ATLASSIAN Foundation

Child and Adult Safeguarding Policy

This is an Atlassian Foundation International Ltd Policy.

Atlassian Foundation International Ltd (AFIL) has an obligation to take reasonable steps to protect the welfare and human rights of all people that interact with, or are affected by AFIL, particularly those that might be at risk of abuse, neglect or exploitation. This includes ensuring the the safety of children and vulnerable people participating in AFIL programs in Australia and overseas.

This policy sets out how AFIL manages safeguarding risks, manages incidents, specific roles and responsibilities of persons working for and with AFIL, and how AFIL will support a positive and effective internal culture towards safeguarding.

1. Policy statement

Through the work of Atlassian Foundation International Limited (AFIL) and the programs and projects we support, we will interact with children and people who are vulnerable to abuse, neglect, or exploitation.

This policy sets out our commitment to the welfare and human rights of all people that AFIL interacts with or are affected by our work. We have no tolerance for abuse, neglect or exploitation.

This policy expands on and supersedes AFIL's Child Protection Policy to cover all vulnerable populations in one integrated policy. AFIL commits to promoting and protecting the safety and well-being of all children in contact with our programs and activities. We uphold the rights of all children as stated in the UN Convention on the Rights of the Child and expect the same commitment from our Collaboration Partners and any programs that receive our financial or in-kind support.

This policy provides guidance to Collaboration Partners (organisations operating in a collaborative relationship with AFIL or in receipt of financial or non-financial resources from AFIL) as to our principles and practices to prevent and respond to harm.

2. Purpose of policy

The purpose of this policy is to:

a) Help protect people that interact with, or are affected by, AFIL.

b) Define the key terms we use when talking about protecting people or safeguarding.

c) Set out and develop the way AFIL manages safeguarding risks.

d) Set out the specific roles and responsibilities of persons working for and with AFIL.

e) Facilitate the safe management of incidents.

f) Support a positive and effective internal culture towards safeguarding.

3. Scope of the policy

This policy applies to:

- AFIL Personnel - Directors, Staff, Contractors and Volunteers, working on behalf of AFIL. This includes all Atlassian personnel who volunteer with AFIL or any AFIL Collaboration partner; and

- Collaboration Partners - organisations operating in a collaborative relationship with AFIL or in receipt of financial or non-financial support from AFIL.

Roles and responsibilities

Policy Approver	Governance & Compliance Committee and Board of Directors
Policy Manager	Operations Manager, Governance
Policy Owner	Company Secretary
Policy Participants	Head of Foundation, Head of Strategy, Operations & Craft, Operations Director, Partnerships Unit and Enablement Unit
Board of Directors	- Protect all people that interact with, or are affected by, AFIL, and ensure that there are appropriate and effective ways for AFIL to do this, including review and approval of the safeguarding policy and associated policies; - Ensure that AFIL observes all relevant laws relating to safeguarding; - Ensure that AFIL takes a survivor-centric approach.
Head of Foundation	- Ensure AFIL has effective and appropriate ways to manage safeguarding and legal compliance; - Ensure the appointment of the Safeguarding Officer with appropriate skills and competency to oversee safeguarding; - Ensure that, within the charity's approach, reasonable steps are taken to protect people; - Ensure that reports to external parties are made where required.

Safeguarding Officer	• Manage reports of abuse, neglect or exploitation; • Ensure that all staff, contractors, and volunteers are aware of relevant laws, policies and procedures, and Code of Conduct; • Ensure that all staff, contractors and volunteers are aware of their obligations to report suspected incidents of abuse, neglect or exploitation; • Manage reports of abuse, neglect or exploitation; • Provide support for staff, contractors and volunteers in undertaking their responsibilities.
Program & Partnership Managers	• 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.
Staff & Volunteers	• Familiarise themselves with the relevant legal obligations, the Code of Conduct, and 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; and • Provide an environment that is supportive of everyone's emotional and physical safety.
Partners & Contractors	• Implement the provisions of this policy and AFIL's procedures in their dealings with AFIL; • Report any suspicion that an incident may have taken place, is taking place, or could take place.

Definitions

Term	Definition
Safeguarding	Means protecting the welfare and human rights of people that interact with, or are affected by AFIL, 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	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.
Reasonable grounds to suspect	Is a situation where a person has some information that leads them to 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: 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.
Survivor-centric approach	Means considering and lawfully prioritising the needs, right and wishes of survivors.
Child Safe approach or Child Safe culture	Refers to following the Child Safe Standards recommended by the *Australian Royal Commission into Institutional Responses to Child Sexual Abuse, and* is a recommendation of the NSW Office of the Children's Guardian.

4. Policy principles

- All people, regardless of their age, gender, sexual orientation, race, national origin, citizenship, religious beliefs, disability, or family or social background, have equal rights to protection from abuse, neglect or exploitation.

- AFIL 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, neglect or exploitation. We have no tolerance for abuse, neglect or exploitation. We will take a survivor-centric and Child Safe approach in developing and managing safeguarding policies and procedures.

- All staff, volunteers, partners and third parties of AFIL 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. (Refer to Roles & responsibilities)

- AFIL has a process for managing incidents that must be followed when one arises.

- AFIL will comply with relevant Australian, international and local legislation, in the jurisdictions where we work, including child welfare and protection legislation, the United Nations' Convention on the Rights of the Child and the Universal Declaration of Human Rights.

- AFIL is committed to Child Safety and will comply with the NSW Office of the Children's Guardian Child Safe Standards where it is reasonable to do so.

- AFIL respects the culture, traditions and practices of the communities in which it works. However, in instances where cultural practices are harmful, it will advocate for their elimination.

- Our policies and procedures may differ from local laws and may have more rigorous expectations. The requirements in this safeguarding policy are in addition to any other applicable legal requirement.

5. Policy in practice

5.1 Managing Safeguarding Risk

1. The way AFIL manages the risks of safeguarding will be:

   a. **Holistic**. AFIL and its stakeholders will work to prevent, detect and take action on incidents.

   b. **Risk-based and proportionate**. AFIL will regularly assess the risks to people in its operations and develop proportionate controls to mitigate those risks.

   c. **Survivor-centric**. AFIL will put survivors at the heart of its approach to safeguarding.

   d. **Lawful**. AFIL will take reasonable steps to understand the law in the jurisdictions in which it works and comply with the law in everything it does.

2. AFIL will manage the risk of safeguarding by:

   a. Having up-to-date and documented risk assessments.

   b. Maintaining a register of AFIL legal obligations for jurisdictions where we work regarding child protection and safeguarding.

   c. Comply with Atlassian Corporation policies and procedures for workplace health and safety.

   d. Having an action plan that sets out how it will manage safeguarding.

e. Adhering to this Safeguarding Policy and its Code of Conduct.

f. Doing due diligence checks of staff, volunteers and third parties, for example:

  i. All AFIL Personnel will have current working with children clearance and sign the Code of Conduct (appendix to this policy) before undertaking any child-related work on behalf of AFIL.

g. Implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents, for example:

  i. All programs and projects that we *provide financial or in-kind support to* are child-safe and child-friendly and all Collaboration Partners have appropriate child protection policies that are consistent with our policy principles; and

  ii. Everyone to whom this policy applies is made aware of this policy, their responsibilities and is appropriately trained in child protection and how to reduce risks of harm to children and create child-safe environments.

h. Implementing Child Safe Guidelines, including procedures for recruitment, interacting and working with children, photography and the use of images, reporting obligations, child friendly reporting and child focussed complaint handling procedure, and training for staff and volunteers.

i. Conducting awareness-raising for stakeholders on risks, expectations, and individual responsibilities.

j. Provide and manage mechanisms for reporting, including directly with AFIL and confidentially to an independent monitor.

k. Having an incident response plan.

l. Monitoring and reviewing the effectiveness and proportionality of its safeguarding approach.

5.2 Managing Incidents

1. Harassment, abuse, neglect and exploitation are all serious misconduct and AFIL 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.

2. Reporting suspected incidents

   a. 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.

   b. They may do this through direct reporting to any member of the Board, Head of Foundation; Governance Manager; or their Manager or Supervisor; or

c. If it is suspected that Foundation Personnel may have been complicit in the breach, report to the Foundation's nominated Whistleblower Protection Officer; or

d. If a person wants to report confidentially, including with anonymity, they may use the confidential reporting system, which is detailed in our Whistleblower Policy.

e. If a person believes that another person is at risk of immediate harm or the victim of a criminal offence, they must contact the local authorities or emergency services.

3. Responding to suspected incidents

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

4. External reporting

- AFIL will:

  o Report any suspicion of a criminal offence to the police or the relevant criminal judicial body;

  o Meet all partner requirements regarding the reporting of incidents; and

  o Report any qualifying matter to the ACNC.

5.3 Privacy and data protection

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

2. Atlassian's Privacy Policy applies.

6. Evidence of conformance, monitoring compliance

This policy will be reviewed by the Governance & Compliance Committee every 2 years.

7. Related documents

Internal policies & guides

- Atlassian Code of Business Conduct & Ethics

- Atlassian Human Rights Statement

- Safeguarding Code of Conduct

- Safeguarding Action Plan

- Atlassian Foundation Use of Images and Social Media Guide

- Policy – Risk Management

- Policy - Whistleblowing

- AFIL legal obligations for jurisdictions where we work

External

- https://www.un.org/en/about-us/universal-declaration-of-human-rights

- https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child

- https://www.childsafety.gov.au/resources/national-principles-child-safe-organisations

- https://ocg.nsw.gov.au/child-safe-scheme

- https://www.acnc.gov.au/for-charities/manage-your-charity/governance-hub/governance-toolkit/governance-toolkit-safeguarding-vulnerable-people