

POLICY: NATIONAL COUNCIL SAFEGUARDING OF CHILDREN AND ADULTS AT RISK

PREAMBLE

The St Vincent de Paul Society National Council of Australia is united in its spirituality and management through the International Confederation of the St Vincent de Paul Society (the Rule, Part II, Art. 1.1). National Council is instituted by the International Council General (the Rule, Part III, Art. 15) and follows the international and Australian statutes outlined in *The Rule*.

The St Vincent de Paul Society in Australia ('the Society in Australia') is governed by the Rule which embraces the principle of subsidiarity such that decisions are made as close as possible to the level where activities are performed ensuring local circumstances are taken into consideration (the Rule, Part I, At 3.9).

The Society in Australia consists of the National Council and six State Councils and two Territory Councils that together assist the Society's members carry out good works. In this policy, these councils are collectively referred to as 'the Society in Australia'. Each of the nine councils has established a civil incorporated body as the vehicle to deliver charitable works within their jurisdiction.

Under the Rule, the National Council is the Society's superior council in Australia (the Rule Part II, Art. 1.6). National Council authorises the legal entities that operate in Australia in the name of the St Vincent de Paul Society. Each of the Society's nine councils in Australia is registered as a charity with the Australian Charities and Not-for-profit Commission (ACNC).

National Council and some of the state and territory councils have established and control separate subsidiary legal entities to assist in the good works of the Society. Each subsidiary entity is registered with the ACNC.

National Council, each state and territory council and each subsidiary entity has its own safeguarding policy and procedures as required by law.

National Council requires each council, each council's incorporated body and any subsidiary entity to have safeguarding policies and procedures in place ensuring that all Society members, volunteers and employees follow the Society's safeguarding policies that apply to them. Compliance with the legal requirements applying to safeguarding policies and procedures in each state and territory is the responsibility of the relevant state or territory council.

Each state and territory's safeguarding policy is listed at **Appendix 1**.

National Council's safeguarding policy is a cornerstone of the organisational culture of providing a safe and secure environment for children and adults at risk when they come into contact with the Society in Australia.

NATIONAL COUNCIL'S COMMITMENT TO THE SAFEGUARDING OF CHILDREN AND ADULTS AT RISK

National Council, on behalf of the Society in Australia, commits to protecting the safety and wellbeing of all children and adults at risk who come into contact with the Society in Australia.

National Council has zero tolerance for abuse, neglect, or exploitation.

It takes a child/person-centric approach in all it does when responding to any allegation of abuse, neglect, or exploitation.

National Council's commitment means that at every level of the Society, 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.

Serving some of the most vulnerable people in communities through relationships of trust and respect is at the heart of the Society's Vincentian mission. The safety of those interacting with the Society and

Safeguarding of Children and Adults at Risk

the inclusion of children and adults at risk in participating in decisions that affect them is central to National Council. National Council supports the participation of children and adults at risk by valuing, listening, and respecting them.

Each state and territory is responsible for operating under policies and procedures which are written according to the relevant jurisdictions' laws and regulations. National Council ensures national consistency through the adoption of the Commonwealth's National Principles for Child Safe Organisations and National Catholic Safeguarding Standards.

Safeguarding Children

National Council describes a child as any person under the age of 18 years. Children are vulnerable persons.

All members of National Council, whether they have direct or indirect contact with children, will ensure the safety of all children is at the centre of every decision made by National Council.

The safety of children and their participation, and their legal guardian's participation, in decisions that affect them, is critical and is a responsibility of all people that are engaged by the Society in Australia.

Safeguarding Adults at Risk

National Council describes an adult at risk as any person 18 years or over who is at increased risk of experiencing neglect, harm or exploitation. This may be due to age, gender, disability, mental health challenges, physical illness, socio-economic circumstances, linguistic skills, or other circumstances that make that adult vulnerable to abuse, neglect or exploitation.

All members of National Council, whether they have direct or indirect contact with adults at risk, will ensure the safety of adults at risk is at the centre of every decision made by National Council.

The safety of adults at risk and their participation, and where applicable, their legal guardian's participation, in decisions that affect them, is critical and is a responsibility of all people that are engaged by the Society in Australia.

DEFINITIONS

Abuse, neglect, or exploitation means all forms of physical and emotional and psychological abuse, exploitation, coercion or ill-treatment. This might include, for example:

- sexual harassment, grooming, bullying or abuse;
- any kind of sexual criminal offences;
- 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;
- failure to provide basic necessities; and/or
- abuse of power.

Adult at risk means any person 18 years or over who is at increased risk of experiencing neglect, harm, or exploitation. This might include, for example:

- age;
- gender;
- disability;
- mental or physical illness;
- socio-economic circumstances;

Safeguarding of Children and Adults at Risk

- linguistic skills; and/or
- other circumstances that make that adult vulnerable to neglect, harm or exploitation.

Association means St Vincent de Paul Society National Council of Australia Inc. which is the incorporated association under the **Incorporated Associations Act 1991** (ACT). The Association is the civil embodiment of National Council.

Child/children means any person or persons under the age of 18.

Child/person-centric approach means commencing from a position of considering and lawfully prioritising the needs, right and wishes of children and adults at risk that have been impacted by any incident of abuse, neglect or exploitation.

Members of National Council means those persons who:

- (i) are Association members of St Vincent de Paul Society National Council of Australia Inc.; or
- (ii) are Australian representatives appointed to Council General International positions.

National Council means the superior Council of the Society in Australia. The members of the National Council include the National Council President, the Presidents of the State and the Territory Councils and those specified in the Rule (Articles 15 and 20).

The charitable functions of National Council are carried out by the Association. The members of the Association are the members of National Council and Representatives of National Council are engaged by the Association. References to National Council include the Association.

National Council facilitated program or activity means a program or event that is arranged, coordinated, and managed by National Council.

National Council representatives means Society members who perform activities or responsibilities that are deliverables of National Council. This includes people who are engaged by the Association, including employees, volunteers, contractors, and delegated representatives who are engaged by a state or territory council that are delegated to perform duties or carry out activities on behalf of National Council.

Overseas Development Program means the work undertaken with partners of the International Confederation of the Society of St Vincent de Paul to carry out the good works of the Society. The Overseas Development Program's good works include the following initiatives:

- Twinning and Grants;
- Projects;
- Humanitarian Assistance; and
- Assist A Student.

Safeguarding means protecting the welfare and human rights of children and adults at risk who interact with, or who are affected by National Council, particularly those who might be at risk of abuse, neglect, or exploitation. It refers to any responsibility or measure undertaken to protect a person from harm.

Society in Australia means all of the entities that operate in Australia in the name of the St Vincent de Paul Society as authorised by National Council including its incorporated and unincorporated entities and the incorporated and unincorporated entities of the states and territories.

INTENT OF THIS POLICY

The intent of this policy is:

- to protect all children and adults at risk who come into contact with National Council;
- to support a positive and effective Vincentian culture towards safeguarding in Australia and internationally;
- to define the key terms used when talking about protecting or safeguarding children and adults at risk;
- to define the specific roles and responsibilities of National Council for managing safeguarding
- to define National Council's practices for managing safeguarding risks; and
- to prescribe the procedures for the appropriate management of incidents.

SCOPE

This policy applies to members of National Council and National Council representatives.

RESPONSIBILITIES

National Council will:

- oversee the protection of all children and adults at risk who come into contact with the Society in Australia;
- ensure there are appropriate and effective ways for the Society in Australia to do this;
- require the Society in Australia to observe all relevant laws relating to child abuse and safeguarding; and
- require the Society in Australia to take a zero tolerance and child/person-centric approach towards safeguarding.

The Association's Chief Executive Officer will:

- assist National Council with its safeguarding responsibilities;
- ensure the Association has effective and appropriate ways to manage safeguarding of children and adults at risk;
- ensure the Association complies with applicable child abuse and safeguarding laws;
- ensure at all times the Association takes reasonable steps for maintaining and promoting safeguarding;
- take a zero tolerance and child/person-centric approach when responding to and managing any report of abuse, neglect, or exploitation;
- ensure all National Council representatives are aware of relevant laws, policies and procedures and applicable Codes of Conduct;
- facilitate regular safeguarding training for National Council representatives;
- coordinate Australian Federal Police checks and where required Working with Vulnerable People (or equivalent) checks for all new National Council representatives before their commencement, prior to engaging in international work, or prior to being delegated as a representative under the Overseas Development Program; and
- facilitate the confidential storage of documents relating to any reports of misconduct of National Council and representatives of the Association.

Safeguarding of Children and Adults at Risk

The Association's Chief Executive Officer is National Council's Safeguarding Officer.

Members of National Council and National Council representatives will:

- engage with the Association's Chief Executive Officer to follow all due diligence checks and understand their obligations regarding safeguarding before undertaking international travel;
- adhere to relevant local legislative requirements applicable when undertaking international travel;
- undertake regular safeguarding training;
- undergo Australian Federal Police and Working with Vulnerable People (or equivalent) checks applicable to their home state or territory before commencement on National Council; and
- report any allegations or incidents of harm or potential harm towards children and adults at risk who come into contact with National Council by following safeguarding policy, procedures and statutory requirements of the jurisdiction in which the allegation or incident occurred.

THE SOCIETY'S INTERNATIONAL WORK AND OVERSEAS DEVELOPMENT PROGRAM

Good Work Undertaken by Members of National Council, Society members and Representatives of the Association

All persons representing National Council, the International Council General or the Association overseas will put the safety and the wellbeing of children and adults at risk at the centre of their work including in situ overseas and electronic communications such as phone calls, e-mail, text messages and social media platforms.

Overseas Visits

Members of National Council, National Council representatives and Society members may be required to undertake international travel and to work in partnership with international constituents to conduct good works.

All approved travellers will adhere to their relevant council's safeguarding policy and National Council's Travel Policy and Overseas Visits Policy. Approved travellers should be aware of the [Commonwealth Criminal Code Act 1995](#), which states it is a crime for Australians to travel overseas to engage in, encourage or benefit from sexual activity with children (under 16 years of age).

Approved travellers are required to undergo due diligence checks before undertaking travel. The Association's Chief Executive Officer facilitates these checks.

National Council requires all approved representatives of international partners visiting Australia to comply with this policy and adhere to relevant safeguarding laws and regulations when visiting or working with representatives in Australia. National Council will make this policy available to international partners and will provide support to non-English speaking partners in understanding this policy.

Overseas Development Program – Good Works Undertaken by Delegated Representatives

National Council manages the Society in Australia's Overseas Development Program.

The work undertaken within the Overseas Development Program is also conducted by state and territory representatives of the Society. These representatives are delegated by National Council to conduct the Society's good works internationally and will put the safety of children and adults at risk at the centre of their work.

Delegated representatives will put the safety of children and adults at risk at the centre of their work when communicating with international partner constituents, including face to face communications and when communicating electronically using phone calls, e-mail, text messages or social media platforms.

As part of undertaking work under the Overseas Development Program, delegated representatives may require access to the Association's Overseas Programs' Database. Access to the Association's

Safeguarding of Children and Adults at Risk

Overseas Programs' database requires the delegated representatives to complete applicable due diligence checks in consultation with the Association's Chief Executive Officer.

National Council will make this policy available to international partners and will provide support to non-English speaking partners in understanding this policy.

CAPTURE AND PUBLICATION OF INTERVIEWS, PHOTOGRAPHS AND VIDEOS OF CHILDREN AND ADULTS AT RISK

National Council will at all times portray children and adults at risk in a respectful and appropriate way.

The Association is responsible for managing the Society in Australia's national website, social media platforms and publications. The website, social media platforms and publications often contain images, videos, interviews and stories of children and adults at risk to promote the Society's work including fundraising and public awareness campaigns.

The Association produces and distributes a range of promotional materials and will seek consent from adults and legal guardians of children and adults at risk prior to capturing and publishing images, videos and stories containing children and adults at risk. Consent will be gained by using the consent form available at **Appendix 2**.

The Association will clearly outline the intended use of the images, videos, and stories. All images and stories are stored securely in accordance with National Council's Privacy Policy. Images and videos of children and adults at risk are captured in a way so as to avoid the possibility of identifying the subjects, or this is achieved through post-production processes. Similarly, written stories focused on these subjects do not provide information, such as names or locations, that could be used to identify the individuals involved.

The Association also engages with partner organisations to promote the work of the Society and its mission. Where images and videos are included in this work, the National Council will ensure that the above-noted consent is in place.

MANAGING SAFEGUARDING RISK

National Council manages the risks associated with the safeguarding of children and adults at risk by adopting the following approaches:

- Following the law - National Council will ensure that it understands and complies with the law in everything it does, in all jurisdictions in which it works including when conducting work of the Society internationally.
- Being proactive - National Council will proactively work to identify, prevent, detect, and take action on incidents, including reporting incidents to the appropriate statutory authority.
- Risk-based approach - National Council will regularly assess the risks to people in its operations and develop controls to mitigate those risks.
- Adopting a child/person-centric approach to safeguarding practices - National Council will put people at the heart of its approach to safeguarding and take a zero tolerance approach to abuse, neglect or exploitation of children and adults at risk.

When preparing risk assessments for the delivery of any National Council program or activity that will impact children and or adults at risk, safeguarding risks will be captured using National Council's Risk Management Framework. Identified risks will have mitigation strategies implemented.

REPORTING OF INCIDENTS

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

Representatives of National Council will:

- report all suspected, perceived, potential or actual incidents of abuse, neglect or exploitation of children and adults at risk to the Association's Chief Executive Officer; and
- cooperate with the Association's Chief Executive Officer to actively manage incidents promptly, honestly and fairly at all times.

In each state and territory, reporting will be made in accordance with the requirements of the relevant state or territory's statutory authority and the relevant state or territory council's safeguarding policy and procedures, in the jurisdiction where the child or adult at risk resides.

The safeguarding policy of each state and territory council is referenced at **Appendix 1**.

The National Council Whistleblower Policy applies to members of National Council and the Association who make a report regarding the conduct of another representative of the Society. Whistleblower protection legislation also applies within Australia.

Reporting Requirements for Incidents Occurring at National Council Facilitated Programs or Activities

Any incidents of suspected, perceived, potential or actual incidents of abuse, neglect and exploitation that occur at a National Council Facilitated Program or Activity, whether in Australia or overseas, must be reported to the Association's Chief Executive Officer, through the National Council Safeguarding Incident Form at **Appendix 3**.

The form and all associated records and papers will be permanently retained and stored in a secure confidential file held by the Association's Chief Executive Officer in accordance with National Council's Privacy Policy.

Any incidents of suspected, perceived, potential or actual incident of abuse, neglect and exploitation conducted by members of National Council will be assessed by the Association's Chief Executive Officer who will determine in their absolute discretion whether the incident should result in:

- the incident being reported to the Police and relevant statutory authority in the state or territory where the suspected, perceived, potential or actual incident occurred; and
- disciplinary action which may include the member of National Council being stood down while an investigation takes place or dismissal.

COMPLAINTS MANAGEMENT

A member of the public can lodge complaints regarding the conduct of any member of National Council or National Council representative in relation to the safeguarding of children and adults at risk. National Council's Complaints Management Policy is available on the Society's website.

PRIVACY AND DATA PROTECTION

National Council will protect personal information in line with the National Council Privacy Policy.

POLICY ADMINISTRATION

This policy will be reviewed every two years.

RELATED POLICIES AND PROCEDURES

National Council policies and procedures

Safeguarding of Children and Adults at Risk

- Complaints Management Policy
- Privacy Policy
- Risk Management Policy
- Staff Recruitment and Induction Policy
- Whistleblower Policy
- Working with Vulnerable People Register
- Working Together Guidelines
- Pre-employment Police Check
- National Council Safeguarding Incident Form
- Consent Form
- Overseas Partnerships Program Policy
- Overseas Partnerships Program Compliance Procedures
- National Council Travel Policy
- Overseas Visits Policy

State and Territory Council policies and procedures

Each state and territory is responsible for managing its own policy and procedures. **Appendix 1** lists the state and territory safeguarding policies.

REFERENCES

- The Rule
[National - St Vincent de Paul Society - Good Works \(vinnies.org.au\)](https://www.vinnies.org.au)
- National Council Constitution
[St Vincent de Paul Society National Council of Australia Constitution](#)
- International Council General of the Society of St Vincent de Paul's Safeguarding Framework
[Publications - SSVP Global](#)
- National Principles for Child Safe Organisations
[Home | Child Safe Organisations \(humanrights.gov.au\)](https://www.humanrights.gov.au)
- National Catholic Safeguarding Standards
[Australian Catholic Safeguarding Ltd \(acsltd.org.au\)](https://www.acsltd.org.au)
- Australian Charities and Not-for-profits Commission Governance Toolkit
[Governance Toolkit: Safeguarding vulnerable people | ACNC](#)
- Pre-employment Screening: Working With Children Checks and Police Checks
[Pre-employment screening: Working With Children Checks and Police Checks | Child Family Community Australia \(aifs.gov.au\)](#)
- Australian legal definitions: When is a child in need of protection?
[Australian legal definitions: When is a child in need of protection? | Child Family Community Australia \(aifs.gov.au\)](#)

DOCUMENT INFORMATION

TITLE	Safeguarding
DOCUMENT TYPE	Policy
DOCUMENT NUMBER	POL_09
AUDIENCE	Directors, employees and volunteers of the National Council
CATEGORY	Governance
TOPIC	Safeguarding
SUBTOPIC	Children and Adults at Risk
EFFECTIVE DATE	September 2022
REVIEW DATE	September 2024
RESPONSIBLE OFFICER	National Council Chief Executive Officer
APPROVER	National Council (<i>Circular Motion #18/2022</i>)
ENQUIRIES	admin@svdp.org.au

Please ensure you are referencing the current version of this document by downloading it from the Governance Document Access Library.

APPENDIX 1

REGISTER OF STATE AND TERRITORY SAFEGUARDING POLICIES

State/Territory	SVdP State/Territory Council Policy
Australian Capital Territory & surrounding regions of New South Wales	Child Protection Policy
New South Wales	Safeguarding Children Policy
Northern Territory	Child Protection and Wellbeing Policy
Queensland	Safeguarding Policy
South Australia	Safety Screening Policy
Tasmania	Safeguarding Policy
Victoria	Child Safety Policy
Western Australia	Safeguarding Children Framework

APPENDIX 2**CONSENT FORM FOR USE OF INTERVIEWS, PHOTOGRAPHS AND VIDEO****BACKGROUND**

The St Vincent de Paul National Council of Australia Inc. (the National Council), independently and in conjunction with others, produces publications and administers public awareness campaigns to:

- increase public and stakeholder awareness of our mission, programs and services
- advocate for outcomes associated with our mission.

For the above purposes, the National Council produces and distributes a range of promotional materials, including:

- external and internal publications, such as updates, newsletters and magazines
- corporate publications, such as annual reports and fact sheets
- online publications, such as websites and social media presences
- television, print, radio and online media segments or advertisements.

The National Council's privacy policy is available at <http://www.vinnies.org.au/privacy> and contains information about how to access and correct personal information and how you may complain about a breach of your privacy.

The copyright in images used for these purposes' rests with the National Council.

CONSENT

I give permission for images in which I/my child/the children of whom I act as the guardian appear and are used by the Society for public relations purposes.

In particular, I note that this may include images or video being used in the above print and electronic publications.

I give permission for video interviews to be transcribed and used in print and electronic publications noted above.

I understand that the National Council will not be accountable should overseas recipients of these images breach Australian privacy laws and that I will not be able to seek redress under the Australian Privacy Act.

I have read and understand this notice, and consent to the collection, use and disclosure of my image, including disclosure to overseas recipients, as outlined above.

I understand this consent is valid in perpetuity and the National Council and may use images and videos for archival or documentary purposes. I acknowledge I am able to revoke my consent by contacting media@svdp.org.au.

Signed _____

Dated _____

Safeguarding of Children and Adults at Risk

SHOOT INFORMATION

SHOOT

Date _____

Image Details _____

PHOTOGRAPHER

Name _____

Number _____

Email _____

Signature _____

APPROVALS

Name of Subject(s)/Parent(s)/Guardian(s)

APPENDIX 3**NATIONAL COUNCIL SAFEGUARDING INCIDENT FORM****CONFIDENTIAL WHEN COMPLETED****SAFEGUARDING INCIDENT RESPONSE FORM**

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

SCOPE

Safeguarding is the responsibility of all members, volunteers and employees of the Society in Australia.

In accordance with National Council's Safeguarding of Children and Adults at Risk Policy, members, volunteers and employees of National Council must report any incidents of suspected, perceived, potential or actual incidents of abuse, neglect and exploitation towards children and vulnerable people to National Council's Chief Executive Officer as National Council's safeguarding officer.

At the state and territory level, this will be done in accordance with the requirements of the relevant state or territory's statutory authority and the relevant state or territory council's safeguarding policy and procedures in the jurisdiction where the child or adult at risk resides.

This form must be completed by members, volunteers and employees of National Council and where any incidents of suspected, perceived, potential or actual incidents of abuse, neglect and exploitation occur at a National Council Facilitated Activity or Program.

NOTICE

The following related National Council policies apply:

- Safeguarding of Children and Adults at Risk
National Council's Safeguarding of Children and Vulnerable Adults Policy applies to all members, volunteers and employees of National Council.
- Privacy Policy
In accordance with National Council's Privacy Policy, National Council will protect personal information in accordance with the Australian Privacy Principles which are set out in the **Privacy Act 1988** (Cth).

All information contained in this form will be treated sensitively and will be stored in accordance with National Council's Privacy Policy and will be permanently retained by the Association's Chief Executive Officer.

- Whistleblower Protection Policy
The National Council Whistleblower Policy applies to members of National Council and the Association who make a report regarding the conduct of another representative of the Society. Whistleblower protection legislation also applies within Australia.

Details of Person Completing the Incident Response Plan

Date:	
Name:	
Position:	
Location of Work:	
State/Territory:	
Contact Number:	
Have Police been notified?	

Incident Type

- | | |
|--|---|
| <input type="checkbox"/> Sexual Harassment | <input type="checkbox"/> Sexual Criminal Offences |
| <input type="checkbox"/> Threats of Violence | <input type="checkbox"/> Physical Abuse |
| <input type="checkbox"/> Verbal/Psychological Abuse | <input type="checkbox"/> Abuse of Power |
| <input type="checkbox"/> Coercion | <input type="checkbox"/> Exploitation |
| <input type="checkbox"/> Cultural, gender or sexual based discrimination | <input type="checkbox"/> Neglect |
| <input type="checkbox"/> Other (please specify): | |

Incident Details

Date/s:	
Time/s:	
Location/s:	
State/Territory:	

Persons Involved

Person 1

Description of Involvement:	
Name:	
Position:	
Usual Location of Work:	

Person 2

Description of Involvement:	
Name:	
Position:	
Usual Location of Work:	

Person 3

Description of Involvement:	
Name:	
Position:	
Usual Location of Work:	

Incident Details

Please attach any supporting documents to this form

Name:	
Signature	Date:

CONFIDENTIAL WHEN COMPLETED