



## **ACNC'S BEST PRACTICES**

The White Shadow Foundation operates in line with the ACNC's best practices in connection with safeguarding individuals. Safeguarding is protecting the welfare and human rights of people that are, in some way, connected with our charity and/or its work, particularly people that may be at risk of abuse, neglect or exploitation. The definition of safeguarding used to be narrower, referring to protecting children or vulnerable adults. However, Australian legislation broadened the definition to include everybody. As such, safeguarding is part of The White Shadow Foundation's primary duty of care.

## **SCOPE**

Using the ACNC's guidelines, The White Shadow Foundation strives to examine how to safeguard vulnerable people and outlines practical steps to ensure the charity is doing this effectively. We accomplish this by working within the below frameworks.

## **VULNERABLE PEOPLE**

While all people must be protected from harm, there are additional legislative and ethical considerations for protecting vulnerable people, who can include:

- Children and seniors, and;
- People with impaired intellectual or physical functioning, and;
- People from low socio-economic backgrounds or low levels of literacy or education, and;
- People subject to modern slavery, which involves human exploitation and control, such as forced labour, debt bondage, human sex trafficking and child labour.

Vulnerable people are not limited to a charity's beneficiaries or the users of its services. They can include a charity's staff, volunteers, and people in third parties, such as partner organisations. Being able to recognise vulnerability in its various forms is important and the first step to being able to protect such people within our organisation.

## **RISKS AND CONSEQUENCES**

Safeguarding is a matter of concern for The White Shadow Foundation. We aim to be aware of the changing risks that come with its scope of work, and the potential incidents of harm, which may include:

- Sexual harassment, bullying or abuse, and;
- Serious sexual offences, such as rape, and;
- Threats of violence or actual violence, and;
- Verbal, emotional or social abuse, and;
- Cultural or identity abuse (racial, sexual or gender-based discrimination), and;
- Coercion and exploitation, and;
- Abuse of power.

These incidents of harm can have a wide range of consequences:

- Mental and physical health issues, or even death, for affected people.
- Civil or criminal sanctions for the charity or individuals.
- Anger in the community.
- Damage to reputation and negative media attention.
- Disruption to services.
- Decrease in team cohesion, morale and productivity.
- Inability to attract staff and volunteers.
- Loss of donors and access to grants.

## **LEGAL OBLIGATIONS**

The White Shadow Foundation is registered with the ACNC and must continue to be not-for-profit and pursue solely charitable purposes. We must also keep financial records, and report via our Annual Information Statements.

Specific obligations for safeguarding requires The White Shadow Foundation to comply with Australian law and set duties for the charity's Responsible Persons (our board of directors). This includes the requirement to act with care and diligence and in the best interests of the charity at all times.

## **MANAGING RISKS**

While everyone involved in The White Shadow Foundation has a role to play in protecting people, the ultimate responsibility for the charity sits with its Responsible Persons. It is the Responsible Persons who must consider the unique and specific circumstances of the charity and ensure it is able to identify and manage the relevant risks.

There are six (6) steps that we take to help protect people from harm:

- Identify and assess the risks and any legal and ethical obligations.
- Commit to managing risks of working with vulnerable people.
- Prevent harm and mitigate risks with clear and comprehensive policies and procedures.
- Engage people, including those from third parties, to help manage risks.
- Detect changes in risks, instances of harm and of non-compliance with obligations.
- Take appropriate action when concerns, suspicion or complaints arise.

## **IDENTIFY AND ASSESS**

There are three important actions in this step:

- Understand our charity's risks, and;
- Understand our charity's obligations, and;
- Determine what policies, procedures and systems we need to manage both.

By conducting a risk assessment we are able to identify the risks that come with our charity's work with people, prioritise each risk according to its likelihood and consequences, and identify the policies, procedures and systems that will deal with the risks. This is a methodical way to make sure that the charity has considered what could happen, and how it will deal with incidents that do happen.

We consider carefully the consequences of an incident – in particular, the effects on the victim, our charity's beneficiaries, its reputation, financial position, partners, and the morale of our staff. With lots of information to understand the risks, we strive to consult widely, for example; through meetings, workshops and surveys, and identify information sources such as previous incidents, events in other organisations, and media reports.

## **PREVENT**

Policies, procedures and systems can reduce the likelihood and consequences of incidents. These are known as internal controls. It is important that they are appropriate for The White Shadow Foundation and address its specific risks.

Examples of procedures and systems include:

Due diligence. The research, background checks and preparation that our charity does to minimise the possibility of doing harm to people.

Segregating duties and providing supervision. Policies or procedures that ensure the responsibility for high-risk situations is shared by more than one person.

Managing third parties. Third parties are people or organisations that our charity works with, such as suppliers and partners. Managing third parties includes making sure they are capable of, and committed to, protecting people in their work. We use written agreements, contracts or memoranda of understanding, which prove to be useful in managing third parties.

## **ENGAGE**

Engaging everybody involved in our charity and its work means communicating its expectations, raising awareness of any issue/s, and building a positive culture of protecting people.

We may communicate our expectations and raise awareness of the issue/s through formal channels such as policies, procedures and training resources, or less formal methods such as email updates, newsletters and face to face meetings. To help develop and maintain a culture that values safeguarding, The White Shadow Foundation considers these questions:

Does our charity's values support general safeguarding?

Has our charity considered the kind of culture it wants?

Does the leadership of our charity embody the desired culture, and do their words and actions encourage others to be part of it?

How do attitudes and events compare with the culture we want to develop?

## DETECT

It is important to detect incidents of harm, but it is also equally important to detect moments of non-compliance, with commitments and indicators of changing risks.

To detect an incident of harm effectively, we ensure that:

- Staff, volunteers and third parties report any concerns they have, including the option to do so confidentially, and;
- There are ways for people to provide feedback, raise grievances and report suspected or actual incidents of harm, and;
- People who report concerns or incidents of harm are protected, and;
- There is a supportive culture that encourages our people to speak up, and;
- There is a clear and transparent system for investigating and responding to concerns.

## TAKE ACTION

In the event of a suspected incident, The White Shadow Foundation will take prompt action to understand what might have happened, what risks might exist, and how to protect the people affected. The Board of Directors makes sure that there are regular reviews of safeguarding policies, procedures and systems, reviewing them annually and after any incident, considering the following questions at all times:

- Are they up to date, reflecting the current working environment and legislation or regulation, and do they reflect the current risks for our charity's work?
- Do staff, volunteers and third parties follow the policies, procedures and systems?
- Do the policies and procedures work, or are they ineffective?
- What feedback has our charity received about its policies, procedures and systems?
- What improvements could we make during our review process?

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