

Safeguarding Policy

Approval Date:	<i>23 August 2024</i>	Next Review Date:	<i>23 August 2027</i>
Responsibility:	<i>Safeguarding Focal Point</i>	Approved by:	<i>ALWS Board</i>

1. POLICY STATEMENT

ALWS is committed to ensure that all children and vulnerable people are treated with dignity and respect and that the health, safety and wellbeing of all is protected in our work both in Australia and in our partnerships.

2. OVERVIEW

This policy provides a framework for creating and maintaining a safe organisation where all people, including children, we come in contact with are protected from harm and abuse. ALWS aims to ensure the health, safety and wellbeing of all.

Harm and abuse may include but are not limited to physical, psychological, sexual violence and abuse, material abuse, all forms of modern slavery and all forms of maltreatment and exploitation.

This includes harm arising from the conduct of personnel associated with ALWS and its partners, the design and implementation of ALWS supported programs and activities and protecting children and vulnerable people from exploitation and abuse of all kinds in ALWS supported programs and within ALWS itself.

ALWS recognises the advance of and impact Artificial Intelligence may have in regard to image generation regarding the exploitation of children and vulnerable people. We strictly prohibit the use of AI-generated images for any of our purposes, while acknowledging the risk of misuse and exploitation by others. We remain committed to ethical standards and the protection of sensitive content.

3. GOAL

This policy provides ALWS personnel with expectations and requirements to promote the safety and wellbeing of all children and vulnerable people, and reduce Sexual Exploitation, Abuse and Harassment (SEAH) risk, as well as manage incidents of harm to children and vulnerable people and SEAH that may occur in relation to ALWS activities or personnel.

4. GUIDING PRINCIPLES

ALWS is committed to ensuring that all those with whom we come into contact are treated with dignity and respect. ALWS prioritises the dignity of every human being and their inherent right to safety and security. We aim to create an environment where our personnel and all those we serve may flourish.

In bringing God's love to life, ALWS commits to the protection of children and vulnerable people and prevention of sexual exploitation, abuse and harassment. ALWS will not tolerate child abuse, sexual exploitation, abuse or harassment, be it of or by its personnel and those we serve.

Australian Lutheran World Service (ALWS) is also committed to following Christ's example to care for children:

“Let the children come to me; do not hinder them, for to such belongs the kingdom of God. Truly, I say to you, whoever does not receive the kingdom of God like a child shall not enter it.” And he took them in his arms and blessed them, laying his hands on them. (Mark 10:14-16)

In a harsh world all too often marked by hostility and malice, God’s people are called to act with compassion, gentleness and reasonableness. (Gal 5:22–23; Eph 4:2; Matt 5:1–9)

5. SCOPE

This is a whole of agency policy that applies to all ALWS personnel (Board members, advisors, board sub-committees, employees, ongoing volunteers, casual helpers, external contractors and consultants) regardless of their location.

This policy also applies to ALWS implementing partners (referred to as ‘Partners’) and sub-contractors.

ALWS’ principal mode of operation is through partnership. ALWS will work with partners that share the same commitments expressed in this policy, supporting them to carry them out in the context of their own cultural, organisational and legislative contexts.

This policy is informed by the following:

- Child Protection Policy and Procedures of the Lutheran Church of Australia (LCA)
- DFAT Child Protection Policy (and guidance documents)
- United Nations Convention on the Rights of the Child
- ACFID Code of Conduct
- The Interagency Standing Committee Minimum Operating Standards for Prevention of Sexual Exploitation and Abuse
- DFAT’s Preventing Sexual Exploitation, Abuse and Harassment Policy
- Lutheran Church of Australia’s Prevention of Harassment and Abuse Policy (11 March 2015), available at <https://www.lca.org.au/services-resources-training/policies/>
- Lutheran World Federation Safeguarding Policy

6. DEFINITIONS

ALWS regards children as those who are under the age of 18, in accordance with the DFAT Child Protection Policy, LCA Child Protection Policy and the United Nations Convention of Rights of the Child.

Safeguarding refers to the actions, policies and procedures that create and maintain a culture of safe and protective environments for all, including our paid and volunteer staff, contractors, partners and the communities we seek to serve in Australia and overseas. Safeguarding includes prevention, mitigation, response and feedback and complaints handling mechanisms. It means protecting people, including children and at risk adults, from harm that arises from coming into contact with our staff and programs.

Protection refers to any program or advocacy activity that World Service implements directly or through/with partners to prevent and respond to protection risks and protection violations.

Vulnerable people include people both within our organisation, our partner organisations and our program recipients.

Vulnerability may be increased for:

- People who need additional support to take care and protect themselves.
- People at risk of social marginalisation or exclusion.
- People living or fleeing from unstable or chaotic contexts.

Vulnerability increases with the addition of multiple risk factors including power imbalance.

Vulnerability can change over time.

Abuse occurs when adults or other children hurt children either physically or in some other way.

Abuse comes in many forms:

- **Emotional abuse** refers to a parent or caregiver's inappropriate verbal or symbolic acts toward a child, or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. It may include a repeated rejection or belittling of a child, or the making of threats, which has the intent to scare and frighten. It can also result from excessive demands that place expectations on a child beyond their capacity, or by witnessing forms of violence, including domestic violence.
- **Neglect** is the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and well-being. In a development or emergency context, the risk of this form of abuse can also be evident when someone uses their position to withhold assistance in order to gain favours or advantage.
- **Physical abuse** refers to the use of physical force against a child that results in harm. Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning. This form of abuse may be intentional, the indirect consequence of physical punishment or aggression, or arise from neglect where the child is exposed to physically dangerous and life-threatening situations.
- **Exploitation** refers to one or more of the following:
 - Committing or coercing another person to commit acts of abuse against a child
 - Possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material (material that explicitly or implicitly depicts a child as a victim of torture, cruelty or physical abuse or material that represents a child who is engaged in, or appears to be engaged in a sexual pose or activity, or is in the presence of a person who is engaged in, or appears to be engaged in, a sexual pose or activity)
 - Committing or coercing another person to commit an act of grooming (behaviour that makes it easier for an offender to procure a child for sexual activity), including online grooming.
 - Child labour - work that children should not be doing because they are too young to work, or because it is dangerous or otherwise unsuitable for them.

Contact with children: Working on an activity or in a position that involves or may involve contact with children, either under the position description or due to the nature of the work environment. This includes indirect contact with children in the community.

Working with children: Being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity and contact is not incidental to the activity.

Sexual Abuse is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It covers sexual offences including but not limited to: attempted rape (which includes attempts to force someone to perform oral sex); and sexual assault (which includes non-consensual kissing and touching). All sexual activity with someone under the age of consent.

In relation to a child, it includes if a child is pressured or forced to take part in any kind of sexual activity, whether or not the child is aware of, or consents to, what is happening. It is the use of a child for sexual gratification by an adult or significantly older child or adolescent. Sexually abusive behaviours can include fondling genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling breasts, voyeurism, exhibitionism and exposing the child to, or involving the child in, pornography.

Sexual exploitation is 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.

Sexual harassment is when a person makes an unwelcome sexual advance or an unwelcome request for sexual favours, or engages in other unwelcome conduct of a sexual nature, in circumstances in which the person harassed would be offended, humiliated or intimidated. Sexual harassment can take various forms. It can be obvious or indirect, physical or verbal, repeated or one-off and perpetrated by any person of any gender towards any person of any gender. Sexual harassment can be perpetrated against program participants, community members, citizens, as well as staff and personnel.

Some examples of behaviour that may be sexual harassment include:

- Staring or leering
- Unnecessary familiarity, such as unwelcome affection or 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

Fraternisation is any relationship that involves, or appears to involve, partiality, preferential treatment or improper use of rank or position including, but not limited to voluntary sexual behaviour. It could include sexual behaviour not amounting to intercourse, a close and emotional relationship involving public displays of affection or private intimacy and the public expression of intimate relations.

Management refers to the Executive Director, the Programs Director, the Community Action Manager and the Officer Manager/Accountant (or those acting in these roles).

Partner refers to entities with whom ALWS has formal agreements, and who implement projects with funding from ALWS.

Personnel are the ALWS board members, advisors, employees, volunteers, contractors and consultants.

Transactional sex is the exchange of money, employment, goods or services for sex, including sexual favours.

Perpetrator is a person (or group of persons) who commits an act of Sexual Exploitation, Abuse or Harassment or any other type of crime or offence.

Victim/survivor is a person who is, or has been, sexually exploited, harassed or abused.

Bystander refers to a person who witnesses an incident firsthand, or who hears about it afterwards.

Communities/Community members are communities ALWS seeks to serve through our work. Includes the schools and churches our personnel visit and overseas communities that are part of the projects ALWS supports through partners.

7. IMPLEMENTATION

These statements reflect ALWS' practical approach to meeting this Policy's goal through and with its partners in overseas projects as well as in its operations within Australia.

Professional Behaviour Standards

To provide a clear guide for ALWS Personnel of what is acceptable and unacceptable behaviour when working with children and vulnerable communities

- By ensuring all personnel understand, sign and adhere to the ALWS Code of Conduct at the point of recruitment and prior to contact with children and vulnerable people.
- By using child friendly approaches to communicating our Code of Conduct and reporting processes when working with children in Australia and overseas.
- By personnel discussing and re-signing the ALWS Code of Conduct during the performance planning process on an annual basis,
- By providing opportunities for staff to raise concerns.

Using children's and vulnerable people's images and stories

To ensure that the capture and use of children's and vulnerable people's images and stories is done in a respectful and appropriate way, including within Australia and overseas

- By ensuring ALWS and partner staff ensure depictions of children and vulnerable people are respectful, dignified, truthful, culturally appropriate and do not reveal identifying information by following the processes found in the ALWS Code of Conduct.
- By only collecting stories and photos with the consent of children and their parents/guardians and seeking consent from all project participants.
- By briefing any external photographers or journalists on ALWS Safeguarding Policy and Code of Conduct and having them sign the Code of Conduct before having any contact with communities and/or children.
- By ensuring all images stored in the ALWS Digital Asset Management System that include children are checked by the Child Safeguarding Focal Point to ensure they meet ALWS' standards regarding permission, privacy and dignity.
- By using the Communications Compliance Checklist to ensure any images or stories of children and vulnerable people published meet ALWS' standards regarding permission, privacy and dignity.

Recruitment and employment practices

To ensure that ALWS will not permit a person to have contact with children and vulnerable people if they pose an unacceptable risk to the safety and wellbeing of children and vulnerable people, or pose a risk to the protection against SEAH of staff or communities:

- By including ALWS' commitment to Safeguarding (including PSEAH and Child Safeguarding) in position descriptions, recruitment advertisements and tender documents. This Policy (and other related documents including ALWS Code of Conduct, Complaints Policy, ALWS Safeguarding Policy) will be available to applicants.
- By assessing the level of risk to children and of PSEAH for all positions, and according to the risk level screen potential new personnel by: Positions working directly with children will require the highest level of screening and the applicant must possess relevant qualifications and experience in working with children.
- Behavioural-based interview questions including requesting disclosure whether they have been charged with child abuse, sexual abuse, exploitation (Including sexual) or abuse offences.
- Verbal referee checks.
- Conducting a criminal record check. In cases when a criminal record check is not possible, a statutory declaration will be used instead. Checks will be conducted for each country in which the individuals has lived for 12 months or longer over the last 5 years, and for the individual's countries of citizenship.
- Requesting an employer Working with Children Check.
- By inducting ALWS Personnel on this Policy at the commencement of their employment.

- By induction processes for ALWS casual helpers that include signing the ALWS Casual Helper Code of Conduct/ALWS Code of Conduct and explanation of how to report child-related concerns.
- By provision in employment contracts that ALWS has the right to dismiss, suspend or transfer the employee to other duties if they breach the Code of Conduct, or this policy.
- By all on-going positions being subject to a probationary period.
- By providing training to staff and board on Safeguarding (including PSEAH and Child Safeguarding) within a year of commencing and refresher training every three years. This training may be internal or external and vary depending on the risk profile of their role.

Working in partnership

To ensure no harm and to promote the safety and dignity of all children and program participants during the delivery of our programs and activities by:

- Requiring our program partners to have their own safeguarding policies and procedures (including child protection and PSEAH), and a Code of Conduct or Professional Behaviour that align with ALWS's and international good practice including DFAT Minimum Standards.
- Assessing program partners' safeguarding capacity and practices through assessment tools to benchmark capacity, learn from good practice and support improvement including supporting them to access locally appropriate resources, training and technical support related to safeguarding including Codes of Conduct and reporting processes that are accessible to children and vulnerable people.
- By ensuring that risk management is an ongoing part of all of our partner's work, by:
 - a) Conducting thorough risk assessments that include the risk of Child Abuse and SEAH of all our programs and activities to identify risks and develop mitigation strategies to reduce and manage the risk;
 - b) Monitoring risks to ensure assessment-identified risks are reviewed, emerging risks are incorporated and that mitigation strategies put in place are being implemented and are effective through the program cycle.
 - c) Ensuring that for during humanitarian responses, given the higher level of risk for child abuse and SEAH, and we manage these risks appropriately.
 - d) Ensuring that partners and projects have strong feedback and complaints mechanisms so that any concerns can be reported and acted upon.
- Working with networks such as Lutheran World Federation and ACT Alliance to promote safeguarding practices, (including child protection and PSEAH).

Accessing and communicating the policy

- By communicating this Policy, the ALWS Code of Conduct and ALWS Complaints Policy on the ALWS website and in public communications.
- By ensuring that all personnel, visitors, program partners and their downstream partners are notified of and made aware that they are required to comply with the policy.

Reporting and responding

A commitment to immediately report any concerns or allegations of exploitation or abuse of a child or vulnerable person or non-compliance or any concerns, allegations or instances of SEAH or non-compliance with the Safeguarding Policy by:

- Ensuring staff, volunteers and board members of ALWS and partner organisations are aware of and have access to the ALWS Safeguarding Reporting Procedure and Guidelines including the incident reporting form, and ALWS Complaints Policy.
- Following the ALWS Safeguarding Reporting Guidelines and ALWS Complaints Policy and CANDO Safeguarding Standard Operating Procedures.
- Reporting, according to the ALWS Safeguarding Reporting Guidelines and ALWS Complaints Policy:
 - o any breaches of this Policy,
 - o breaches of the ALWS Code of Conduct, or,

- o experienced, suspected, alleged, or witnessed incidents of child abuse or SEAH.

If personnel are unsure whether a concern or allegation amounts to Child Safeguarding, SEAH or a breach of Policy or Code of Conduct, they must contact the ALWS Complaints Manager. If in doubt, report in line with the principle of zero tolerance of inaction:

- Ensuring ALWS personnel are aware of their Bystander obligations and understand that where they develop a concern or witness an incident of Child Safeguarding or SEAH, they must report this to ALWS following the ALWS Safeguarding Reporting Guidelines.
- Immediately (within 2 working days of learning of an incident) notifying DFAT of any suspected or alleged incidents of Child Safeguarding or SEAH in any activity funded, supported or connected to DFAT.
- Notifying DFAT (within 5 working days of learning of an incident) of any non-compliance with DFAT's Child Safeguarding Policy and DFAT's Preventing Sexual Exploitation and Abuse Policy if any personnel involved in a DFAT funded program are accused of, charged with, arrested for, or convicted of criminal offences relating to child exploitation and abuse.
- Notifying our strategic partners in CANDO of any instances of Child Safeguarding or SEAH connected to a CANDO activity in accordance with the CANDO Safeguarding Standard Operating Procedures.
- Working with implementing partners to ensure robust reporting procedures, that include notifying ALWS of any cases of Child Safeguarding or SEAH related to ALWS-supported activities.

To manage any reports of Child Safeguarding or SEAH or non-compliance with this Policy

- By ensuring all incidents of Child Safeguarding and SEAH will be reported to police where laws have been broken or suspected to be broken, including to partner country law enforcement authorities, except where:
 - o this is at odds with the wishes or welfare of the Victim/Survivor
 - o it is unsafe to do so
- By documenting all incidents of Child Safeguarding or SEAH, even those dealt with informally, and reporting them to the Board via the Complaints and Risk Registers.
- By providing appropriate assistance for children and victim/survivors, such as access to legal, medical, social and financial services.
- By prioritising the needs of the children and victim/survivor, confidentiality and procedural fairness in investigating and managing the report.
- By the Complaints Focal Point coordinating an investigation as appropriate. The level of investigation will be commensurate with the seriousness of the complaint and may involve the support of external consultants.
- By substantiated reports of Child Safeguarding or SEAH resulting in disciplinary action against the Perpetrator, which may include termination of employment, and may, in accordance with relevant legislation, lead to criminal prosecution.

8. RESPONSIBILITIES

Management is responsible for:

- Ensuring this policy is implemented and understood by all personnel.
- Appointing a Safeguarding Focal Point.
- Seeking advice as required before dealing with any complaints or reports to ensure that procedural and legal requirements are met.
- Taking immediate and corrective action as soon as they become aware of any issue.
- Tracking compliance, identifying and addressing any challenges in implementing this policy, and ensuring continuous learning on Child Safeguarding and PSEAH.

- Reflecting on the ALWS Code of Conduct, Safeguarding (including Child Safeguarding and PSEAH) and related policies with direct reports during annual performance processes, and other staff meetings as appropriate.
- Providing opportunities for staff to raise concerns.
- Executive Director is responsible for approval of appendices.

The Board is responsible for:

- Approving this policy.
- Supporting management to nurture a strong safeguarding culture at ALWS.
- Undertaking training and refresher courses on Safeguarding (including Child Safeguarding and PSEAH).
- Ensuring ALWS implements and reviews the Safeguarding Policy.

The Safeguarding Focal Point is responsible for:

- Raising awareness throughout ALWS of Safeguarding.
- Coordinating, supporting and advising on the development and implementation of this Policy.
- Coordinating staff training in Safeguarding.
- Monitoring compliance to this and related Policies.
- Coordinating Policy review.
- Serve as a central contact point for internal and external queries.
- Reporting regularly to senior management on ALWS’ fulfilment of this Policy.

The Complaints Focal Point is responsible for:

- Receiving and managing any complaints, reports or incidents of Safeguarding or Policy non-compliance.
- Coordinating an investigation team when necessary.
- Working with the Safeguarding Focal Point when necessary.

All Personnel are responsible for:

- Understanding and complying with the Policy.
- Reporting any non-compliance with this Policy.
- Understanding, complying with and promoting the ALWS Code of Conduct.
- Reporting any suspected or actual incident of Safeguarding (including Child Safeguarding and PSEAH) to ALWS.
- Ensuring that any new personnel they are involved in engaging for ALWS have been screened and inducted according to this Policy.
- Participating in informational, awareness raising and training sessions about this Policy.
- Acknowledging that breaches of this policy are grounds for disciplinary action and possible termination.

9. RELATED DOCUMENTS

This Safeguarding policy is an essential component of ALWS’ approach to safeguarding, and should be implemented in tandem with other policies and tools including:

Internal

Document	Overlap with this Policy	Difference to this Policy
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<i>ALWS Anti Bullying, Discrimination and Harassment Policy</i>	Also includes prevention and management of harassment.	Relates to all types of harassment, not specifically sexual harassment.
<i>ALWS Protection Policy</i>	Also includes prevention and management of abuse and exploitation of vulnerable people. Is applied to organisation's safeguarding processes including use of Code of Conduct and Complaints.	Relates to wider violations of human rights law – including violence, exploitation and coercion (all cases of this, not just sexual exploitation), deliberate deprivation. Has more focus on programmatic action – covers safeguarding concerns in the wider community not perpetrated by ALWS or associated personnel
<i>ALWS Code of Conduct</i>	Includes expected behaviours of ALWS personnel regarding PSEAH	Includes expected behaviours of ALWS personnel in other areas as well as PSEAH
<i>ALWS Complaints Policy</i>	Reporting system outlined in the Complaints Policy is used	Covers a broad range of complaints beyond SEAH.
<i>ALWS Staff Induction Checklist</i>	Includes induction processes to support PSEAH	Covers a broad range of induction needs.
<i>ALWS Whistleblower Policy</i>	Wrongful acts dealt with in this policy in focus on SEAH	Scope goes beyond SEAH wrongful acts.
<i>ALWS Gender Policy</i>	Also states ALWS commitment to addressing structural injustices that can lead to SEAH.	Scope goes beyond SEAH to ways in which ALWS promotes gender quality across its operations.
<i>ALWS Social Media Policy</i>	Refers to protection of those we serve	Has more focus in engaging our supporters

External

- Lutheran Church of Australia, Standards of Ethical Behaviour (v2 2016), available at <https://www.lca.org.au/services-resources-training/policies/> ACFID Code of Conduct, (Revised 1 January, 2019) available at <https://acfid.asn.au/code-of-conduct/DFAT> Preventing Sexual Exploitation Abuse and Harassment Policy (4 April, 2019) available at < <https://dfat.gov.au/international-relations/themes/preventing-sexual-exploitation-abuse-and-harassment/Pages/default.aspx>>
- Australian Human Rights Commission, Sexual Harassment in the Workplace - The Legal Definition of Sexual Harassment, available at <https://humanrights.gov.au/our-work/sex-discrimination/positive-duty-sex-discrimination-act> Core Humanitarian Standard on Quality and Accountability (2014), available at <https://corehumanitarianstandard.org/the-standard>
- Lutheran Church of Australia Prevention of Harassment and Abuse Policy (11 March 2015), available at <https://www.lca.org.au/services-resources-training/policies/>
- Lutheran Church of Australia Prevention of Risk of Sexual Offence by a Person of Concern Policy (20 April 2018), available at <https://www.lca.org.au/services-resources-training/policies/>

10. REVIEW

This policy will be reviewed every three years, or earlier should organisational learning or sector best practice demand it.

Record of Policy Review and Version History

Version No.	Date Approved	Approved By	Description of Changes
1.0	<i>23 August 2024</i>	<i>ALWS Board</i>	New Policy. Combined the ALWS Child Safeguarding Policy and the ALWS PSEAH Policy into one ALWS Safeguarding Policy.