

Purpose

Mercy Connect is committed to promoting and protecting individual rights. The purpose of this policy is to:

- Create a safe environment where participants (including children) of whom we provide services to, are protected from abuse, neglect, harm, assault or discrimination and where staff work according to our organisational values, policies and guidelines;
- Define the key terms we use when talking about protecting Participants (including children) or safeguarding;
- Set out and develop the way Mercy Connect manages safeguarding risks;
- Detail the specific roles and responsibilities of persons working in and with Mercy Connect;
- Facilitate the safe management of incidents; and
- To support a positive and effective internal culture towards safeguarding.

Scope

This policy applies to all workers including permanent and casual, contractors, temporary agency workers, students and volunteers.

Relevant Legislation and Policy

- United Nations Convention on The Rights of Persons with Disabilities
- Work Health and Safety Act NSW 2011
- NDIS Practice Standards 2018
- NDIS Quality and Safeguarding Commission 2018
- NDIS Quality and Safeguarding Reportable Incidents Guidance
- National Standards for Disability Services 2013
- NSW Disability Inclusion Act 2014
- NSW Child Safe Standards (?)
- National Catholic Safeguarding Standards 2021

Relevant documentation

- Rights Policy HR 005
- Recruitment, Selection and Induction Guideline HRG 003
- Privacy and Confidentiality Policy HR 004
- Independence Policy
- Dignity of Risk and Duty of Care Guideline HRG 001
- Health and Wellbeing Policy HR 003
- Positive Behaviour Support and Eliminating Restricted Practices Policy CS 004
- Positive Behaviour Support Guideline CSG 001
- Eliminating Restrictive Practices Guideline CSG 002
- Code of Conduct Policy HR 001
- Whistleblower Policy GV 003

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1.0 Guiding Principles

- 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.
- Mercy Connect commits to promoting and protecting the welfare and human rights of people that interact with, or are affected by, our work and the services we offer - particularly those that may be at risk of abuse, neglect or exploitation. We have no tolerance for abuse, neglect or exploitation.
- All staff, volunteers, partners and third parties of Mercy Connect 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.
- Mercy Connect has a process for managing incidents that must be followed when one arises and ensures our reporting obligations to the NDIS Quality and Safeguards Commission, and other reporting bodies are met.
- Safeguards are responsive to the participant (including children) circumstance and are relevant to the risk within these circumstances. These factors may change over time.
- Every participant (including children) should be supported to develop their individual skills and capacity and be involved in determining their own safeguards.
- Participants (including children), who need and want support to make decisions will be supported to exercise choice.
- Safeguards can be informal or formal and work at an individual and/or organisational level.

2.0 Policy Implementation

Mercy Connect recognises that establishment and maintenance of an effective Safeguarding culture is driven through a shared commitment to the Safeguarding principles and activated by a series of ongoing actions and processes to demonstrate the application of those principles in our operations and services.

Area	Application
Quality, Risk & Safeguarding Committee (QRSC)	The QRSC meets regularly and provides oversight and recommendations to the Board Governance & Risk Committee in relation to all aspects of quality, safety, safeguarding and risk management of Mercy Connect services in order to support improved performance, governance and organisational effectiveness.
Roles & Responsibilities (including Safeguarding Coordinator)	A shared responsibility for Safeguarding is in place across Mercy Connect, with defined and specific roles and responsibilities, including those of the Safeguarding Coordinator documented as part of this Safeguarding Policy.
Code of Conduct	Mercy Connect has a defined Code of Conduct which underpins the behaviours and conduct expected of all staff to ensure safeguarding standards are met. Each worker is required to accept the Code of Conduct as part of their induction training, and their performance is measured and monitored to these standards.
Risk Management	Mercy Connect maintains a risk management policy, framework and criteria to support the assessment, monitoring and control of Safeguarding risks. Furthermore, the Board Risk Appetite Statements assist management in the management of risk relating to the risks across the organisation, including Safeguarding.

<p>Quality Management and Continuous Improvement</p>	<p>Mercy Connect is committed to an approach of continuous improvement for the services we provide, for the benefit of our participants. This includes the assessment and mitigation of safeguarding risks.</p> <p>The Quality Management Policy and supporting Framework outlines the mechanisms in which Mercy Connect identify and activate opportunities for improvement, including quality programs for each functional area.</p>
<p>Monitoring and review of Safeguarding risks and practices</p>	<p>An organisational Safeguarding Risk Register is defined and re-assessed on a regular basis (at least annually), or in response to changes in our internal and external environment. The risk register articulates the relevant safeguarding risks in which Mercy Connect is exposed, the materiality of those risks (risk ratings) and how those risks are controlled.</p> <p>The adequacy of Safeguarding processes and controls are reviewed by Management on an ongoing basis, tested as part of the Mercy Connect Internal Audit program, and validated by external audits as they may occur.</p> <p>Individual safeguarding risk assessments and safety plans are established and maintained to assess and manage participants exposure to safeguarding and safety risks.</p> <p>Individual and Organisational Safeguarding risks are also assessed regularly as part of regular and ongoing monitoring and reporting of participant incidents and complaints, where systemic issues (such as repeated failures leading to incidents) can be assessed over time.</p>
<p>Participant communication and engagement, and access to safeguarding information</p>	<p>Participants, and their families, receive key information about Mercy Connect's commitment to safeguarding standards over various stages of the participant's involvement with Mercy Connect:</p> <ul style="list-style-type: none"> • The Mercy Connect Participant Handbook (typically provided at intake) includes contact details for the Safeguarding Coordinator, referrals to other support networks and information of the participant rights, and our commitment to participant safety and safeguarding standards. • The relevant policies supporting safeguarding standards for participants are provided at intake, and readily available on the Mercy Connect website (e.g., Statement of Commitment to the Safety and Wellbeing of Children, Child Safety and Protection Policy, Privacy Policy) • Participant and family newsletters are regularly distributed to inform and communicate relevant information to those relevant stakeholders • Participants are invited to participate in the Mercy Connect annual Participant Survey where we actively seek their contribution to our standards, services, and programs.
<p>Partnership with families, carers and communities</p>	<p>Family and personal relationships are promoted and maintained through a policy framework that seeks to support, develop and preserve these relationships for participant wellbeing.</p> <p>Family and Guardian newsletters are regularly distributed to inform and communicate relevant information and promote awareness of participant rights, safeguarding practices and opportunities for further engagement and involvement with Mercy Connect.</p>

<p>Cultural awareness and acknowledgement</p>	<p>Mercy Connect recognises the unique needs of different cultures, and has a strategic, policy and training framework to demonstrate our commitment to advocate and address those needs, and ensure an inclusive and supportive environment in which individuals can thrive.</p> <p>Key policies outline the Mercy Connect approach to ensure cultural awareness and needs are respected and acknowledged.</p> <p>Dedicated cultural awareness training supports staff in demonstrating policy principles.</p>
<p>Policies, procedures & guidelines supporting participant safety</p>	<p>Mercy Connect maintains a document suite of Policies, Procedures, Guidelines and other Practice/Work instructions to support key services, practices and underpin the approach to participant safety.</p> <p>Version control is maintained, and regular review cycles ensure these documents remain relevant, current and fit for purpose.</p> <p>Policies, Procedures, Guidelines and other Practice/Work instructions are readily accessible to all staff (paper and electronically), and as a condition of employment, are required to proactively maintain their working knowledge of these documents.</p> <p>Some examples of key documents that align to participant safety and safeguarding include:</p> <ul style="list-style-type: none"> • Child safety and protection policy • Rights policy • Independence and informed choice policy • Dignity of Risk and Duty of Care policy • Whistleblower and worker grievance policy • Incident reporting procedures
<p>Worker recruitment and screening</p>	<p>Mercy Connect maintains procedures to ensure consistency and effective diligence in worker selection and recruitment. All positions are assessed on the necessary skills, aptitude and experience required to perform their role to the standard expected.</p> <p>For roles that have exposure to specific safeguarding risks, a considered approach is applied to worker recruitment and selection. This may include:</p> <ul style="list-style-type: none"> • Targeted safeguarding considerations as part of the interview guide • Evidence in skills, experience and reference checks to support participant safety • Appropriate probity and background screening to ensure the potential worker is suitable for the role
<p>Worker Performance Appraisal and disciplinary procedures</p>	<p>Safeguarding roles and responsibilities are clearly defined as part of position descriptions and are assessed as part of the annual performance appraisal process.</p> <p>Where performance, conduct or behaviours do not meet expected standards, Mercy Connect applies a structured approach (supported by relevant policies) to disciplinary actions and procedures.</p>

<p>Training and Induction</p>	<p>Mercy Connect is committed to ensuring workforce capability and competence to support safeguarding standards. All Mercy Connect workers undergo Safeguarding training as part of their induction.</p> <p>Specific training needs for workers supporting complex or “at risk” participants are defined and delivered as part of the Mercy Connect training strategy.</p>
<p>Incident reporting procedures</p>	<p>A structured and disciplined approach to incident reporting is maintained at Mercy Connect and supported by a broad range of procedures, guidelines and instructions to ensure participant safety is effectively monitored, mandatory reporting requirements are met and opportunities for improvement can be identified.</p> <p>Mercy Connect administers an accessible software platform that is accessible for all staff to report issues and incidents. Information recorded within this platform is retained in accordance with Mercy Connect retention schedules.</p> <p>In addition, a Whistleblower program is in place for workers that may wish to utilise this process, or to enable anonymity in reporting.</p>
<p>Complaint Management Processes</p>	<p>A structured and disciplined approach to complaint and feedback reporting is maintained at Mercy Connect and supported by a broad range of procedures, guidelines and instructions to ensure participant concerns or complaints regarding their safety are acknowledged, investigated and responded to.</p> <p>Mercy Connect administers an accessible software platform that is accessible for all staff to lodge complaints and feedback received from participants. Information recorded within this platform is retained in accordance with Mercy Connect retention schedules.</p> <p>Participants (or anyone else representing their interests) can make a complaint (anonymously if required) to Mercy Connect in person, by phone, email or via the Mercy Connect website.</p> <p>The complaints process (including escalation contact points) are communicated via the Participant Handbook.</p>
<p>Third Party procurement and agreements</p>	<p>Mercy Connect applies diligence to its procurement of third party providers and suppliers to ensure any third party has an appropriate ethos, values and purpose that aligns with Mercy Connects approach to safeguarding.</p> <p>The Procurement policy mandates the considerations required to ensure safeguarding risks (introduced as a result of the third party agreements) are identified, assessed as part of the procurement process, and monitored ongoing as part of the Safeguarding Risk Register.</p>
<p>Participant Privacy</p>	<p>Mercy Connect understands that privacy and confidentiality are key to the services that Mercy Connect provide.</p> <p>The Mercy Connect Privacy Policy (available on our website) and other internal policies detail how Mercy Connect ensures the privacy and confidentiality of our participants, their records (and other information we hold), and how consent for our services and activities is obtained.</p>

3.0 Safeguarding Roles & Responsibilities

While the responsibility to protect people is shared by all who work at or with Mercy Connect, some individuals have specific obligations with which they must comply:

Role	Responsibility
Mercy Connect Board	<ul style="list-style-type: none"> Protecting all people that interact with, or are affected by Mercy Connect operations and services Ensuring that there are appropriate and effective ways for Mercy Connect to do this Ensuring that Mercy Connect observes all relevant laws relating to safeguarding Ensuring that Mercy Connect takes a survivor-centric approach
Chief Executive Officer (CEO)	<ul style="list-style-type: none"> Ensure Mercy Connect has effective and appropriate ways to manage safeguarding and legal compliance Ensure the appointment of a Safeguarding Coordinator with appropriate skills and competency Ensure that reasonable steps are taken to protect people Ensure that all staff, contractors, and volunteers are aware of relevant laws, policies and procedures, and Mercy Connect Code of Conduct Ensure that all staff, contractors and volunteers are aware of their obligations to report suspected incidents of abuse, neglect or exploitation Ensure that reports to external parties are made where required
Safeguarding Coordinator	<ul style="list-style-type: none"> Manage reports of abuse, neglect or exploitation Act as a key point of contact or referral for participant safeguarding queries or concerns Assess safeguarding risks for individual participants as part of intake processes and review of participant incidents Provide support for staff, contractors and volunteers in undertaking their responsibilities
Executive Leaders	<ul style="list-style-type: none"> Promote a positive culture towards safeguarding Implement this policy in their area of responsibility Ensure that the risks of incidents have been considered in their area of responsibility Ensure that there are appropriate controls in place to prevent, detect and respond to incidents Facilitate the reporting of any suspected abuse, neglect or exploitation Take a survivor-centric approach to potential incidents and ensure that any incident is dealt with transparently and accountably
Workers	<ul style="list-style-type: none"> Familiarise themselves with the relevant laws, the Code of Conduct, policies and procedures for safeguarding Comply with all requirements Report any incident to the appropriate authority when it is reasonable to suspect that a person's safety or welfare is at risk Report any suspicion that a person's safety or welfare may be at risk to the appropriate authority Provide an environment that is supportive of everyone's emotional and physical safety
Partners & Contractors	<ul style="list-style-type: none"> Implement the provisions of this policy and Mercy Connect's procedures in their dealings with Mercy Connect Report any suspicion that an incident may have taken place, is taking place, or could take place

4.0 Safeguarding Risk Management

4.1 Mercy Connect's approach to the management of safeguarding risks is:

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

4.2 Mercy Connect will manage the safeguarding risks by:

- Having up-to-date and documented risk assessments for Participants (including children);
- Remaining aware, and where required seek counsel of, our legal obligations for safeguarding practices in all the jurisdictions in which Mercy Connect operates;
- Establishing and maintaining a detailed Safeguarding Risk register that identifies the risks in which Mercy Connect is exposed (as a result of our services and operations) and how those risks are controlled
- Adhering to this Safeguarding Policy and the Code of Conduct;
- Completing due diligence checks of staff, volunteers and third parties;
- Implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents;
- Raise awareness for stakeholders on risks, expectations, and individual responsibilities;
- Having an incident response plan;
- Monitoring and reviewing the effectiveness and proportionality of its safeguarding approach.

5.0 Safeguarding Complaints, Incidents and Breaches

5.1 Breaches of this policy, our Code of Conduct (including Harassment, abuse, neglect and exploitation) are treated as serious misconduct and Mercy Connect reserves the right to:

- Take disciplinary action against those it believes are responsible, which may include dismissal;
- Take civil legal action;
- Report the matter to law enforcement.

5.2 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. They may do this through direct reporting to:

- Any member of the Board;
- The Chief Executive Officer;
- The Safeguarding Coordinator;
- Their Manager or Team Leader;
- Through the Whistleblower process.

5.3 If a person wants to report confidentially, including with anonymity, they may use the Mercy Connect Whistleblower process as detailed in *Whistleblower Policy GV 003*.

- 5.4 If a person believes that another person is at risk of immediate harm or the victim of a criminal offence, they must dial 000.
- 5.5 All suspected, perceived, potential or actual incidents will be managed through the incident reporting and complaint management processes. Refer to *Feedback & Complaints Policy HR 002*, *Feedback & Complaints Procedure HRP 001* and *Processing RiskMan Incidents Work Instruction CSWI 023*.
- 5.6 Mercy Connect will:
- Report any suspicion of a criminal offence to the police or the relevant criminal judicial body;
 - Meet all obligations regarding the reporting of incidents to external regulators and industry bodies as required;

6.0 Review & Monitoring

- 6.1 This policy will be reviewed at least every two years.
- 6.2 Whilst the policy owner is ultimately responsible for ensuring that this policy is reviewed as per the timeline, all key stakeholders including the Safeguarding Coordinator and Quality & Risk Manager will be responsible for enhancing this policy and incorporating learnings and improvement opportunities into subsequent versions.
- 6.3 Feedback from other key operational stakeholders and corporate records (such as complaints and incidents) will also be sought and reviewed during the process.

7.0 Definitions

Safeguarding Actions that serve to protect the welfare and human rights of people that interact with, or are affected by, Mercy Connect, 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

Abuse, Neglect or Exploitation Includes all forms of physical and mental abuse, exploitation, coercion or ill-treatment. This might include, for example:


- Sexual harassment, bullying or abuse;
- Sexual criminal offences and serious sexual criminal offences;
- Threats of, or actual violence, verbal, emotional or social abuse;
- Cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crime;
- Coercion and exploitation;
- Abuse of power.

Reasonable Grounds to suspect 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:

- 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.
- 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

Neglect	The persistent failure, where there are means, or the deliberate denial to provide the child with clean water, food, shelter, sanitation or supervision or care to the extent that the child's health and development is placed at risk
Physical Abuse	When a person purposefully injures, or threatens to injure, another person (including children). Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning
Emotional Abuse	A persistent attack on a person's (including children) self-esteem. Examples include, but are not limited to – name-calling, threatening, ridiculing, shaming, intimidation or isolation
Sexual Abuse	When a person (including children) is used by another person, for his or her own sexual stimulation or gratification. Sexual abuse involves contact and non-contact activities which encompasses all forms of sexual activity including exposure to online sexual exploitation material or taking sexually exploitative images
Grooming	Generally, refers to behaviour that makes it easier for an offender to procure a vulnerable or at risk person (including children) for sexual activity. For example, an offender may build a relationship of trust with a vulnerable person, and then seek to sexualise that relationship (for example favouring, isolating, giving excessive attention or gifts, using sexualised language or physical contact, or exposing the person at risk to sexual concepts through online sexual exploitation material)
Discrimination	When a person, or a group of people, is treated less favourably than another person or group because of their background or certain personal characteristics.
Child	Any person under the age of eighteen (18) years as defined by the Convention on the Rights of the Child

Approvals

Action		Signature
Reviewed by	Felicity Lawes	
Review date	7 December 2021	
Next review date	December 2023	
Authorised By	Felicity Lawes	

Issue Status

Issue #	Description of change	Date
001	Initial Publication	20 June 2019
002	Included reference to children and updated document reference numbers	19 July 2019
003	Scheduled review - Updated policy number. Minor amendments	8 November 2021
004	Adhoc review to broaden scope to address National Catholic Safeguarding Standards	7 December 2021