



**Pacific Assist**

Inspiring Self-reliance

**Safeguarding  
Policies and Procedures  
2020**

**Version Number:** 2

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## 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. Pacific Assist 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 staff, volunteers, partners and third parties of Pacific Assist 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.
4. **Pacific Assist** 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, Pacific Assist.
  - b. Define the key terms we use when talking about protecting people or safeguarding.
  - c. Set out and develop the way Pacific Assist manages safeguarding risks.
  - d. Set out the specific roles and responsibilities of persons working in and with Pacific Assist.
  - 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, Pacific Assist, 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. Abuse (treating another person in a harmful, injurious, or offensive way, including threats of, or actual violence, reviling, maligning and speaking insultingly, harshly, and unjustly to or about another person);
  - b. Abuse of power (improper use of knowledge, power or position for personal gain or the advantage of other that:
    - i. perverts, or seeks to pervert, the course of justice
    - ii. is unfair or shows bias
    - iii. breaches public trust
    - iv. influences another individual to use their position in a way that is dishonest, biased or breaches public trust);

- c. Bullying (when an individual or group of individuals repeatedly behave unreasonably to another group of persons at a workplace, which creates a risk to health and safety - bullying can be physical, spoken, written, overt or covert);
  - d. Coercion (use of force or intimidation to obtain compliance);
  - e. Cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crime;
  - f. Exploitation (selfishly taking advantage of someone or a group of people in order to profit from them or otherwise benefit oneself. It includes the act of using resources, force, fraud, or coercion, or otherwise treating people unfairly in order to benefit from their efforts or labor, and/or to obtain some type of commercial sex act)
  - g. Sexual criminal offences and serious sexual criminal offences;
  - h. Sexual exploitation (any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another);
  - i. Sexual harassment (unwanted physical, verbal or non-verbal conduct of a sexual nature that can include indecent remarks or sexual demands)
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 **Pacific Assist**, some individuals have specific obligations with which they must comply.
11. The members of the board of **Pacific Assist** are responsible for:
- a. Protecting all people that interact with, or are affected by, **Pacific Assist**;
  - b. Ensuring that there are appropriate and effective ways for **Pacific Assist** to do this;
  - c. Ensuring that **Pacific Assist** observes all relevant laws relating to safeguarding;
  - d. Ensuring that **Pacific Assist** takes a survivor-centric approach.
12. The Projects Manager of **Pacific Assist** must:
- a. Ensure **Pacific Assist** has effective and appropriate ways to manage safeguarding and legal compliance;
  - b. (If necessary) Ensure the appointment of a Safeguarding Manager with appropriate skills and competency;

- c. Ensure that, within the charity's approach, reasonable steps are taken to protect people;
- d. Subject to the wishes and welfare of the complainant/survivor, make reports to relevant external parties as required. **Note: All individuals and organisations have a legal obligation to immediately report criminal behaviour to the police**

13. The Safeguarding Manager of **Pacific Assist** is the Projects Manager. The Projects Manager must:

- a. Manage reports of abuse, neglect or exploitation;
- b. Ensure that all staff, contractors, and volunteers are aware of relevant laws, policies and procedures, and **Pacific Assist** Code of Conduct;
- c. Ensure that all staff, contractors and volunteers are aware of their obligations to report suspected incidents of abuse, neglect or exploitation;
- d. Provide support for staff, contractors and volunteers in undertaking their responsibilities.

14. All Managers of **Pacific Assist** must:

- a. Promote a positive culture towards safeguarding;
- b. Implement this policy in their area of responsibility;
- c. Ensure that the risks of incidents have been considered in their area of responsibility;
- 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 subject to the wishes and welfare of the complainant/survivor;
- f. Take a survivor-centric approach to potential incidents and ensure that any incident is dealt with transparently and accountably. This also includes being subject to the wishes and welfare of the complainant/survivor

15. All Staff and Volunteers of **Pacific Assist** must:

- a. Familiarise themselves with the relevant laws, the Code of Conduct, policies and procedures for safeguarding;
- b. Comply with all requirements;
- c. Subject to the wishes and welfare of the complainant/survivor, report any incident to the appropriate authority when it is reasonable to suspect that a person's safety or welfare is at risk. **Note: All individuals and organisations have a legal obligation to immediately report criminal behaviour to the police;**
- d. Subject to the wishes and welfare of the complainant/survivor, 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 partners and contractors of **Pacific Assist** must:

- a. Implement the provisions of this policy and **Pacific Assist's** procedures in their dealings with **Pacific Assist**;
- b. Subject to the wishes and welfare of the complainant/survivor, report any suspicion that an incident may have taken place, is taking place, or could take place. **Note: All individuals and organisations have a legal obligation to immediately report criminal behaviour to the police**

## Managing safeguarding risk

17. The way **Pacific Assist** manages the risks of safeguarding will be:

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

18. **Pacific Assist** will manage the risk of safeguarding by:

- a. Having up-to-date and documented risk assessments (as outlined in Pacific Assist's Risk Management Policy and Risk Management Planning Workbook);
- b. Maintaining a register of **Pacific Assist** legal obligations for safeguarding and workplace health and safety in all the jurisdictions in which it operates (as outlined in Pacific Assist's Governance Policy);
- c. Having an action plan that sets out how it will manage safeguarding (as outlined in Pacific Assist's Safeguarding Incident Response Plan);
- d. Adhering to this Safeguarding Policy and its Code of Conduct;
- e. Doing due diligence checks of staff, volunteers and third parties (as outlined in the Child Safety and Well-being Policy and Pacific Assist's Human Resources Policy);
- f. Implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents (as outlined in: this policy; Pacific Assist's Child Safety and Wellbeing Code of Conduct and Workplace Code of Conduct; Pacific Assist's Child Safety and Well-being Policy; Risk Management Policy; Human Resources Policy; Project Development, Implementation, and Evaluation Policy; Fraud and Corruption Prevention Policy; Complaints Handling Policy; and, Whistleblowing Policy);
- g. Conducting awareness-raising for stakeholders on risks, expectations, and individual responsibilities (as outlined in Pacific Assist's Project Development, Implementation, and Evaluation Policy and Primary Stakeholder Participation, Contribution, and Local Ownership Policy);
- h. Maintain a confidential reporting processes that also allows for anonymous reporting (as outlined in Pacific Assist's Child Safety and Well-being, Complaints Handling Policy, and Whistleblowing Policies, and in the Safeguarding Incident Response Plan)
- i. Having an incident response plan (see the Safeguarding Incident Response Plan);
- j. Monitoring and reviewing the effectiveness and proportionality of its safeguarding approach (as outlined in Pacific Assist's Child Safety and Well-being, Monitoring and Evaluation, and Primary Stakeholder Participation & Contribution Policies).

## Managing incidents

19. Harassment, abuse, neglect and exploitation are all serious misconduct and **Pacific Assist** 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, subject to the wishes and welfare of the complainant/survivor. **Note: All individuals and organisations have a legal obligation to immediately report criminal behaviour to the police**

### *Reporting suspected incidents*

20. All staff, volunteers and third parties must, as soon as practicable, subject to the wishes and welfare of the complainant/survivor, report any suspicion that an incident has taken place, may be taking place, or could take place. All reports of incidents are to be kept confidential
21. They may do this through direct reporting to:
  - a. Any member of the board;
  - b. The Projects Manager (who is the Safeguarding Manager);
  - c. The Women and Children's Advocate;
  - d. Their Project Coordinator;
22. To make a complaint, complainants can:
  - a. Speak directly to their project coordinator
  - b. Send an email to the project coordinator, projects manager (email and mobile are available on the Pacific Assist website under About Us: Our Team), or [info@pacificassist.org](mailto:info@pacificassist.org) (received by the projects manager)
  - c. Complaints about the projects manager should be sent directly to the Chair (email and mobile are available on the Pacific Assist website under About Us: Our Team)
  - d. Phone us on +61 427 681 232 (AUS) – call answered by the projects manager
  - e. Mail a letter addressed to the projects manager, women and children's advocate, or the chair of the board to Level 4/420 Collins Street, Melbourne 3000 Victoria Australia
  - f. **Anonymous complaints** can be made by mail or by completing the "Email A Complaint" form on Pacific Assist's website '[Feedback & Complaints](#)' page (leave the name, phone contact, and email address sections blank)
23. 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*

24. All suspected, perceived, potential or actual incidents will be managed through the incident response plan.

### *External reporting*

25. **Pacific Assist** 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, subject to the wishes and welfare of the complainant/survivor;
- c. Report any qualifying matter to the ACNC.

## Privacy and data protection

26. All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. Pacific Assist will protect personal information.
27. **Pacific Assist's** Privacy Policy applies.

## Administration of this policy

28. This Policy will be reviewed every **two years**. The next review will be on **01/12/2022**.

## Related policies and procedures

29. The following policies should also be consulted in relation to safeguarding:
  - a. Safeguarding Incident Response Plan
  - b. Risk Management
  - c. Rights, Protection, and Inclusion
  - d. Child Safety and Well-being
  - e. Human Resources Policy
  - f. Workplace Code of Conduct
  - g. Fraud and Corruption Prevention Policy
  - h. Complaints Handling Policy
  - i. Whistleblowing Policy
  - j. Project Development, Implementation, and Evaluation
  - k. Primary Stakeholder Participation, Contribution, and Local Ownership