



ASIF Australia Limited

Safeguarding Vulnerable Individuals Policy

Prepared July 2022

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Introduction

All individuals, regardless of their age, gender, race, religious beliefs, disability, sexual orientation or family or social background have a right to feel safe, to be safe and to be protected from abuse, neglect or exploitation.

ASIF Australia Limited (**ASIF**) is committed to promoting and protecting the welfare and human rights of individuals that come into contact with ASIF, particularly vulnerable individuals who may be at risk.

1. Purpose

The purpose of this Policy is to ensure that safe environments are created by ASIF which promote and enhance the safety and welfare of all individuals who come into contact with ASIF, including by:

- (a) setting out the roles and responsibilities of individuals working at and with ASIF;
- (b) setting out how ASIF manages safeguarding risks;
- (c) facilitating the safe management of incidents; and
- (d) promoting a positive and effective internal culture toward safeguarding.

2. Scope

This Policy applies to all Directors (Directors), employees, volunteers, partners, contractors and third parties of ASIF.

3. Regulatory context

- (a) All Australian jurisdictions have legal requirements around the prevention, protection and reporting of abuse, neglect or exploitation of vulnerable individuals.
- (b) The responsible individuals for ASIF are required to carry out their duties with due care and diligence, which includes taking care to protect vulnerable individuals. ASIF is also required by the ACNC External Conduct Standards to protect vulnerable individuals delivering or benefiting from overseas programs – including ASIF’s own overseas programs or programs where ASIF collaborates with third parties.

4. Definitions

- (a) “**Abuse, neglect or exploitation**” means all forms of physical and mental abuse, exploitation, coercion or ill-treatment, including:
 - (i) sexual harassment, bullying or abuse;
 - (ii) sexual criminal offences and serious criminal offences against a individual;
 - (iii) threats of, or actual violence, verbal abuse, emotional or social abuse;
 - (iv) cultural or identity abuse such as racial, sexual or gender-based discrimination or hate crime; and
 - (v) abuse of power.
- (b) “**at risk**” means at risk of abuse, neglect or exploitation.
- (c) “**external authority**” includes the police and any relevant authority
- (d) “**Reasonable grounds to suspect**” means a belief, based on some information, that a individual has experienced, is experiencing or may experience abuse, neglect or exploitation. Proof is not required, a suspicion based on information is sufficient.
 - (i) Questions that may help a individual to determine whether they have reasonable grounds to suspect include:
 - (A) Could you explain to another individual why you suspect something? This helps to ensure that your suspicion is based on information.

- (B) Would an objective other individual, with the same information as you, come to the same conclusion? This helps to ensure the suspicion is as objective as possible.
- (e) “**Safeguard**” means protect the welfare and human rights of individuals that interact with, or are affected by ASIF, particularly those who are vulnerable or at risk.
- (f) “**Vulnerable**” means any individual who is unable to take care or promote themselves (or their interest) against harm, abuse or exploitation by reason of age, illness, trauma, disability or any other reason.

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5. Responsibilities

- (a) All individuals working at or with ASIF must help to safeguard individuals by:
 - (i) maintaining a safe environment for individuals in the course of their work;
 - (ii) ensuring that, if they have reasonable grounds to suspect an individual is at risk, they report the suspicions internally and (if required or appropriate) to an external authority; and
 - (iii) immediately contacting the police if they believe an individual is at immediate risk.
- (b) The Board is responsible for the protection of individuals that interact with, or are affected by ASIF. The Board must ensure that:
 - (i) ASIF has appropriate and effective policies and processes in place to protect individuals and that these policies and procedures are implemented;
 - (ii) ASIF complies with all relevant laws relating to safeguarding, including, in respect of children; and
 - (iii) ASIF takes a survivor–centric approach to safeguarding.
- (c) The Chief Executive Officer (**CEO**) of ASIF must:
 - (i) take reasonable steps to protect individuals, including developing and implementing processes and policies;
 - (ii) manage safeguarding and legal compliance;
 - (iii) ensure that reports are made to external authorities when required or appropriate;
 - (iv) manage reports of abuse, neglect or exploitation;
 - (v) ensure that all Directors, employees, volunteers, partners, contractors and third parties are aware of relevant laws, policies and procedures;
 - (vi) ensure that all Directors, employees, volunteers, partners, contractors and third parties are aware of their obligations to report suspected incidents of abuse, neglect or exploitation;
 - (vii) provide support for all Directors, employees, volunteers, partners, contractors and third parties in undertaking their responsibilities;
 - (viii) comply with the requirements under the Victorian Reportable Conduct Scheme;
 - (ix) promote a positive culture towards safeguarding;
 - (x) implement this Policy;
 - (xi) ensure that there are appropriate controls in place to prevent, detect and respond to incidents;

- (xii) facilitate the reporting process when someone has reasonable grounds to suspect; and
- (xiii) ensure potential incidents are handled with accountability and transparency and with a survivor-centric approach.
- (d) All Directors, employees and volunteers of ASIF must:
 - (i) familiarise themselves with the relevant laws, policies and procedures for safeguarding;
 - (ii) report any incident to the CEO and (if required or appropriate) to an external authority when it is reasonable to suspect that an individual's safety or welfare is at risk;
 - (iii) report any suspicion that an individual's safety or welfare may be at risk internally or to an external party; and
 - (iv) provide an environment that is supportive of everyone's emotional and physical safety.
- (e) All partners, contractors and third parties of ASIF must:
 - (i) implement the provisions of this Policy and ASIF's procedures in their dealings with ASIF; and
 - (ii) report any suspicion that an incident may have taken place, is taking place, or could take place to the CEO and (if required or appropriate) to an external authority.

6. Identifying vulnerable individuals

- (a) Vulnerable individuals are individuals who are unable to take care of themselves or protect themselves against harm or exploitation and includes:
 - (i) children (under 18 years of age); and
 - (ii) adults who are unable to take care of or protect themselves by reason of:
 - (A) age;
 - (B) illness;
 - (C) trauma; and/or
 - (D) disability.
- (b) ASIF will take steps to identify vulnerable individuals who may be delivering or benefiting from ASIF's programs (including overseas programs).
- (c) Vulnerable individuals may be:
 - (i) beneficiaries;
 - (ii) staff;
 - (iii) volunteers; or
 - (iv) third parties, their beneficiaries, staff or volunteers.

7. Managing safeguarding risks

- (a) ASIF will manage risks of safeguarding according to the following principles:
 - (i) **Holistic** - ASIF will regularly assess the risks to individuals in its operations and develop proportionate controls to mitigate those risks.
 - (ii) **Survivor-centric** - ASIF will put survivors at the heart of its approach to safeguarding.
 - (iii) **Lawful** - ASIF will ensure that it understands and complies with the law in everything it does, in all jurisdictions in which it works.

- (b) ASIF will manage the risk of safeguarding by:
 - (i) adhering to this Safeguarding Vulnerable Persons Policy;
 - (ii) doing all reasonable due diligence checks of Directors, employees, volunteers, partners, contractors, and third parties. This may include interviews, qualification checks and (for individuals that come or will come into regular or ongoing contact with children in connection with ASIF's programs) requiring a valid Working with Children Check;
 - (iii) implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents;
 - (iv) conducting awareness-raising for stakeholders on risks, expectations, individual responsibilities, this Policy and reporting procedures;
 - (v) maintaining two reporting processes: a confidential reporting process and an overt reporting process;
 - (vi) monitoring and reviewing the effectiveness and proportionality of its safeguarding approach;
 - (vii) taking steps to increase awareness within ASIF of the importance of a safe place for vulnerable individuals;
 - (viii) maintaining responsive procedures for fulfilling mandatory reporting obligations; and
 - (ix) maintaining responsive procedures for dealing with complaints and issues as they arise.

8. Managing incidents

- (a) Harassment, abuse, neglect and exploitation constitute serious misconduct and ASIF reserves the right to:
 - (i) take appropriate disciplinary action against those it believes are responsible, which may include:
 - (A) dismissal;
 - (B) legal action; and
 - (C) reporting the matter(s) to an external authority.
- (b) Reporting suspected incidents
 - (i) All Directors, staff, volunteers, partners, contractors 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.
 - (ii) An individual may report a suspected incident internally or to an external authority.
 - (iii) If an individual believes that another individual is at risk of immediate harm or the victim of a criminal offence, they must make a report to the police immediately.
- (c) Internal reporting
 - (i) An individual may make an internal report to any Director.
 - (ii) An individual may make an internal report of a suspected incident confidentially, anonymously to the Board.
- (d) Reporting to an external authority
 - (i) Any individual may make a report directly to an external authority.
 - (ii) ASIF must:

- (A) report any suspected criminal offence to the police;
- (B) comply with all donor or funding authority requirements regarding the reporting of incidents; and
- (C) report any incident that constitutes significant non-compliance with the Governance Standards to the Australian Charities and Not-for-profits Commission.

9. Privacy and data protection

All individual information considered or recorded must respect the privacy of the individuals involved unless there is a risk to someone's safety. ASIF will protect individual information obtained in connection with this Policy.

10. Third parties and protection of vulnerable individuals

- (a) ASIF is required to take reasonable steps to ensure the safety of vulnerable individuals outside Australia that are benefitting from or delivering ASIF's programs or programs where ASIF collaborates with third parties.
- (b) ASIF must review what reasonable steps are appropriate to ensure the safety of vulnerable individuals connected to programs delivered in collaboration with third parties, considering matters including:
 - (i) whether the programs are likely to benefit or be delivered by vulnerable individuals;
 - (ii) the risk of harm to vulnerable individuals arising from the delivery of the programs;
 - (iii) the existing policies and processes the third party has in place to protect vulnerable individuals; and
 - (iv) the experience that the third party has in managing risks of harm to vulnerable individuals.
- (c) Reasonable steps to ensure a third party ensures the safety of vulnerable individuals may include:
 - (i) imposing protection of vulnerable individual obligations on third parties through a Memorandum of Understanding or other agreement;
 - (ii) training third parties on the protection of vulnerable individuals; and/or
 - (iii) asking third parties to provide details of their protection of vulnerable individuals policy and processes, assisting third parties to develop them or providing them for third parties to consider and adopt.

11. Compliance with this Policy

If the Board has reason to believe that an individual subject to this Policy has not complied with it, it must investigate.

Contact

For questions about this Policy, contact the Secretary.

Authorisation

Reviewed and approved by the Board on DD MM YYYY.

Policy number: [insert policy number]

Version: 1

Prepared by: Moores

Review date: [insert review date]

Responsible individual: [insert name of responsible individual]