



Denmark Arts Council

Children and Vulnerable Persons Safeguarding Policy

A child is defined as,

an individual(s) under the age of 18 years and Children has a similar meaning.

A Vulnerable Person is defined as,

an individual aged 18 years and above who is or may be unable to take care of themselves, or is unable to protect themselves against harm or exploitation for any reason, including age, physical or mental illness, trauma or disability, pregnancy, the influence, or past or existing use, of alcohol, drugs or substances or any other reason.

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. Denmark Arts Council 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 or exploitation such as children and vulnerable persons.
3. All staff, members, volunteers, partners and third parties of Denmark Arts Council share responsibility for protecting everyone from abuse or exploitation.
4. **Denmark Arts Council** 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 that interact with, or are affected by, Denmark Arts Council
 - b. Define the key terms we use when talking about protecting people or safeguarding.
 - c. Set out and develop the way Denmark Arts Council manages safeguarding risks.
 - d. Facilitate the safe management of incidents.
 - e. To support a positive and effective internal culture towards safeguarding.

DEFINITIONS

6. 'Safeguarding' means protecting the welfare and human rights of people that interact with, or are affected by, Denmark Arts Council, particularly those that might be at risk of abuse 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 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:
 - 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 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.

ROLES AND RESPONSIBILITIES

9. While the responsibility to protect people is shared by all who work at or with **Denmark Arts Council**, some individuals have specific obligations with which they must comply.
10. The members of the board of are responsible for:
 - a. Protecting all people that interact with, or are affected by, **Denmark Arts Council**
 - b. Ensuring that there are appropriate and effective ways for **Denmark Arts Council** to do this;

- c. Ensuring that **Denmark Arts Council** observes all relevant laws relating to safeguarding;

11. The General Manager of **Denmark Arts Council** must:

- a. Ensure **Denmark Arts Council** has effective and appropriate ways to manage safeguarding and legal compliance;
- b. Ensure that, within the organisation's approach, reasonable steps are taken to protect people;
- c. Manage reports of abuse or exploitation;
- d. Ensure that all staff, contractors, and volunteers are aware of relevant laws, policies and procedures, and **Denmark Arts Council's** Code of Conduct;
- e. Ensure that all staff, contractors and volunteers are aware of their obligations to report suspected incidents of abuse or exploitation;
- f. Provide support for staff, contractors and volunteers in undertaking their responsibilities.
- g. Ensure that reports to external parties are made where required.

12. All staff of **Denmark Arts Council** must:

- a. Promote a positive culture towards safeguarding;
- b. Implement this policy in their area of responsibility;
- c. Ensure that the risks of incidents have been considered in their area of responsibility;
- d. Ensure that there are appropriate controls in place to prevent, detect and respond to incidents;
- e. Facilitate the reporting of any suspected abuse or exploitation;
- f. Take a survivor-centric approach to potential incidents and ensure that any incident is dealt with transparently and with accountability.

13. All Volunteers of **Denmark Arts Council** must:

- a. Familiarise themselves with the relevant laws, the Code of Conduct, policies and procedures for safeguarding;
- b. Comply with all requirements;
- c. Report any incident to the General Manager when it is reasonable to suspect that a person's safety or welfare is at risk
- d. Report any suspicion to the General Manager that a person's safety or welfare may be at risk; and

- e. Provide an environment that is supportive of everyone's emotional and physical safety.

14. All partners and contractors of **Denmark Arts Council** must:

- a. Implement the provisions of this policy and **Denmark Arts Council's** procedures in their dealings with **Denmark Arts Council**;
- b. Report any suspicion that an incident may have taken place, is taking place, or could take place.

MANAGING SAFEGUARDING RISK

15. The way **Denmark Arts Council** manages the risks of safeguarding will be:

- a. Holistic. **Denmark Arts Council** and its stakeholders will work to prevent, detect and take action on incidents.
- b. Risk-based and proportionate. **Denmark Arts Council** will regularly assess the risks to people in its operations and develop proportionate controls to mitigate those risks.
- c. Lawful. **Denmark Arts Council** will ensure that it understands and complies with the law in everything it does, in all jurisdictions in which it works.

16. **Denmark Arts Council** will manage the risk of safeguarding by:

- a. Having up-to-date and documented risk assessments for all general program activities.
- b. Maintaining a register of **Denmark Arts Council's** legal obligations for safeguarding and workplace health and safety;
- 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 staff, volunteers and third parties;
- f. Implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents;
- 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.

MANAGING INCIDENTS

17. Harassment, abuse and exploitation are all serious misconduct and **Denmark Arts Council** 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

18. All staff, 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.

19. They may do this through direct reporting to:

- a. Any member of the board;
- b. The General Manager;
- c. Project Coordinators;

20. If a person wants to report confidentially, including with anonymity, they may use the confidential reporting system. A confidential message can be sent to Denmark Arts via our website www.denmarkarts.com.au from the **'About'** page

21. 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

22. All suspected, perceived, potential or actual incidents will be managed through the incident response plan.

External reporting

23. **Denmark Arts Council** will:

- a. Report any suspicion of a criminal offence to the police or the relevant criminal judicial body;
- b. Meet all funding body requirements regarding the reporting of incidents;
- c. Report any qualifying matter to the ACNC.

PRIVACY AND DATA PROTECTION

24. All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. Denmark Arts Council will protect personal information.

RELATED DOCUMENTS

25. Code of Conduct Policy
26. Safeguarding Action Plan

REVISIONS

27. This Policy will be reviewed every 12 months.