

	Safeguarding Vulnerable People Policy and Procedure	
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1.0 INTRODUCTION

As the provider of services to Our Rainbow House School, we are committed to providing a safe environment for students, staff, community members and visitors. Our Rainbow House Inc. is committed to safeguarding the people they help and those they work alongside. We recognise that the nature of the work that we do places our personnel in a position of authority and trust in relation to the community we work with, especially vulnerable people and children.

We expect all Our Rainbow House personnel to demonstrate high standards of personal and professional conduct at all times (both at work and outside of their official duties). The position of trust and authority must not be abused to exploit, manipulate, or abuse another person.

The intent of this document is to set out:

- Our Rainbow House’s commitment to the safeguarding of vulnerable people
- The responsibilities of our stakeholders who interact with vulnerable people
- Processes for reporting, dealing with complaints and disciplinary procedures.

Our Rainbow House adheres to national, local, and international criminal laws, which prohibit abuse and exploitation. These include Australian laws, Zambian laws and international laws and Conventions in relation to all forms of abuse and exploitation.

2.0 DEFINITIONS

Adult of Influence shall mean any adult associated with the Our Rainbow House community. This includes staff members, board members, volunteers, visitors, sponsors and donors.

Child shall mean any student of Our Rainbow House School regardless of age, any sponsored high school student regardless of age, or any other person under the age of 18 years that has any form of contact with Our Rainbow House.

Employee shall mean any board member, employee, student placement, apprentice, contractor, sub-contractor or volunteer.

Fraternisation means any relationship occurring in the course of conducting Our Rainbow House business, that involves — or appears to involve — partiality, preferential treatment or improper use of rank or position, including but not limited to voluntary sexual behaviour. It includes sexual behaviour not amounting to intercourse, a close and emotional relationship involving public displays of affection or private intimacy and the public expression of intimate relations.

Our Rainbow House Inc. Community shall mean all board members, employees, students, parents/guardians, caregivers, volunteers, donors, sponsors and student placements. Any person who is caused to undertake tasks or duties on behalf of Our Rainbow House Inc.

Our Rainbow House School shall mean the school operated by Our Rainbow House Inc. in Zambia.

Safeguarding means actions, policies and procedures that create and maintain protective environments to protect people from exploitation, harm and abuse of all kinds.

Abuse includes physical, sexual, emotional, psychological, neglect, bullying, forced labour and domestic violence. Abuse can happen to men and women of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion. Abuse can be inflicted by both men and women. In some cases, professionals and other people working in a position of trust also inflict abuse.

- Physical abuse occurs when a person purposefully injures or threatens to injure another person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or pinching or grabbing. The injury may take the form of bruises, cuts, burns or fractures.
- Emotional abuse occurs when a person is repeatedly rejected or frightened by threats. This may involve name calling, or being put down, to the extent that it affects the person's physical and emotional well-being and behaviour.
- Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions¹. It includes all forms of sexual violence including incest, early and forced marriage, rape, involvement in pornography, indecent touching, grooming, using sexually explicit language towards a child or vulnerable person, and showing sexually exploitative pornographic material.

Exploitation means any actual or attempted abuse of a position of vulnerability, differential power, or trust, including, but not limited to, profiting monetarily, socially or politically from the exploitation of another. It includes:

- Committing or coercing another person to commit an act or acts of abuse against another
- Committing or coercing another person to commit an act or acts of exploitation against another
- Using another person for profit, labour, sexual gratification, or some other personal or financial advantage.

Transactional sex means the exchange of money, employment, goods, services or other benefit for sex, including sexual favours.

Vulnerable people means those who, due to their age, gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status, or as a result of disasters and conflicts, are deemed to be at risk.

3.0 SCOPE

This policy applies to:

- all employees, including full-time, part-time or casual, temporary or permanent staff; job candidates; student placements, apprentices, contractors, sub-contractors, volunteers and partner organizations
- all donors and sponsors
- all persons visiting Our Rainbow House School
- all media representatives undertaking work with Our Rainbow House
- all community members involved in Our Rainbow House programs or fundraising and publicity activities.
- how Our Rainbow House Inc. deals with matters relating to the safeguarding of vulnerable people.

¹ The definitions for both Sexual Exploitation and Sexual Abuse are contained in the United Nations Secretary-General's Bulletin, "Special measures for protection from sexual exploitation and sexual abuse" ST/SGB/2003/13 (9 October 2003) [hereinafter Secretary-General's Bulletin on SEA (2003)].

Breaches of this policy may result in disciplinary action under Our Rainbow House's Disciplinary Procedures. For partner organisations, breaches may lead to cancellations of contracts, agreements, or Memorandums of Understanding.

4.0 PURPOSE

This policy outlines Our Rainbow House's commitment to:

- Ensuring vulnerable people are safe from deliberate or inadvertent harm.
- Zero tolerance of inaction towards incidents of exploitation and abuse.
- Accepting responsibility for the protection of vulnerable people who access our services
- Ensuring that Our Rainbow House board members and employees, children, vulnerable people and their families understand our protective practices and the critical roles they play in keeping children and other vulnerable people safe.
- Ensuring that all concerns or allegations of exploitation, abuse, bullying and/or harassment are responded to in a timely, confidential and appropriate manner.
- Vigilantly maintaining the highest professional and ethical standards.

The standards of conduct outlined in this document formulate the basis of our expectations for non-discriminatory and respectful behaviour where misconduct is not accepted, where power is not abused and vulnerabilities and power inequality are not exploited. This also includes the following policy documents:

- *Bullying, Harassment and Anti-Discrimination Policy/Procedure*
- *Whistleblower Policy/Procedure*
- *Equal Opportunity Policy/Procedure*
- *Code of Conduct*
- *Child Protection Policy and Procedure*
- *Child Protection Code of Conduct*
- *Publications Policy*

5.0 RESPONSIBILITIES

All members of the Our Rainbow House Inc. community contribute to the creation of a safe and healthy workplace. Each member of the school community has a responsibility to ensure:

- everyone has the right to learn, work and socialise in a friendly, safe and supportive environment;
- each person is encouraged and supported in being accountable for their own behaviour;
- their actions and behaviours mirror those outlined in the *Code of Conduct* and appropriate action is taken to prevent and respond to reports of exploitation or abuse.
- the school is represented in a positive manner;
- school rules, policies and procedures are followed.

To foster positive, respectful and appropriate relationships between all members of the school community, each person is also responsible for ensuring:

- they positively contribute to the creation and maintenance of a culture that prevents abuse of children and vulnerable people.
- any concerns (either real or apparent) regarding sexual exploitation, sexual abuse, transactional sex or any other form of humiliating, degrading or exploitive behaviour are reported in accordance with this policy/procedure.

It is the responsibility for any other organisation that Our Rainbow House chooses to partner with, through funding or delivery of an activity, to abide by this policy. In any formal partnership agreement, Our Rainbow House will ensure that our implementing partners are made aware of these standards and are bound by this policy as reflected through an MOU or partnership agreement.

It is the responsibility of the board, and their nominated persons, to ensure this policy and related procedures are communicated, implemented and enforced.

6.0 POLICY STATEMENT

Our Rainbow House strictly prohibits:

- personnel from engaging in any form of sexual activity with children or vulnerable people regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not acceptable justification.
- the exchange of money, employment, goods or services for sexual services, sexual favours, or any other form of humiliating, degrading or exploitive behaviour.
- personnel engaging in any sexual activity, whether actual or attempted, where there is a potential for an abuse of power.
- the abuse of any power for personal gain (this undermines the principles of Our Rainbow House and contradicts our mission and values).

Exploitation, abuse (including sexual exploitation and abuse) and transactional sex are acts of serious misconduct and are grounds for termination of employment. Our Rainbow House has adopted a zero tolerance for inappropriate behaviours and will refer those suspected of prohibited behaviours to law enforcement agencies.

Our Rainbow House:

- will establish clear reporting procedures to report suspected or known instances of abuse to relevant authorities. All reports of breaches of this policy/procedure will be met with a swift response including investigation and possible disciplinary measures or referral to law enforcement agencies. All concerns must be reported to Our Rainbow House through appropriate reporting channels as soon as possible. (See *Reporting Procedures below – page 9*).
- is responsible for communicating this policy to all stakeholders, partners and members of the public, and is to be held accountable for upholding this policy.

7.0 PROCEDURE STATEMENT

Programme Planning, Implementation and Monitoring:

Our Rainbow House recognises that there are a number of potential risks to vulnerable people in the delivery of our programs. In recognising this, Our Rainbow House proactively assesses and manages risks to vulnerable people in order to reduce the risk of harm. This is achieved by examining each activity and program and its potential impact on vulnerable people.

(For a more detailed description of Our Rainbow House practices, please refer to the *Planning, Monitoring, Evaluating and Learning Policy*.)

1. Our Rainbow House will conduct a risk assessment of any new projects to ensure the safeguarding of vulnerable people is prioritized, using the *Project Planning Tool* and *Risk Register*.
2. Our Rainbow House will continuously monitor current projects to ensure they comply with this policy. We will do this by:
 - Regularly communicating with all students, staff and volunteers.
 - Regularly reviewing all publications, fundraising materials and training guidelines, to ensure this policy is available to all stakeholders.
 - Conducting regular training in the *Child Protection Policy, Safeguarding Vulnerable People Policy* and *Complaints Handling Policy*.
 - Conducting an annual self-audit of our programs to monitor identified risks and program implementation in order to review adherence to our safeguarding standards.
 - Reviewing this policy and associated documents every two years to ensure they are current and relevant.

Working With Partners:

Our Rainbow House has a responsibility to ensure that any implementing partners have robust safeguarding measures in place. We will do this by:

3. Conducting a risk assessment of any new partnerships to ensure the safeguarding of vulnerable people is prioritized, using the *Project Planning Tool* and *Partnership Assessment Criteria*.
4. Recognising that the notion of safeguarding is understood in different ways in the Zambian culture, and by undertaking extensive collaboration with partners and stakeholders to support their understanding of this policy.
5. Recognising that partner organisations may have direct contact with vulnerable people in their work, and therefore may have their own safeguarding policies. However, all partner organisations are included in the scope of this policy.
6. Providing a copy of this policy to all partner organisations, support them in their understanding and implementation of this policy, and formalise their compliance with the policy through formal agreements.
7. Drawing up partnership agreements with all partners outlining their specific responsibilities. Reference should be made to the risks associated with safeguarding vulnerable people in all partnership agreements. (See *Partnership Agreement Template*).
8. Monitoring the implementation of agreed safeguarding measures and external compliance obligations with our partner organisations on an ongoing basis via project reports, visits and annual audits.

Involving Our Community:

Our Rainbow House is committed to community participation. We recognise the unique insight, experiences and contribution of the people in our community, and work with them to help identify any potential safeguarding risks in all programs that affect them. Our Rainbow House will provide opportunities for community members to share their views and ideas on the running of the Project, how it affects their lives and future plans.

9. Community members will be consulted in the development and review of all programs that affect them, including the development of this policy. It is important to know what they consider to be

appropriate and inappropriate behaviour. This will be done through verbal discussions, or written surveys, at a time convenient to those involved.

10. Regular discussions with staff and guardians will be conducted to allow them to air their views on the school and report any concerns. These discussions may take place at meetings of the Parents, Guardians and Friends Association (PGFA). It is noted that the guardians speak English as a second (or third) language so a local volunteer or staff member who speaks both English and Nyanja may need to be present.
11. A complaints handling procedure will be provided and fully explained to all community members using simple, clear and understandable language. (See *Complaints Handling Policy* and *Complaints Poster*). If necessary, the documents should be translated into Nyanja.
12. Community members will be educated about their rights to a safe environment using various resources. Staff and volunteers will also be taught about their responsibility to report anything unsafe or any problems.

Recruitment of Staff and Volunteers:

Our Rainbow House is committed to safe recruitment, selection and screening practices. Our Rainbow House will not knowingly engage – directly or indirectly- anyone who poses a risk to vulnerable people.

These practices aim to recruit the safest and most suitable people to work in our programs.

13. Our Rainbow House will publicly state a commitment to child protection and safeguarding on our website, in other promotional materials and in all job advertisements. This will help applicants self-assess and deter persons who may not share our values.
14. Job descriptions are required for all positions, including volunteer positions, which describe key selection criteria and outline tasks and accountabilities. This clarifies boundaries and assists in the management of staff.
15. All positions will be assessed for the level of risk in relation to contact with vulnerable people. This includes volunteering or other unpaid work.
16. All applicants for staff and volunteer positions will receive a copy of this policy and be informed of screening requirements when they are sent an application form.
17. Applicants will be required to submit a detailed application form when applying for a position. This form will ask for extensive information about the applicant's background such as dates and places of employment, education and other activities. It is important to examine background information carefully to identify patterns or unexplained gaps in their employment history.
18. Applicants should possess relevant qualifications and experience.
19. All applicants for staff or volunteer positions at the school in Zambia must provide:
 - Suitable forms of identification (passport, driving licence or National Identity Card). Original documents are required.
 - A minimum of three verbal referee checks. The applicant's most recent employer must be one of these referees. Our Rainbow House will verify the identity of the referees, make direct contact with each of these referees and clarify the relationship between the applicant and the referee. Written references will followed up and checked verbally.
 - A current police clearance check from each country the applicant has lived for 12 months or longer in the last 10 years, and for the applicant's country of origin. In countries where police checks are unavailable or unreliable, statutory declarations or local legal equivalent may be used. People with a criminal history of abuse, violence to adults or children and

internet offences would pose an unacceptably high risk to the vulnerable people in our programs and potentially in the community in which we work.

- Any volunteers travelling with accompanying friends or family members are also required to provide this documentation for all adults in their party.

20. Applicants will be asked behaviour-based questions during a face to face interview. Behavioural based questions give interviewers additional information about the applicant's suitability to work with vulnerable people. The interviewers will ask value-based questions seeking information about the applicant's attitudes to professional boundaries, accountability, teamwork and how they have responded to concerns about safeguarding and other ethical dilemmas. Past behaviour is the best predictor of future actions.

21. All new staff and volunteers (both in Zambia & Australia), are required to:

- Read this policy and related documents, as provided in their induction pack.
- Discuss it with their Project Coordinator (Zambia) or Volunteer Coordinator (Australia).
- Sign the Our Rainbow House *Code of Conduct*.
- Be continually aware of potential risks to vulnerable people as well as to be actively minimising opportunities and situations where vulnerable people can be harmed.

22. Employment contracts for all staff will contain:

- provisions for the prevention of a person from working with vulnerable people if they present an unacceptable risk;
- dismissal or suspension for any employee who breaches the *Code of Conduct*.

Our Rainbow House reserves the right to refuse employment or terminate any person's employment that may pose a risk to vulnerable people.

23. Screening is an ongoing process and should continue throughout the orientation process and the probationary period.

24. All positions will be subject to a probationary period depending on the length of contract.

25. Safeguarding vulnerable people will be included as a key performance indicator in staff performance reviews.

Interactions between vulnerable people and adults of influence:

Our Rainbow House recognises that the relationships between adults of influence (such as staff members, sponsors, volunteers, and visitors), and vulnerable people in our community can be complex, and potentially pose a safeguarding risk. Harm can be caused intentionally by offenders who target organisations that work with vulnerable people, or unintentionally by well-meaning supporters who don't understand the boundaries required to keep vulnerable people safe.

We recognise the need to implement specific guidelines to manage the safeguarding risks involved with interactions between vulnerable people and donors, sponsors, volunteers and visitors.

26. All sponsors, volunteers and visitors are expected to abide by this policy as well as the *Child Protection Policy, Child Protection Code of Conduct* and *Code of Conduct*.
27. Volunteers and visitors may be invited into the homes of students and their families. A member of staff, board member or caregiver must be present at all times during these visits.
28. Any correspondence between a vulnerable member of the Our Rainbow House community and an adult of influence must be sent via the Australian Office and Project Co-ordinator. (A mailing address is available upon request).
29. All mail will be opened, checked and censored where necessary. Letters, emails or messages which contain political or religious comments or any other content which could cause offence or be inappropriate are not permitted.
30. Any instances of inappropriate contact between any vulnerable person involved in our programs and representatives of Our Rainbow House should be reported immediately to the Project Co-ordinator, Director or a board member. (Please see *Reporting Procedures – page 9*).
31. Sponsors and volunteers are requested not to give monetary donations to vulnerable people in our community.

Fundraising and Promotion (including the use of personal information and photographs):

Our Rainbow House often uses images and stories to promote our charity. We are mindful of how the images and information of vulnerable people can be used, adapted and viewed, and recognise that specific guidelines are necessary to protect the privacy of vulnerable people in our community, and not to create opportunities where vulnerable people can be identified and contacted by potentially harmful people.

32. Personal information (including contact details, health status, family situation), of any members of our community will be held securely in the Zambian and Australian offices, and disclosed only to board members, teachers at Our Rainbow House School or the Project Coordinator.
33. Free, prior and informed consent will be sought from anyone whose photograph may be used in promotional material. Verbal consent from adults is adequate.
 - When asking for consent, details should be given as to how, where and for how long the image will be used. Our Rainbow House can provide examples of how images will be used. It will be explained that Our Rainbow House cannot control the use of images once they are loaded onto the internet and that they can be viewed by anyone with internet access at any time.
 - Photographers are to enquire if anyone has not given permission.
34. Any images of people involved in fundraising or publicity activities, will only be used with prior and informed consent and as per the *Publications Policy*.
 - Our Rainbow House will, at all times, portray people in a respectful, appropriate and consensual way. People should always be portrayed in a dignified and respectful manner, and not in a vulnerable or submissive manner.
 - People should be adequately clothed and not in poses that could be seen as sexually suggestive.
 - There should be no identifying information used in the publication of images. This includes family names and community location.
 - Local cultural traditions should be assessed regarding restrictions for reproducing personal images.

- Images should be an honest representation of the context and the facts.
- When sending images electronically, file labels should not reveal identifying information.
- All photographers will be screened for their suitability, including police checks where appropriate.
- A risk assessment will be conducted prior to the publishing of any information/story about an especially vulnerable person. A story about an especially vulnerable person will not show their face or any other identifying factors.
- People should not be portrayed as weak, isolated and vulnerable. Images should portray people as resilient human beings, members of a community and as partners in the development process.

35. Any members of the Our Rainbow House community that undertake fundraising or publicity activities involving vulnerable people are to abide by this policy, or the relevant corresponding policy provided by another organization, in all instances.

Reporting Procedures:

All reports of breaches of this policy/procedure will be met with a swift response including investigation and possible disciplinary measures or referral to law enforcement agencies.

All concerns must be forwarded to the Director of Our Rainbow House through appropriate reporting channels as soon as possible. (See <https://ourrainbowhouse.org.au/wp-content/uploads/2021/05/Complaints-Handling-Policy.pdf>).

36. When reporting to Our Rainbow House, contact either the Project Co-ordinator in Zambia, the Director, or another member of the Board.

- Director Alison Ray - phone: +61 407 040 251 or email to alisonjray@ourrainbowhouse.com.au
- Australian office: admin@ourrainbowhouse.org.au
- Project Co-ordinator – phone: +260 971 594 160 or email to orh-projectassistant@live.com or placed in their letter box/ pigeonhole

To report directly to the appropriate authorities contact:

AUSTRALIA (Queensland)

Phone Triple Zero (000) if it's an emergency or if you believe someone is in immediate danger or in a life-threatening situation.

- If there is an allegation or suspicion of abuse, these matters should be reported to the state police:

Policelink **131 444**

Or [Alternative Reporting Options | QPS \(police.qld.gov.au\)](https://www.police.qld.gov.au/alternative-reporting-options)

- Concerns about people engaging in sex tourism, sex trafficking and child pornography should be reported to the Australian Federal Police Transnational Sexual Exploitation and Trafficking Team (TSETT) using the online form found at https://forms.afp.gov.au/online_forms/cst_form.
tsett@afp.gov.au

ZAMBIA

Phone 991 LUSAKA if it's an emergency or if you believe someone is in immediate danger or in a life-threatening situation.

- If there is an allegation or suspicion of abuse, these matters should be reported to the local police.

Lusaka Province Police **0979-810007, 0950-180007, 0969-180008**

Or visit your local police station, which may have a Victim Support Unit.

- To report child sexual abuse or gender based violence abuse:

Childline Zambia **Children 116/ Adults 933**

- To report images or videos of child sexual abuse:

[Zambia - IWF - Welcome to the IWF](#)

37. No person will be penalised or disadvantaged as a result of raising legitimate concerns or complaints relating to exploitation or abuse. Where a complaint is substantiated, it may result in disciplinary action up to and including termination of employment. If unsubstantiated or found to be vexatious it may also result in disciplinary action against the complainant.

Responding to Complaints:

38. Effectively responding to issues when they are raised is key in ensuring that unacceptable behaviour is addressed promptly and eliminated. In addressing complaints the following principles should be applied at all times.

Act promptly	All complaints should be responded to quickly and within the documented timeframes. Relevant parties should be kept informed of the progress of the process to reassure them that their issue is being addressed.
Treat all matters seriously	All complaints/reports should be treated as serious and based on their merit and facts.
Maintain confidentiality	The confidentiality of all involved parties must be maintained at all times. Only those directly involved in assessing/investigating/resolving the matter should be privy to the facts.
Ensure procedural fairness	<p>The respondent to the allegations should be treated as innocent unless the allegations are proven to be true. Respondents must be apprised of the content of the allegations and be given an opportunity to respond.</p> <p>The person raising the complaint/issue must be given due diligence and be given the opportunity to have their concerns heard. All allegations are to be treated as credible and reliable unless proven otherwise.</p>

	Both parties are to be advised of the opportunity to have decisions reviewed.
Remain neutral	Avoid any personal or professional bias by remaining neutral at all times. Ensure those tasked with managing and responding to complaints are not involved in the matter, or related to those involved in the matter.
Support all parties	Parties to the matter should be advised what support mechanisms are in place for them to access. Ensure all parties are provided with the opportunity to bring support persons to interviews or meetings.
Protect disclosers from victimisation	Protection of disclosers is critical to ensure they are not victimised for speaking out. Witnesses should also be protected from victimisation.
Communicate	All parties should be informed of the process, how long it will take and what they can expect will happen during and at the end of the process. Should the process be delayed for any reason, all parties should be made aware of the delay and advised when the process is expected to resume. Finally, reasons for actions that have been taken, and in some circumstances not taken, should be explained to the parties.

The intent of the process outlined below is to assist Our Rainbow House Inc. in determining whether inappropriate conduct has occurred and, if so, to take appropriate disciplinary action and implement measures to prevent any further inappropriate conduct from occurring.

It is of utmost importance that appropriate actions are taken to ensure the safety of the people involved.

Suspected Breaches of this Policy:

39. If you suspect or receive reports of any breaches of this policy (including behaviour that gives cause for concern) it must be reported immediately so that appropriate action may be immediately implemented. Any information provided to you must be kept confidential and only shared with those who are directly involved in the investigation and management of the situation.

40. If a child or vulnerable person states they are being, or have been, abused:

- Let them speak freely – do not pressure them.
- Accept what they are saying and immediately report to a Board Member. Do not probe for information – leave this for the investigating officer.
- Take all allegations seriously but do not make promises on what will happen or what can be done.
- Reassure the person that they have done the right thing by reporting the abuse.
- Let them know that you are required to report the allegation. Do not promise to keep secrets.
- Help them to understand your obligations and keep them informed.
- Record what you have been told including dates, times, location, witnesses, details of what was disclosed. Date and sign the record. Ensure the record is factual and records exactly what the person said (not your interpretation of what they meant). Detail your observations separately.
- Escalate the report immediately.

Managing Reports of Abuse:

Stage 1 – Preliminary actions

41. The complaint must be immediately discussed with the board during a special meeting (excluding any member/s that are mentioned in the complaint either as the respondent or as a witness). The board will assign a delegate who will manage the process. The delegate must:
 - Take immediate action to ensure the safety of those involved.
 - Immediately acknowledge receipt of the complaint and notify the person raising the complaint of the process that will be undertaken;
 - Obtain all relevant information pertaining to the complaint from the person and discuss with them what (if any) action can be taken to resolve the issue.
 - Discuss how the matter will be handled where the person requests their identity is not disclosed.
 - Assess how the matter will be progressed. This may include:
 - a) Collecting and reviewing all provided materials
 - b) Providing advice to the board on whether the matter should be referred to a law enforcement agency.
42. Where a formal investigation is required, the board may choose to delegate a separate investigator or continue with the delegated assessor. In conducting the investigation the delegate will assess how the matter will be progressed. This may include:
 - Meeting with all relevant parties and any witnesses
 - Taking individual statements
 - Researching and collaborating the accusations made
 - Collecting and reviewing all statements and evidentiary materials
43. Any party meeting with the board's delegate for the purposes of investigating a complaint is entitled to bring a support person that is not a witness or a person involved in the complaint in any way. All persons required for interviewing must be interviewed separately.
44. Upon conclusion of the investigation the investigator must make a finding of the facts and where appropriate provide a recommendation for resolution of the complaint to the board. The finding of the facts must be provided in writing and include the reasons for each of the findings.
45. All attempts should be made to conclude the investigation within 10 days of the conclusion of the board delegate's preliminary assessment (where applicable) or meeting with the person raising the complaint. In the instance where the 10 day timeframe is not reasonable, both parties must be advised of the reasons and the anticipated timeframe for conclusion of the investigation.
46. Depending on the content of the complaint the board may decide to stand down an employee on full pay (where applicable) until the investigation is concluded.

Stage 2 – Resolution

47. If a complaint is found to be unsubstantiated, no further action will be taken against the respondent. The reason/s for this decision must be communicated to both parties in writing. Ongoing support will be offered to the complainant as needed. Other instances where no further action is to be taken may include:
- Insufficient detail or evidence of the allegation is able to be provided to enable the matter to be properly investigated;
 - The complaint is deemed frivolous, vexatious or malicious;
 - The complaint is referred to a law enforcement agency.
48. Where Our Rainbow House policies have been breached, but there is no illegal activity, the board will make a decision as to appropriate consequences for those involved, as per the *Complaints Handling Policy*. This may include:
- Dissolution of any partnership agreements or sponsorship/donor commitments
 - Dismissal from the Our Rainbow House community (e.g. membership, any formal position).
 - No further communications between Our Rainbow House and the individual(s) involved.
49. If a complaint is substantiated the decision and actions to be taken must be communicated in writing to both parties. Actions that may be taken include:
- taking disciplinary action against the respondent to the complaint; or
 - referring the complaint to a law enforcement agency.
50. In the event that a complaint is referred to a law enforcement agency, the criminal investigation and the internal organisational investigation are to be treated entirely separately. If the employee is found during this investigation to have committed serious misconduct, they can be disciplined without needing to await the outcome of a criminal trial. Regardless of the referral to law enforcement, all investigations must observe the rules of natural justice and the provisions of procedural fairness.
51. Disciplinary action is determined by the seriousness of the misconduct. Disciplinary action in the case of employees and volunteers may consist of:
- Counselling
 - Training
 - A verbal or written warning
 - Suspension (with or without pay)
 - Dismissal - Proven cases of abuse will result in immediate dismissal from Our Rainbow House and legal action will be taken.

Withdrawing a Complaint:

52. Complaints may be withdrawn at any time with no further action taken, except where the Board feels that a breach of this policy has occurred. In that instance the Board may decide to continue to investigate the complaint to determine if follow-up action is needed. Ongoing support will be provided to the complainant as needed.

Vexatious Complaints and False Accusations:

53. Our Rainbow House Inc. views all complaints as serious. As such any person making intentionally false accusations or those that are deemed frivolous or vexatious in nature may be investigated using this same procedure. If the complaint is found to be intentional or malicious the Board may then decide to take disciplinary action as a result.

Record keeping:

54. Matters dealt with in accordance with this procedure must be documented and stored confidentially. The record must include:

- a copy of the original complaint;
- any correspondence sent to involved parties;
- all evidence gathered;
- statements from all persons interviewed;
- an outline of the process;
- a copy of the fact of findings and recommendation to the board (where applicable);
- outcomes and further actions taken; and
- copies of correspondence finalising the matter.

Follow-up Actions:

55. All actions taken during this procedure will be balanced to ensure procedural fairness while still maintaining a focus on respect for the complainant's wellbeing, safety and their wishes. All actions taken must take into consideration the choices, dignity and rights of those affected.

56. Upon completion of addressing any matter involving sexual exploitation, sexual abuse, transactional sex or any other form of humiliating, degrading or exploitive behaviour, the workplace should be examined to identify and address any further needs (e.g. counselling or other support mechanisms) for:

- The victim/survivor
- Fellow students/employees
- Peers
- Family members and friends

57. To assist with prevention of unacceptable behaviours, all matters should be recorded in a register that can be used to analyse trends and determine required training and improvements. All records must be kept confidential.

58. Our Rainbow House will ensure that all affected persons are offered support and assistance including referral to medical practitioners, psychosocial, or specialised services.

Support services in Australia can be found at:

Sexual Assault Helpline **1800 010 120**

1800 Respect National Helpline: **1800 737 732**

Men's Referral Service: **1300 766 491**

Lifeline (24-hour Crisis Line): **131 114**

Victims of Crime Helpline: **1800 819 817**

Support services in Zambia can be found at:

Tasintha (a nonprofit organization that helps prostitutes reform their lives): Plot 2716/1638, Malambo Road, Industrial Area, Lusaka.

+26011 246760, 0977 780825

Young Women's Christian Association (YWCA): Nationalist Road, Opposite UTH Mortuary, Lusaka, P.O. Box 50115 LUSAKA

+26011 254751/235305/235307

ULEMA Centre for Gender Based Violence Survivors, Kanyama **P.O Box 36790 Lusaka, Zambia.**

+260 973053901

Chainda Clinic

Women and Law in Southern Africa – Zambia **(+26)0964521158116. info@wlsazambia.org**

Education and Communication of Policy to all Stakeholders:

Our Rainbow House is committed to education of all our stakeholders in safeguarding vulnerable people, how to reduce risks and create safe environments. We will promote safeguarding practices which keep people safe in our organisation and in their own community. We will provide information about safeguarding to the communities in which we work. This information will include reporting abuse and exploitation if they have concerns about an Our Rainbow House member of staff or volunteer.

59. This policy will be made available on the Our Rainbow House website (<https://ourrainbowhouse.org.au/governance/>), and on request from admin@ourrainbowhouse.org.au.
60. Our commitment to safeguarding vulnerable people will be made clear on all publications.
61. All staff members, board members, volunteers and visitors will be provided with a copy of this policy and all associated documents as part of their induction and training.
62. Board members and all members of staff are required to review this policy in the week before school starts, each January, giving detailed feedback on how each aspect of the policy has been implemented in the previous 12 months. Any problem areas should receive special attention. Each board member and member of staff is then required to re-sign the *Code of Conduct*.
63. Our Rainbow House commits to undertake capacity building and training in safeguarding with all development partners who work with us to implement programs that involve or affect vulnerable people.
64. Relevant sections of this policy will be translated into the local language to ensure it is available to the community in which we work.
65. All media visiting the school will be expected to undergo a child protection and safeguarding vulnerable people briefing prior to their visit.

7.0 REVIEW

Date of next review: 21.06.2024 or after any serious incident, to determine if the policy and associated procedure has been effective.