



Origination Jul 2021
Last Approved Mar 2022
Effective Mar 2022
Last Revised Mar 2022
Next Review Mar 2026

Owner Gina Crews
Area Services-Social Outreach
Applicability St John of God Organisation
Tags International Health

SV SO 4402 International Health Safeguarding of Children, Young People and Adults at Risk Policy

Our Vision - We are recognised for care that provides healing, hope and a greater sense of dignity, especially to those most in need.

Our Mission - To continue the healing mission of Jesus.

PURPOSE

The purpose of this policy is to –

1. Outline the St John of God International Health (SJGIH) commitment to safeguarding children, young people and adults at risk against exploitation, abuse, harassment and harm and neglect, including sexual exploitation, abuse and harassment (SEAH);
2. Outline the principles, responsibilities and actions taken to ensure SJGIH meets all legislative and accreditation requirements relating to safeguarding children, young people and adults at risk, as well as those set out by SJGHC and the Catholic Church;
3. Outline the particular focus on safeguarding children, young people and adults at risk as a key part of SJGIH's capacity development activities in an international development context.

RELATED DOCUMENTS

This policy is to be read in conjunction with:

1. [SV SO 4402 0001 International Health Safeguarding of Children, Young People and Adults at Risk Procedure](#)
2. [SV SO 4402 0001 0001 International Health Safeguarding of Children, Young People and Adults at Risk Toolkit](#)

SCOPE

This policy applies to:

St John of God Social Outreach (SJGSO) is a Service established under St John of God Outreach Services (SJGOS), which is a wholly owned subsidiary of St John of God Health Care (SJGHC). St John of God International Health (SJGIH) is a service stream of SJGSO.

Organisational

St John of God Services (International Health)

Individual

SJGHC Caregivers (all employed personnel);

Contractors;

Student and volunteers;

Diocesan Catholic Chaplains and representatives of other faiths.

Trustees

Board

Collectively referred to as "caregiver"

SUBJECT MATTER

International Health Safeguarding of Children, Young People and Adults at Risk

SJGIH recognises that all children, young people, and adults at risk have the right to be safe and protected from abuse, exploitation and harm in all environments. SJGIH will not tolerate any form of abuse, exploitation or harm of any nature toward children, young people, or adults at risk, takes its duty of safety, protection and care very seriously, and is committed to its responsibilities of safety and protection in the delivery of its development activities both overseas and within Australia.

POLICY

Commitment to Safeguarding of Children, Young People, and Adults at Risk

1. SJGIH is committed to creating the safest possible environment for children, young people and adults at risk across our development activities. We will do this by:
 1. Adhering to best practice principles for safeguarding of children, young people and adults at risk;
 2. Outlining and meeting our safeguarding responsibilities as determined by SJGHC, ACFID and DFAT;

3. Introducing and maintaining appropriate safeguarding actions including:
 - a. Informing all SJGIH caregivers, partners and stakeholders of our commitment to safeguarding and informing them of their compliance responsibilities;
 - b. Providing caregivers with training at the commencement of and periodically throughout their employment regarding safeguarding;
 - c. Providing partners and stakeholders with training at the commencement of and periodically throughout our work together regarding safeguarding;
 - d. Ensuring all SJGIH caregivers, partners and stakeholders involved in our development activities acknowledge, understand and take responsibility for supporting safeguarding by signing the International Health Safeguarding Children, Young People and Adults at Risk Code of Conduct;
 - e. Developing and maintaining a risk register to identify and monitor relevant risks, and documenting evidence or review and lessons learnt relating to safeguarding children, young people and adults at risk;
 - f. Using best practice recruitment, screening, orientation and continuing employment practices to minimise risk;
 - g. Actively managing the risks in the course of our work, and encouraging and supporting partners and stakeholders to do the same;
 - h. Ensuring that complaints relating to safeguarding are managed through SJGHC and/or SJGIH complaints management processes;
 - i. Ensuring we have consent to take and use images, taking into consideration and respectfully portraying local traditions;
 - j. Monitoring and maintaining the DFAT Minimum Child Protection Standards
 - k. Monitoring the level of contact all SJGIH caregivers, partners and stakeholders have with children during our development activities;
 - l. Ensuring adherence to the ACFID Code of Conduct.

SJGIH Safeguarding Principles

1. Ensure a zero tolerance culture and position to exploitation, abuse, harassment, harm and neglect through robust prevention and response;
2. Ensure the views of children, young people and adults at risk, where practicable, are included in SJGIH development activities;
3. Regard any allegation of exploitation, abuse, harassment, harm or neglect seriously and give priority to appropriately document, investigate and respond to allegations in accordance with relevant legislation, SJGHC policies, and as a moral obligation as a ministry of the Catholic Church;
4. In any instance of reporting suspected or actual exploitation, abuse, harassment, harm or neglect, SJGIH will follow safeguarding principles by ensuring that investigations are:
 1. Survivor-centric: listening to survivors and being led by the wishes of the survivor, where possible and appropriate to do so;
 2. Non-directive: empower survivors and complainants by helping them explore their options in a safe manner, without imposing our personal views;

3. Non-judgemental: never judging survivors or complainants for their actions or decisions;
 4. Confidential: prioritising sensitivity, privacy and confidentiality when carrying out our work within our services and programs. SJGIH will not share information outside the organisation unless there is a belief that someone is in danger or a child has been or may have been harmed;
 5. Independent: ensuring investigations are independent and discreet, recognising the rights and duty of care to all involved – including the complainant or survivor, witnesses and the individual accused.
5. Recognise and respect that an individual victim or survivor is under no obligation to report any incident that has happened to them, however SJGIH will ensure individuals who self-report have access to timely and suitable assistance;
 6. Recognise that the safeguarding of children, young people and adults at risk is a shared responsibility between SJGIH, partners, stakeholders and the communities in which we work.

Safeguarding Responsibilities

1. SJGIH Director will have ultimate responsibility for:
 1. Ensuring the safe delivery of development activities;
 2. Developing and supporting a culture that maintains an environment in which caregivers, partners and stakeholders are aware of expectations, can raise complaints and concerns, and expect that SJGIH will respond appropriately;
 3. Promoting and ensuring compliance across development activities;
 4. Ensuring that safeguarding measures align to and complement SJGHC Mission, Vision, Values and Code of Conduct;
 5. Appointing a child protection incident reporting focal person in countries where we work, and ensuring they are trained to manage concerns, complaints and incidents;
 6. Formulating a risk management approach that includes processes for risk identification, reporting, investigations and actions to manage compliance issues, including breaches.
 7. Actively managing risks including:
 - a. Not permitting caregivers to be in contact with children, young people, and adults at risk if they pose an unacceptable risk to their safety or wellbeing;
 - b. Endeavouring not to engage directly or indirectly with anyone who poses an unacceptable risk to children, young people, and adults at risk, nor support any organisation that does not meet the requirements;
 - c. Encouraging and supporting awareness activities on safeguarding children, young people, and adults at risk among caregivers, partners and stakeholders, the communities in which we work, and other stakeholders associated with SJGIH whilst directly involved in development activities;
 - d. Using recruitment and selection practices, including a requirement for candidates to provide a National Police Clearance and Working with Children check, where such activities exist in the particular jurisdiction, that will minimise the risk of employing

- people who pose an unacceptable risk to children, young people and adults at risk;
- e. Where National Police Clearance and Working with Children checks are not available, SJGIH will take all reasonable measures, such as background and reference checks and appropriate supervision, to ensure the candidate does not pose a risk to children, young people and adults at risk.
8. Developing and using recruitment and selection strategies that avoid employment or engagement with persons who pose a risk;
 9. Responding to, or delegating the response to, allegations, including documenting, investigating and reporting;
 10. Reviewing, monitoring and updating this policy in line with legislative and regulatory developments, changes to SJGHC policies, and any obligations against the ACFID and DFAT requirements on an annual basis.
2. All SJGIH Leadership Team member caregivers will:
1. Care for and support the 'survivor' where there has been an occurrence or reported occurrence of exploitation, abuse, harassment, harm or neglect;
 2. Support the implementation of safeguarding measures and promoting a zero tolerance approach to exploitation, abuse, harassment, harm and neglect;
 3. Take the opportunity when working with caregivers, partners and stakeholders that they are aware of and committed to complying with the safeguarding measures, including complying with reporting;
 4. Ensure SJGIH caregivers, partners and stakeholders are aware of the support systems that maintain and facilitate the implementation of this policy and procedure.
3. All SJGIH caregivers, partners and stakeholders will:
1. Read, understand and sign the SJGIH Safeguarding Children, Young People and Adults at Risk Code of Conduct;
 2. Care for and support the 'survivor' where there has been an occurrence or reported occurrence of exploitation, abuse, harassment, harm or neglect;
 3. Actively participate in, promote and support practices outlined in this policy and procedure;
 4. Take all measures to recognise, prevent and respond to all forms of exploitation, abuse, harassment, harm and neglect in accordance with our policies, including communicating mandatory reporting and monitoring requirements;
 5. Understand that if found to be engaging in exploitative, abusive, harassing, harmful or neglectful acts, including grooming activities (for example giving gifts or showing favouritism through the provision of gifts or inappropriate attention to children):
 - a. SJGIH has the right to suspend, transfer to other duties, bring formal disciplinary action, or terminate the employment of any caregiver;
 - b. SJGIH has the right to suspend or terminate engagement and agreements with any partner or stakeholder;
 - c. Individuals may be referred to relevant authorities for the consideration of criminal proceedings.

BREACH OF POLICY

Failure to comply with this Policy by a member of SJGHC may be considered a breach of the Code of Conduct and may result in disciplinary action.

LEGISLATION

1. Criminal Code Act 1995
2. Department of Foreign Affairs and Trade Child Protection Policy 2018
3. Privacy Act 1998

AUTHORITY

1. Department of Foreign Affairs and Trade Child Protection Guidance Note
2. The United Nations Convention on the Rights of Child. www.unicef.org/crc
3. ACFID Code of Conduct
4. DFAT Minimum Child Protection Standards
5. Additional DFAT resources policy, guidance notes, and incident Notification form

ASSOCIATED DOCUMENTS

1. [SJGHC Code of Conduct 2019](#)
2. [SJGHC "Our Vision" 2019](#)
3. [GO GRC0011 Safety and Protection of Children, Young People and Adults at Risk Policy](#)
4. [GO GRC0011 0000 0003 Safety and Protection of Children, Young People and Adults at Risk Safeguarding Framework](#)
5. [GO GRC0011 0001 Identifying and Responding to the Abuse and/or Neglect of Children, Young People and Adults at Risk Procedure](#)
6. [WF IR0003 Sexual Harassment Policy](#)
7. [GO GRC01 Compliance & Risk Management Framework](#)
8. [GO GRC0010 Privacy Compliance Policy](#)
9. [GO GRC0004 Whistleblowing Policy](#)
10. [GO GRC0004 0001 Whistleblowing Roles and Responsibilities Procedure](#)
11. [WF IR0013 Misconduct Policy](#)
12. [WF HR0004 Recruitment and Selection Policy](#)
13. [WF IR0009 Workplace Investigations Policy](#)
14. [WF HR0006 Working with Children Policy](#)
15. [WF LOD0001 Learning and Development Policy](#)
16. [WF LOD0001 0001 Learning and Development Procedure](#)

17. [WF LOD0002 Mandatory Education Policy](#)

18. SJGIH Safeguarding Children, Young People, and Adults at Risk, Code of Conduct

GLOSSARY

Abuse

Physical abuse: the use of physical force against a child, young person, or adult at risk that results in harm. Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning.

Emotional abuse: refers to a parent or Caregiver's inappropriate verbal or symbolic acts toward a child, young person, or adult at risk, or a pattern of failure over time to provide a child, young person, or adult at risk with adequate non-physical nurture and emotional availability. Such acts have a high probability of damaging self-esteem or social competence.

Sexual abuse: the use of a child, young person, or adult at risk 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, young person, or adult at risk to, or involving the child, young person, or adult at risk in, pornography.

Note: the above includes a child or children being present (hearing or seeing) while a parent or sibling is subjected to any of the above.

Adult at Risk

Any person aged 18 years and over who is at increased risk of abuse, such as those who:

- Are elderly
- Have a disability
- Suffer from mental illness
- Have diminished capacity
- Have cognitive impairment
- Are experiencing transient risk, such as bereavement or relationship breakdown
- Have any other impairment that makes it difficult for that person to protect themselves from abuse, exploitation, harm, or neglect
- Anyone who experiences a power differential in the workplace or other setting that makes them more vulnerable to sexual exploitation, abuse or harassment.

Caregiver

Caregiver is a term used within SJGHC in reference to all employees. It refers to people employed or engaged via contract by SJGHC on a permanent, contract or temporary basis in Australia or overseas and includes SJGHC caregivers, contractors, volunteers, and consultants.

Child or children

In accordance with the United Nations Convention on the Rights of the Child, 'child' means every human being under the age of 18 unless under the law applicable to the child, majority is attained earlier. For the purposes of this policy, DFAT and SJGHC considers a child to be a person under the age of 18 years.

Child abuse material

Material that depicts (expressly or implicitly) a child under 18 years of age as a victim of torture, cruelty or physical abuse.

Child pornography

In accordance with the Optional Protocol to the Convention on the Rights of the Child, 'child pornography' means 'any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.' For further information about child pornography offences, refer to the Criminal Code Act 1995.

Child pornography material

Material that depicts a person, or is a representation of a Material person, who is, or appears to be, under 18 years of age and is engaged in, or appears to be engaged in, a sexual pose or sexual activity, or is in the presence of a person who is engaged in, or appears to be engaged in, a sexual pose or activity, and does this in a way that a reasonable person would regard as being, in all the circumstances, offensive.

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 (also see Working with children definition).

Contractor

The individuals engaged to perform specific services under a contract and includes a DFAT funding recipient who enters into a separate agreement with an intermediary company (the Contractor) to which payment for service is made.

Criminal record check

A check of an individual's criminal history record. In Australia, national criminal record checks are available through state and territory police departments. They take around 20 working days. The type of employment should be specified as 'overseas employment'.

Overseas, different checking procedures apply in each country and may take six weeks or longer.

Individuals need to consent to a criminal record check and should be informed of the purpose for which the resulting police clearance certificate will be used, including sighting by DFAT and SJGHC.

DFAT funded partner

Includes an individual or organisation that receives DFAT administered funding, as well as other contract arrangements funded by DFAT, including any Counterparts or Contractors engaged through the lead partner that DFAT has the legal agreement with.

Exploitation

One or more of the following:

- committing or coercing another person to commit an act or acts of abuse against a children, young people or adults at risk
- possessing, controlling, producing, distributing, obtaining or transmitting exploitation material
- committing or coercing another person to commit an act or acts of grooming or online grooming
- using children, young people or adults at risk for profit, labour, sexual gratification, or some other personal or financial advantage.

Exploitation material: Refers to material, irrespective of its form, which is classified as abuse material or child pornography material.

Sexual Exploitation: Refers to 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.

Grooming

Generally, refers to behaviour that makes it easier for an offender to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualise that relationship (for example by encouraging romantic feelings, giving gifts or exposing the child to sexual concepts through pornography).

Online Grooming: The act of sending an electronic message to a child, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender; or of sending an electronic message with indecent content to a recipient who the sender believes to be a child.

Harassment

Aggressive pressure or intimidation that is hostile, persistent, unwelcome, disturbing and bothersome.

Sexual Harassment: A person sexually harasses another person if the 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 a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

Harm

Any detrimental effect on a child's physical, psychological or emotional wellbeing. Harm may be caused

by financial, physical or emotional abuse, neglect, and/or sexual abuse or exploitation whether intended or unintended.

Ill-treatment

Disciplining or correcting a child in an unreasonable and seriously inappropriate or improper manner; making excessive and/or degrading demands of a child; hostile use of force towards a child; and/or a pattern of hostile or unreasonable and seriously inappropriate degrading comments or behaviour towards a child.

Informed consent

The process of ensuring the child and the parent or guardian understand the implications, purpose and potential uses of photographs or videos.

Misconduct

Any action committed by a Caregiver which is contrary to the SJGHC Values or Code of Conduct. Generally, misconduct involves something more than mere neglect, error of judgment or innocent mistake. Both in law and in ordinary speech the term usually implies an act done wilfully with a wrong intention, and conveys the idea of wrongful intention. Misconduct is to be determined from the nature of the conduct and not from its consequence. Examples of Misconduct may include: Breach of SJGHC policy or legislative requirement.

Neglect

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 wellbeing.

Partner

An individual, organisation or entity that engages together with SJGIH to work on the same development activity.

Police Clearance Certificate

The certificate showing the results of a criminal record check, which is issued by the police or other authority responsible for conducting such checks. Checks will usually be issued from the caregiver's home jurisdiction and/or from the jurisdiction in which the development programs are active.

Protection

An activity or initiative designed to protect children, young people and adults at risk from any form of abuse, exploitation, harm and neglect.

Protection Policy: A statement of intent that demonstrates a commitment to safeguard children, young people and adults at risk from abuse, exploitation or harm and makes clear to all what is required in relation to their protection. It helps to create a safe and positive environment for children, young people and adults at risk and to show that the organisation is taking its duty and responsibility of care seriously.

Safeguarding

The provision of measures to protect the health, wellbeing and human rights of individuals, and we take this to mean 'prevention from and protection against' exploitation, abuse, harassment, harm and neglect. In the SJGIH context it means the broad obligation on caregivers, partners and stakeholders to ensure that the design and delivery of SJGIH development activities and organisational operations do not expose children, young people and adults at risk to adverse impacts, including the risk of abuse, exploitation, harm, harassment and neglect and that any concerns about their safety within the communities where they work are appropriately reported.

Stakeholder

An individual, organisation or entity that is a beneficiary of, or has an interest or concern with SJGIH development activities.

Statutory Declaration

A written statement which you sign and declare to be true before an authorised witness.

Unacceptable risk

The portion of identified risk that cannot be tolerated, and that must be either eliminated or controlled. For people deemed an unacceptable risk, control mechanisms are NOT considered appropriate.

Working with children

Working with children means being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. Working includes volunteering or other unpaid works.

Young Person

A person who is aged 16 years or above but who is under the age of 18 years.

PRINTED OR PERSONALLY SAVED ELECTRONIC COPIES OF THIS DOCUMENT ARE CONSIDERED UNCONTROLLED. REFER TO MY POLICY LIBRARY FOR CURRENT CONTROLLED ELECTRONIC POLICIES

Attachments

[Safeguarding CYPAAR Incountry Reporting Requirements.docx](#)

Approval Signatures

Step Description	Approver	Date
Owner / Approver	Belle Smith: Manager Quality, Safety and Risk	Mar 2022

Older Version Approval Signatures

Owner / Approver	Belle Smith: Manager Quality, Safety and Risk	Mar 2022
Owner / Approver	Belle Smith: Manager Quality, Safety and Risk	Mar 2022
Owner / Approver	Belle Smith: Manager Quality, Safety and Risk	Mar 2022

COPY