



Safeguarding Policy and Procedures

PURPOSE

The purpose of this policy is to ensure that VANISH Inc (VANISH) promotes the welfare and human rights of people that interact with, or are affected by, the organisation and provides a culture and environment that protects people from abuse, neglect or exploitation.

POLICY

All people, regardless of their age, gender, race, religious beliefs, disability, sexual orientation or family and social background have equal rights to protection from abuse, neglect or exploitation, which means all forms of physical and mental abuse, exploitation, coercion or ill-treatment and might include, for example, sexual harassment, bullying, verbal, emotional or physical abuse, threats of or actual violence, discrimination or exploitation.

VANISH employees, volunteers and contractors¹ have an obligation to provide services that respect the rights of all stakeholders, ensures that their well-being is safeguarded and they are not exposed to abuse, neglect or exploitation.

All employees, students, volunteers and contractors will share a commitment to maintaining a culture that:

- upholds the value and dignity of service users
- builds trusting relationships with service users and other stakeholders
- provides services in an environment that is safe and welcoming for everyone
- empowers service users by helping them to understand and exercise their rights
- makes service users, employees and other stakeholders feel safe to raise concerns
- responds appropriately to concerns and complaints when they arise
- reports and/or responds appropriately to actual, alleged or suspected abuse, assault or neglect
- collaborates with other organisations in upholding service users' human rights and safeguarding against abuse, neglect and exploitation.

PROCEDURES

Any VANISH employee, student, volunteer or contractor who becomes aware of, or reasonably suspects, an incident of abuse, neglect or assault must

- ensure that the safety and best interests of the person are paramount in any action taken

¹ Volunteers includes Committee of Management members

- report the matter immediately using the procedure outlined in this policy

Failure to report injuries, incidents or signs and indicators of abuse constitutes a breach of duty of care. If failure to report injuries, incidents or signs of abuse could be reasonably regarded as employee misconduct or negligence, it may constitute a breach of their employment contract resulting in disciplinary action.

Alleged or suspected abuse, assault or neglect of a person may come to the attention of staff in various ways

- actual incident witnessed by staff or volunteer
- the person who has sustained the abuse / neglect reports it to a staff member, the CEO, a member of the Committee of Management (COM), or a government official
- an allegation is reported by a family member, advocate, member of the public, health care or other service provider
- observation of physical or behavioural indicators or circumstantial evidence that abuse, neglect or assault may have occurred

In some instances the person may be unable or unwilling to make a complaint on their own behalf.

There may be no reliable witnesses, the suspicion of abuse and neglect having arisen from the presence of physical or behavioural signs or other circumstantial evidence.

VANISH employees, volunteers and contractors will adhere to the following procedures if they

- are present, or engaged with the person at the time of an incident
- encounter the person after the event
- are told by the person, a witness or a third party about alleged or suspected abuse or neglect
- become aware of facts and circumstances that may indicate abuse or neglect

Once an employee, volunteer or contractor becomes aware of the alleged or suspected abuse, neglect or assault of a person they will

- make an initial assessment of the situation and determine if the situation requires immediate intervention, for example, if the person has been injured, robbed, sexually assaulted or is in imminent risk of harm. If unsure, contact the CEO immediately
- If intervention is required, take steps to ensure the person's (and potentially their own or others') safety and well-being. This may include administering First Aid, calling emergency services (police, ambulance), removing the person from the premises. Where possible, this is to be done with the permission of the person, and in accordance with their wishes
- Having ensured the person's safety, immediately contact the CEO to report on the suspected abuse, neglect or assault. Reporting is to include information regarding allegations/evidence of signs of an injury that would indicate abuse

- Act on the directions of the CEO or, in the event of the CEO not being contactable, the Chair or Secretary of the COM.
- Document concerns as soon as practicable. Reporting to be factual, noting dates, behaviours observed, and any other relevant information. All documentation should avoid personal opinions or subjective information
- Ensure the person's privacy and confidentiality is maintained and that no discussion about the event is to be held with any person who is not directly involved
- Write a full report within 24 hours of the incident in conjunction with CEO.

Procedure to be followed by the CEO

- The situation is to be assessed immediately
- Provide report to police if, and where necessary
- Cease investigations which may compromise or prejudice the involvement of the police or other external organisation or impede natural justice as appropriate
- Cooperate fully / liaise with police or other external organisation(s) as required
- Document all relevant information that relates to the event, including description of all follow up activities undertaken by VANISH employees, volunteers or Committee of Management members. Ensure all documentation is factual, accurate and dated
- Provide support / debriefing to employee, volunteer and/or contractor and keep them informed of any resulting process and outcome where necessary
- At the conclusion of the investigation process, review the incident and all actions undertaken by VANISH to determine the effectiveness of the response procedure and highlight good practices and actions that may be implemented to minimise the risk of the situation reoccurring

Procedure if offender is a VANISH employee or volunteer.

Where the alleged offender is a VANISH employee, volunteer and/or Committee of Management member, VANISH will

- Inform the individual/s of the allegation and suspend their employment/position immediately until the outcome of an investigation is known
- Write a letter to the employee formally outlining the suspension of their employment/position
- As necessary, provide the investigating body with information as required to conduct a formal investigation
- If the allegation is substantiated, the CEO or Chair of COM will commence disciplinary procedures
- Reinstatement the individual/s if the allegation is not substantiated
- The outcome is to be documented and kept in the personnel file of the staff member(s) involved

DEFINITIONS

Term	Definition
Abuse	the infliction of injury, unreasonable confinement, intimidation or cruel punishment with resulting physical harm, pain, mental anguish, or death; sexual abuse or exploitation; or the wilful deprivation of essential needs.
Assault	a violent attack of any sort; attempt or threat to do physical, emotional or sexual violence to another.
Emotional neglect	the failure to provide the nurturance or stimulation needed for the social, intellectual and emotional growth or wellbeing of an adult or child.
Financial abuse	the improper use of another person's assets or the use or withholding of another person's resources.
Legal or civil abuse	denial of access to justice or legal systems available to other citizens.
Neglect	an act or omission that threatens a person's health or welfare by placing the person at risk of physical or mental injury or impairment, deprivation of essential needs or lack of protection from these.
Passive neglect	a caregiver's failure to provide or wilful withholding of the necessities of life including food, clothing, shelter or medical care.
Physical abuse	any non-accidental physical injury or injuries to a child or adult. This includes inflicting pain of any sort or causing bruises, fractures, burns, electric shock, or any unpleasant sensation.
Physical neglect	failure to provide adequate food, shelter, clothing, protection, supervision and medical and dental care, or to place persons at undue risk through unsafe environments or practices.
Psychological or emotional abuse	verbal assaults, threats of maltreatment, harassment, humiliation or intimidation, or failure to interact with a person or to acknowledge that person's existence. This may also include denying cultural or religious needs and preferences.
Safe guarding	protecting the welfare and human rights of people that interact with the organisation, particularly people that may be at risk of abuse, neglect or exploitation.
Sexual abuse	any sexual contact between an adult and child 16 years of age and younger; or any sexual activity with an adult who is unable to understand, has not given consent, is threatened, coerced or forced to engage in sexual behaviour.
Systemic abuse	failure to recognise, provide or attempt to provide adequate or appropriate services, including services that are appropriate to that person's age, gender, culture, needs or preferences.
Wilful deprivation	wilfully denying a person who, because of age, health or disability, requires medication or medical care, shelter, food, therapeutic devices or other physical assistance - thereby exposing that person to risk of physical, mental or emotional harm.

SUPPORTING DOCUMENTS

Duty of Care Policy and Procedures
Code of Conduct
Incident Reporting Policy and Procedures
Critical Incident Policy and Procedures
Responding to Aggression and Violent Behaviour Policy
Privacy Policy
Whistleblower Protection Policy

ACNC Governance Standards

LEGISLATIVE CONTEXT

Charter of Human Rights and Responsibilities Act 2006
Australian Human Rights Commission Act 1986 (Cth)
Disability Act 2006
Wrongs and Other Acts (Law of Negligence) Act 2003 (Vic)

VERSION CONTROL

Policy No 31	Date	Approved By	Date
<i>Protection of Legal and Human Rights and Freedom from Abuse Policy & Procedures</i>			
Developed v1	April 2017	CEO	12/5/2017
Reviewed v2	Jan 2020	CEO	21/1/2021
<i>Safe Guarding Policy & Procedures</i>			
Reviewed v3	Nov 2023	CEO	27/11/2023
To Be Reviewed	Nov 2025		