



Safeguarding Policy

Purpose

The purpose of this policy is to:

- Help protect people that interact with, or are affected by PBP Art (WA) Ltd. ("PBP")
- Define the key terms we use when talking about protecting people or safeguarding.
- Set out and develop the way PBP manages safeguarding risks.
- Set out the specific roles and responsibilities of persons working in and with PBP.
- Facilitate the safe management of incidents.
- To support a positive and effective internal culture towards safeguarding.

Scope

The policies and procedures in this document apply to the Board, employees, volunteers, contractors, partners, affiliates, program participants, family members, community members and anyone else who engages with PBP.

Policy Statement

PBP is committed to promoting and protecting at all times 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 including children and vulnerable people.

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.

Everyone working at or with PBP 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.

PBP has a process for managing incidents that must be followed when one arises.

All employees, volunteers or contractors who have access to information regarding suspected or disclosed abuse must observe strict confidentiality in relation to the matter and ensure that this information is kept secure.



All people involved in situations where abuse is suspected or disclosed will be treated with sensitivity, dignity and respect.

Definitions

Abuse, Neglect or Exploitation means all forms of physical and mental abuse, exploitation, coercion or ill-treatment, including any action that results in actual or potential harm. 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

Bullying means repeated unreasonable or inappropriate behaviour directed towards another person, or group of people, that has the potential to cause, or actually causes harm. It includes behaviour that could be expected to intimidate, insult, offend, devalue, degrade, humiliate, ignore, isolate, undermine, terrorise or threaten.

Child means a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier. Children are deemed to be vulnerable people.

Discrimination means any unjust or prejudicial treatment of different categories of people. This includes, but is not limited to, age, gender, sex, sexual orientation, religious beliefs, ethnicity or skin colour.

Exploitation means taking unfair advantage of a person for personal or collective benefit, whether for commercial (eg. for financial gain) or non-commercial gain.

Harassment means the act of continued and regular, unwanted actions directed towards another person, or group of people, which may include anything from racial vilification, to annoying, derogatory or malicious remarks.

Incident refers to any behaviour, whether accidental or intentional, which causes or could have caused serious injury or harm to another person.



Protection means any responsibility, measure or activity undertaken to safeguard people from harm.

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 but is based on some information. Questions that may help a person to determine whether they have 'reasonable grounds to suspect' might include:

- 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.
- Would an objective other person, with the same information as you, come to the same conclusion? This helps to make sure your suspicion is as objective as possible.

Safeguarding means protecting the welfare and human rights of people that interact with, or are affected by PBP, particularly those that might be at risk of abuse, neglect or exploitation.

Survivor-centric Approach means considering and lawfully prioritising the needs, rights and wishes of survivors.

Violence means any incident where a person is physically or emotionally attacked, abused, assaulted, bullied, harassed or threatened.

Vulnerable Person means any individual who may be unable to take care of themselves or protect themselves against harm or exploitation by reason of age, illness, trauma, disability, incapacity or any other reason.

Roles and Responsibilities

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

Board member

- Protecting all people that interact with, or are affected by, PBP.
- Ensuring that there are appropriate and effective ways for PBP to do this.
- Ensuring that PBP observes all relevant laws relating to safeguarding.



- Ensuring that PBP takes a survivor-centric approach.

Chief Executive Officer (CEO)

- Ensure PBP has effective and appropriate ways to manage safeguarding and legal compliance;
- Manage reports of abuse, neglect or exploitation;
- Ensure that all employees, volunteers, contractors and third parties are aware of relevant laws, policies and procedures, and their obligations to report suspected incidents of abuse, neglect or exploitation
- Ensure that, within PBP's approach, reasonable steps are taken to protect people;
- Ensure that reports to external parties are made where required.
- Provide support for employees, volunteers, contractors and third parties in undertaking their responsibilities.

Program Coordinators

- Promote a positive culture towards safeguarding.
- Implement this policy in their area of responsibility.
- Ensure that the risks of incidents have been considered in their area of responsibility.
- Ensure that there are appropriate controls in place to prevent, detect and respond to incidents.
- Facilitate the reporting of any suspected abuse, neglect or exploitation.
- Take a survivor-centric approach to potential incidents and ensure that any incident is dealt with transparently and accountably.

Employees, Volunteers, Contractors, Visitors, Partners and Contractors

- Provide an environment that is supportive of the safety of all people.
- Be familiar with the relevant laws, codes of conduct and PBP policy and procedures in relation to safeguarding and comply with all requirements.
- Comply with all requirements.
- Report any suspicion(s) that a person's safety may be at risk to the Program Coordinator (or, if that person is involved in the suspicion, then directly to the CEO).

PROCEDURES

Risk Management

The way PBP manages the risks of safeguarding will be:



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

PBP will manage the risk of safeguarding by:

- Having up-to-date and documented risk assessments;
- Maintaining a register of PBP's legal obligations for safeguarding and workplace health and safety in all the jurisdictions in which it operates;
- Having an action plan that sets out how it will manage safeguarding;
- Adhering to this Safeguarding Policy and its Code of Conduct;
- Doing due diligence checks of staff, volunteers and third parties;
- Implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents;
- Conducting awareness-raising for stakeholders on risks, expectations, and individual responsibilities;
- Maintaining two reporting processes: the confidential reporting process, and the overt reporting process;
- Having an incident response plan;
- Monitoring and reviewing the effectiveness and proportionality of its safeguarding approach.

Recruitment

PBP will develop a comprehensive recruitment and screening process for all new Board members, employees or volunteers, which aims to:

- Promote and protect the safety of all people with whom we work.
- Identify the safest and most suitable people who share PBP's values and commitment to a safeguarding culture.
- Prevent a person from working at PBP if they pose a risk to safety.
- Require all applicants to pass through the recruitment and screening processes.
- Undertake thorough reference checks before making an offer of a position with PBP.

Induction



In accordance with our induction policies, require all Board members employees and volunteers before they commence working at PBP to:

- Provide copies of a valid National Police Clearance certificate and Working with Children Card.
- Provide two references to verify suitability for working with vulnerable people.
- Review and acknowledge their understanding of this Safeguarding Policy.

Managing Incidents

Harassment, abuse, neglect and exploitation are all serious misconduct and PBP reserves the right to:

- Take disciplinary action against those it believes are responsible, which may include dismissal;
- Take civil legal action;
- Report the matter to law enforcement.

Reporting Suspected Incidents

- All employees, 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.
- They may do this through direct reporting to:
 - Any member of the board
 - The Chief Executive Officer
 - A Program Coordinator or Supervisor
- 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

- All suspected, perceived, potential or actual incidents will be managed through the Incident Reporting process.
- If an employee, volunteer, contractor or community member feels they have experienced abuse, neglect or exploitation while engaged with PBP, and they are comfortable in doing so, they may raise the issue with the offending person(s) directly with a view to resolving it through discussion. They should make the person aware what behaviour they have found offensive, unwelcome or unacceptable, and ask that the behaviour stop immediately.
- If the parties are unable to resolve the issue through discussion, they may engage a PBP representative in an informal or formal process of mediation or conciliation to resolve the issue, in a non-confrontational and confidential manner.



The issue will be considered resolved if the offending person's unwelcome behaviour ceases to the satisfaction of the injured party and/or complainant(s).

- If the unwelcome behaviour continues, or if the victim feels unable to speak to the offending person(s) directly, they should contact a PBP representative to make a Complaint in line with PBP's Feedback Policy.
- If the Complaint cannot be resolved immediately and/or requires further investigation and escalation, the PBP representative will follow the formal investigation and response procedures laid out in the Feedback Policy and the details will be recorded in the Feedback Register

External Reporting

- PBP will:
 - Report any suspicion of a criminal offence to the police or the relevant criminal judicial body
 - Meet all donor requirements regarding the reporting of incidents
 - Report any qualifying matter to the ACNC.

Privacy and Data Protection

- All personal information considered or recorded while managing and responding to an incident will respect the privacy of the individuals involved, unless there is a risk to someone's safety.
- The people involved are entitled to know how their personal information is being recorded, what will be done with it, and who will be able to access it.
- PBP's Privacy Policy applies.

RELATED POLICIES

Board, Staff and Volunteer Induction Policies

Feedback Policy

Incident Reporting Policy

Privacy Policy

Risk Management Policy

RELEVANT RESOURCES

Child Protection and Family Support: [Mandatory Reporting Information System](#)

RELEVANT LEGISLATION

Aged Care Act 1997

Children and Community Services Act 2004

Children and Community Services Amendment (Reporting Sexual Abuse of



Children) Act 2008

Children and Community Services Legislation Amendment and Repeal Act 2015

Disability Services Act 1993 (WA)

Guardianship and Administration Act 1993

National Disability Insurance Scheme (NDIS) Act 2013

Privacy Act 1988

Working with Children (Criminal Record Checking) Act 2004 (WA)

Working with Children (Criminal Record Checking) Regulations 2005 (WA)

Safeguarding Code of Conduct Agreement

To be completed by PBP Board Members, Employees, Staff, Volunteers, Partners, Affiliates, Contractors or Visitors

Contact admin@pbp.org.au to complete the Safeguarding Code of Conduct Agreement as part of the Board, Staff or Volunteer Induction Process

Safeguarding Incident Reporting Form

This form is to be used to report suspected or disclosed *Abuse* based on *Reasonable Grounds for Belief*.

Complete this form as soon as practicable and within 24 hours of becoming aware of the actual or suspected abuse, and send it directly to the Program Coordinator.

If the Program Coordinator is involved in the abusive activity, or is not appropriately addressing or dealing with the matter, the matter should be reported directly to the Chief Executive Officer.