

KOTO International Limited

ABN 89 937 994 292

Safeguarding Vulnerable Persons Policy

1 Introduction

This policy sets out our commitment to protecting the welfare and human rights (“safeguarding”) of vulnerable persons we engage with or who are affected by, our activities and work.

This policy sets out our commitment and how we manage the risks of harm or exploitation of vulnerable persons (“safeguarding risks”) and to support a positive and effective internal culture towards safeguarding vulnerable persons.

Additionally, as a registered charity operating outside Australia or working with third parties that are operating outside Australia, we must take reasonable steps to ensure the safety of vulnerable persons outside Australia:

- (a) who are, and to the extent they are, being provided with services or accessing benefits from us under programs provided by us or a third party in collaboration with us; or
- (b) who are, and to the extent they are, engaged by us or a third party in collaboration with us to provide services or benefits on behalf of us of the third party.

2 Scope of the Policy

This policy applies to:

- (a) all our personnel (being our directors, employees, volunteers and consultants); and
- (b) all our partner organisations (including any of our affiliates around the world) and, contractors and sub-contractors, and their personnel, involved in activities and work (including our projects or programs or involved in activities resourced by us).

3 Policy Statement

- (a) We have no tolerance for harm or exploitation of any person. In particular, we are committed to promoting and protecting the welfare and human rights of vulnerable persons with whom we interact, or who are affected by, our activities and work.
- (b) We will take a survivor-centric approach in all that we do, meaning that we will consider and lawfully prioritise the needs, rights and wishes of survivors of harm or exploitation.
- (c) All our personnel have responsibility for protecting vulnerable people from harm or exploitation. Beyond this, particular people have specific responsibilities (see 4.2), and they must carry out their duties without exception.

4 Policy in Practice

4.1 What we mean in this policy

- (a) By “vulnerable person” we mean any child or individual who is or may be unable to protect themselves against harm or exploitation regardless of their age, gender, race, religious beliefs, disability, sexual orientation, or family or social background.
- (b) By “harm or exploitation”, we mean any forms of physical and mental abuse, exploitation, coercion or ill-treatment, 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; and
 - (vi) abuse of power.

4.2 Responsibilities

- (a) **Board:** Our Board is responsible for ensuring that all personnel discharge their responsibilities under this policy, and must:
 - (i) ensure that we manage safeguarding risks in the following manner:
 - (A) Wholistic: All personnel will work to prevent, detect and take action on incidents.
 - (B) Risk-based and proportionate: Relevant personnel will assess the safeguarding risks in our activities and work to develop proportionate controls to mitigate those risks, for example:
 - (1) up-to-date and documented risk assessment(s);
 - (2) action plan(s) and/or incident response plans that set out how safeguarding will be managed and controls to reduce the likelihood and consequence of incidents; and
 - (3) due diligence checks of personnel involved in our activities and work.
 - (C) Lawful: Ensure a register of the legal obligations relating to safeguarding applicable to us is established and maintained and all personnel understand and comply with the law in our activities and work.
 - (D) Survivor-centric: All personnel put survivors at the heart of our approach to safeguarding.
 - (E) Efficacious: Reporting pathways which are confidential (where required) are available for all personnel, reports of harm or exploitation are managed appropriately and support is provided to all personnel in undertaking their responsibilities under this policy.

- (ii) ensure that reasonable steps are taken to protect vulnerable persons;
 - (iii) ensure that reports to external parties (including regulators and the police) are made where required;
 - (iv) promote a positive culture towards safeguarding;
 - (v) implement this policy in their area of responsibility;
 - (vi) assume responsibilities for matters and actions which may include assessing the safeguarding risks in their area of responsibility and developing proportionate controls to mitigate those risks (see 4.2(a)(i)(B));
 - (vii) facilitate the reporting of any suspected harm or exploitation; and
 - (viii) take a survivor-centric approach to potential incidents and ensure that any incident is dealt with transparently and accountably.
- (b) **All other personnel:** All other personnel (including employees, volunteers and consultants) must:
- (i) familiarise themselves with, and comply with all requirements under, the relevant laws, and this policy;
 - (ii) report any incident to their manager and the appropriate authority when it is reasonable to suspect that a person's safety or welfare is at risk; and
 - (iii) contribute to an environment that is supportive of safeguarding.

4.3 Partner organisations and contractors

We will provide a copy of this policy to each of our partner organisations (including any of our affiliates around the world) and sub-contractors, involved in implementing our activities and work, and require that their personnel comply with the requirements under this policy.

4.4 Managing incidents

- (a) If a personnel believes that a vulnerable person is at risk of immediate harm or the victim of a criminal offence, they must dial 000 (in Australia) or the emergency telephone number used in the relevant location if it is not Australia and also report their belief to any of our directors.
- (b) If a personnel has reasonable grounds to suspect a safeguarding incident has taken place, may be taking place, or could take place they must report it as soon as practicable by providing the information about their suspicion to any of our directors.
- (c) Every reported incident must be:
 - (i) handled by the recipient of the report (see 4.4(a)) in a manner that is survivor-centric and maintains confidentiality and privacy (including compliance with privacy regulation) unless there is a risk to someone's safety; and
 - (ii) reported to the relevant authorities (including the police or relevant government department).

5 Ownership, monitoring and Review of Policy

Our Board owns this policy. This means that:

- (a) Our Board will be provided with regular reports (but in any event no less than two (2) reports in each calendar year) by our [Chief Executive Officer], or pending appointment of a Chief Executive Officer, the [insert] about compliance with this policy and where any compliance issue is identified, our Board will be provided with by our [Chief Executive Officer], or pending appointment of a Chief Executive Officer, the [insert]and consider details of the issue and work with our [Chief Executive Officer], or pending appointment of a Chief Executive Officer, the [insert], to ensure that the issue is addressed appropriately and promptly.
- (b) If any exception or departure from this policy is proposed our [Chief Executive Officer], or pending appointment of a Chief Executive Officer, the [insert] must be informed and our [Chief Executive Officer], or pending appointment of a Chief Executive Officer, the [insert] will seek our Board's prior approval to the exception or departure. No action will be taken (or inaction allowed) until our Board has made its decision on the proposed exception or departure.

6 Relevant laws:

- *Australian Charities and Not-for-profits Commission Act 2013* (Cth) and *Australian Charities and Not-for-profits Commission Regulations 2013* (Cth), in particular:
 - ACNC Governance Standard 3 (s 45.15 of the above Regulations)
 - ACNC External Conduct Standard 4 (s 50.35 of the above Regulations)
- *Privacy Act 1988* (Cth)
- If the company is required to have a Whistleblowing (Protected Disclosure) Policy under the Corporations Act: *Corporations Act 2001* (Cth), in particular Part 9.4 AAA – Whistleblowing.

7 Monitoring and Review of Policy

The Board is responsible for reviewing this policy regularly (minimum every two years).

Any updates and revisions to this policy must be approved by the Board.

8 Revision History

	Approved by:	Date:
Approval and adoption of policy	Board	[insert]