



Safeguarding People Policy

| Version | Owner | Effective Date | Contact |
|---------|-------------------|----------------|--|
| 1.2 | Managing Director | 25 May 2022 | donna@fittedforwork.org |



Contents

| | |
|---|-----------|
| 1. Purpose | 3 |
| 2. Policy Application | 3 |
| 3. Definitions | 3 |
| 4. Policy Principles and Context | 5 |
| 5. Policy Requirements | 7 |
| 5.1 Responsibilities / Authorities | 7 |
| 5.2 Managing safeguarding risk | 8 |
| 5.3 Managing serious incidents | 9 |
| 5.4 Reporting suspected incidents | 9 |
| 5.5 Responding to suspected incidents | 9 |
| 5.6 External reporting | 9 |
| 5.7 Privacy and data protection | 10 |
| 6. Breach of Policy | 10 |
| 7. Policy Amendment | 10 |
| 8. Related Documents, Policies and Procedures | 10 |
| 9. Legislation and Industrial Instruments | 10 |
| 10. Revision History | 11 |
| Contact | 11 |

Fitted for Work

www.fittedforwork.org

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1. Purpose

The purpose of this policy is to protect vulnerable people, inclusive of children and at-risk adults and all other beneficiaries of assistance, including people Fitted for Work may employ or engage with for the purpose of service delivery or fundraising, from any harm that may be caused due to their association with Fitted for Work. This includes harm arising from:

- The conduct of staff, volunteers or others we may employ or engage with for the purpose of service delivery for Fitted for Work
- The design and implementation of Fitted for Work services, programs, and activities.

This policy lays out the commitments made by Fitted for Work and informs staff and associated personnel of their responsibilities in relation to supporting a positive and effective internal culture towards safeguarding.

2. Policy Application

This is a FFW Governance – External policy.

This Policy applies to:

| Employees | Directors | Committee Members | Contractors | Volunteers | Suppliers | Consultants |
|-----------|-----------|-------------------|-------------|------------|-----------|-------------|
| ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |

3. Definitions

Abuse, neglect, or exploitation means all forms of physical and mental abuse, exploitation, coercion, or ill-treatment.

This might include, for example:

- Sexual harassment, bullying or abuse.
- Sexual and criminal offences of all levels of severity
- Threats of, or actual violence, verbal, emotional or social abuse.
- Cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crime.
- Coercion and exploitation.

- Abuse of power.

At-risk adult sometimes also referred to as vulnerable adult is a person who is or may need care by reason of mental or other disability, gender, sexual orientation, age, or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

Beneficiary refers to someone who directly receives goods or services from Fitted for Work services.

Child is a person under the age of 18 years.

Harm means psychological, physical and any other infringement of an individual's rights. **Psychological harm** means emotional or psychological abuse, including (but not limited to) humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement, and isolation.

Reasonable grounds to suspect - 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:

1. 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.
2. 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.

Safeguarding means protecting the welfare and human rights of people that interact with, or are affected by, Fitted for Work, 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.

Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual exploitation means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another.

Sexual harassment means any unwelcome sexual advance, unwelcome request for sexual favours, or other unwelcome conduct of a sexual nature which makes a person feel offended,

humiliated, or intimidated, and where that reaction is reasonable in the circumstances. Examples of sexual harassment include, but are not limited to,

- staring or leering
- unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching
- suggestive comments or jokes
- insults or taunts of a sexual nature
- intrusive questions or statements about your private life
- displaying posters, magazines or screen savers of a sexual nature
- sending sexually explicit emails or text messages
- inappropriate advances on social networking sites
- accessing sexually explicit internet sites
- requests for sex or repeated unwanted requests to go out on dates
- behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications

Behaviour that is based on mutual attraction, friendship and respect is not sexual harassment.

A **stakeholder** is a person (or entity) who can affect and/or be affected by Fitted for Work and can be categorised as **internal** (e.g., staff, volunteers) and **external** (e.g., clients, funders, government, media). Stakeholders can also be categorised as primary or secondary—that is, people who are affected directly or indirectly by FFW.

Student Placement is a learner providing their time to Fitted for Work freely to apply the theory and skills they gained while studying in a professional workplace.

Survivor means the person who has been abused or exploited. The term ‘survivor’ is often used in preference to ‘victim’ as it implies strength, resilience, and the capacity to survive, however it is the individual’s choice how they wish to identify themselves.

A **survivor-centric approach** means considering and lawfully prioritising the needs, right and wishes of survivors.

Volunteer is someone freely offering their time to assist Fitted for Work.

4. Policy Principles and Context

Fitted for Work is committed to providing a workplace free from discrimination, sexual harassment, bullying, abuse, neglect, and exploitation.

All people, regardless of their age, gender, race, religious beliefs, disability, sexual orientation, or family or social background, have equal rights to protection from sexual harassment, bullying, abuse, neglect, or exploitation.

Fitted for Work 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.

Fitted for Work will take a survivor-centric approach in all that we do.

Fitted for Work has a zero-tolerance policy to sexual harassment, bullying, abuse, neglect, exploitation, and occupational violence in the workplace. Workplace bullying, harassment and violence will be treated seriously and managed accordingly, as per the Occupational Health and Safety Policy.

All staff, volunteers, student placements, partners and third parties of Fitted for Work share responsibility for protecting everyone from sexual harassment, bullying, abuse, neglect, or exploitation. Beyond this, particular people have specific responsibilities, as per section 5.1, and they must carry out their duties without exception.

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

5. Policy Requirements

5.1 Responsibilities / Authorities

While the responsibility to protect people is shared by all who work at or with Fitted for Work, some individuals have specific responsibilities.

| Activity | Role / Committee |
|---|----------------------|
| Protecting all people that interact with, or are affected by, Fitted for Work by reasonably ensuring: <ul style="list-style-type: none"> • Approval and oversight of this policy • That Fitted for Work observes all relevant laws relating to safeguarding people. • That Fitted for Work takes a survivor-centric approach. | Board of Directors |
| <ul style="list-style-type: none"> • Ensure Fitted for Work has effective and appropriate ways to manage safeguarding and legal compliance. (e.g., policies and procedures) • Ensure that, within the organisation’s approach, reasonable steps are taken to protect people. • Ensure that reports to external parties are made where required. | Managing Director |
| <ul style="list-style-type: none"> • 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. | Managers |
| <ul style="list-style-type: none"> • Familiarise themselves with the relevant laws, the Code of Conduct, policies, and procedures for safeguarding. • Comply with all requirements. • Report any incident to their manager when it is reasonable to suspect that a person’s safety or welfare is at risk | Staff and volunteers |

- Provide an environment that is supportive of everyone’s emotional and physical safety.
- Implement the provisions of this policy and Fitted for Work’s procedures in their dealings with Fitted for Work. Partners and sub-contractors
- Reporting suspected incidents (as per section 5.4).

5.2 Managing safeguarding risk

The way Fitted for Work manages the risks of safeguarding will be:

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

Fitted for Work will manage the risk of safeguarding by:

- Having up-to-date and documented risk assessments.
- Maintaining a register of Fitted for Work’s legal obligations for safeguarding and occupational health and safety in all the jurisdictions in which it operates.
- Adhering to this Safeguarding Policy and our Code of Conduct.
- Doing due diligence checks of staff, volunteers and third parties, including Police Checks and Working with Children Checks where required.
- Implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents.
- Conducting awareness-raising training for stakeholders on risks, expectations, and individual responsibilities.
- Maintaining two reporting processes: the confidential reporting process (e.g., as per Whistle-blower Policy), and the overt reporting process.
- Having a Safeguarding Incident Procedure.
- Monitoring and reviewing the effectiveness and proportionality of its safeguarding approach.

5.3 Managing serious incidents

Harassment, abuse, neglect, and exploitation are all serious misconduct and Fitted for Work 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.

5.4 Reporting suspected incidents

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.

They may do this through direct reporting to:

- the Managing Director
- their Manager, Coordinator or Supervisor.

If a person wants to report confidentially, including with anonymity, they can report according to the Whistle-blower Policy.

If a person believes that another person is at risk of immediate harm or the victim of a criminal offence, they must dial 000.

5.5 Responding to suspected incidents

All suspected, perceived, potential or actual incidents will be managed through the Safeguarding Incident Procedure.

5.6 External reporting

Fitted for Work will:

- Report any suspicion of a criminal offence to the police or the relevant criminal judicial body.
- Report any qualifying matter to the Australian Charities and Not-for-profits Commission (ACNC).
- Notify our insurance provider

5.7 Privacy and data protection

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety.

Fitted for Work will protect personal information as per its Privacy Policy.

6. Breach of Policy

Failure to comply with this policy may result in disciplinary action, up to and including dismissal.

7. Policy Amendment

This policy can only be amended by the Policy Owner and recommended by the Governance Committee for approval by the Board.

8. Related Documents, Policies and Procedures

- Safeguarding Incident Procedure
- Code of Conduct Policy
- Privacy Policy
- Occupational Health and Safety Policy
- Whistle-blower Policy

9. Legislation and Industrial Instruments

This policy and/or procedure is not intended to override any industrial instrument, contract, award, or legislation. This policy complies with:

- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Australian Human Rights Commission Act 1986

10. Revision History

| Version | Approved by | Effective date | Sections modified |
|---------|---|----------------|---|
| 1.0 | Board | 2 June 2021 | This is a new Policy |
| 1.1 | Board | 25 May 2022 | Minor revisions only, (CEO to MD, extending policy application to Committee Members), no changes to requirements. |
| 1.2 | National Philanthropic Partners Manager | 3 April 2023 | Review and updated legislations |

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