



ABN: 15113807419

## **Safeguarding Policy**

### **Policy and Procedure for all Pushing Barriers Representatives**

**Pushing Barriers Incorporated Association (PB) is a not-for-profit association which provides youth with a refugee background, opportunities to play club sports**

#### **STATEMENT OF COMMITMENT**

Pushing Barriers is committed to providing services to refugee children and young people to assist them to engage in community, experience inclusiveness and be welcomed in to the Australian culture and society through sport. Our organisation is committed to promoting and protecting, at all times, the best interests of youth involved in its programs and ensuring the safety and wellbeing of all children and young people.

#### **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. Pushing Barriers 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 Pushing Barriers 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. Pushing Barriers has incident management policies and procedures 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, Pushing Barriers.
  - b. Define the key terms we use when talking about protecting people or safeguarding.
  - c. Set out and develop the way Pushing Barriers manages safeguarding risks.
  - d. Set out the specific roles and responsibilities of persons working in and with Pushing Barriers.
  - 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, Pushing Barriers, 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.
10. 'Third parties' includes but is not limited to sporting clubs, coaches, team managers, PB marketing, PB IT, PB accounting.
11. 'PB' refers to Pushing Barriers Inc.

### **Roles and responsibilities**

12. While the responsibility to protect people is shared by all who work at or with Pushing Barriers, some individuals have specific obligations with which they must comply.
13. The members of the board/management committee of Pushing Barriers are responsible for:
- a. Protecting all people that interact with, or are affected by, Pushing Barriers;
  - b. Ensuring that there are appropriate and effective ways for Pushing Barriers to do this;
  - c. Ensuring that Pushing Barriers observes all relevant laws relating to safeguarding;
  - d. Ensuring that Pushing Barriers takes a survivor-centric approach.
14. The Chief Executive Officer of Pushing Barriers must:
- a. Ensure Pushing Barriers 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. Ensure that reports to external parties are made where required.
15. The Safeguarding Manager of Pushing Barriers 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 Pushing Barriers 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. Manage reports of abuse, neglect or exploitation;
  - e. Provide support for staff, contractors and volunteers in undertaking their responsibilities.

16. All members of Pushing Barriers's Management Committee 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;
  - f. Take a survivor-centric approach to potential incidents and ensure that any incident is dealt with transparently and accountably.
17. All Staff and Volunteers of Pushing Barriers 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.
18. All partners, contractors and related third parties of Pushing Barriers must:
  - a. Implement the provisions of this policy and Pushing Barriers' procedures in their dealings with Pushing Barriers;
  - b. Report any suspicion that an incident may have taken place, is taking place, or could take place.

### **Managing safeguarding risk**

19. The way Pushing Barriers manages the risks of safeguarding will be:
  - a. Holistic. Pushing Barriers and its stakeholders will work to prevent, detect and take action on incidents.
  - b. Risk-based and proportionate. Pushing Barriers will regularly assess the risks to people in its operations and develop proportionate controls to mitigate those risks.
  - c. Survivor-centric. Pushing Barriers will put survivors at the heart of its approach to safeguarding.
  - d. Lawful. Pushing Barriers will ensure that it understands and complies with the law in everything it does, in all jurisdictions in which it works.
20. Pushing Barriers will manage the risk of safeguarding by:
  - a. Having up-to-date and documented risk assessments;
  - b. Maintaining a register of Pushing Barriers legal obligations for safeguarding and workplace health and safety in all the jurisdictions in which it operates;
  - c. Having an action plan 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 staff, 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. Maintaining two reporting processes: the confidential reporting process, and the overt reporting process;
  - i. Having an incident response plan;
  - j. Monitoring and reviewing the effectiveness and proportionality of its safeguarding approach.

## **Managing incidents**

21. Harassment, abuse, neglect and exploitation are all serious misconduct and Pushing Barriers 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*

22. All staff, 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.
23. They may do this through direct reporting to:
- a. Any member of the board/management committee;
  - b. The Chief Executive Officer;
  - c. The Safeguarding Manager.
24. If a person wants to report confidentially, including with anonymity, they may use the confidential reporting system, which is done through the Pushing Barriers website anonymous feedback form.
25. 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*

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

### *External reporting*

27. Pushing Barriers 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**

28. All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. Pushing Barriers will protect personal information.
29. Pushing Barriers Privacy Policy applies.