



# Child Protection Policy

## Details

<b>Policy &amp; Procedure Owner</b>	CEO Office	
<b>Approved by</b>	ERFA Board of Directors	
<b>Date Approved</b>	<b>Date of Last Revision</b>	<b>Next Review</b>
2014	December 2020	December 2023

## Abbreviations

ACFID	Australian Council for International Development
CPP	Child Protection Policy
CPO	Child Protection Officer
CSIRF	Child Safeguarding Incident Reporting Form
ERFA	Edmund Rice Foundation (Australia)
ICCR	Incidents, Complaints & Compliments Register
PCPP	Project-specific Child Protection Policy
PSEAH	Prevention of Sexual Exploitation, Abuse and Harassment

## Definitions

Associates	Anyone in the community who interacts with ERFA Staff and Partners
ACFID Member	A not-for-profit organisation that has obtained accreditation with ACFID
Beneficiaries	Children and adults who participate in and benefit from ERFA-funded programs
Donors	Members of the public who contribute to ERFA in cash or in kind
Partner	Any organisation which has an MOU / contract with / or receives funding from ERFA
Programs	Programs are overarching development approaches and initiatives that set priorities and guide project outcomes, results and activities. Programs can comprise ministries or entities
Projects	Projects are the development activities of a Program supported by ERFA
Staff	Employees, contractors, subcontractors, outworkers, apprentices and trainees, work experience students, volunteers, employers and any other person who performs work for ERFA or ERFA

## Incident reporting

All CP incidents, suspected or alleged, are to be reported to the ERFA CEO within 24 hours of them first being reported. Where DFAT funds are involved, DFAT are also to be contacted within 24 hours of the incident first being reported. For more information on incident reporting see Section 8.0 and 9.0.

<b>ERFA CEO contact for CP incident reporting</b>	<a href="mailto:ceo@erf.org.au">ceo@erf.org.au</a> or +61 7 3621 9649
---	---

## Contact information

Chief Executive Officer	Bren Arkinstall - <a href="mailto:barkinstall@edmundrice.org">barkinstall@edmundrice.org</a>
Programs Director	Emily Faller – <a href="mailto:ejfaller@edmundrice.org">ejfaller@edmundrice.org</a>
ERFA Board Chair	Paul Gallagher – <a href="mailto:chair@erf.org.au">chair@erf.org.au</a>
ERFA	<a href="http://www.erf.org.au">www.erf.org.au</a> or +61 7 3621 9649
ACFID	<a href="http://www.acfid.asn.au">http://www.acfid.asn.au</a> or +61 6 02 6285 1816

### Attached documents

- Child Protection Code of Conduct & Self-Declaration
- Child Protection & Complaints Notice
- Image & Story Use Consent Form
- ERFA Clauses for Collection of Personal Information

### Related policies

- Prevention of Sexual Exploitation, Abuse & Harassment Policy

### Compliance

This policy applies to all staff and associates that act for, represent or visit ERFA and ERFA's implementing partners. Failure of ERFA implementing partners to fully comply with this policy could result in termination of agreements including, but not limited to, MOUs, partnerships agreements and funding contracts.

### Organisational overview

Edmund Rice Foundation Australia (ERFA) believes education is the key to sustainable change. We are an international development organisation that focuses on sustainable and transformational education. We operate in some of the poorest communities in the world, including in Africa, East Timor, the Philippines, and Papua New Guinea. We also partner with domestic programs in Australia. ERFA's goal is to design and implement high impact education programs that will enable our primary stakeholders to stand independently and break free from the cycle of poverty. ERFA-funded education programs range from kindergartens to advanced microfinance projects and are designed with the needs and strengths of the community at their core.

### Legal definitions

Edmund Rice Foundation (Australia) is a company limited by guarantee. The objects of the company are set out in clause 3 of ERFA's constitution. Clause 3 (f) reads as follows:

*To develop partnerships with overseas aid agencies or formal arrangements with other delivery agents related to the Company but resident in Developing Countries for the implementation of the objects in paragraph (a).*

One of ERFA's roles is to act as trustee of the Edmund Rice Overseas Aid Fund.

Throughout its policies and official documentation ERFA uses the term **Partners** for those organisations with which it has formed alliances in developing countries for the receipt of overseas aid funding for the in-country delivery of education programs. Whilst ERFA has an active, engaged and qualitative role with these programs, working to build capacity and maximise the impact of best practice development outcomes, these are not partnerships in the legal sense. Rather they are alliances that ERFA has formed with in-country organisations with whom ERFA has communicated its vision, mission, values, policies and expectations with respect to sustainable development and whose own vision, mission, values, policies and development goals are congruent with those of ERFA. The in-country organisations implement the programs and ERFA supports them.

## Contents Page

<b>Section</b>	<b>Page</b>
1.0 Policy overview	4
2.0 ACFID context	5
3.0 Defining child abuse	5
4.0 Guiding principles	5-6
5.0 Roles and responsibilities	6
<b>Section 1: Preventing child safeguarding incidents</b>	
6.0 Staff employment procedures	7
<b>Section 2: Detecting child safeguarding incidents</b>	
7.0 Monitoring Partner compliance	8-9
8.0 Receiving complaints of child safeguarding incidents	9-10
<b>Section 3: Responding to child safeguarding incidents</b>	
9.0 Escalating child safeguarding incidents	11
10.0 Reporting child safeguarding incidents	12
11.0 Protecting the child	12-13
12.0 Registering child safeguarding incidents	13-14
13.0 Investigating child safeguarding incidents	14-15
14.0 Remedial actions	15
15.0 Use of children's images and video footage	15-16
16.0 Youth participation	16
17.0 Child protection education	16
18.0 Policy review	16
<b>Attached documents</b>	
Child Protection Code of Conduct & Self-Declaration	17-18
Child Protection & Complaints Notice	19
Image & Story Use Consent Form	20
ERFA Clauses for Collection of Personal Information	21

## 1.0 Policy overview

### 1.1 Purpose

ERFA is committed to the protection of children from harm, abuse and exploitation. Children have a right to survival, development, protection and participation as stated in the United Nations Conventions on the Right of the Child. ERFA upholds these rights and always aims to provide the safest possible environment for children.

The main objective of this Child Protection Policy (CPP) is to ensure the safeguarding of children, both by preventing and responding to cases of child abuse as encountered by ERFA or ERFA's domestic and overseas Partners. This CPP strives to:

- educate Staff, Partners and associates about child abuse and promote a child-friendly culture where everyone is committed to keeping children safe;
- create an open and aware environment where concerns for the safety and wellbeing of a child can be raised and managed in a fair and just manner, which protects the rights of all;
- provide guidance on how to respond to concerns and allegations of child abuse;
- provide guidance on how to work respectfully and effectively with children;
- adhere to local and international child protection criminal laws, which prohibit the abuse and exploitation of children. These include applicable local laws as well as international laws and Conventions that prohibit all forms of child abuse and child exploitation, including child sex tourism, child sex trafficking, child labour and child pornography.

This CPP has been developed to provide instruction and guidance on the expected behaviors of ERFA's Staff, Partners and associates when interacting and engaging with children.

### 1.2 Scope

This policy applies to all ERFA Staff, which includes all employees, contractors, subcontractors, outworkers, apprentices and trainees, work experience students, volunteers, employers and any other person who performs work for ERFA or ERFK. It also extends to the Programs that ERFA supports in developing countries and their associated management, staff, volunteers, contractors and governing authorities. Where necessary this policy makes a distinction between internal processes that concern ERFA and ERFK Staff and external processes that concern ERFA's implementing Partners.

### 1.2 Links to other ERFA policies

There are 2 means via which a child safeguarding breach may come to the attention of ERFA:

- through the independent detection of ERFA or Program Staff;
- through the lodgement of a complaint that notifies ERFA of an observed or suspected safeguarding breach. Such a complaint could derive from within or outside the organisation (see Section 8.0).

For child safeguarding breaches that are brought to the attention of ERFA via the means of a complaint, this CPP is to be read in conjunction with ERFA's [Complaints Handling Policy](#) (CHP). ERFA's CHP serves as the first point of contact for all formal complaints submitted to ERFA. A complaint deemed to concern a case of child safeguarding is to be categorised as a "high-risk" complaint. In line with the complaints handling process set out in the CHP, the CEO is to refer to this CPP for guidance on how to proceed.

For guidance on ERFA's complaints handling principles, the roles and responsibilities of ERFA Staff and Program Partners, and the complaints handling process of lodging, triaging, registering, responding to, and finalising complaints, please refer to ERFA's [Complaints Handling Policy](#).

For guidance on ERFA's approach to processing internal complaints lodged by an ERFA Staff member, please refer to ERFA's [Whistleblowing Policy](#).

## 2.0 ACFID context

The ACFID Code of Conduct requires that members have in place a CPP that satisfies the following conditions as a minimum:

- 1.4.1 demonstrates an organisational commitment to the safeguarding of children;
- 1.4.2 advances child safeguarding behaviours and applies to all personnel, partners and project visitors;
- 1.4.3 includes a documented child safeguarding incident reporting procedure and complaints handling procedure that aligns with principles of privacy and promotes safety and dignity.

This CPP completely satisfies these conditions.

The ACFID Code of Conduct stipulates additional requirements for Members like ERFA whose initiatives involve children. These initiatives must:

- 2.5.1 emphasise children's participation;
- 2.5.2 enable children's views to influence initiative designs;
- 2.5.3 include complaints handling processes that are child-friendly.

These conditions are also satisfied and addressed within this CPP.

## 3.0 Defining child abuse

Child abuse is a global problem that affects both girls and boys. It is rooted in cultural, economic and social practices. Children (people under the age of 18 years) are abused physically, sexually, emotionally and through neglect. Some children are more vulnerable to abuse than others. Children living in extreme poverty, children with disabilities, children from minority groups, children living in residential care, children living in emergency or conflict situations and children on the move experience a high risk of abuse.

While most child abuse occurs within families and communities, children also experience abuse and exploitation in organisations which provide them with support and services. Cases of physical abuse, emotional abuse and neglect in child-focused organisations are less systematic and usually unplanned. It is usually the result of poor conditions, bad work practices and negligent management. However, child sexual abuse in organisations is often planned and premeditated. Child sex offenders target organisations working with children in order to gain access to children. They seek work in organisations that provide opportunities to make contact with children and an environment where their abuse may go undetected. Child sex offenders are attracted to organisations with inadequate child protection policies and procedures and may seek to work overseas in developing countries and development programs where child protection laws and law enforcement is weak and where children and their families are vulnerable to exploitation.

By the nature of its focus on education, particularly for those living in poverty, ERFA's work and that of the partner programs it funds have considerable exposure to highly vulnerable children. As such, it is imperative that ERFA implement a robust Child Protection Policy (CPP).

## 4.0 Guiding principles

This CPP adheres to the following guiding principles and Commonwealth Legislation:

- [Criminal Code Act 1995](#). An Australian citizen or resident can be prosecuted for an offence against a child in another country under laws that have an extra-territorial application.
  - Division 272 (child sex offences outside Australia)
  - Division 273 (offences involving child pornography material or child abuse material outside Australia)
  - Division 474 (telecommunication offences, subdivision C)

- [Criminal Act 1914](#). This law sets out the laws that govern the way legal proceedings under the Criminal Code Act 1995 are conducted including the conduct of investigations and the protection of children involved in proceedings for sexual offences.
- The [United Nations Convention on the Rights of the Child](#) is the universal foundation for child protection. The fundamental principle of the Convention is that children have their own indivisible rights.

ERFA adheres to and strives to instil the following principles throughout every level of its organisation:

- Any form of child abuse and exploitation is unacceptable and it will not be tolerated.
- All children have a right to be safe at all times.
- All children are to be equally protected and assisted regardless of their gender, nationality, religious or political beliefs, family background, economic status, physical or mental health or criminal background.
- All decisions involving children are to ensure that the child receives the maximum benefit possible from the services provided, and that the positive impacts of any course of action outweigh any negative impacts.
- Where possible, children should be consulted in the development of the CPP and the implementation of child-safe practices.
- Children in programs supported by ERFA should be given opportunities to express their views on matters affecting them.

## **5.0 Roles and responsibilities**

This CPP designates the difference between the roles of ERFA Staff and the Child Protection Officer (CPO). The responsibilities of the CPO differ from regular Staff in important ways. Generally, the CPO is responsible for creating their own Program-specific Child Protection Policy (PCPP) and educating their Staff member's compliance with it. Each Project that ERFA funds must designate at least one CPO.

### **5.1 Responsibilities of ERFA Staff**

The responsibilities of ERFA Staff are as follows:

- sign ERFA's CP Code of Conduct & Self-Declaration form;
- adhere to ERFA's CPP;
- continuously make themselves aware of potential risks to children;
- complete CP training as instructed by the ERFA CPO;
- report any witnessed, suspected or alleged incidents of child abuse in accordance with ERFA's Child Safeguarding Incident Reporting Form (CSIRF) (See Section 8.0);
- comply with Working With Children Checks as part of the employee screening process.

### **5.2 Responsibilities of Partner Staff**

The responsibilities of ERFA Staff are as follows:

- adhere to their Program-specific Child Protection Policy (PCPP);
- continuously make themselves aware of potential risks to children;
- complete CP training as instructed by their Project's CPO;
- report any witnessed, suspected or alleged incidents of child abuse in accordance with ERFA's Child Safeguarding Incident Reporting Form (CSIRF) (See Section 8.0);
- comply with criminal record checks as part of the employee screening process.

### **5.3 Responsibilities of the ERFA CPO**

The responsibilities of the ERFA CPO are the same as for ERFA Staff as well as the following:

- monitor their Staff's compliance towards ERFA's CPP;
- be on-site at all times when there is a potential for child interaction;

- provide regular CP training for their staff;
- publicly display the Child Protection and Complaints Notice in their local language;
- consult the ERFA Board about reported or detected child safeguarding incidents;
- facilitate the screening processes for new ERFA employees (see Section 6.0).

#### **5.4 Responsibilities of Partner CPOs**

The responsibilities of Partner CPOs are the same as for Partner Staff as well as the following:

- create a PCPP and update it when necessary;
- monitor their Staff's compliance towards the PCPP;
- be on-site at all times when there is a potential for child interaction;
- provide regular CP training for their staff;
- publicly display the Child Protection and Complaints Notice in their local language;
- report to the ERFA CEO within 24 hours any witnessed suspected or alleged incidents of child abuse (see Section 8.0);
- comply with ongoing CP monitoring by ERFA.
- facilitate the screening process for new Project employees (See Section 6.0).

## Section 1: Preventing child safeguarding incidents

### 6.0 Staff employment procedures

ERFA is committed to child-safe recruitment, selection and screening practices. These practices aim to recruit the safest and most suitable people to work in our programs. Our child-safe employment practices include:

- promoting our commitment to CP on our website, in promotional materials and in all job advertisements;
- providing job applicants with a copy of ERFA's CPP and ensuring they are aware of ERFA's screening requirements for job applicants;
- providing a comprehensive job description that includes CP selection criteria for all Staff positions;
- assessing all Staff positions for their individual CP risk potential. Positions that involve direct interaction with children are evaluated with the highest level of CP risk;
- requiring that applicants for high CP risk positions possess relevant qualifications and experience working with children;
- incorporating issues relevant to CP in staff performance reviews.

Job applicants wishing to work at ERFA directly, or in one of our domestic or overseas Partner organisations, either in the capacity as an employee, contractor, subcontractor, outworker, apprentice or trainee, work experience student, volunteer, or any other position which performs work for ERFA, are required to complete the following screening steps:

- Applicants must submit a detailed work history when applying for a position. This should contain comprehensive information about their background, such as dates, places of employment, education and other activities.
- Interviews will be conducted for all positions, ideally face-to-face, however telephone interviews may be necessary in the international context. The interviewer will use the tool Job Applicant Interview Template to assess the interviewee.
- Applicants will be asked questions during the interview specifically related to child safeguarding, including their past experience working with children and behavioural-based hypotheticals. These questions aim to determine applicant's attitude towards child protection and to ascertain how they would respond to a child safeguarding incident.
- For high-CP-risk positions that involve direct interaction with children, applicants will have to complete a rigorous interview. The interviewer will attempt to investigate the applicant's motivations for working with children. Applicants will be asked value-based questions to determine their attitudes towards children, professional boundaries, accountability, teamwork and capacity to respond to ethical dilemmas.
- Applicants are required to submit a minimum of **two** reference checks. The candidate's most recent employer/supervisor must be one of these referees. The associated CPO will verify the identity of and make direct contact with each of the referees. Written references will not be accepted. The CPO reserves the right to request additional references.
- Applicants will be subjected to a police clearance or relevant criminal history check depending on the country of work.
- Where the role involves direct interaction with children in Australia or overseas, applicants must possess a Working with Children Check accreditation (depending on the jurisdiction).
- Applicants are required to provide proof of their identity, i.e., a birth certificate, passport, or drivers licence. Original documents are required.
- All Staff positions are subject to a probationary period depending on the length of the contract.
- Staff must read this CPP and sign ERFA's CP Code of Conduct & Self-Declaration form.
- ERFA reserves the right to refuse employment or terminate any person's employment that may pose a risk to children.



## Section 2: Detecting child safeguarding incidents

### 7.0 Monitoring Partner compliance

ERFA works continuously with its Partners to proactively recognise, assess and manage CP risks. ERFA commits to strengthening its Partners' ability to safeguard children by investing in targeted capacity building, training and awareness raising on CP. This is achieved by examining each program and its potential risk to children individually and on an ongoing basis. Programs that involve direct interaction with children are considered a higher risk and are subject to more stringent child protection assessments. ERFA reserves the right to terminate funding with a Partner if they breach this CPP.

#### 7.1 Initial CP risk assessment

ERFA conducts an initial CP risk assessment for every program as part of their funding application. As contained in our Funding Application Form, applicants are required to:

- indicate the profiles of their expected beneficiaries, including their age. This allows an ERFA assessor to determine whether the applicant's program involves interaction with children and hence, whether their program poses a high CP risk;
- indicate how they will arrange for their program beneficiaries to actively participate in the design and implementation of their program. For those programs that involve interaction with children, it is critical that children are involved in the design and implementation of the program. Giving children a voice and actively seeking their input is an effective method to create an inclusive environment and reduce the risk of child abuse.
- upload their PCPP. Programs without an active PCPP will not be approved for ERFA support;
- upload their completed DFAT Child Protection Risk Context document;
- specify the date of their most recent PCPP review;
- specify the date of their most recent CP training;
- indicate that they have read and are familiar with ERFA's CPP.

#### 7.2 Quarterly CP risk assessment

In addition, ERFA monitors the CP compliance of its funded Partners on a quarterly basis. As contained in our Quarterly Report, Partners are required to:

- indicate whether a CP incident occurred during the quarter;
- specify the actions taken if a CP incident occurred. Indicate whether ERFA was informed of the incident within 24 hours in accordance with ERFA's CSIRF;
- indicate whether CP training was conducted during the quarter;
- if training was conducted, upload the materials used and other certification that specifies the date the training was conducted, the names of participant and the credentials of trainers or the facilitating organisation;
- indicate whether any updates have been made to their PCPP and to provide ERFA with the updated version;
- certify that any images or videos provided to ERFA for communications purposes adhere to ERFA's use of children's images and videos guidelines (See section 9.0).

If a Project Partner has indicated that a CP incident occurred in their Quarterly Report submission, an ERFA assessor will verify ERFA's internal records to verify whether a record of the CP incident exists and whether it was reported in accordance with ERFA's CSIRF. If there is an error in the incident reporting process, such as a lack of detail in the CSIRF, an inconsistency between ERFA's internal records and the Partner's Quarterly Report submission, an uncompleted step in the Reporting Process or any other insufficiency that raises the concern of the assessor or breaches this CPP, the assessor will contact the Partner advising as such and submit a notice of the error to ERFA's Board of Advisors. In the event of a major error in a Partner's CP incident reporting, for example, a failure to notify ERFA within 24 hours of a reported CP incident, ERFA may have to terminate funding with the Partner.

### 7.3 Field monitoring

ERFA conducts in-person monitoring visits of its Partners. The document used to perform field visits is the Child Protection Monitoring Tool. The tool is designed to assess Partners on their PCPP; incident reporting process; risk assessment and management; recruitment, screening and employment; and privacy, image use and consent practices. Field monitoring is conducted on a random basis so Partners don't have time to prepare in advance.

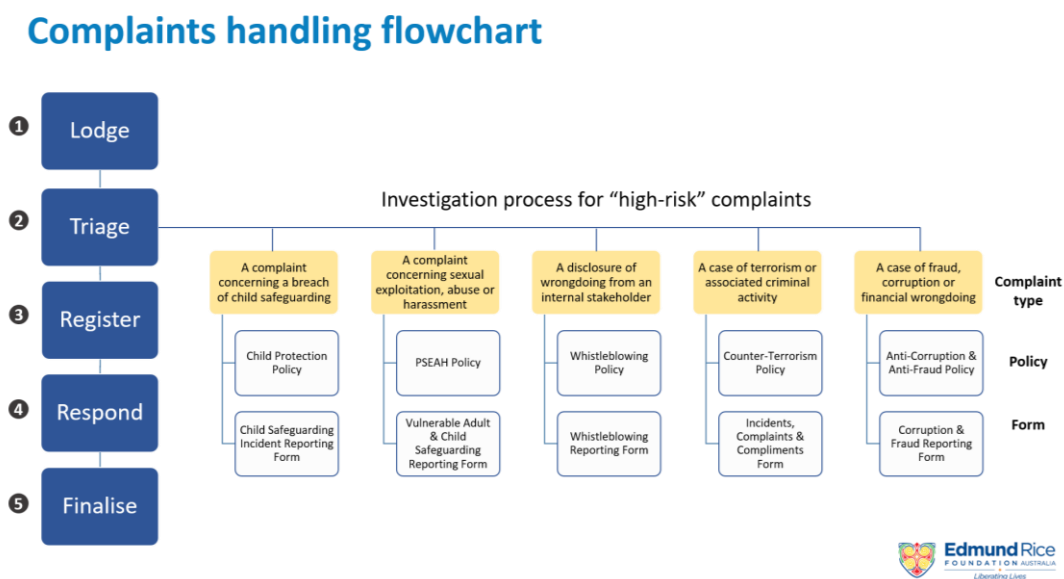
## 8.0 Receiving complaints of child safeguarding incidents

### 8.1 Links with ERFA's Complaints Handling Policy

ERFA's [Complaints Handling Policy](#) (CHP) is the first point of contact for all formal complaints submitted to ERFA regarding its domestic operations or those of its partner programs. ERFA's CHP specifies 5 stages through which complaints are processed: 1. Lodge, 2. Triage, 3. Register, 4. Respond and 5. Finalise. During the second "Triage" stage, a complaint will be classified as "high-risk" if it concerns, among other matters, a child safeguarding incident. Once this classification is made, the ERFA CEO is required to refer to this CPP for guidance on how to proceed with registering, responding to and finalising the complaint.

The process by which the ERFA CEO first consults ERFA's CHP in the first 2 steps of the Complaints Handling Process, and then escalates the complaint to a "high risk" category is illustrated below.

### Complaints Handling Process Flowchart:



### 8.2 Registering child safeguarding complaints

The reporting document is the Child Safeguarding Incident Reporting Form (CSIRF). It is a requirement that a record be made within 24 hours of receiving a complaint concerning child safeguarding. This is to be done using Section 1 of the Child Safeguarding Incident Reporting Form: Initial Incident Report (see Section 10.0). It is the responsibility of the CEO, the Programs Director and the Programs, Policy & Risk Officer to oversee and manage the completion of the Child Safeguarding Incident Reporting Form. A record of the case is also to be made in the Child Safeguarding Incident section of the Incidents, Complaints and Compliments Register (ICCR) as required (see Section 12.0). It is the responsibility of the CEO and the Programs Director to record child safeguarding incidents in the ICCR and to ensure the record is continuously updated throughout the course of an investigation process.

### **8.3 Protecting complainants**

ERFA takes particular care to protect the rights, needs and wishes of complainants. Reports of a suspected child safeguarding incident will be handled confidentially and the identity of the person making the report will not be revealed to the accused without their consent. Nor will any person making such report be penalised in any way. A complainant reserves the right to request that they remain anonymous during an investigation.

### **8.4 Responding to child safeguarding complaints**

The complainant will be informed that their complaint is being handled. If the complainant has provided their contact details, ERFA will provide them with regular updates throughout the investigation procedure. The frequency and timeframe of such updates will vary depending on the subject matter of the disclosure.

For ERFA's process in handling the substance of child safeguarding incidents, including those detected internally or externally, see Section 3: Responding to child safeguarding incidents.

### **8.5 Finalising child safeguarding complaints**

A report will be prepared for the Board when the investigation is complete and the case closed. This is to be done using Section 3 of the Child Safeguarding Incident Reporting Form: Remediation Procedures and Lessons Learned (see Section 13.0). It is the responsibility of the CEO and the Programs Director to oversee and manage the completion of the Child Safeguarding Incident Reporting Form. The report will be provided to the complainant, including, if necessary, any applicable confidential stipulations.

## **Section 3: Responding to child safeguarding incidents**

### **9.0 Escalating child safeguarding incidents**

There are 2 identified means through which a child safeguarding incident may come to the attention of ERFA and/or its implementing Partners:

- through independent detection and monitoring;
- through the lodgement of a complaint that notifies of an observed or suspected child safeguarding incident.

In either of these circumstances, the appropriate escalation procedures are to be followed and Section 1 of the Child Safeguarding Incident Reporting Form is to be filled out.

It is a requirement that ERFA and Program Staff report all witnessed or suspected incidents of child safeguarding. This includes but is not limited to:

- any disclosure or allegation regarding the safety, abuse or exploitation of a child;
- any observation or concerning behaviour that breaches ERFA's Code of Conduct & Self-Declaration Form;
- inappropriate use of the organisation's photographic equipment or computers including evidence of child pornography;
- Staff engaging in suspicious behaviour that could be associated with sexual exploitation or human trafficking.

#### **9.1 Escalating child safeguarding incidents domestically**

- The first point of contact that ERFA Staff must report child safeguarding incidents to is the ERFA CEO. ERFA Staff do not reserve the right to dismiss potential child safeguarding incidents. From the point an ERFA Staff member first becomes aware of a child safeguarding incident, they have 24 hours to report the matter to the ERFA CEO.
- The ERFA CEO, in consultation with the ERFA Board of Directors will determine how to ensure the immediate wellbeing of the survivor, whether an investigation into the incident is necessary, and if so, how to proceed with an investigation (see Sections 10.0, 11.0 and 12.0).

#### **9.2 Escalating child safeguarding incidents internationally**

- The first point of contact that Partner Staff must report child safeguarding incidents to is their Project's CPO. Partner Staff do not reserve the right to dismiss potential child safeguarding incidents. From the point a Partner Staff member first becomes aware of a child safeguarding incident, they have 24 hours to report the matter to their Project CPO.
- The CPO is obliged to report the incident to the ERFA CEO within 24 hours, as all child safeguarding incidents, whether confirmed or alleged, are "high-risk" incidents. Partner CPOs do not reserve the right to dismiss potential child safeguarding incidents. From the point a Project CPO first becomes aware of a child safeguarding incident, they have 24 hours to report the matter to the ERFA CEO.
- The ERFA CEO, in consultation with the Governing Authority, Project Manager and CPO of the relevant Project, will determine how to ensure the immediate wellbeing of the survivor, whether an investigation into the incident is necessary, and if so, how to proceed with an investigation (see Sections 10.0, 11.0 and 12.0).

#### **9.3 Escalating child safeguarding incidents to DFAT**

Where a child safeguarding incident is raised concerning an ERFA Project that uses DFAT funds, DFAT are to be notified of the incident by the ERFA CEO within 24 hours of the ERFA CEO becoming aware of the incident.

## **10.0 Reporting child safeguarding incidents**

Formal reporting is to be completed by filling out the Child Safeguarding Incident Reporting Form and submitting it to ERFA at [ceo@erf.org.au](mailto:ceo@erf.org.au).

It is the responsibility of the ERFA CEO and the Program's Director, together with the cooperation of the ERFA Board of Directors, to manage and oversee the completion of all sections of the form (See Section 5.0).

Transparent, structured reporting is crucial for cases of child safeguarding which can change rapidly. This is especially important for instances where ERFA decides to conduct their own internal investigation into a case, for example, if new information comes to light, or if the ERFA CEO is not satisfied with the external investigation conducted by an overseas Governing Body. In these instances, a secondary investigation process can build off the foundations already created by early reporting.

### **10.1 Section 1 – initial report**

Section 1 – initial **report** is to be submitted within 24 hours of a child safeguarding incident first being detected. It is used to record basic facts about the witnessed or suspected incident.

It is a requirement that Section 1 – incident report of the Child Safeguarding Incident Reporting Form be completed for all child safeguarding incidents. This is regardless of the decision reached from deliberations with the ERFA CEO, the ERFA Board of Directors and implementing Partners.

If there are multiple credible witnesses or sources of knowledge about a child safeguarding incident, multiple incident forms are to be completed. For domestic cases, it is the responsibility of the ERFA CEO to oversee the completion of the incident report by the relevant Staff member, For international cases, is the responsibility of the CPO to oversee the completion of the incident report by the relevant Project Staff member.

The ERFA CEO reserves the right to fill out an initial report that consolidates all known information or that is based on the testimonies of multiple sources.

### **10.2 Section 2 – investigation**

Section 2 – investigation is to be filled out throughout the course of an investigation as required, for example, as new information comes to light.

### **10.3 Section 3 – remediation procedures and learnings**

Section 3 – remediation procedures and learnings is to be completed when an investigation into an incident of child safeguarding has been closed and ERFA deems the case finalised.

## **11.0 Protecting the child**

### **11.1 Responding to a disclosure by a child**

ERFA appreciates that responding to a CP incident may be a difficult and sensitive situation. To assist ERFA and Partners Staff to correctly adhere to reporting procedures, the following helpful steps have been provided:

When a child/young person tells you that he or she has been abused, they may be feeling scared, guilty, ashamed, angry and powerless. You, in turn, may feel a sense of outrage, disgust, sadness, anger and sometimes disbelief.

If a child discloses abuse, whatever the outcome, the child must be taken seriously.

It is important for you to remain calm and in control and to reassure the child/young person that something will be done to keep him or her safe.

When a child or young person's discloses they are being harmed you can show your care and concern for the child/young person by:

- listening carefully;
- telling the child/young person you believe him or her;
- telling the child/young person it is not their fault and he/she is not responsible for the abuse;
- telling the child/young person you are pleased he/she told you.

You will not be helping the child/young person if you:

- make promises you cannot keep, such as promising that you will not tell anyone;
- push the child/young person into giving details of the abuse. Your role is to listen to what the child/young person wants to tell you and not to conduct an investigation (beware of asking any leading questions as this may prejudice any subsequent investigation);
- indiscriminately discuss the circumstances of the child/young person with others not directly involved.

Try to obtain some details such as:

- where the abuse is taking place: at school, home, work etc.;
- whether it is currently occurring or did occur in the past;
- the name of the perpetrator.

It is possible that some children or young people will make a disclosure and then ask you not to tell anyone. If you are not already performing one of these positions it is important that you seek guidance from your CPO, Program Manager or equivalent and/or the ERFA Chief Executive Officer in Australia to discuss how the child or young person can be supported and the disclosure managed.

### **11.2 Ensuring the child's wellbeing**

Once an allegation is made there should be an immediate response that protects the child from further potential abuse or victimisation. The child may require medical assistance or counselling support. Where possible the child should remain in their place of residence or relevant program. Exceptions may be made where the child is deemed to be at risk of victimisation by peers as a result of the allegation or because the alleged abuse has occurred in home-based care. If the child is in immediate danger you should make arrangements for the child to go to a safe place.

### **11.3 Preliminary remedial actions**

The best interest of the child may warrant the standing down of a Staff member. The Program Manager should advise their course of action in writing to the ERFA CEO. Any staff member stood down in this manner continues to receive full pay; this measure recognises that that the member is entitled to a just process that does not pre-judge guilt or innocence. Any volunteers who are stood down should similarly receive any reasonable reimbursement of costs.

## **12.0 Registering child safeguarding incidents**

### **12.1 Incidents, Complaints and Compliments Register**

A record of cases of financial misconduct are also to be made in the Financial Wrongdoing section of the Incidents, Complaints and Compliments Register (ICCR) (see Section 12.0). It is the responsibility of the CEO and the Programs Director to record cases of financial misconduct in the ICCR and to ensure the record is continuously updated throughout the course of an investigation process.

Fields required to be filled out by the person managing the ICCR record include:

- date received;
- date of incident;
- program name;
- project name;

- person(s) to whom allegations are being made;
- summary of incident;
- involved parties;
- completion of reporting form section 1;
- estimation of financial losses;
- information to collect in an investigation;
- externally referred;
- completion of reporting form section 2;
- remediation procedures undertaken;
- outstanding issues;
- date closed;
- location of case in Sharefile;
- completion of reporting form section 3.

## **12.2 Filing of documentation**

Together with the formal reporting mechanisms of the Corruption & Fraud Reporting Form and the Incidents, Complaints and Compliments Register, informal documentation regarding a case, including emails, meeting minutes with Program Governing Bodies, meeting minutes with the ERFA Board of Directors and witness reports, are to be filed in ERFA's designated database, Sharefile. It is the responsibility of the CEO to file documentation relevant to a case of financial misconduct. They reserve the right to delegate this task to the Programs Director or the Programs, Policy & Risk Officer (see Section 5.0).

## **13.0 Investigating child safeguarding incidents**

- The ERFA CEO will consult with the Program Manager and CPO of the Program concerned to ascertain the details of the incident.
- The ERFA CEO will liaise with the ERFA Board to determine a course of action.
- The ERFA CEO will contact the Governing Body of the Program to request they conduct an investigation into the incident. The ERFA CEO will provide guidance to the Program's Governing Body as required to assist with an investigation.
- The ERFA CEO will continue to liaise with the Governing Body on a regular basis to discuss outcomes of the investigation.
- The ERFA CEO will file all relevant documentation regarding the case, including emails, meeting minutes with the Program's Governing Body, meeting minutes with the ERFA Board of Directors in ERFA's designated database, Sharefile.
- At the completion of the investigation conducted by the Program's Governing Body, if the ERFA Board of Directors is dissatisfied with any aspect of the investigation, including its conduct and recommended remediation procedures, they reserve the right to initiate a separate investigation and forensic audit.

The investigation processes will depend on the unique context of the case involved. Below are some recommended steps to be undertaken during a child safeguarding incident investigation:

- temporarily standing down Staff members involved in an investigation (see Section 11.3);
- interviewing the person/persons who made the allegations or other witnesses to gather more information with which to make a decision about the allegation;
- reporting to local police and/or a child protection authority when it is suspected or becomes clear that a crime has been committed;
- reporting to the Australian Federal Police when it is suspected or becomes clear that a crime has been committed regarding child sex tourism, child sex trafficking or child pornography;
- reporting to local child protection services as necessary;
- handling the concern internally if it is not a criminal matter;
- providing ongoing support to all stakeholders (including the reporter) as necessary.

### **13.2 Confidentiality**

Confidentiality is a key principle of reporting and managing child protection concerns. The details of a child protection incident or investigation must only be shared with the designated Program Manager Program CPO, Province Leader, Province CPO, ERFA CEO, ERFA Programs Director and ERFA Programs, Policy & Risk Officer. The names of people involved in a case will remain confidential knowledge held only by the Program Manager and Program CPO. This identifying information will be divulged only on a “need to know” basis, or when required by Australian or overseas law, or when a report to police or child protection authorities is made.

ERFA will treat all concerns raised seriously and ensure all parties are treated fairly per the principles of natural justice. All reports will be handled professionally, confidentially and expediently.

All reports made in good faith will be viewed as being made in the best interests of the child, regardless of the outcome. ERFA will protect the interests of anyone reporting child abuse in good faith.

The rights and welfare of the child are of prime importance. Every effort will be made to protect the rights and safety of the child throughout the investigation.

### **14.0 Remedial actions**

Disciplinary action will be taken against any Staff member who is discovered to:

- have failed to report a child protection concern;
- have intentionally made a false allegation;
- have made a serious breach of the CPP (minor breaches may result in action such as refresher training or increased supervision)

Disciplinary action may include the following sanctions:

- ERFA personnel: disciplinary action/dismissal;
- ERFA Partners: up to and including termination of all relations, including contractual and partnership agreements with ERFA;
- Associates: termination of an ongoing relationship;
- where relevant: reporting to authorities.

### **15.0 Use of children’s images and video footage**

ERFA will at all times portray children in a respectful, appropriate and consensual way. Our guidelines on the use of children’s images and video footage are:

- A child should not be portrayed in a vulnerable or submissive manner.
- Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- There should be no identifying information of the child connecting them to the specific location used in the publication of images or video footage.
- A story about an especially vulnerable child will not show their face or any other identifying factors.
- Children should be portrayed as part of their community, not in isolation.
- Children should not be portrayed as weak, isolated and vulnerable. Images/footage of children should portray them as resilient human beings and as partners in the development process.
- Local cultural traditions should be complied with regarding restrictions for reproducing personal images.
- Images/footage should be an honest representation of the context and the facts.
- File labels should not reveal identifying information when content is shared electronically.
- All official ERFA photographers/videographers should be screened for their suitability to work with children, including police checks where appropriate.



### **15.1 Image & Story Use Consent Form**

The personal information of child beneficiaries is reasonably necessary for ERFA to conduct impact reporting and fundraising activities. A child or their guardian must give their free, prior and informed consent for ERFA to collect and publish their personal information and identifying images for communications purposes. They can do this by either:

- signing a locally-translated copy of ERFA's Story & Image Use Consent Form (see page 16) which permits ERFA to use their personal information indefinitely and without compensation.
- signing their Program's general consent form which contains ERFA's Clause for Collection and Publication of Personal Information (see page 17).

For the sake of convenience, some Programs might ask Beneficiaries, including children, to sign a general consent form, rather than administer consent forms every time personal information is collected. These Programs are required to include within their consent form a clause that commits the beneficiary to their information being used indefinitely and without compensation by ERFA.

When asking for consent to use a child's image, video or story, details should be provided as to how and where their image, video or story might be used, such as in social media posts, supporter newsletters, quarterly impact publications and annual impact publications. The child or their guardian must also be informed of their ability to use a pseudonym when filling out surveys, providing a 'story' or otherwise engaging us in one-off correspondence.

### **16.0 Youth participation**

ERFA is committed to actively encouraging the participation of the child and youth participation. ERFA expects programs to provide opportunities for children's and young people's views to be heard and incorporate their views into policies and programs.

Children will be asked for their feedback about Staff and ERFA's services from time to time. Their feedback should be consulted by program Partners in the development and review of their PCPP. Their feedback should also inform what is considered to be appropriate and inappropriate behaviours as contained in the Partner's Code of Conduct. Children will also be informed about ERFA's child abuse reporting process and who to contact if they are at risk, have been abused or are concerned about another child.

### **17.0 Child protection education**

ERFA is committed to educating Staff about this CPP, in particular, how to reduce risks and create child-safe environments. ERFA is committed to undertaking capacity building and training in CP with all Partners who work with us and facilitate programs that involve or affect children. ERFA also seeks to instill child-safe practices at every level of its organisation: this includes providing information about CP in the communities of ERFA programs.

### **18.0 Policy review**

ERFA's CPP will be reviewed every three years. ERFA's CEO will manage the review of the CPP. ERFA Staff, Partners, children and young people will be consulted to assist this process. Any changes made to the Policy will be signed off by ERFA management and the Board.

ERFA will review the individual CPPs of its Partners each year upon the submission of their Program Design and Funding Application. How a Partner implements its CPP will be monitored on a quarterly basis through scheduled acquittal reporting. Field monitoring and program visits will take place on a random basis as an additional measure to ensure CPP compliance.

## Child Protection Code of Conduct

Staff members and associates of ERFA are responsible for maintaining a professional role with children, which means establishing and maintaining clear professional boundaries that serve to protect everyone from misunderstandings or a violation of the professional relationship.

All staff and those associated with ERFA, its work and the programs it supports, should conduct themselves in a manner consistent with their role as an ERFA representative and be a positive role model to children. ERFA has developed a Child Protection Code of Conduct to protect children, staff and the organisation by providing clear behavioural guidelines and expectations.

### I will

- Treat all children and young people in ERFA partner program(s) with respect.
- Conduct myself in a manner that is consistent the values of ERFA.
- Provide a welcoming, inclusive and safe environment for all children, young people, parents, staff and volunteers.
- Respect cultural differences.
- Encourage open communication between all children, young people, parents, staff and volunteers and have children and young people participate in the decisions that affect them.
- Report any concerns of child abuse.
- Be transparent in my actions and whereabouts.
- Take responsibility for ensuring I am accountable and do not place myself in positions where there is a risk of allegations being made.
- Self-assess my behaviours, actions, language and relationships with children.
- Speak up when I observe concerning behaviours of colleagues or others.

### I will not

- Engage in behaviour that is intended to shame, humiliate, belittle or degrade children.
- Use inappropriate, offensive or discriminatory language when speaking with a child or young person.
- Do things of a personal nature that a child can do for him/herself, such as assistance with toileting or changing clothes.
- Take children to my own home/hotel or sleep in the same room or bed as a child.
- Smack, hit or physically assault children.
- Develop sexual relationships with children or relationships with children that may be deemed exploitative or abusive.
- Provide or supply of alcohol/drugs to children.
- Give gifts to children.
- Behave provocatively or inappropriately with a child.
- Condone or participate in, behaviour of children that is illegal, unsafe or abusive.
- Act in a way that shows unfair and differential treatment of children.
- Photograph or video a child without the consent of the child and his/her parents or guardians.
- Deal with a child in an inappropriate, unnecessary or culturally insensitive way.
- Seek to make contact and spend time with any child or young person outside program times.
- Use ERFA's computers, mobile phones, video and digital cameras inappropriately, nor use them for the purpose of exploiting or harassing children.
- Hire minors as domestic labour.

## Child Protection Self-Declaration

Edmund Rice Foundation Australia (ERFA) considers child abuse unacceptable in all circumstances and is committed to ensuring that all possible and necessary steps are taken to acknowledge the rights, and protect the wellbeing, of all children (people under the age of 18 years) that we work with.

It is of utmost importance that abuse is not perpetrated nor compounded by those that ERFA puts in contact with children and in whom children place their trust. It is therefore essential that all staff, associates and representatives of ERFA understand their own role in protecting children and that all practical and reasonable steps are taken to counteract the risk of harm to children.

This self-declaration and agreement form relates to all individuals who come in to contact with children (in Australia and overseas) due to their relationship with ERFA.

Please read ERFA's Child Protection Policy. If necessary, seek clarification with an appropriate ERFA staff member and thereafter sign on this page to show you have understood and agree to abide by the contents outlined in these documents.

I (your full name)

---

Of (current address)

---

Declare that:

- I have been given a copy of, read and understand the ERFA Child Protection Policy including the CPP Code of Conduct.
- I agree to abide by the behaviour protocols and follow the reporting procedure set out in the ERFA Child Protection Policy and CPP Code of Conduct.
- I do not have a criminal record nor have undergone disciplinary action relating to forms of child abuse, neglect, or violence of any type.
- I hereby agree to the conditions and guidelines set out by ERFA with regard to any contact with children in Australia and overseas as a result of an ERFA arranged activity. I understand that ERFA reserves the right to take legal action against me if I breach local or international child protection laws.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

## Child Protection & Complaints Notice



### Edmund Rice Foundation Australia (ERFA)

Please contact one of the below contacts for help if:

- you or someone you know is being hurt, harmed or treated badly;
- you have a complaint or concern about this facility or someone who works here;

ERFA prioritises the rights, needs, wishes and empowerment of complainants and will protect the interests and wellbeing of persons who disclose misconduct or bring forward a complaint. You have the right to remain anonymous when submitting a complaint. Please advise the contact whether you would like to remain anonymous.

ERFA is the first point of contact for any complaints concerning the organisation itself. If you do not feel comfortable submitting a complaint to ERFA directly, the details of an external complaints body are included below.

Contact	Contact avenue
<b>Primary contact:</b> ERFA CEO, Bren Arkinstall	<b>Via email:</b> <a href="mailto:CEO@erf.org.au">CEO@erf.org.au</a>
	<b>Via telephone:</b> +61 7 3621 9649
	<b>Via post:</b> PO Box 130 Virginia, Queensland, Australia 4014
<b>Secondary contact:</b> ERFA Programs Director, Emily Faller	<b>Via email:</b> <a href="mailto:ejfaller@edmundrice.org">ejfaller@edmundrice.org</a>
	<b>Via telephone:</b> +61 7 0400 882 812
<b>External contact:</b> Chair, Australian Council for International Development (ACFID) Code of Conduct Committee	<b>Via email:</b> <a href="mailto:code@acfid.asn.au">code@acfid.asn.au</a>
	<b>Via telephone:</b>
	<b>Via post:</b> C/- ACFID, Private Bag 3, Deakin, ACT, Australia 2600



## Image & Story Use Consent Form

### Consent clause

By signing this Image and Story Use Consent Form you consent to giving free, prior and informed consent for Edmund Rice Foundation Australia (ERFA) to collect and publish your personal information and identifying images for communications purposes. In this relationship, ERFA regards you as the “Contributor”. If you consent to this relationship, personal information that ERFA might collect and publish includes:

- photographs and video footage;
- your voice;
- your name;
- your quotations or story: i.e., your experience with an ERFA-supported Project;
- the name, location and nature of the ERFA-supported Project that you are engaged in.

### Purpose of collecting and publishing personal information

The personal information of Contributors is reasonably necessary for ERFA to conduct impact reporting and fundraising activities. Publishing images and stories of Contributor’s experiences with the Projects we support is a major way we engage with our community of supporters and encourage donations. ERFA does not disclose personal information about its Contributors for any other purpose and to any other entity other than its supporter community.

The types of publications where Contributor’s personal information might be used includes:

- social media posts;
- supporter newsletters;
- quarterly impact publications such as our “Reaching Out” flyer;
- annual impact publications such as our “Impact Report”.

### Access to information

Contributors have a right to access the personal information that ERFA holds about them to:

- Amend their personal information. When a stakeholder advises an ERFA representative of a perceived inaccuracy in their stored personal information, ERFA will correct its records as soon as is practically possible.
- Withdraw previously given consent. When a stakeholder advises an ERFA representative that they wish to withdraw their previously given consent, ERFA will permanently destroy the Contributor’s personal information from its records as soon as is practicably possible.

To gain access to their personal information a Contributor should inform the Program Manger of the Project which they participate in, who will then contact ERFA on the Contributor’s behalf.

### Storage of information

ERFA stores information only for as long as it is useful. ERFA uses the personal information of its beneficiaries, such as images and stories on an ongoing basis. It is useful to have a historical collection of images and stories to draw upon. For example, past stories can be used to monitor the progress of ERFA and its supported Programs over time. Past images may be used for generic updates where no up-to-date image is available.

Name (print)	
Do you wish to be referred to by a pseudonym?	
Relationship to child under 18 (if applicable)	
Signature	
Date	

By signing this form you agree to the above clauses and authorise ERFA to use your personal information indefinitely and without compensation.



## **ERFA Clauses for Collection of Personal Information**

### **ERFA clause for collection of personal information in internal communications:**

“Edmund Rice Foundation (Australia) is committed to the lawful collection of personal information under the Australian Privacy Act (1988). We collect personal information for marketing and communications purposes. Without such information we are unable to conduct stakeholder engagement and fundraising activities to the best of our ability. By visiting our website, making a donation, signing up to our newsletter, filling out a survey, applying for employment, or providing us with your information by any other means, you agree to the collection, usage, disclosure and storage of, and access to your personal information, as contained in our Privacy Policy. ERFA does not disclose personal information to any overseas recipients. For further enquiries regarding our privacy measures or to update your personal information please contact us at +61 7 3621 9649 or [info@erf.org.au](mailto:info@erf.org.au).”

### **Shortened ERFA clause for collection of personal information in internal communications:**

“Edmund Rice Foundation (Australia) is committed to the lawful collection of personal information under the Australian Privacy Act (1988). For further enquiries regarding our privacy measures or to update your personal information please see our Privacy Policy or contact us at +61 7 3621 9649 or [info@erf.org.au](mailto:info@erf.org.au)”

#### **Purpose:**

A shortened version of this clause, including a link to ERFA’s full Privacy Policy, is included within all communications distributed to stakeholders where it is reasonable to do so, such as within online and written communications.

### **ERFA clause for collection and publication of personal information in Program consent forms:**

You consent to ERFA collecting and publishing your personal information indefinitely and without compensation to its network of supporters for the purpose of providing Project updates in marketing and communications material, such as social media posts and annual reports. By consenting, you have the right to update your personal information held or to withdraw previously given consent by informing a Project or Program Manager who will contact ERFA on your behalf. You have the right for your name to remain anonymous and to be referred to by a pseudonym.

#### **Purpose:**

For the sake of convenience, some Programs might ask Beneficiaries, including children, to sign a general consent form, rather than administer consent forms every time personal information is collected. These Programs are required to include within their consent form a clause that commits the beneficiary to their information being used indefinitely and without compensation by ERFA.