



Child Protection Policy

Details

Policy & Procedure Owner	CEO Office	
Approved by	ERFA Board of Directors	
Date Approved	Date of Last Revision	Next Review
2014	May 2022	May 2025

Abbreviations

ACFID	Australian Council for International Development
CPP	Child Protection Policy
CPO	Child Protection Officer
SIRF	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
Project Beneficiary	Children and adults who participate in and benefit from ERFA-partner programs (also referred to as Primary Stakeholder)
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 (also referred to as Implementing Partner)
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	Directors, employees, contractors, subcontractors, outworkers, apprentices and trainees, work experience students, volunteers, employers and any other person who performs work for ERFA or ERFK

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.

ERFA CEO contact for CP incident reporting	barkinstall@edmundrice.org or +61 7 3621 9649
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Contact information

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ACFID	http://www.acfid.asn.au 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

Related documents

- DFAT Child Protection Risk Context
- DFAT Staff Activity Risk Assessment
- ERFA Annual Child Protection Assessment Checklist
- ERFA Child Safety Poster
- ERFA Job Applicant Interview Template
- ERFA Referee Check Template

Compliance

This policy applies to Staff and Associates (as included in the definitions of this Policy) that act for, represent or visit ERFA and ERFA partner projects. Failure by ERFA Partners to fully comply with any aspect of this policy could result in termination of agreements including, but not limited to, MOUs, partnerships agreements and funding contracts.

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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 and Associates. It also extends to ERFA Partner Programs in developing countries and their associated primary stakeholders, management, staff, volunteers, contractors and governing authorities. Where necessary this policy makes a distinction between internal processes that concern ERFA and ERFK Staff and Associates and external processes that concern ERFA's implementing Partners.

1.2 Links to other ERFA policies

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

- through the independent detection of ERFA Staff and Associates 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](#).

This CPP bears similarities to ERFA's Prevention of Sexual Exploitation, Abuse & Harassment (PSEAH). Both are designed to protect stakeholders from abuse, comprising, but not limited to SEAH. Both adopt a survivor-centered approach and treat their respective safeguarding incidents of concern as "high risk" incidents. The distinction between ERFA's PSEAH and CPP is that the former addresses abuse experienced by adults and the latter, abuse experienced by children under the age of 18, treated as an especially vulnerable group.

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-focussed 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:

- ERFA has a zero tolerance approach: Any form of child abuse and exploitation is unacceptable, will not be tolerated and will attract criminal, civil and disciplinary sanctions.
- 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 Safeguarding Incident Reporting Form (SIRF) (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 Safeguarding Incident Reporting Form (SIRF) (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 ERFAs' CPP;
- assess their staff against the Staff Activity Risk Assessment and subject them to commensurate employee screening processes (see Section 6.0);
- 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.

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;
- assess their staff against the Staff Activity Risk Assessment and subject them to commensurate employee screening processes (see Section 6.0);
- 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.

Section 1: Preventing child safeguarding incidents

6.0 Staff employment procedures

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 helps ERFA and its network deliver organisational services, are required to undergo child safeguarding screening.

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;
- incorporating issues relevant to CP in staff performance reviews;
- subjecting all Staff to a probationary period depending on the length of their contract;
- refusing or terminating the employment of any Staff who pose a risk to children.

ERFA applies a consolidated version of the DFAT Child Protection Risk Context tool, the Staff Activity Risk Assessment to classify Staff positions according to their "Activity Risk". This includes the following categories:

- nil contact with children;
- contact with children;
- working with children.

Staff are subject to screening processes commensurate to the child safeguarding risk denoted by their assigned Staff category. It is the responsibility of the ERFA and partner CPOs to assess their staff against the Staff Activity Risk Assessment.

Staff whose positions are categorised as "nil contact with children" are required to complete the following screening steps:

- submit a detailed work history when applying for a position, containing comprehensive information about their background, such as dates, places of employment, education and other activities;
- read and sign this CPP and sign ERFA's CP Code of Conduct & Self-Declaration form.
- provide proof of their identity, i.e., original copies of a birth certificate, passport, or drivers licence.

Staff whose positions are categorised as "contact with children" are required to complete the following screening steps, in addition to those assigned for "nil contact with children" roles:

- Job applicants are subject to a police clearance or criminal history check. For roles performed in Australia, the relevant clearance is the Working with Children Check accreditation. Checks must be conducted for each country in which the individual has lived for 12 months or longer over the last 5 years, and for the individual's countries of citizenship.
- 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 verbally. Written references will not be accepted. The CPO reserves the right to request additional references.

- Once hired Staff are required to attend relevant child protection training. This should take place as soon as possible for newly hired Staff.

Staff whose positions are categorised as “working with children” are required to complete the following screening steps, in addition to those assigned for “nil contact with children” and “contact with children” roles:

- Job applicants will be subject to a rigorous interview related to child safeguarding to determine their attitude towards child protection, their motivations for working with children, how they would respond to a child safeguarding incident, as well as their professional boundaries, accountability, teamwork and capacity to respond to ethical dilemmas. Questions will include value-based questions and behavioural-based hypotheticals. The interviewer will use the tool Job Applicant Interview Template to assess the interviewee.

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 SIRF;
- 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 SIRF. If there is an error in the incident reporting process, such as a lack of detail in the SIRF, 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.

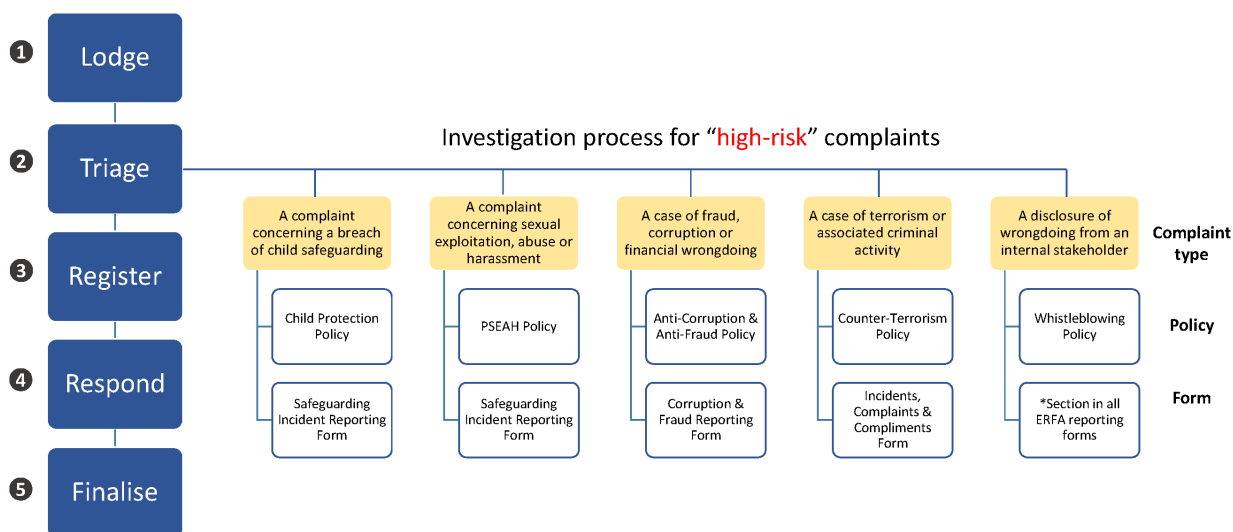
8.0 Receiving complaints of child safeguarding incidents

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 CHP 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 flowchart



Complaints Handling Process Flowchart:

8.2 Registering child safeguarding complaints

The reporting document is the Safeguarding Incident Reporting Form (SIRF). 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 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 Safeguarding Incident Reporting Form and submitting it to ERFA at 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 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 child safeguarding are also to be made in the Child Protection & SEAH Cases section of the Incidents, Complaints and Compliments Register (ICCR). It is the responsibility of the CEO and the Programs Director to record cases of child safeguarding 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 Safeguarding Incident Reporting Form section 1;
- estimation of financial losses;
- information to collect in an investigation;
- externally referred;
- completion of Safeguarding Incident Reporting Form section 2;
- remediation procedures undertaken;
- outstanding issues;
- date closed;
- location of case in Sharefile;
- completion of Safeguarding Incident Reporting Form section 3.

12.2 Filing of documentation

Together with the formal reporting mechanisms of the Safeguarding Incident 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 child safeguarding. 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 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, meta data or text descriptions when content is shared electronically.
- Local legislation about the use of images, informed consent and social media should be investigated before taking or publishing any images or videos.
- A trained staff member (ERFA's Child Protection Officer) must screen all content and check whether free, prior and informed consent has been given prior to publishing any images, videos or stories of children and any personal information, in particular to social media platforms.
- If consent is withdrawn at a later stage, the partner CPO or partner program manager must inform ERFA's Child Protection Officer in writing immediately. ERFA's Child Protection Officer will immediately identify all images pertaining to this withdrawn consent and delete them and the previous consent form permanently from the image library. Where possible, ERFA will remove any respective images from past publications.

All official ERFA photographers/videographers must be screened for their suitability to work with children, including police checks where appropriate. Their contracts must include information and instructions for obtaining free, prior and informed consent (as per the image consent form). In addition, visitors to the field (consultants, donors, photographers etc) are to be provided with a brief on taking and using images.

All ERFA staff, partners and contractors involved in obtaining images, stories and videos are to be trained in using ERFA's Image & Story Use Consent Guidelines and Form, in particular how to obtain free, prior and informed consent from subjects (including children, their guardians and adults).

Proper use and filing of images and consent forms will form part of partner monitoring and audits.

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 and their guardian must both 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:

- signing a locally-translated copy of ERFA's Story & Image Use Consent Form (see page 27) which permits ERFA to use their personal information (unless consent is withdrawn) and without compensation.
- In the case of obtaining a child's or beneficiary's story or video for a feature piece, the Ethical Decision-Making Framework Tool (see page 31) must also be completed by the person obtaining the consent.

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 and their guardian must also be informed of their ability to decline consent without negative impacts and that a pseudonym will be used 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 Partners to provide opportunities for children's and young people's views to be heard and incorporate their views into policies and projects.

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

Image & Story Use Consent Guidelines and Form

Instructions for use and for obtaining stories and images



1. Read the “**Important Information**” instructions on page 2.



2. Explain this information to the subject(s) using the provided checklist on page 4 and ensure they (or a responsible adult) understand it and sign the “**Informed Consent and Release Form (1A or 1B)**” before starting an interview or collecting images.



3. File the Consent Form securely together with images and stories.



4. As per ERFA’s Child Protection Policy (clause 7), there should be no identifying information of the child (such as their name) connected with the location used in the publication of images or video footage.

Important Information for Person Coordinating Images/Stories

Free, Prior and Informed Consent

Before you begin an interview or take photographs/videos:

A. USING LOCAL LANGUAGE, **EXPLAIN:**

1. that the subject's images/video and/or story will be used by ERFA to report on and fundraise with its supporter/donor community around the world;
2. how and for how long ERFA may use the images/video/stories and show examples, e.g. a copy of a ERFA's newsletter, website, presentations or social media;
3. that ERFA might collect and publish the name, location and nature of the ERFA partner project as well as the subject's pseudonym and story and that this could link the subject to a project;
4. that videos, stories and personal information will only be stored for as long useful and that they might be used more than once over a period of time;
5. that using images/stories on social media and internet sites means that ERFA will not be able to control further use and distribution, that they can be viewed by anyone with internet access at any time and that deleting an image may not always lead to the removal of an image online;
6. what possible outcomes the usage of an image/video, story or interview could have, especially if there is a risk of a negative impact on a child;
7. that subjects can remain anonymous and that a pseudonym (different name) will be used, and that their consent can be withdrawn at any time.

B. **OBTAIN:**

8. Understanding and acknowledgement of consent: ask the person to read and sign a "Consent and Release Form" before you begin photographing/interviewing.

Note: for people with low literacy please read and explain the form in full and ask them to confirm their consent with a fingerprint or mark. Where possible, the form should be available in the language spoken by project participants. Where this is not possible, the form should be translated verbally to acquire consent.

9. Consent from both children and parent/guardian: if you are photographing/interviewing a child under the age of 18, please clearly explain how the information and images will be used and seek the permission of both the child and their parent or guardian.

Note: It is important that the child has the opportunity to decline to be photographed or interviewed without consequence if she or he chooses so. Use the child friendly consent form for children.

C. **FOR CHILDREN:**

10. Allow time for obtaining consent to ensure that children (parents/caregivers) and young people do not feel pressured to say yes.
11. Provide them with a contact (Child Protection Officer) if they want to withdraw their consent at a later stage.

D. **THE PROCESS:**

Collection of Images

Provide a briefing to children and adults as preparation before taking any images. This includes:

- Informing them of what will happen
- Who will be present and where they are from
- The purpose (including purpose of any visitors)
- What is acceptable and unacceptable behaviour

- What they can do if they do not feel comfortable
- That they can stop at any time or say no to anything without any negative consequences.

E. PHOTOGRAPHY GUIDELINES:

Photographs should always portray people in a dignified, positive and respectful way, even in difficult conditions.

An example of this is ensuring you are standing at the same level as the person you are photographing or by portraying people engaged in activities related to the project (e.g. teaching in the classroom, caring for their children, sewing a product).

Some additional points relating to child safeguarding to keep in mind are:

- Present images of all participants in a respectful manner, portraying participants as equal partners in the development process
- Portray the local context in an honest way, ensuring the complexity and diversity of the community is shown accurately
- Use positive images, rather than manipulating images to evoke pity
- Ensure the use of images of local people will not endanger the people they portray
- Conceal the identity and location of vulnerable and at-risk children, turn off the geotagging functions on video cameras and mobile phones. Names and locations can be changed for child protection and privacy purposes (with a disclaimer). If any identifying information (such as signage) is in the image, this should be blurred out.
- Do not identify survivors of exploitation, abuse or violence, serious health conditions or an individual's engagement in culturally unacceptable activities.
- Ensure that all people featured, especially children, are adequately clothed, including footwear.

Informed Consent Explanation Checklist for Coordinator

Please explain all of the points below to the child, parent/guardian or adult you seek consent from for the use of their image, video, voice or story.

- Explain in local language
- Explain what the images, video, story or voice will be used for and for how long
 - e.g. ERFA newsletter
 - website
 - social media
 - impact report
 - donor communications
- Show examples on a mobile device and/or printed
- Explain what it means if images are used on the internet
 - further use and distribution cannot be controlled
 - anyone can view this information anytime from anywhere
 - deleting an image may not remove it completely
- Discuss what possible outcomes the usage of an image, video, story or interview could have
 - a friend, family or community member could see this image and therefore know any associated information, such as the story / interview and the location of and affiliation with the project
- Emphasize that participation in getting images or a video taken / giving an interview is entirely voluntary and they can say no if they don't want to do it
- Ask them if they would like to remain anonymous or use a pseudonym (made up name)
- Tell them that they can still withdraw consent at a later stage and point out the contact person (Child Protection Officer / Program Manager) for this
- Let them know that they can think about this and don't have to decide immediately (by raising this early)
- If they agree, give them a Consent and Release Form to read, explain it to them, fill it out with them and have them sign it. This should be available in local language, if not please explain it verbally in local language. For young children or people with low literacy use the equivalent form and let them sign with a fingerprint.
- For children under 18 you need to seek permission of both the child and their parent / guardian**
- Before commencing with the photoshoot/video/story gathering, provide the subjects with a briefing of how it will work, who will be there and what they can do if they want to stop
- File the consent form securely together with images and stories

FORM 1A: INFORMED CONSENT AND RELEASE FORM

I, (print name) _____ hereby grant and provide permission for Edmund Rice Foundation Australia, its employees, representatives, donors, partners or approved contractors to take and use:

- Photographs / Digital Images
- Video / Filming
- Story
- Voice

of me (and/or my family member/s) for use in promotional or educational materials. These materials might include printed or electronic impact publications, websites, social media, supporter newsletters or other electronic communications.

- I have been shown what the material will be used for and understand any potential consequences arising from this.
- I am aware that the information collected and published might include the name, location and nature of the ERFA-supported Project I am engaged in.
- I know that I am free to say no.
- I know I can amend my personal information that ERFA holds and withdraw my consent at any time.
- I wish to remain anonymous.
- I know ERFA will use a pseudonym if mentioning a name.

I authorise Edmund Rice Foundation Australia to use these images without compensation to me.

Signature or mark of person giving informed consent:

(if person named above is under 18 years of age parent / caregiver / legal guardian is required to sign)

Name (print):

Relationship to child/ren

(If applicable):

If the story or image(s) are of children under 18 years of age, describe the relationship of the signatory to the subject.

Date:

**FORM 1B: CHILD FRIENDLY INFORMED CONSENT AND
RELEASE FORM**

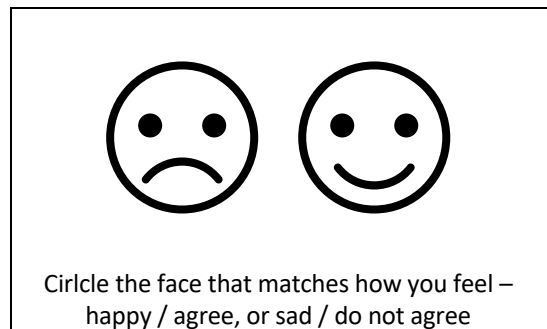
Child's name: _____

















Date: _____






Project: _____

ERFA or Project Staff (Names and Positions): _____

Depending on the age / literacy of the child, ask the child to read the question or read it to him/her and ask the child to circle his/her response using the faces or words.



Question	Child's Response
 How do you feel about having your photo taken or being filmed today?	  OR happy / agree – sad / do not agree
 It is OK to say no to having your photo taken or being filmed – do you know that?	  OR yes - no
  How do you feel about your photo or film being used on the internet, e.g. the ERFA website? <i>Show the child their image and then show on a mobile device an example of ERFA's website. Explain that the image can be seen by anyone from anywhere on the world once it is on the internet.</i>	  OR happy / agree – sad / do not agree
 How do you feel about your photo being used in an ERFA newsletter, flyer or impact report? <i>Show the child examples.</i>	  OR happy / agree – sad / do not agree
 How do you feel about your story or words being used in an ERFA publication? <i>This means people will know what you said, is it OK for your family or friends to know what you said?</i>	  OR happy / agree – sad / do not agree

 <p>Has ERFA or the Project also asked your parents or guardian for permission to take your photo or film you?</p>	  <p>OR yes - no</p>
<p><i>Answer this question after photo/film/story has been obtained</i></p> <p>How did you feel about having your photo taken or being filmed today? Did you have any worries or concerns?</p>	  <p>OR happy / agree – sad / do not agree</p>

Child's signature, mark or fingerprint*: _____

* If a child is unable to physically sign, then the person obtaining their consent should write a short explanation below along with their signature.



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.”

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”

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.



Ethical Decision-Making Framework

Details

Tool owner	Date Approved	Date of last revision	Next review
ERFA CEO	December 2020	September 2021	2024

Tool overview

This Ethical Decision-Making Framework (EDMF) should be read in conjunction with ERFA’s Privacy Policy. ERFA’s Privacy Policy outlines processes for collecting, disclosing, and storing the anyone information of ERFA stakeholders, including staff, Partners, project beneficiaries, donors and others who otherwise interact with ERFA or its projects. ERFA’s Child Protection Policy should be consulted for content or stories that involve children. The purpose of this EDMF is to provide guidance to ERFA Staff on whether it is ethical to publicly disclose stakeholders’ personal information where there is latitude for interpreting the disclosure as a breach of ethics. This EDMF represents an extra layer of security to ensure that ERFA protects the privacy of its stakeholders.

Instructions for using the EDMF

The Triage ethical analysis is the first section to be completed in this EDMF. A “No” response to any of the “Golden rules” means the content is unsuitable for public disclosure. The instructions produced from the triage will inform which sections of the Detailed ethical analysis are to be completed. A high proportion of “No” responses from any section in the Detailed ethical analysis is an indication that the content is unsuitable for public disclosure.

Free, prior and informed consent

ERFA must obtain free, prior and informed consent from all contributors in order to publicly disclose their personal information. ERFA personnel who hold the responsibility to obtain free, prior and informed consent include ERFA Staff, ERFA Staff and implementing Partners. Considering ERFA’s preference to highlight content and stories from the Projects it supports in overseas developing countries, the task of obtaining free, prior and informed consent is most often carried out by implementing Partners.

ERFA’s definition of consent:

- **Free:** the contributor experiences no coercion or manipulation in providing consent for the collection, storage and disclosure of their personal information. The most appropriate form of consent (i.e., written, vocal) commensurate to the context is solicited from the contributor. The contributor demonstrates their comprehension of the process and understands their rights in providing or declining consent. If consent is being provided by a guardian on behalf of a contributor, the guardian can be reasonably deemed as having the contributor’s safety and wellbeing at heart.
- **Prior:** consent is sought sufficiently in advance of authorisations or disclosures of personal information. Sufficient time is provided between a contributor providing their consent and the disclosure of their personal information to allow them to withdraw their consent.
- **Informed:** the contributor is provided with all information relevant to their disclosure. They are not deceived by the information collector either deliberately or by omitting pertinent information. The contributor is informed of their ability to remain anonymous if they prefer. The contributor is provided with a reasonable account of the purposes of disclosing their personal information. The contributor is provided with a reasonable account of the audience

profile who may be privy to their personal information.

Content details

Assessor	
Date of ethical assessment	
Description of content and context	

Ethical analysis triage

Golden rules	
Ethical consideration	Yes / No
By sharing this story will the contributor be safe?	
By sharing this story will the contributor be empowered?	
Presence: Is the content empathetic in communicating a shared humanity with the poor and disadvantaged?	
Compassion: Does the content evoke a shared responsibility to respond to the injustices of poverty and disadvantage?	
Liberation: Does the content emphasise the autonomy of the contributor to determine their own future?	

Framework triage		
Context consideration	Yes / No	Instructions
Are there concerns as to the representation of people in vulnerable circumstances?		If yes, please fill out the section "Human rights"
Are there concerns as to the representation of children?		If yes, please fill out the section "Children's rights"
Are there concerns as to the representation of women or girls?		If yes, please fill out the section "Women's rights"
Are there concerns as to the representation of people living with a disability?		If yes, please fill out the section "Rights of people living with a disability"
Are there concerns as to the representation of indigenous persons?		If yes, please fill out the section "Indigenous rights"
Are there doubts as to whether the contributor has provided free, prior and informed consent?		If yes, please fill out the section "Free, prior and informed consent"
Are there concerns as to crediting the author of the content?		If yes, please fill out the section "Authorship and copyright"
Are there concerns that the content might be misleading in representing ERFA activities?		If yes, please fill out the section "Transparent representation"

Detailed ethical analysis

1.0 Human rights	
Ethical consideration	Yes / No
1.1 Have we put the best interests of the contributor first?	
1.2 Have we ensured we 'do no harm' to the contributor during the storytelling process?	
1.3 Have we treated the contributor with dignity and fairness?	
1.4 Have we respected the personal freedom and privacy of the contributor?	
1.5 Have we encouraged the contributor to freely express their thoughts and feelings?	
1.6 Have we given the contributor control over how their identity and thoughts are portrayed in their story?	

2.0 Children's rights	
Ethical consideration	Yes/No
2.1 Have we ensured the best interest of children have been put before the interests of adults and our organisation?	
2.2 Have we adequately protected children?	
2.3 Have we respected children's rights to dignity and fairness?	
2.4 Have we attempted to reduce stereotyping of children?	
2.5 Have we treated all children equally?	
2.6 Have we explained the storytelling process in a way that children fully understand?	
2.7 If consent is being provided by a guardian on behalf of a contributor, does the guardian have the contributor's safety and wellbeing at heart?	
2.8 Children have not been portrayed in a vulnerable or submissive manner	
Children are adequately clothed and are not in poses that could be seen as sexually suggestive	
2.9 Children are portrayed as part of a community, not in isolation	
2.10 Children are not portrayed as weak	
2.11 Children are portrayed as resilient human beings	

3.0 Women's rights	
Ethical consideration	Yes / No
3.1 Have we carefully considered how women are portrayed?	
3.2 Have we considered how sex-role stereotyping is portrayed?	
3.3 Have we given voice to women?	
3.4 Are we empowering girls and women through this story?	
3.5 Have we considered the unique protection needs of women in this story?	

4.0 Rights of people living with a disability	
Ethical consideration	Yes / No
4.1 Have we given people with disabilities the opportunity to contribute to this story?	
4.2 Have we considered how ableism has affected this story?	
4.3 Have we carefully considered how people with a disability are portrayed?	
4.4 When published, will this story be accessible to people with disabilities?	
4.5 Did the contributor demonstrate their comprehension of the process and understand their rights in approving or refusing consent?	

4.6 If consent is being provided by a guardian on behalf of a contributor, does the guardian have the contributor's safety and wellbeing at heart?	
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5.0 Indigenous rights	
Ethical consideration	Yes / No
5.1 Have we respected indigenous people's rights to dignity and fairness?	
5.2 Have we given indigenous people the ability to freely express themselves, through their own culture and language?	
5.3 Have we considered how racism has affected this story?	
5.4 Have we carefully considered how indigenous people are portrayed?	
5.5 Have we given indigenous people control over how their identity and thoughts are portrayed in their story?	

6.0 Free, prior and informed consent	
Ethical consideration	Yes / No
Have we provided all the necessary information to the contributor so they can decide whether to consent to participate?	
Is the mode of consent obtained (i.e., written, vocal) commensurate with the context?	
Have we shown the contributor appropriate examples of how their story might be used (including where it may be published and who will see it)?	
Have we provided the contributor with a reasonable account of the audience profile who may be privy to their personal information?	
Have we explained different ways the contributor's identity can be revealed and concealed?	
Have we consulted with the right people (including children's guardians and community elders)?	
Have we provided the contributor with the ability to remain anonymous?	
Did the contributor demonstrate their comprehension of the process and understand their rights in approving or refusing consent?	
Has the information collector ensured no duress was involved in obtaining the contributor's consent?	
Has the information collector ensured no incentive was provided to the contributor in return for providing their consent?	
If consent is being provided by a guardian on behalf of a contributor, does the guardian have the contributor's safety and wellbeing at heart?	
Has consent been sought sufficiently in advance of authorisations or disclosures of personal information?	
Has sufficient time been provided for the contributor to withdraw their consent?	
Have we explained how the contributor can access their personal information, make amendments to their story and withdraw consent?	
Is there a single point of contact for the contributor to discuss the project, and to withdraw their consent?	

7.0 Authorship and copyright	
Ethical consideration	Yes / No
Does ERFA own the copyright of the storytelling content?	
Have contributors and original content creators been acknowledged?	
Has ERFA ensured the acknowledgement of authorship won't have implications for the privacy, anonymity or confidentiality assurances of the contributors?	

8.0 Transparent representation	
Ethical consideration	Yes / No
Is the content an honest representation of the context and facts?	
Does this content communicate ERFA's vision of providing quality education and life-long learning opportunities?	
Does the content feature an ERFA Project?	
Is the content less than 3 years old?	
Does the content feature an ERFA Project that has received support in the last 2 years?	
If the purpose of image sharing is fundraising, do the featured persons accurately represent the target beneficiaries?	
Does the content provide an accurate representation of ERFA activities?	
The content is unlikely to mislead or deceive	
Does the content form part of a broader communications strategy that presents varied perspectives of ERFA activities?	
Does the content form part of a broader communications strategy that presents varied Project beneficiaries?	

Ethical assessment and recommendations