



# INCIDENT RESPONSE PLAN

## SAFEGUARDING

### PURPOSE

This incident response plan is a mandatory procedure that ensures:

- MJF manages risks to people when there is reasonable suspicion that an incident has taken place, is taking place, or will take place;
- MJF manages the risks that come from its response to an incident;
- MJF takes opportunities to improve its safeguarding approach.

### SCOPE

This plan applies to:

- All managers, staff and volunteers;
- All operations carried out by third parties that are funded by MJF in part or in full;
- All incidents of suspected abuse, neglect or exploitation.

Failure to follow this plan may be considered a serious disciplinary matter.

### LEGISLATIVE REQUIREMENTS

There may be legislative requirements governing MJF's approach to safeguarding. These requirements will be met in parallel with the actions of this plan and will take precedence.

### DEFINING AN INCIDENT

MJF policy for safeguarding provides the following examples of abuse, neglect or exploitation:

- 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.

For the purposes of this plan, an incident begins when there are reasonable grounds to suspect actual, potential, or perceivable cases of abuse, neglect or exploitation may have occurred, may be occurring, or could occur in connection with MJF or its work.

### RESPONDING TO A SUSPICION OF AN INCIDENT

MJF will follow this workflow for all incidents. MJF will follow a survivor-centric approach, as laid out in the safeguarding policy, in all cases.

At any time during this process, if there is suspicion of imminent harm to a person, contact the police on 000. MJF may refer the incident to the police or relevant criminal judicial authority at any point.

### *Phase One: Forming a Suspicion*

The safeguarding policy defines 'reasonable grounds to suspect' an incident and creates a requirement for managers, staff, volunteers and third parties to report that suspicion.

Failure to report instances, allegations, disclosures or concerns about safeguarding will be viewed as a serious matter that may, depending on the circumstances, result in disciplinary action or dismissal.

### *Phase Two: Reporting a suspicion*

The safeguarding policy creates two means by which someone may report a suspicion:

- Overtly: directly reporting to any member of the Board, the Chief Executive Officer, the Safeguarding Manager, or their Manager or Supervisor.
- Confidentially: via anonymous email to [admin@melaniejewsonfoundation.com.au](mailto:admin@melaniejewsonfoundation.com.au)

The person receiving the report of a suspicion must notify the Safeguarding Manager (a role defined in the safeguarding policy), who will be responsible for managing the incident.

When receiving a report:

- Use active listening, be calm, supportive and reassuring with any potential victim or witness. Concentrate on making the person providing information feel that they are doing the right thing and that you are there to help them.
- Explain what you will do with the information.
- Explain that you are required to pass the information to MJF and that MJF will take the matter seriously.
- Get as much information as possible from the source of the concern, if appropriate in the circumstances.

When receiving a report, do not:

- Make promises to any person, except to say that MJF will take the matter seriously.
- Investigate the matter yourself.
- Disclose the information to people other than those you are required to tell.
- Approach the suspect about the incident, challenge the suspect or share information about the incident with the suspect.
- Make judgements about the validity, credibility or veracity of the information.

### *Phase Three: Managing MJF response to a suspicion*

Upon being notified of the incident, the Safeguarding Manager will:

- Ensure that all people, especially any survivor, are safe;
- Seek further information to help make decisions
- Initiate a rule that states the information will only be made available to people who need to know.

If there is suspicion of imminent physical harm, including sexual abuse, notify the police immediately.

The Safeguarding Manager will convene an Incident Committee to work with them to resolve the incident. The members of this committee will be:

- General Manager
- Education Manager

- Board
- Health Manager
- Marketing Manager

The purpose of the Committee is to provide accountability and guidance to the Safeguarding Manager, as well as knowledge and experience across different areas of the charity to help successfully manage an incident.

All incidents require investigation. If a matter has not been referred to the police, then, depending on the nature of the matter, the Incident Committee will be guided by the principles of independence and competence:

- What is the best way to carry out an internal investigation independently and objectively?
- What resources are available, internally or externally, to carry out an investigation to the correct level of competence and fairness?

During the course of this plan, survivors must receive support from MJF. This support must make the survivor feel safe and feel that their needs are being prioritised.

Similarly, any person under suspicion must be treated lawfully and with due regard for their own safety, security and needs.

In both cases this includes providing the person with updates, keeping in mind the need for confidentiality.

### *Phase Four: Taking action following a suspicion*

The Incident Committee will consider the outcomes following an investigation. Possible outcomes may include:

- No further action
- Disciplinary action
- Seeking criminal prosecution, civil action or referral to law enforcement.

Following every incident, MJF will document the lessons learned with the aim of improving the way it manages incidents. This will take a holistic approach, framed by the following questions:

- How will MJF better deter persons from behaving in this way again?
- How could MJF better detect an incident like this again?
- How could MJF better manage an incident like this again?

The Incident Committee will be responsible for meeting any obligations to report to an external body.

### *Phase Five: Concluding the response to a suspicion*

To close an incident, the Safeguarding manager must be satisfied that:

- There are records of the incident that show:
  - How the incident arose and how it was handled
  - The details of the original concern and other relevant information;
  - The details of the decisions that were made
  - The evidence collected
  - The details of the actions taken
  - External reporting of the incident (if required).

- Lessons have been documented and used to improve the way MJF manages incidents in the future.

### **ADMINISTERING THIS PLAN**

Any information regarding the effectiveness and performance of this plan must be passed to the Safeguarding Manager.

This plan will be reviewed every two years. The next review will be on 1 October 2023.