaging in any child-related activity with a partner e.g. a community group, first check that their safeguarding policies are in line with those of DfGAL. Should there be any concerns that there is a risk to children or vulnerable people, DfGAL personnel and volunteers should not take part.

9. Creating a safe environment

While only some DfGAL events or activities (including physical and online) are ‘child-related’ we want **each of these** to be ones where all participants are respected, and safe from abuse, neglect or exploitation.

The following help to create a safe environment:

- Ensure that event leaders and volunteers are aware of this policy and its procedures.
- Create a risk assessment and response plan for the event:
 - Review what you know or expect about the event and what risks might exist
 - Take action to reduce those risks, including writing a brief risk management plan
 - Where significant risks are noted, or risks are not easily managed, make more detailed written plans and consider reviewing your event plans with your State Coordinator, Chief Operating Officer (COO) or the Safeguarding Officer.
- Prioritise the safety and wellbeing of children and vulnerable people in your decisions and activities. Inform children, vulnerable people and their carers of their rights, and encourage them to raise concerns and suggest ways to improve their safety.
- Attend a DfGAL training session about Safeguarding before the event.
- Read information about safe-working with children provided in the Leadership Handbook or other DfGAL handouts on this topic.
- Ensure that any social media posts follow our social media policy and Safeguarding Code of Conduct.

10. Responding to a breach of the Safeguarding Policy involving a vulnerable person over 18 years

10.1 Where the risk of harm to a vulnerable person occurs because of the inappropriate conduct of DfGAL personnel, or while the person is involved in a DfGAL activity, or because of their DfGAL involvement, concerns should be reported to the COO (australia@daysforgirls.org) or the Board President (presidentau@daysforgirls.org) or to your Team or Chapter Leader (if applicable).

Team or Chapter Leaders must advise the COO or Board President of any such reports made to them, and of their response.

Complaints that involve Team or Chapter Leaders, or are of a serious nature, or do not seem likely to be settled satisfactorily at the Team or Chapter level, should be referred to the COO or Board President.

Where the risk of harm identified is of a serious and/or immediate nature, or a criminal offence is suspected, or has been committed, the Police should be contacted. Additionally, immediate efforts should be made to reduce further risk.

Persons making reports on reasonable grounds will be protected from reprisal under the Whistleblower Policy and Procedure. Please note that the circumstances (event, location) which led to the report and/or the need for immediate actions to reduce risk, may prevent the reporter remaining anonymous.

10.2 The COO, Board President (or their delegate) will assess any report and deal with it using the DfGAL Complaints Management Policy and Procedure. In doing so they may, as appropriate:

- report any suspicion of a criminal offence to the Police or the relevant criminal judicial body
- meet all partner requirements regarding the reporting of incidents
- report any qualifying matter to the ACNC
- take disciplinary action against the DfGAL personnel if warranted.

11. Responding to a breach of the Safeguarding Policy involving a child

11.1 Any person who has reasonable grounds to suspect that a child is, or may be, at risk of harm because of the conduct of DfGAL personnel, volunteers, participants, partners or third parties, or while involved in DfGAL business, or because of their DfGAL involvement is required to immediately report to the President presidentau@daysforgirls.org , COO australia@daysforgirls.org or delegate of DfGAL.

While it is not necessary to have proof to make a report of risk to a child, reports should be made in good faith. In addition to DfGAL whistleblower protections, the state child protection systems protect people who make reports on reasonable grounds.

11.2 Should events leading to a suspicion of harm occur in a child-specific setting (school, children's club etc) or where children from such an organisation are visiting a DfGAL event, you must also report your suspicions to the leader or delegate from that organisation. You should also cooperate with that organisation in their safeguarding processes.

11.3 To report a suspicion of risk of harm it is useful to note:

- the date, time and location of the incident
- the names of child(ren) involved
- name of their parent/caregiver
- name of the person whose behaviour caused concern
- other people involved (including children) - as witnesses and/or contributors to risk

- clear description of the event(s).

Having gathered this information, it is not the role of the reporter to 'investigate'. This will be managed in line with the Safeguarding Policy.

11.4 The President, COO or delegate is responsible to report the alleged incident to the relevant state authority using information at 11.2 and 11.3. Where a report has already been made by another person (11.5) the President, COO or delegate must be satisfied that this has occurred using information provided by the reporter.

11.5 Any person with reasonable grounds to suspect risk of harm to a child may also report directly to the Police or the relevant state authority. This is encouraged where high or immediate risk to the child exists and/or when the COO, Board President or delegate cannot be advised in a timely manner. The reporter must also advise the President, COO or DfGAL delegate so that appropriate safeguarding actions may be taken.

Where a report is made to authorities a summary of that report should be made eg. incident number assigned, date and time of report, person you spoke to, and any instructions given; and this information provided to the President, COO or delegate.

11.6 The DfGAL Board must be advised as soon as possible when a report has been made (including details noted at 11.3 and 11.5) and of any subsequent events.

11.7 Anyone implicated in the report about risk of harm may address any concerns by following the DfGAL Complaints Management Policy and Procedure.

12. Related Documents

Legislation

Every state and territory in Australia has legislation covering the safeguarding of children and vulnerable adults and the required actions when a child is at risk of harm. Relevant legislation includes the following. Please note which apply to your state or territory.

- *The Children and Young Persons (Care and Protection) Act 1998* (NSW)
- *Child Protection (Working with Children) Act 2012* (NSW)
- *Children Youth and Families Act 2005* (Vic)
- *Child Wellbeing and Safety Act 2005* (Vic)
- *Worker Screening Act 2020* (Vic)
- *Child Protection Act 1999* (Qld)
- *Working with Children (Risk Management & Screening) Act 2000* (Qld)
- *Working with Children (Risk Management and Screening) Regulation 2020* (Qld)
- *Children and Community Services Act 2004* (WA)
- *Working with Children (Criminal Record Checking) Act 2004* (WA)
- *Children and Young People (Safety) Act 2017* (SA)
- *Child Safety (Prohibited Persons) Act 2016* (SA)
- *Child Safety (Prohibited Persons) Regulations 2019* (SA)
- *Children, Young Persons and Their Families Act 1997* (Tas)
- *Registration to Work with Vulnerable People Act 2013* (Tas)

- *Children and Young People Act 2008 (ACT)*
- *Working with Vulnerable People (Background Checking) Act 2011 (ACT)*
- *Care and Protection of Children Act 2007 (NT)*

The operations of DfGAL is covered by Australian Charities and Not-for profits Commission legislation including:

- *Australian Charities and Not-for profits Commission Act 2012 (Cth) (the ACNC Act)*
- *Australian Charities and Not-for profits Commission Regulation 2013 (Cth) (the ACNC Regulations)*
- *Charities Act 2013 (Cth) (The Charities Act).*

Other relevant policies and documents

1. DfGAL Australia Leadership Handbook
2. DfGAL Complaints Management Policy and Procedure
3. DfGAL Social Media Policy and Procedure
4. DfGAL Whistleblower Policy and Procedure
5. DfGAL Keeping Us All Safe Training.

Approved by the DfGAL Board on 29th September 2022

Uploaded in PDF format to Google Shared Drive October 2022

SAFEGUARDING CODE OF CONDUCT

I, _____ while working with Days for Girls Australia Limited (DfGAL), agree that while engaged in any DfGAL activity I will comply with DfGAL's Safeguarding Children and Vulnerable Adults Policy and Procedure.

Likewise I will:

- treat children and vulnerable adults with respect regardless of age, gender, race, ethnicity, sexual orientation, religion, disability, socioeconomic status, or other protected attributes under the Equal Opportunity Act 2010
- not use language or behaviour towards children and vulnerable adults that is inappropriate, humiliating, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- not engage children in any form of sexual activity or use children to meet adults' sexual needs
- ensure that another adult is present when I am in the proximity of children, unless responding to immediate risk to the child
- not develop 'special' relationships with specific children, show favouritism, or share personal contact details including on social media
- not use threats of, or actual physical violence, towards children or vulnerable people
- comply with all relevant legislation, including labour laws in relation to children
- not use technology or social media to exploit or harass children, or access child exploitation material.

When photographing or filming a child or using children's images for DfGAL purposes, I must:

assess and endeavour to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child

- obtain informed consent from the child and parent or the child's guardian before photographing or filming a child. As part of this I must explain how the photograph or film will be used
- ensure all images present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately
- clothed and not in poses or settings that could be seen as sexually suggestive
- ensure images are honest representations of the context and the facts
- ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

I understand that the onus is on me, as a person associated with a DfGAL Project, to use common sense and avoid actions or behaviours that could be construed as exploitation or abuse of children or vulnerable people.

Signed:

Date:

Email contact: