

Zephyr Education Inc

Safeguarding policy

Policy Statement

1. 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.
2. Zephyr Education Inc (Zephyr) commits to promoting and protecting the welfare and human rights of people who interact with, or are affected by, our work - particularly those who 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.
3. All volunteers, partners and third parties of Zephyr 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.
4. Zephyr has a process for managing incidents that must be followed when one arises.

Purpose

5. The purpose of this policy is to:
 - a. Help protect people who interact with or are affected by Zephyr.
 - b. Define the key terms we use when talking about protecting people or safeguarding.
 - c. Set out and develop the way Zephyr manages safeguarding risks.
 - d. Set out the specific roles and responsibilities of persons working in and with Zephyr.
 - e. Facilitate the safe management of incidents.
 - f. To support a positive and effective internal culture towards safeguarding.

Definitions

6. 'Safeguarding' means protecting the welfare and human rights of people who interact with, or are affected by, Zephyr, particularly those who might be at risk of abuse, neglect or exploitation. This refers to any responsibility or measure undertaken to protect a person from harm.
7. 'Abuse, neglect or exploitation' means all forms of physical and mental abuse, exploitation, coercion or ill-treatment. This might include, for example:
 - a. Sexual harassment, bullying or abuse;
 - b. Sexual criminal offences and serious sexual criminal offences;
 - c. Threats of, or actual violence, verbal, emotional or social abuse;
 - d. Cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crime;
 - e. Coercion and exploitation;
 - f. Abuse of power.

8. 'Reasonable grounds to suspect' is a situation where a person has some information that leads them to believe that abuse, neglect or exploitation has taken place, is taking place, or may take place. It comes with a low burden of proof (in fact, evidence that would be admitted in a court is not required), but the suspicion must be based on enough information to make it reasonable. Questions that may help a person to determine whether they have 'reasonable grounds to suspect' include:
 - a. 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.
 - b. Would a reasonable person, with the same information as you, be likely to come to the same conclusion? This helps to make sure that your suspicion is an objective one.
9. A 'survivor-centric approach' means considering and lawfully prioritising the needs, rights and wishes of survivors.

Roles and responsibilities

10. While the responsibility to protect people is shared by all who work at or with Zephyr, some individuals have specific obligations with which they must comply.
11. The members of Zephyr's management committee are responsible for:
 - a. Protecting all people who interact with, or are affected by, Zephyr;
 - b. Ensuring that there are appropriate and effective ways for Zephyr to do this;
 - c. Ensuring that Zephyr observes all relevant laws relating to safeguarding;
 - d. Ensuring that Zephyr takes a survivor-centric approach.
12. The President of Zephyr must:
 - a. Ensure Zephyr has effective and appropriate ways to manage safeguarding and legal compliance;
 - b. Ensure that, within Zephyr's approach, reasonable steps are taken to protect people;
 - c. Ensure that reports to external parties are made where required.
13. All management committee members and volunteers of Zephyr must:
 - a. Familiarise themselves with this policy and other relevant policies and procedures for safeguarding;
 - b. Comply with all requirements;
 - c. Report any incident to the appropriate authority when it is reasonable to suspect that a person's safety or welfare is at risk;
 - d. Report any suspicion that a person's safety or welfare may be at risk to the appropriate authority; and
 - e. Provide an environment that is supportive of everyone's emotional and physical safety.

Managing safeguarding risk

14. The way Zephyr manages the risks of safeguarding will be:
 - a. *Holistic*. Zephyr will work to prevent, detect and act on incidents.
 - b. *Risk-based and proportionate*. Zephyr will regularly assess the risks to people in its operations and develop proportionate controls to mitigate those risks.
 - c. *Survivor-centric*. Zephyr will put survivors at the heart of its approach to safeguarding.
 - d. *Lawful*. Zephyr will ensure that it understands and complies with the law in everything it does, in all jurisdictions in which it works.
15. Zephyr will manage the risk of safeguarding by:
 - a. Carrying out a risk assessment from time to time;
 - b. Adhering to this Safeguarding Policy;
 - c. Doing due diligence checks of volunteers and where there are reasonable grounds to do so, third parties;
 - d. Implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents;
 - e. Maintaining two reporting processes: the confidential reporting process, and the overt reporting process;
 - f. Documenting any incident and steps taken to respond to the incident;
 - g. Monitoring and reviewing the effectiveness and proportionality of its safeguarding approach.

Managing incidents

16. Harassment, abuse, neglect and exploitation are all serious misconduct and Zephyr 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 suspected incidents

17. All volunteers and third parties must, as soon as practicable, report any suspicion that an incident has taken place, may be taking place, or could take place.
18. They may do this through direct reporting to:
 - a. The President;
 - b. Any member of the management committee
 - c. The Operations Manager / Coordinator WA
19. If a person wants to report confidentially, including with anonymity, they may use the confidential reporting system, which is to provide a written note to the residential address of the President or Secretary – see Appendix 1.
20. If a person believes that another person is at risk of immediate harm or the victim of a criminal offence, they must dial 000.

Responding to suspected incidents

21. All suspected, perceived, potential or actual incidents will be managed through a process guided by the *Safeguarding incident response plan* template produced by the Australian Charities and Not-for-profits Commission (ACNC).

External reporting

22. Zephyr will:

- a. Report any suspicion of a criminal offence to the police or other relevant authority;
- b. Meet any partner organisation requirements regarding the reporting of incidents;
- c. Report any qualifying matter to the ACNC.

Privacy and data protection

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

24. Zephyr’s Privacy Policy applies.

Administration of this policy

25. This Policy will be reviewed every two years.

Related policies and procedures

Workplace Health and Safety Policy

COVID-19 Workplace Plan

Privacy Policy

ACNC - Safeguarding Incident Response Plan

Approved by resolution of the Zephyr Education Inc management committee on 17/03/2021

Anthony JOHNSON

~~President~~ / Secretary

Appendix 1

Addresses for confidential contact:

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Mr A.N. Johnson

Secretary Zephyr Education Inc

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