Children, Young People and Vulnerable Adults Safeguarding Policy

Version 1.0

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1.0 Policy Statement

WISE Inclusion Hong Kong Limited (WISE 匯菁 hereafter) is fully committed to safeguarding children, young people and vulnerable adults (for simplicity these groups are collectively referred to as 'customers' hereafter) in the course of supporting them. WISE 匯菁 will take all reasonable measures to promote safe practice and to safeguard its customers from harm, abuse and exploitation.

The purpose of this policy is to:

- Ensure that safeguarding is integrated into all aspects of WISE 匯菁's work
- Protect customers, clients, members, staff, volunteers and other stakeholders from harm
- Provide clear and actionable procedures for reporting, responding, and preventing safeguarding concerns

Our safeguarding approach is based on these principles:

1. All people have equal rights to protection from harm, regardless of age, disability, gender, sexual orientation, ethnic background, religion, or socio-economic status.
2. WISE 匯菁 has a duty of care to protect its customers, clients, members, staff, volunteers and other stakeholders.
3. All concerns will be taken seriously and acted upon quickly, fairly, and confidentially.
4. Our policy and procedures will be reviewed regularly, with risk assessments also conducted regularly.

This policy applies to:

- WISE 匯菁 staff
- WISE 匯菁 volunteers
- Contractors, consultants, and service providers
- Visitors or partner organisations who engage with WISE 匯菁 or its customers

(hereafter, collectively WISE 匯菁 Personnel)

The WISE 匯菁 Safeguarding Policy is a dynamic document, expected to evolve over time. The Policy will be reviewed regularly.

2.0 Definitions

2.1 General Definitions

- "children" and/or "young person" are persons under the age of 18[1]

[1] Age of Majority in Hong Kong is 18 years https://www.elegislation.gov.hk/hk/cap410

- "adults" are persons aged 18 or over
- "vulnerable adults" are persons aged 18 or over who may be unable to protect themselves from abuse, harm or exploitation, which may be by reason of socio-economic vulnerability, illness, age, mental illness, disability or other types of physical or mental impairment
- "staff" refers to all individuals engaged or employed by WISE 匯菁, whether on a full-time, part-time, or temporary basis
- "volunteers" refers to all WISE 匯菁 volunteers, interns, voluntary mentors etc. or anyone else working on behalf of and under the direction of WISE 匯菁 in a voluntary capacity[2]
- "partners" and "stakeholders" include: the corporate employers and their representative bodies with whom WISE 匯菁 works; partners such as the Equal Opportunities Commission, Special Placements Division of the Hong Kong government Labour Department, Hong Kong Council of Social Services; peer social sector NGO and social enterprise organisations; academic institutions, including schools, universities and vocational training colleges; contractors, service providers etc.

2.2 Definitions of Standard Abuses

Child abuse or abuse of young people or vulnerable adults is any form of physical, emotional, psychological or sexual mistreatment that may lead to injury or harm. Abuse can happen to someone regardless of age, gender, race or ability. Individuals or any gender or none can perpetrate abuse. Sexual abuse can be perpetrated by someone of the same gender as the victim.

1. Physical Abuse:

   Physical abuse, including but not limited to, deliberate hitting, beating, slapping, shaking, throwing, burning, drowning, suffocating, poisoning and corporal punishment.

2. Psychological/Emotional Abuse:

   Adverse effects on the emotion, psychological well-being and behaviour of a child, young person or vulnerable adult, including by emotional ill treatment, shaming or rejection. This may involve conveying that an individual is worthless or inadequate and causing them to feel frightened, in danger and/or shamed or acting in a way that is detrimental to the self-esteem of the child or vulnerable adult

3. Sexual Abuse:

   Sexual abuse is when a child, young person or vulnerable adult is forced or persuaded to take part in sexual activities. This may involve physical contact or non-contact activities and can happen online or offline. It may include online grooming and inappropriate digital communication. Children, young people and vulnerable adults may not always understand that they are being sexually abused. Sexual grooming comprises actions or behaviours designed to entice, encourage or persuade a child, young person or vulnerable adult into inappropriate and/or unlawful sexual activity.

4. Neglect:

   Neglect constitutes the persistent or severe neglect of a child, young person or vulnerable adult or the failure to protect a child, young person or vulnerable adult from exposure to danger.

5. Bullying:

[2] A current list of types of WISE 匯菁 volunteer, the nature of their activity and contact with customers is set out at **Annex 3**

The repetitive, habitual, intentional hurting of one person or group by another person or group, where the relationship involves an imbalance of power. Bullying can be physical, verbal or psychological. It can happen face-to-face or online. Bullying can be related to age, sex, race, disability, religion, sexual orientation, nationality, dress, appearance, behaviour, speech or any personal characteristic of the individual.

3.0 Safeguarding Policy Operating Procedures

All staff and volunteers of WISE 匯菁 must read the Safeguarding Policy and also sign the **Code of Conduct** (**Annex 1**) before beginning any form of work (whether paid or unpaid).

3.1 General Responsibilities of WISE 匯菁 staff and volunteers under the Safeguarding Policy

All staff and volunteers are subject to the provisions of this Safeguarding Policy and the Code of Conduct and should ensure they maintain healthy, positive and professional relationships with WISE 匯菁 customers at all times.

All staff and volunteers must be aware of their professional roles, responsibilities and appropriate relationship boundaries with WISE 匯菁 customers, and must at all times maintain ethical, professional boundaries in relationships with WISE 匯菁 customers.

WISE 匯菁 Management has the right to:

- Investigate and determine whether any WISE 匯菁 Personnel has violated the WISE 匯菁 Safeguarding Policy and/or Code of Conduct;
- Take remedial and/or disciplinary action as it deems appropriate for any non-compliance with this WISE 匯菁 Safeguarding Policy and/or Code of Conduct; and
- Report cases to the relevant Hong Kong authorities including but not limited to the Hong Kong Police Force.

3.2 Responding to Safeguarding Concerns

Early intervention is good practice. WISE 匯菁 staff and volunteers should seek to identify and report immediately (or as soon as reasonably possible) any misconduct that raises concern regarding the safeguarding of any child, young person or vulnerable adult in the course of their interaction with WISE 匯菁 services and support.

- **Role of the Safeguarding Officer**

The WISE 匯菁 Safeguarding Officer is the currently appointed WISE 匯菁 Country Manager, Loic Andre.

The Safeguarding Officer will:

- Coordinate policy induction for all staff and volunteers.
- Act as the first point of contact for safeguarding concerns (unless there is any actual or potential conflict of interest – see below).
- Lead investigations in coordination with the CEO WISE Asia (unless there is any actual or potential conflict of interest – see below).
- Escalate concerns to the CEO WISE Asia as required.

Reporting can be made to the Safeguarding Officer **via the primary contact channel below.**

The Safeguarding Officer will ensure all staff and volunteers are aware they are expected to record safeguarding concerns and assist in acting in response as appropriate. WISE 匯菁 understands it can be hard for staff or volunteers to act; however, the safeguarding of WISE 匯菁 customers must be prioritised at all times.

- **Role of CEO WISE Asia**

To the extent any WISE 匯菁 Personnel would like to report any safeguarding concerns, and:

- there is an emergency and there is no immediate response from the primary contact channel;
- the allegations involve the Safeguarding Officer or may potentially implicate the Safeguarding Officer;
- you believe there may otherwise potentially be a conflict of interest for the Safeguarding Officer to be involved in the matter; or
- preference is not to report locally for any reason,

reporting by staff and volunteers can be made to CEO WISE Asia, **via the alternate contact channel below.**

WISE 匯菁 Personnel should also submit the Safeguarding Incident Report Form (Annex 2) but to the abovementioned email instead.

- **Reporting Contact Channels**

To file a report or otherwise get in contact regarding any safeguarding concern, please reach out via the following methods:

- **Primary contact channels:**
  - **Email:** SafeguardingOfficer@wiseemployment.com.hk
  - **Telephone:** +85291368352
- **Alternative contact channels:**
  - **Email:** SafeguardingOfficerHK@wiseemployment.com.au
  - **Telephone:** +61433355931

The above email mailboxes are used for all safeguarding reports, with role-based access that is granted and revoked upon role changes.

For the avoidance of doubt, any individual who is the subject of, or potentially implicated in, a safeguarding concern, or who otherwise has an actual or potential conflict of interest, will not take part in handling the matter.

Action and Reporting Process

Staff and volunteers shall observe and comply with the following:

- Assess whether a child, young person or vulnerable adult is in immediate danger, requires urgent medical and/or psychological attention or needs immediate protection. If YES, take the child, young person or vulnerable adult immediately to a safe place if that is appropriate (e.g. in the case of injury it may not be appropriate to try to move them). You should then immediately contact the Safeguarding Officer who may call the police and/or ambulance or ask you to do so. If you are unable to contact the Safeguarding Officer, you should call the police and/or ambulance if the customer is in immediate danger. Do not leave the customer alone but stay with them or leave them in the care of another responsible adult.

- Most situations will **not** require immediate intervention of the type described above. However, should you have any other Safeguarding concerns in the course of your work with WISE 匯菁 you should:
    - Tell the Safeguarding Officer (or CEO WISE Asia, as applicable) about your concerns
    - Write a clear confidential statement of what you have been told, seen or heard using the **Incident Report Form** (**Annex 2**), and send it via email (to the primary email address or alternate email address noted above). If your report is based in part of information shared with you by someone else:
        - Make sure the person speaking up feels they're being listened to and supported
        - Try to only ask questions to clarify what has been said. Do not ask leading questions
        - Do not push for information; the customer can disclose as much as they want to
        - Ask for their consent to share the information – if they refuse and you are still worried that they or someone else is at risk of harm, you cannot wait for this consent. You must share this information with the Safeguarding Officer
    - Share the Incident Report you have written with the Safeguarding Officer (or the CEO WISE Asia, as applicable). After receiving the Incident Report, the Safeguarding Officer (and/or the CEO WISE Asia, as applicable) will review and decide on any next steps.
    - The Safeguarding Officer (and/or the CEO WISE Asia, as applicable) will maintain a record of the Incident Report and any subsequent actions taken.
- Under no circumstances shall the reporting member of staff/volunteer confront any accused person(s) or investigate the matter themselves. It is recognised that strong emotions can arise from Safeguarding concerns. It is important to understand these feelings but not allow them to interfere with your judgement about any action to take. Following the protocol will bring about the best result in terms of protecting the child, young person or vulnerable adult.
- Reports may be made anonymously. Anonymous reports will be reviewed and handled to the extent feasible; however, anonymity may limit the ability to verify, investigate or provide updates.

- **<u>Confidentiality</u>**

Every effort should be made to ensure that confidentiality is maintained for all concerned in the event of a safeguarding incident/suspected incident. Information will be handled and disseminated on a need-to-know basis only in order to protect the customer, facilitate enquiries, as well as manage any disciplinary/complaint aspects and protect the rights of any alleged perpetrator

The Hong Kong Personal Data (Privacy) Ordinance[3] provides specific exemption for collection of data and transfer of information under Part 8 of the Ordinance, such that personal data of the victim and any other relevant persons may be disclosed to the police if the disclosure of information is relevant to the prevention or detection of crime, the apprehension, prosecution or detention of the offender, or the prevention, preclusion or remedying of unlawful or seriously improper conduct etc. (section 58(2)).

4.0 Partner Organisations and other Stakeholders

[3] https://www.elegislation.gov.hk/hk/cap486

It is recognised that WISE 匯菁 core business and primary mode of operation involve working closely with a range of partner organisations and other stakeholders. These partners include private companies (employers - WISE 匯菁 clients) and partner social sector organisations. In the case of employers, WISE 匯菁 customers may for example be attending interviews, conducting employment familiarisation visits, carrying out on-site work experience, job shadowing, receiving mentoring and/or training, participating in internships etc. This activity will often be at the premises of the relevant employer or in another (non-WISE 匯菁 location.

In relation to partners, the responsibility of the Safeguarding Officer is to:

- Introduce the WISE 匯菁 Safeguarding Policy to the partner; this may/may not include sharing the full Policy document itself with the partner but in all cases will require the Safeguarding Officer to provide a clear and concise explanation of the WISE 匯菁 Safeguarding Policy, highlighting its purpose and importance and ensuring partners agree to comply with the Code of Conduct.
- Obtain a copy for reference of the partner's own Safeguarding Policy or equivalent if available
- Ensure both parties (WISE 匯菁 and the partner) know who (and how) to contact in the event of a Safeguarding concern
- Where WISE 匯菁 is entering into a formal MoU, Partnership Agreement etc all parties should agree wording confirming a mutual commitment to Safeguarding

5.0 Recruitment and Appointment

WISE 匯菁 Personnel involved in the recruitment and appointment process shall ensure that:

- Staff and volunteers who interact with children, young people and/or vulnerable adults will be suitably qualified
- Each staff/volunteer applicant will be asked to fill out a **Child, Young Person and Vulnerable Adult Safeguarding Declaration Statement**, during the recruitment process, **responding to the following questions:**
    - *Do you have criminal convictions or findings of guilt against you for offences related to children, young people or vulnerable adults, in Hong Kong or elsewhere?*
    - *Do you have, or have you had, disciplinary proceedings brought against you by an employer, sporting organisation or similar body involving allegations of child abuse, sexual misconduct, sexual harassment, any other form of harassment, including against children, young people or vulnerable adults?*
    - *Are you aware of any other matters which would make you unsuitable to work closely with children, young people or vulnerable adults?*

Specific written references may be required, and applicants may be required to submit a relevant background check, which may include the Certificate of No Criminal Conviction and a Sexual Conviction Record Check via the Hong Kong Police Force.[4] Where written references and/or background checks are required as a pre-condition of the offer of employment, if these are not provided as required, the offer of employment may be rescinded.

New staff members and volunteers will receive and read the Safeguarding Policy and must sign the Code of Conduct.

[4] Procedures as set out at https://www.police.gov.hk/ppp_en/11_useful_info/ccs_conviction.html

6.0 Training of staff and volunteers

Newly appointed staff and volunteers will receive training to ensure they are aware of the contents of the Safeguarding Policy and their associated obligations. Refresher training will be conducted as appropriate e.g. following any material update of the Safeguarding Policy itself or for other reasons.

Safeguarding training may be delivered to WISE 匯菁 staff and volunteers by suitably qualified third parties, subject to the discretion of the Safeguarding Officer in agreement with the CEO WISE Asia.

7.0 Consequences for Misconduct

In the event of any misconduct and/or non-compliance with this WISE 匯菁 Safeguarding Policy and/or Code of Conduct:

- Staff members and/or volunteers may be temporarily suspended from duty pending investigation of a reported incident or serious allegation
- The staff member and/or volunteer may be subject to further disciplinary action, including potential dismissal
- The staff member and/or volunteer may return to work following leave or suspension, and may be offered appropriate support, subject to the conclusion of any investigation and implementation of recommended actions resulting from the investigation
- If a staff member is found to have known about child/young person/vulnerable adult safeguarding concerns and fails to report the incident, this will also be treated as an act of misconduct, and the staff member may be subject to internal disciplinary action.
- Retaliation against any person who raises a safeguarding concern or participates in an investigation in good faith is prohibited. Alleged retaliation will be investigated and may result in disciplinary action.

8.0 Protocol for Digital Images, Social Media and the Internet

WISE 匯菁 Personnel will:

- Ask for written permission from a child/young person/vulnerable adult before taking and sharing any image of them. Permission should constitute *informed consent* and may on occasion require permission from parent/guardian/caregiver
- Ensure that WISE 匯菁 customers, and their parent/guardian/carer (where appropriate) are properly informed how an image will be used and shared
- Ensure that WISE 匯菁 customers' individual identity and personal details are protected and their privacy respected within any published material

9.0 Risk Management

While everyone involved in WISE 匯菁 has a role to play in protecting children, young people and vulnerable adults in receipt of WISE 匯菁 services, management accountability sits with the Country Manager (Safeguarding Officer) who reports to the CEO WISE Asia. They must ensure that WISE 匯菁 is able to identify and manage Safeguarding risks.

Safeguarding risks, and risk mitigation measures, will be reviewed regularly and/or following any reported safeguarding incident.