

Care and Serve Incorporated

Safeguarding Policy

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. Care and Serve 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. We will take a survivor-centric approach in all that we do.
3. All members, volunteers and third parties of Care and Serve share responsibility for protecting everyone involved with services from abuse, neglect or exploitation. Beyond this, Committee members have specific responsibilities, and they must carry out their duties without exception.
4. Care and Serve 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, Care and Serve.
 - b. Define the key terms we use when talking about protecting people or safeguarding.
 - c. Set out and develop the way Care and Serve manages safeguarding risks.
 - d. Set out the specific roles and responsibilities of persons working in and with Care and Serve.
 - 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, Care and Serve, 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 **Care and Serve**, the committee members have specific obligations with which they must comply.
11. The committee members of **Care and Serve** are responsible for:
 - a. Protecting all people that interact with, or are affected by, **Care and Serve**;
 - b. Ensuring that there are appropriate and effective ways for **Care and Serve** to do this;
 - c. Ensuring that **Care and Serve** observes all relevant laws relating to safeguarding;
 - d. Ensuring that **Care and Serve** takes a survivor-centric approach.
12. The President of **Care and Serve** must:
 - a. Ensure **Care and Serve** has effective and appropriate ways to manage safeguarding and legal compliance;
 - b. Assign (If necessary) a Safeguarding Manager role with appropriate skills and competency to either Public Officer or Secretary or other person (currently this role has been assigned to the Secretary);
 - c. Ensure that reasonable steps are taken to protect people;
 - d. Ensure that reports to external parties are made where required.
13. The person in role as Safeguarding Manager of **Care and Serve**, Secretary, must:
 - a. Manage reports of abuse, neglect or exploitation;
 - b. Ensure that all members, volunteers and Indian third parties are aware of relevant laws, policies and procedures, and Care and Serve's Code of Conduct;
 - c. Ensure that all members, volunteers and third parties 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 members and volunteers in undertaking their responsibilities.
14. All Members of **Care and Serve** must:
 - a. Promote a positive culture towards safeguarding;

- b. Implement this policy in their area of work / responsibility;
 - c. Ensure that the risks of incidents have been considered in their area of responsibility – including in selection of third parties;
 - 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 members and Volunteers of **Care and Serve** 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 third parties of Care and Serve, when \$5000 or more is donated to a single entity, must:
- a. Implement the provisions of this policy in their dealings with **Care and Serve**;
 - b. Report any suspicion that an incident may have taken place, is taking place, or could take place.

Managing safeguarding risk

17. The way **Care and Serve** manages the risks of safeguarding will be:
- a. Holistic. **Care and Serve** and its stakeholders will work to prevent, detect and take action on incidents.
 - b. Risk-based and proportionate. **Care and Serve** will regularly assess the risks to people in its operations and develop proportionate controls to mitigate those risks.
 - c. Survivor-centric. **Care and Serve** will put survivors at the heart of its approach to safeguarding.
 - d. Lawful. **Care and Serve** will ensure that it understands and complies with the law in everything it does, in all jurisdictions in which it works.
18. **Care and Serve** will manage the risk of safeguarding by:
- a. Having documented risk assessments when donating \$5000 or more to a single third-party organisation;
 - b. Maintaining a register of Care and Serve's legal obligations for safeguarding and workplace health and safety in all the jurisdictions in which it operates;
 - c. Having an action plan (Refer Safeguarding Action Plan – Attachment C) that sets out how it will manage safeguarding;
 - d. Adhering to this Safeguarding Policy and its Code of Conduct;
 - e. Doing due diligence checks of members, volunteers and third parties;

- 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. Having an incident response plan (Refer Attachment C);
- i. Monitoring and reviewing the effectiveness and proportionality of its safeguarding approach.

Managing incidents

19. Harassment, abuse, neglect and exploitation are all serious misconduct and **Care and Serve** 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

20. All members, 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.
21. They may do this through direct reporting to:
- a. Any member of Care and Serve;
 - b. The President;
 - c. The Secretary
 - d. Their Supervisor.
22. If a person believes that another person is at risk of immediate harm or the victim of a criminal offence in Australia, they must dial 000.

Responding to suspected incidents

23. All suspected, perceived, potential or actual incidents will be managed through Care and Serve's Safeguarding Response Plan (Refer Attachment C).

External reporting

24. **Care and Serve** 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

25. All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. Care and Serve will protect personal information.

Administration of this policy

26. This Policy will be reviewed every **two years**. The next review will be in January 2023.