

Being Agentic

1.1 Safeguarding

[Top](#)

Safeguarding Policy

Braver Together considers that 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.

Braver Together considers that all people, regardless of their age, gender, race, religious beliefs, disability, sexual orientation, or family or social background, have equal rights to be free from violence, abuse, neglect, exploitation or discrimination.

To achieve this outcome, the following indicators are demonstrated:

- Braver Together policies, procedures and practices are in place, which actively prevent violence, abuse, neglect, exploitation or discrimination.
- Each member of the Braver Together team work to ensure that each client is provided with information about the use of an advocate (including an independent advocate). The team facilitate access to an advocate should allegations of violence, abuse, neglect, exploitation or discrimination have been made.
- Our policies, procedures and practices mean that any allegations and incidents of violence, abuse, neglect, exploitation or discrimination, are acted upon. Ensuring that each client who is affected, is supported and assisted, records are made of any details and outcomes of reviews and investigations (where applicable) and action is taken to prevent similar incidents occurring again.

This policy and the associated practice statement relate to the following national standards:

National Disability Insurance Scheme (NDIS) Practice Standards and Quality Indicators. July 2020 v3	National Standards for Disability Services. December 2013 v1	National Quality Standard (Early Childhood). October 2018.
1. Rights and Responsibilities. 1.5. Violence, Abuse, Neglect, Exploitation and Discrimination: Each participant accesses supports free from violence, abuse, neglect, exploitation or discrimination.	1. Rights 1.5. The service has preventative measures in place to ensure that individuals are free from discrimination, exploitation, abuse, harm, neglect and violence.	2. Children's health and safety 2.2.3. Child protection. Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

Scope

1. The scope of this policy applies to all workers, whether paid employees, contractors, volunteers, or business partners, are responsible for working within the policy and reporting when safeguarding is not adequate. Braver Together's policy on eliminating restrictive practices applies at the same time as this policy and anytime safeguards are developed.

Outcome

2. The outcome of this policy is that Braver Together intends that each client accesses supports that each client accesses supports that are free from violence, abuse, neglect, exploitation or discrimination. We work to promote, uphold, and respect the legal and human rights of each client, which enshrines their right to exercise informed choice and control. We are advocates for ensuring authentic freedom of expression, self-determination, and decision-making when building relationships that encourage wholistic growth and development

Principles

3. The principles that govern how independence and informed choice improves the quality of supportive services



Policies: Rights and Responsibilities

- a. **Collaborative.** Authentic consultation with people with disability (and other key stakeholders where appropriate) promotes and ensures active choice and control in relation to the nature and delivery of supportive services. Collaboration with clients, their authorised person, their family, carers, and advocates.
- b. **Holistic.** Braver Together and its stakeholders will work to prevent, detect, and act on incidents.
- c. **Lawful.** Braver Together will ensure that it understands and complies with the law in everything it does, in all jurisdictions in which it works.
- d. **Respectful.** the rights of people with disability in exercising choice and control about matters that affect them.
- e. **Risk-based and proportionate.** Braver Together will regularly assess the risks to people in its operations and develop proportionate controls to mitigate those risks.
- f. **Self-determining.** All people with disability are assumed to have capacity to make decisions, exercise choice, and provide informed consent regardless of their disability. This occurs when people are:
 - i. Supported to develop their capacity to make independent decisions.
 - ii. Provided with timely information in appropriate formats that are designed to support informed decision-making including people's rights and responsibilities.
 - iii. Trusted to make appropriate choices, including the everyday decisions about living through to more complex consultation on co-design of service.
- g. **Survivor-centric.** Braver Together will put survivors at the heart of its approach to safeguarding.

Definitions

4. The definitions within the policy and related practice statements are

- a. **Abuse, neglect, or exploitation** – means all forms of physical and mental abuse, exploitation, coercion, or ill-treatment. This might include, for example:
 - i. Sexual harassment, bullying or abuse.
 - ii. Sexual criminal offences and serious sexual criminal offences.
 - iii. Threats of, or actual violence, verbal, emotional or social abuse.
 - iv. Cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crime.
 - v. Coercion and exploitation.
 - vi. Abuse of power
- b. **Dignity of risk** – autonomy and self-determination used by a person when making decisions, including the choice to take some risks in life.
- c. **Informed consent** – voluntary agreement and willing acceptance of a proposition and following action where the person making the decision has appropriate information and capacity to make the decision free of fear or influence.
- d. **Reasonable grounds to suspect** – is a situation where a person has some information that leads them believe that abuse, neglect, or exploitation has taken place, is taking place, or may take place. It comes with a low burden of proof (in fact, no proof is needed at all), but is based on some information. Questions that may help a person to determine whether they have 'reasonable grounds to suspect' might include:
 - i. 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.
 - ii. 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.
- e. **Safeguarding** – means protecting the welfare and human rights of people that interact with, or are affected by, Braver Together, 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.
- f. **Survivor-centric** – means considering and lawfully prioritising the needs, right and wishes of survivors of abusive, neglectful, exploitive environments.



Policies: Rights and Responsibilities

Legislation

5. The relevant legislation that supports and inform the delivery of this policy
- a. Carers Recognition Act 2010 (Federal): <https://www.legislation.gov.au/Details/C2010A00123>
 - b. Children and Young People Act 2008 (ACT): <https://www.legislation.act.gov.au/a/2008-19>
 - c. Disability Discrimination Act 1991 (ACT): <https://www.legislation.act.gov.au/a/1991-81/> and Discrimination Regulation 2016
 - d. Disability Services Act 1991 (ACT): <https://www.legislation.act.gov.au/a/1991-98/> and Disability Services Regulation 2014
 - e. National Standards for Disability Services: <https://www.dss.gov.au/our-responsibilities/disability-and-carers/standards-and-quality-assurance/national-standards-for-disability-services>
 - f. National Disability Insurance Scheme 2013: Principles: Part 2—Objects and principles
 - g. NDIS Quality and Safeguarding Practice Standards 2018: <https://www.ndiscommission.gov.au/document/986>
 - h. Universal Declaration of Human Rights: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>
 - i. United Nations Convention on The Rights of Persons with Disabilities:
 - j. <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>
 - k. Work Health and Safety Act 2011 (ACT): <https://www.legislation.act.gov.au/a/2011-35/>
 - l. Work Health and Safety Regulation 2011 (ACT): <https://www.legislation.act.gov.au/sl/2011-36/>
 - m. Work Health and Safety (Work Health and Safety Consultation, Cooperation and Coordination Code of Practice) Approval 2018: <https://legislation.act.gov.au/ni/2018-725/>

Approvals

Date of approval: October 2021

Date of review: October 2022

Signature of Director: *Carolyn Harkness*



Safeguarding in Practice

Planning

1. To enact this commitment the following is mandatory within the planning phases of any activity.
 - a. Braver Together commits to promoting and protecting the welfare and human rights of people that interact with, or are affected by, our work – particularly those that may be at risk of abuse, neglect, or exploitation. We have no tolerance for abuse, neglect, or exploitation. We will take a survivor-centric approach in all that we do.
 - b. All workers, partners and third parties of Braver Together share responsibility for protecting everyone from abuse, neglect, or exploitation. Beyond this, particular people have specific responsibilities, and they must carry out their duties without exception.
 - c. Braver Together has a process for managing incidents that must be followed when one arises.
2. Braver Together intends that the purpose of this policy is to:
 - a. Help protect people that interact with, or are affected by, Braver Together.
 - b. Define the key terms we use when talking about protecting people or safeguarding.
 - c. Set out and develop the way Braver Together manages safeguarding risks.
 - d. Set out the specific roles and responsibilities of persons working in and with Braver Together.
 - e. Facilitate the safe management of incidents.
 - f. To support a positive and effective internal culture towards safeguarding.
3. Braver Together will manage the risk of safeguarding by:
 - a. Having up-to-date and documented risk assessments.
 - b. Maintaining a register of Braver Together's legal obligations for safeguarding and workplace health and safety in all the jurisdictions in which it operates.
 - c. Having an action plan that sets out how it will manage safeguarding.
 - d. Adhering to this Safeguarding Policy and its Code of Conduct.
 - e. Doing due diligence checks of workers and third parties.
 - f. Implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents, such as mandated entry and annual training programs:
 - i. Mandated Entry Training Programs:
 - 1) Module 1: Braver Together Induction (Everyone, Entry)
 - a) An introduction to the Organisational Structure and approach
 - b) Service Delivery Model policy (focuses on person-centred service delivery)
 - c) Participants rights & responsibilities (in NDIS participant Service Agreement)
 - d) Incident & Complaints Management Policy (including reporting to NDIS, Mandatory (Child) Abuse and Elder Abuse) & related forms / documents
 - e) Risk Management Policy & related forms / documents
 - f) Risk Register
 - g) Privacy and Information Policy & related forms / documents
 - h) Safe Environment Policy & related documents - covers participant and AHP safety
 - 2) Module 2: Equitable, Safe and Inclusive Workplaces (Everyone, Annually)
 - 3) Module 3: Infection Prevention and Control (Everyone, Annually)
 - 4) Module 4: Being Safe is a Shared Responsibility (Everyone, Annually)
 - 5) Module 5: Indigenous Cultural Awareness (Everyone, Entry)
 - 6) Module 6: An introduction to the NDIS (Everyone, Entry)
 - 7) Module 7: National Principles for Child Safe Organisation (Therapists, Entry)
 - 8) Module 8: New Worker – NDIS Induction Modules (Therapists, Entry)
 - ii. Mandated Annual refresher programs
 - 1) Module 2: Equitable, Safe and Inclusive Workplaces (Everyone, Annually)



Policies: Rights and Responsibilities

- 2) Module 3: Infection Prevention and Control (Everyone, Annually)
- 3) Module 4: Being Safe is a Shared Responsibility (Everyone, Annually)
- g. Conducting awareness-raising for stakeholders on risks, expectations, and individual responsibilities.
- h. Maintaining two reporting processes: the confidential reporting process, and the overt reporting process.
- i. Having an incident response plan.
- j. Monitoring and reviewing the effectiveness and proportionality of its safeguarding approach.
4. When managing incidents, such as: harassment, abuse, neglect, and exploitation are all serious misconduct and Braver Together reserves the right to:
 - a. Take disciplinary action against those it believes are responsible, which may include dismissal.
 - b. Take civil legal action.
 - c. Report the matter to law enforcement.

Reporting

5. Initiatives or case studies that provide further insight into this policy area are reported through the annual reporting process and quality evaluation reports.
6. Reporting suspected incidents.
 - a. All workers 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.
 - b. They may do this through direct reporting to:
 - i. the Director (or Delegate), or
 - ii. their manager or supervisor.
 - iii. If a person wants to report confidentially, including with anonymity, they may use the confidential reporting system, which is: [insert details]
 - iv. If a person believes that another person is at risk of immediate harm or the victim of a criminal offence, they must dial 000.
7. External reporting
 - a. Braver Together will:
 - i. Report any suspicion of a criminal offence to the police or the relevant criminal judicial body.
 - ii. Meet all donor requirements regarding the reporting of incidents.
 - iii. Report any qualifying matter to the Australian Charities and Not-for-Profits Commission (ACNC).

Monitoring

8. Monitoring and responding to suspected incidents.
 - a. All suspected, perceived, potential, or actual incidents will be managed through the incident response plan.
 - b. All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety.
 - c. Braver Together will protect personal information.
 - d. Braver Together's Privacy and Information Policy applies.

Responsibility

9. Outlining the responsibility of Braver Together's workers
 - a. Leadership and management are expected to:
 - i. Protecting all people that interact with, or are affected by, Braver Together.
 - ii. Ensuring that there are appropriate and effective ways for Braver Together to do this.
 - iii. Ensuring that Braver Together observes all relevant laws relating to safeguarding.
 - iv. Ensuring that Braver Together takes a survivor-centric approach.
 - v. Ensure Braver Together has effective and appropriate ways to manage safeguarding and legal compliance.



Policies: Rights and Responsibilities

- vi. (If necessary) Ensure the appointment of a Safeguarding Manager with appropriate skills and competency.
 - vii. Ensure that, within the organisation's approach, reasonable steps are taken to protect people.
 - viii. Ensure that reports to external parties are made where required.
 - ix. Manage reports of abuse, neglect, or exploitation.
 - x. Ensure that all workers are aware of relevant laws, policies and procedures, and Braver Together's Code of Conduct.
 - xi. Ensure that all workers are aware of their obligations to report suspected incidents of abuse, neglect, or exploitation.
 - xii. Manage reports of abuse, neglect, or exploitation.
 - xiii. Provide support for workers in undertaking their responsibilities.
 - xiv. Promote a positive culture towards safeguarding.
 - xv. Implement this policy in their area of responsibility.
 - xvi. Ensure that the risks of incidents have been considered in their area of responsibility.
 - xvii. Ensure that there are appropriate controls in place to prevent, detect and respond to incidents.
 - xviii. Facilitate the reporting of any suspected abuse, neglect, or exploitation.
 - xix. Take a survivor-centric approach to potential incidents and ensure that any incident is dealt with transparently and accountably.
- b. All workers must:
- i. Familiarise themselves with the relevant laws, the Code of Conduct, policies and procedures for safeguarding.
 - ii. Comply with all requirements.
 - iii. Report any incident to the appropriate authority when it is reasonable to suspect that a person's safety or welfare is at risk.
 - iv. Report any suspicion that a person's safety or welfare may be at risk to the appropriate authority.
 - v. Provide an environment that is supportive of everyone's emotional and physical safety.
 - vi. All partners and contractors must:
 - vii. Implement the provisions of this policy Braver Together's procedures in their dealings with Braver Together.
 - viii. Report any suspicion that an incident may have taken place, is taking place, or could take place.

Policy

10. The Braver Together Policies that relate to this matter are:

- a. Rights and Responsibilities
- b. Person – centred supports:

Contact

Questions about how to implement this procedure should be directed to the **Director (or Delegate)** on **connect@bravertogether.com.au** or **0408417800**.

Approvals

Date of approval: **September 2021**

Date of review: **September 2022**

Authorising Director: *Carolyn Harkness*

