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## CR 000 710 Child Safeguarding Policy

### 1. INTRODUCTION AND PURPOSE

The overall goal of this policy is to safeguard children from exploitation and abuse in the delivery of ADRA Australia's local and international programs. More specifically its objective is to create and maintain child-safe environments in the delivery of ADRA Australia's local and international program.

ADRA Australia, like its parent body the Seventh-day Adventist Church, condemns all abuse against children. As a Christian humanitarian organisation, ADRA Australia values all persons, including children, and is committed to the safety and well-being of all children associated with our programs.

ADRA Australia adheres to statutory laws in Australia and foreign countries regarding child abuse and exploitation and has policies and procedures in place to protect the rights of children in all aspects of its program. ADRA Australia recognises that developing countries often have developing social welfare systems for child safeguarding and some Governments in which we operate do not prioritise the protection of children. It is vital that ADRA Australia staff implementing development and relief programs remain alert to child safeguarding issues and have the capacity to manage risks effectively.

ADRA Australia has a policy of zero tolerance of child abuse and exploitation. Child abuse and exploitation by any person representing or conducting any activities funded or supported by ADRA Australia is not tolerated. ADRA Australia is committed to preventing a person from working with children if they pose an unacceptable risk to children. Where an allegation of child abuse, exploitation or non-compliance with this child safeguarding policy or Safeguarding Code of Conduct has occurred, ADRA Australia will follow internal procedures and notify relevant law enforcement agencies as appropriate. Regardless of any legal outcome, ADRA Australia reserves the right to take disciplinary action which may include terminating the contract or volunteer assignment of any staff member or volunteer at its sole discretion if it is found that the person has breached ADRA Australia Child Safeguarding Policy and Procedures or the Safeguarding Code of Conduct.

This policy provides guidance in the following specific areas:

- Prevention (risk management, recruitment, training, code of conduct and communications).
- Allegation Reporting and Management (obligations and confidentiality)
- Implementation & Monitoring (partner engagement, spot-check and review)

### 2. DEFINITIONS



**Child:** or 'minor' is a person under 18 years of age.

**Child Safeguarding:** is protecting a child against exploitation; sexual, physical, verbal, emotional and psychological abuse; neglect or ill-treatment.

**Sexual Offence:** the term 'sexual offence' encompasses all criminal offences in the jurisdiction involving a sexual element that are 'committed against, or within the presence of a child' or adult.

**Child Sexual Misconduct:** any conduct with, towards on in the presence of a child that is sexual in nature other than a sexual offence which may include but is not limited by:

- 1) Descriptions of sexual acts without a legitimate reason to provide the descriptions;

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- 2) Sexual comments, conversations or communications;
- 3) Comments to a child that express a desire to act in a sexual manner towards the child, or another child;
- 4) Unwanted and inappropriate touching; and
- 5) Undressing or watching someone else undress.

**ADRA Australia Personnel:** includes all ADRA Australia’s employees (including Conference ADRA Directors), volunteers, contractors, persons engaged by ADRA Australia Partners and Board Members engaged by or representing ADRA Australia in a short or long term capacity.

**ADRA Australia Partners:** (Partner Organisations) in the context of this policy specifically refers to external entities, often, but not exclusively, other ADRA offices, with which ADRA Australia has document partnership agreements for the implementation of development or relief activities.

**Adsafe:** is an entity established for the purpose of providing a service for the protection of children and vulnerable adults for the Seventh-day Adventist Church across the South Pacific Division. Adsafes implements prevention strategies to mitigate against the risk of sexual and physical abuse against children and vulnerable adults.



### 3. SCOPE

This policy applies to all ADRA Australia Personnel engaged in any capacity, including employees, contractors, sub-contractors, interns and volunteers, including those working with partner organisations, and all in-country partner organisations (herewith to be referred to as ‘ADRA Australia Personnel’). This policy is relevant to all ADRA Australia funded activities, regardless of funding source, geographical focus or departmental alignment, regardless of whether children are the specific focus. Where ADRA Australia Partners are involved, those organisations are expected to maintain child safeguarding policies and standards that are consistent with this policy and these obligations will be defined in partnership agreement documents.

The Protocols in this policy apply to all interactions with minors who ADRA Australia Personnel may come into contact with while engaged by or representing ADRA Australia, including (but not limited to):

- Minors living in or around communities/camps in which the Personnel is located;
- Minors visiting communities/camps at which ADRA Australia or its partners is providing assistance or services for any reason;
- Minors living in or around an ADRA Australia project site;
- Minors who approach ADRA Australia Personnel during and outside of working hours; and Minors who are participating in ADRA Australia funded activities.

It is understood that most of ADRA Australia’s work engages with adult clients and only has contact with children under the supervision of the child’s parent or guardian. There may be occasional situations where development projects or relief initiatives are established that involve the unsupervised (by a parent) access of a child by ADRA Personnel these types of projects would require compliance with legislation within the applicable state or country jurisdictions. These requirements may include:

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- Working with Children Checks or equivalent for persons in child related roles
- Mandatory Reporting obligations
- Implementation of the Child Safe Standards within the organisation
- Staff coming under the Reportable Conduct Scheme

All Seventh-day Adventist entities including affiliated entities like ADRA are to seek advice from Adsafe on child related risks. This includes reporting allegations of Investigable Conduct relating to persons they engage to Adsafe and seek advice on the resolution of the matter. Adsafe is responsible to mitigate the risk of future abuse in the wider church community.



#### 4. PRINCIPLES

All ADRA Australia Personnel must ensure the following core principles for child safety are applied:

- Exploitation and abuse of minors by ADRA Australia personnel constitute acts of gross misconduct and are grounds for the termination of contract or volunteer assignment;
- Sexual activity with minors is prohibited regardless of the local age of majority or age of consent. Mistaken belief regarding the age of a child is not a defence;
- Exchange of money, employment, goods, or services for sex, sexual favours or other forms of humiliating or degrading behaviour or exploitation is prohibited. This includes exchange of sexual favours in return for assistance that is due to beneficiaries.
- Where ADRA Australia Personnel develop concerns or suspicions regarding abuse or exploitation by another ADRA Australia Personnel, they must report such concerns to a person who has responsibility within ADRA Australia for child safeguarding such as the designated Safeguarding Focal Point, ADRA project manager, or Country Director; and
- ADRA Australia personnel are obliged to support the creation and maintenance of a child safe environment which prevents exploitation and abuse of children when carrying out their work under the contract.
- ADRA Australia is committed to a Survivor Centred approach that prioritises the rights, needs, and wishes of the victim or survivor of abuse, while ensuring procedural fairness to all parties. This ensures that any affected child receives privacy, respect, and appropriate support to assist with their recovery.

Breaches of these principles by ADRA Australia Personnel are grounds for disciplinary action which may include the immediate termination of employment contract or volunteer/intern assignment (by ADRA Australia for Australian contracted personnel and the local in-country ADRA office for locally sourced personnel). Suspension or alternative duties may also be carried out for failure to comply with the requirements of this policy.

Partner organisations must maintain and implement policies and procedures to ensure the safety of minors from abuse and exploitation. Failure to comply with these principles by partner organisations or their personnel will be grounds for the termination of any existing arrangements including MOUs, EOLs and project funding.

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## 5. RISK ASSESSMENT

Robust controls to identify, manage and monitor the risk of child safeguarding issues through a proportional risk management approach will be implemented through this policy. Within programming approaches, ADRA Australia and its Partners will assess the level of risk for child safeguarding issues occurring and apply the appropriate controls to reduce the risk. This is particularly crucial in humanitarian settings.

Risk and decision-making processes and documents will reflect this assessment. This does not need to be a standalone procedure and will be incorporated into existing activity planning and risk management processes. Organisational and programmatic risk identification and assessments are reviewed and updated on an annual basis.

## 6. PREVENTION



### 6.1 Child Safe Recruitment

#### 6.1.1 Overall Approach

ADRA Australia recruitment and partner engagement processes are stringent ensuring ADRA Australia Personnel are safe to work with children. Procedures include:

- i. In respect of any recruitment for employees or interns, the following statement will be included in all job advertisements:
 

*“ADRA Australia is a child safe organisation and screens applicants for suitability to work with children. The successful applicant will be required to obtain the equivalent of a criminal record check. This is known as a National Police History Check or police check. Police checks must be conducted for each country in which the individual has lived for 12 months or longer over the last five years, and for the individual’s country of citizenship (including dual citizenship holders). Individuals will be required to provide their consent to a criminal record check to assess their suitability for any role including their suitability for working with children. ADRA Australia recognises that in limited instances it may prove impossible to obtain a reliable criminal record check. A statutory declaration outlining efforts made to obtain a foreign police check and disclosing any charges and spent convictions related to child abuse or exploitation, may be accepted in limited circumstances.”*
- ii. Applicants will have their employment or volunteer history checked including an investigation of any gaps between jobs;
- iii. Applicants are requested to disclose whether or not they have had any substantiated allegation of child abuse made against them in Australia or overseas. This is included in the Safeguarding Code of Conduct.
- iv. Behavioural interview questions about child-safeguarding will be asked to determine past actions, beliefs, attitudes, motivations and values regarding children and towards working with them.
- v. Two verbal referee checks will be conducted, with questions asked about the experience in working with children and to disclose any concerns that they may have about the applicant’s suitability to work with children.

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- vi. All contracts/agreements require ADRA personnel to agree to ADRA Australia’s Safeguarding Code of Conduct, which covers agreeing to ADRA Australia’s behavioural expectations.
- vii. National Criminal History Check for each country in which the applicant has lived for 12 months of longer over the last 5 years, and for the individual’s countries of citizenship. Where it is difficult to obtain these and efforts have been made to do so, a statutory declaration outlining the efforts made to obtain a foreign police check and disclosing any charges and spent convictions related to child exploitation, may be accepted subject to approval by ADRA Australia’s Executive Committee.
- viii. A Working with Children Check (WWCC) or equivalent will be undertaken as allowed by legislation
- ix. Screening of the preferred applicant will also be completed through Adsafe’s Case Worker database to ensure no substantiated or outstanding investigations or allegations are attributed to an applicant within the Seventh-day Adventist Church system in Australia.

#### 6.1.2 Employment Action

All employment contracts contains provisions for disciplinary actions including, dismissal, suspension or transfer to other duties if they breach the ADRA Australia Safeguarding Code of Conduct which includes Child safeguarding.

#### 6.1.3 Changes in Circumstance



ADRA Australia personnel are responsible for reporting a change in their circumstances to ADRA Australia’s management by reporting any current criminal or civil court proceedings relating to child safeguarding and any allegations raised.

#### 6.1.4 Tiered Screening of ADRA Australia Personnel

Due to the variety of activities that ADRA Personnel (both Australian and non-Australian) are engaged in, and the inherent variation in risk to children and vulnerable adults associated with those activities, the following assessment will be applied to determine the level of screening required. This assessment will be documented during recruitment or engagement processes with records kept in the employee, contractor or volunteer records. If the ADRA personnel are identified by the Adsafe, WWCC, or police screening process as a person of concern, they will be disqualified from engaging with the organisation as “ADRA Personnel” and the treatment of the disqualification will follow the South Pacific Division policy and/or the Church Conference policy/guidelines for the area in which the person resides.

Screening activities will include points i) to ix) as described under section 6.B.a. Overall Approach above

Level of Risk	Level of Screening	Description of activities to determine level
High	Full Screening i), ii), iii), iv), v), vi), vii), viii), ix)	Persons who: Are ADRA Australia <u>employees</u> ; or Are ADRA Australia Personnel who have <u>contact</u> with the participants (including children) of ADRA Australia projects and

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<b>Level of Risk</b>	<b>Level of Screening</b>	<b>Description of activities to determine level</b>
(Working with Children)		activities internationally or domestically (e.g., employees, contractors or volunteers who will visit projects in Australia or overseas).
<b>Medium</b>  (Contact with Children)	<b>Medium Screening</b>  ii), iii), iv), vi), vii), viii), ix)	Persons who:  Are <u>not</u> ADRA Australia employees; and  Are ADRA Australia Personnel who have <u>no contact</u> with the participants (including children) of ADRA Australia projects and activities internationally or domestically (e.g., contractors or volunteers who will <u>not</u> visit projects in Australia or overseas); but  Have <u>access</u> to project management and information storage software (e.g. SharePoint, Logalto, Salesforce).
<b>Low</b>  (No contact with Children)	<b>Minimal Screening</b>  vi), viii), ix)	Persons who:  Are not ADRA Australia employees; and  Are ADRA Australia Personnel who have no contact with the participants (including children) of ADRA Australia projects and activities internationally or domestically (e.g., contractors or volunteers who will not visit projects in Australia or overseas); and  Have no access to project management and information storage software (e.g. SharePoint, Logalto, SalesForce).

If a person has been screened under a low or medium level of risk and then is reassigned to a role with a higher level of risk they must undergo the additional screening steps before transitioning to the new role.

## 6.2 Safeguarding Code of Conduct

The Safeguarding Code of Conduct contains provisions to protect children and vulnerable adults; however, it also serves to protect ADRA Australia Personnel from false accusations; and the name and reputation of ADRA Australia. All ADRA Australia Personnel must sign and comply with ADRA Australia's Safeguarding Code of Conduct, which sets standards for personal behaviour. ADRA Australia expects staff to use common sense and avoid actions or behaviours that could be construed as child exploitation and/or abuse in the course of their association with ADRA Australia. Refer to ANNEX 1 for the Code of Conduct. Breaches of the ADRA Australia Safeguarding Code of Conduct can be grounds for termination, suspension or transfer to alternative duties.

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### 6.3 Risk Analysis

In addition to conducting a safeguarding risk assessment at the organisational level, ADRA Australia staff will identify child safeguarding risks through conducting an initial risk assessment of projects. This will include identifying strategies to manage those risks, monitor, evaluate and update risks and strategies throughout the life cycle of the project. ADRA Australia partners are expected to apply the same risk analysis process. Two key questions need to consider when assessing child safeguarding risk:

- a. Does the activity involve working with children or contact with children?
- b. What child safeguarding controls are currently in place?

Refer to [ANNEX 4](#) for a sample Risk Assessment Template.

### 6.4 Communications

Using the ADRA Australia's systems to access child exploitation material or to engage in online grooming of minors is unacceptable and is dealt with promptly, including by reporting to relevant law enforcement agencies.



#### 6.4.1 *Photographing*

When photographing or filming a child or using a child's images for work related purposes, ADRA Australia Personnel must:

- a. Assess and endeavour to comply with local traditions or restrictions for reproducing personal images, before photographing or filming a child
- b. Obtain informed consent from the child and parent or guardian of the child before photographing or filming a child and explain how the photograph or film will be used. Such consent must be written or if this is not possible and verbal consent is given, consent must be witnessed and documented.
- c. Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive
- d. Ensure images are honest representations of the context and the facts
- e. Protect the privacy of children and their families and ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form

#### 6.4.2 *Screening of Photographers*

All independent photographers must be appropriately screened as outlined in Section A (above) Child Safe Recruitment and Partner Engagement. This will include, but is not limited to, police and/or working with Children checks.

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## 6.5 Working with Partners, Suppliers and Contractors

### 6.5.1 MOU

A Memorandum of Understanding (MOU) governs the formal relationship between ADRA Australia and partners. By signing this MOU, Partners agree to abide by Child Safeguarding standards as outlined in this policy and ensure that any downstream partners also agree to abide by the same standards.

### 6.5.2 Contact with Children

All ADRA Australia Partner organisations that have contact with children must have a child safeguarding policy and relevant procedures in place. ADRA Australia will request partners to provide the organisation's child safeguarding policy prior to engagement to assess its consistency with the requirements of the ADRA Australia Child Safeguarding Policy. If the organisation's policy is not adequate, as assessed by ADRA Australia in its discretion, ADRA Australia will support the organisation to develop a child safeguarding policy that meets the standards required by ADRA for child safe organisations prior to engagement. Serious or repeated non-compliance with the requirements of a child safeguarding policy by partner organisations (or their personnel) will be considered to be a breach of the organisation's arrangements with ADRA Australia and may result in for the termination of those existing arrangements, including MOUs, EOLs and project funding.

### 6.5.3 Risk Assessments

Safeguarding risk assessments will be included as part of the partner assessment tool to determine the risk level of a potential partner.



### 6.5.4 Contractor Expectations

All contracts with contractors must include a requirement for the Contractor to agree and abide by the standards within this policy and ensure that any agreed subcontractors also abide by the same policy.

## 7. REPORTING AND MANAGING ALLEGATIONS

A framework for responding to child exploitation and abuse needs to address a variety of circumstances. Not all child abuse is perpetrated by external persons engaged to work with children. Abuse can also occur in other contexts such as within a family or with a local community. Most child protection agencies have a system of mandatory reporting and encourages optional reporting when a person has a reasonable belief that there is a risk of harm to a child. This form of reporting is separate to the requirement to report allegations about the conduct of a person engaged to work on ADRA's behalf. If ADRA Australia is providing services to children there may be a requirement in some jurisdictions to mandatorily report risk of harm to a child to the designated government agency. ADRA Australia policy is that if ADRA Australia Personnel have a reasonable belief that a child known to them is at risk of harm it must be reported to the government appropriate child protection agency.

ADRA Australia's allegation reporting and management processes apply to allegations of child exploitation and abuse and to non-compliance with or breaches of this policy and the Safeguarding Code of Conduct by ADRA Australia Personnel. Alleged breaches of the ADRA Australia Child Safeguarding Policy or Safeguarding Code of Conduct if sustained can be grounds for the immediate termination of the person's employment contract, volunteer or intern assignment (by ADRA Australia for Australian contracted personnel and the

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local in-country ADRA office for locally sourced personnel). Suspension or alternative duties may also be carried out for policy non-compliance.

## 7.1 Reporting Allegation

### 7.1.1 Concerns taken seriously

ADRA Australia will treat all raised concerns seriously and ensure that all parties are treated fairly.

### 7.1.2 Who reports

All ADRA Australia Personnel as defined under the Policy's scope (see Section 3 -Scope) must report any alleged or suspected incidents of a failure to safeguard or Policy noncompliance that comes to their attention.

### 7.1.3 What is to be reported

Reporting is for any alleged failure to Safeguard children within the scope of the Policy inside and outside of working hours. If in doubt, ADRA Australia personnel should report an alleged incident.

Reports of abuse or exploitation of individuals over the age of 18 years must follow ADRA Australia's Preventing Sexual Exploitation Abuse and Harassment (PSEAH) Policy.

Details of information to be reported are found in ANNEX 2.

ADRA Personnel must report all allegations of:

a. Criminal Conduct

Note: In some jurisdictions it is an offence not to report Child Sexual Abuse to the police and, if you have authority, not to protect a child from abuse. Regardless of jurisdiction ADRA requires all suspicions of actual abuse to be reported to the relevant police without delay.

b. Reportable Conduct (if applicable) to the appropriate agency



Note: If ADRA is involved in a project or relief initiative that provides residential care for children or provide educational services such as after-hours tutoring the project may fall under a reportable conduct scheme which will bring reporting responsibilities.

c. Policy or Code of Conduct breaches

### 7.1.4 When to report

All ADRA Australia Personnel are required to report immediately to the ADRA Australia Safeguarding Focal Point (or if the ADRA Australia Safeguarding Focal Point is not available or conflicted to the ADRA Australia CEO). Verbal complaints by stakeholders must be documented by personnel and submitted in written form if the stakeholder is unable or unwilling to submit personally. See ANNEX 3 for Report Format.

Reports must be made within 24 hours of the complaint being identified or within 24 hours of access to means of communication with the ADRA Australia Safeguarding Focal Point.

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#### 7.1.5 How to report

All reports of alleged Child Safeguarding incidents should be made using the ADRA Australia Child Safeguarding Complaint Form (ANNEX 3.)<sup>1</sup> and anonymously emailed to the ADRA Australia Safeguarding Focal Point (safeguarding@adra.org.au). If the ADRA Australia Safeguarding Focal Point is not available or conflicted the report should be sent to the ADRA Australia CEO. Reports will be dealt with in a timely manner, and where required will be reported to relevant regulatory bodies/donors such as the Police, Reportable Conduct agencies, DFAT, CAN DO, Adsafe and ADRA International. Where safe to do so, and when in accordance with the wishes of the victims, survivors and whistleblowers, all alleged failure to safeguard incidents that involve a criminal aspect should be reported through the correct local law enforcement channels.

#### 7.1.6 DFAT reporting

DFAT requires immediate incident reporting.

DFAT does not consider doubts around a child's age an acceptable reason for a delay in reporting a child safeguarding incident. Do not wait until an allegation is substantiated– the fact that an allegation or suspicion has been raised is sufficient to commence the reporting process.

All reports to DFAT of alleged child abuse incidents will be made by either the Programs Director (and where the Program Director is unavailable, the CEO) and should be made using the DFAT Child IncidentNotification Form and emailed to childwelfare@dfat.gov.au

#### 7.1.7 Adsafe Reporting

Within the scope of incidents in Australia, ADRA Australia will also report concerns to Adsafe for their information and follow up. Contact Adsafe via 1800 220 468 or (02) 9847 3488.


#### 7.1.8 Community reporting

Communities involved in ADRA Australia funded activities must be informed on how to raise a concern about the safety of anyone within their community, including threats or actual incidents of child abuse. This will be done through a functional community-based complaints procedure in line with the ADRA Australia based complaints mechanism and should include Reporting a Concern posters displayed prominently at each ADRA site.

#### 7.1.9 Confidentiality

Confidentiality is an ethical principle that restricts access to and dissemination of information. Confidentiality helps create an environment in which witnesses are more willing to recount their versions of events and builds trust in the system and in the organisation. All incidents and alleged incidents of Child Safeguarding are to be handled with sensitivity and confidentiality, to the extent permitted by relevant laws. During investigations into incidents of alleged failure to Safeguard only a limited number of authorised people will be informed of the incident. At a minimum, this will include the ADRA Australia Safeguarding Focal Point and ADRA Australia CEO. All documentation of any allegations made, either electronic or paper, is to be kept in a secure place at all times. All parties assisting with an investigation and their support persons will be expected to keep the investigation and the matters discussed confidential.

<sup>1</sup> ADRA will accept all verbal, written or other forms of complaints/allegations

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#### 7.1.10 Board Notifications

The ADRA Australia Board and ADRA International must be notified of any complaints<sup>2</sup> made (though the details of such reports may remain confidential). Please see ANNEX 2 for the ADRA Australia Child Safeguarding Reporting Process.

#### 7.1.11 Breaches of Reporting obligations

If a person knowingly chooses not to report an incident or breach this policy, they will be subject to disciplinary action including possible termination of employment suspension or transfer to alternative duties. If the allegation is in relation to the ADRA Australia Safeguarding Focal Point then the matter must be reported immediately and directly to the CEO.

## 7.2 The Role of the Safeguarding Focal Point

The ADRA Australia Safeguarding Focal Point is responsible for instituting appropriate action in response to receipt of complaints, allegations or suspicions including (See ANNEX 2 for Complaints Procedure):

#### 7.2.1 Wellbeing of the Child

Taking immediate steps to secure the safety and well-being of the child or children concerned.

#### 7.2.2 Consult

Consulting with the relevant staff in relation to the allegation. These may include the Program Director, the CEO and AdSafe representatives.

#### 7.2.3 Reporting to authorities

#### 7.2.4 Making a Report to Local Statutory Authorities – where appropriate or required (e.g. mandatory reported required under legislation)

#### 7.2.5 Risk Management

The Safeguarding Focal Point is to assess and manage risk the commencement, throughout and at the conclusion of the investigation. This includes Risk of harm:



- a. to the child
- b. to other children in the community
- c. to the person subject of allegation
- d. to the investigation
- e. to the organisation

If an allegation is made against a staff member, that person may be suspended or transferred with or without pay until the investigation is complete

#### 7.2.6 Cooperating with Authorities

Complying with relevant statutes and protocols and cooperating with Police

<sup>2</sup> Send information included in log to ADRA International Global Safeguarding Advisor

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### 7.2.7 Information Sharing

Determining whether referral of information to the Australian Federal Police or other international authorities is appropriate and possible

### 7.2.8 Investigating

Conducting or arranging an internal investigation to determine if ADRA Australia Child Safeguarding Policy and Procedure has been breached in a timely manner and using external legal or expert advice if required.

## 8 INVESTIGATIONS

### 8.1 Principles to Guide Investigations



The following apply to investigations in response to any complaint, allegation or suspicion of child sexual misconduct or breach of this policy:

#### 8.1.1 A Survivor Centred Approach

- a. ADRA Australia will ensure a survivor-centred approach in preventing and responding to child safeguarding misconduct. This approach will ensure all responses are developed in a manner that considers the best interest of the child; to provide care, support, and protection for individual children and promote recovery and healing. This is balanced with any mandatory reporting requirements in relevant legal jurisdictions. All actions taken should be guided by respect for choices, wishes, rights and dignity of the survivor.
- b. All alleged survivors should be assessed for immediate risks. A risk assessment will be conducted of the situation and information available to ensure the safety and security of those involved, and to ascertain support services required.
- c. A database of support services in country/regions will be developed and available to be shared with the survivor.
- d. ADRA Australia will identify if a medical assessment and referral will be required, followed by a psychosocial assessment. Counselling support services will be offered to the survivor. Lastly, determining legal needs will also be assessed as part of survivor support. Assistance will be provided during the reporting/investigation stage, and ongoing support if the complaint is substantiated. Ongoing referral to social services or specialised children's or women's services can also be done as required.
- e. A budget line item will be set aside for survivor support.
- f. Survivors will be provided with information on the progression of an investigation and final outcomes
- g. For incidents in Australia and the South Pacific, survivors will be referred to Adsafe's Survivor Support services where they will be assessed and counselling services provided in addition to any other medical or legal support, as required.

#### 8.1.2 Record Keeping

- a. Regardless of the decision made, the process must be documented and filed, with all printed and electronic matter being kept in a secure and confidential place at all times

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- b. Any documentation associated with the complaints procedure and investigation should be filed together for future reference if needed.
- c. Each investigation should be carefully recorded as part of a database or tracking system. Investigations will be documented and filed, with all printed and electronic matter being kept in a secure and confidential place at all times.
- d. It is important to keep records as several unproven or minor breaches may indicate a pattern of negative behaviour that is forming in a person and more supervision should be implemented with such Personnel around minors.

### 8.1.3 Governing Principles

- a. ADRA Australia will include a budget line within project budgets and/or Admin budget to cover Child Safeguarding investigations.
- b. No assumptions are to be made regarding guilt or innocence of a person who is the subject of a complaint, allegation or suspicion, with the investigation process remaining confidential until a decision has been reached by management
- c. During the process, adhere to privacy laws and respect information. Ensure sensitive information is available only to the appropriate and authorised stakeholders.
- d. Investigations will commence within 2 weeks (domestic complaints) and 90 days (international complaints) of a report being received.
- e. For concerns that originate in Australia, ADRA Australia will use the investigation services of Adsafte to conduct investigations, whereby ADRA Australia will manage the process.
- f. At all times ADRA Australia Personnel will act in the best interests and safety of the child. All incidents and alleged incidents of child abuse and exploitation are handled with sensitivity and confidentiality, to the extent permitted by relevant laws. However, the best interests and safety of the child or other children is paramount and, in some cases, reporting of incidents and allegations may occur where this is required or appropriate, even if the child or party concerned is reluctant to give their consent.
- g. Procedural Fairness must be afforded to the person subject of complaint, the victim and the complainant.
- h. Regular updates (two or three weekly) on the investigation should be given to the person subject of complaint, the victim and the complainant.

### 8.1.4 Preparation and Assessment

- a. Ensure that investigations are undertaken by experienced and qualified professionals, who are trained on sensitive investigations such as allegations of Child Abuse. If there is no-one within the relevant member agency with these qualifications and training, external resources will be accessed. An investigation should be managed by someone at ADRA Australia and a trained investigator/s should be deployed in the field. ADRA Australia Personnel are required to report, not to investigate or substantiate claims in any way.
- b. For allegations of criminal and child abusive conduct ADRA will report and seek advice on how to proceed from the police or local child protection agency.
- c. The following risks need to be continually assessed and managed throughout the investigation.
  - i. to the child

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- ii. to other children in the community
- iii. to the person subject of allegation
- iv. to the investigation
- v. to the organisation

#### 8.1.5 *At the Conclusion of the Investigation*

- a. The investigation status and subsequent action will be shared with the survivor. The complainant will be informed of the status of the investigation, but confidential information will not be shared with them.
- b. ADRA Australia must report investigation information to DFAT as per DFAT requirements, and other relevant donors or stakeholders. E.g. ADRA International, CAN DO partners and/or CAN DO Management Unit.
- c. if allowed by local law, provide adequate information to other potential employers when approached for a reference check on a former staff member dismissed for Child Safeguarding misconduct.

## 8.2 Post Investigation

Following the investigation process the ADRA Australia Safeguarding Focal Point will conclude one of the following:

### 8.2.1 *Allegations Sustained*


- a. If there are possible grounds for criminal or statutory proceedings and ADRA Australia Child Safeguarding Policy and Procedures have been breached. Where this has not already occurred, the matter will be referred to appropriate authorities and disciplinary action including possible suspension or termination of employment will be undertaken.
- b. There is no basis for referral to statutory bodies or law enforcement authorities, however the person has breached ADRA Australia Child Safeguarding Policy and Procedures. Disciplinary action will be undertaken including possible termination of employment, suspension or transfer of duties.
- c. In the case of point i. above, regardless of any legal outcome, ADRA Australia reserves the right to refuse reinstatement of any ADRA Australia Personnel at its sole discretion if it is found that the person has breached ADRA Australia Child Safeguarding Policy and Procedures.

### 8.2.2 *Allegations Not Sustained*

- a. There is no basis found for the allegation: in which case the person will resume normal duties.

### 8.2.3 *False or Vexatious Allegations*

- a. Any individual, who makes false and malicious accusations, will face disciplinary action.
- b. If an ADRA Australia Personnel raises a legitimate concern about suspected child abuse, exploitation or policy non-compliance in good faith, which proves to be unfounded on investigation, no action will be taken against the individual.

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## 9 IMPLEMENTATION AND MONITORING OF THIS POLICY

ADRA Australia will take the following measures to ensure effective implementation of this policy:

### 9.1 ADRA Leadership


- a. ADRA Australia to have a designated Safeguarding Focal Point staff member to assist program staff with all child safeguarding policy advice.
- b. The International and National Program Directors are responsible for ensuring partner policies, procedures and code of conduct are compliant and regular spot checks will be conducted by ADRA Australia program staff. It is required that breaches of child safeguarding protocols are immediately reported to ADRA Australia.
- c. ADRA Australia and partner organisations must designate a Safeguarding Focal Point; designated to be responsible for child safeguarding issues within that organisation and inform staff and other personnel of the role and responsibilities of the Safeguarding Focal Point. Duties may include orientation and training on child safeguarding issues and the responsibility for the follow up and investigation of child safeguarding concerns or complaints.
- d. Roles and responsibilities for child safeguarding implementation are included in key documents such as employee contracts, MoU's, EOL's and volunteer agreements.
- e. ADRA Australia Child Safeguarding Policy will be reviewed and updated as required, but at least every five years.

### 9.2 ADRA Governance

- a. ADRA Australia's Board and Administrative committee will ensure that Safeguarding is a standing agenda item for all meetings. This includes ensuring that reports and incidents are reported at both levels.

### 9.3 ADRA Australia Personnel

- a. All ADRA Australia Personnel are required to go through child-safe recruitment and screening processes, including criminal record checks prior to engagement, behavioural based interview questions and documented verbal referee checks.
- b. All ADRA Australia Personnel will undergo mandatory child safeguarding training as part of orientation, in addition to annual refresher training All full time ADRA Australia Personnel will receive job specific child safeguarding training as required. For ADRA Personnel involved in disaster response, pre-deployment training will include scenario-based discussions about power imbalances and workplace cultures of the destination country and the potential impact of these on those deployed.
- c. All ADRA Australia Personnel are to create and maintain an environment which prevents exploitation and abuse of children as outlined in this policy.

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## ANNEX 1 – Safeguarding Code of Conduct

ADRA Australia’s Safeguarding Code of Conduct can also be found on the website:



**CR 000 749 711**  
Safeguarding COC Ap

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## ANNEX 2 – Complaints Form

ADRA Representatives must report any behaviour that is suspected of causing harm and any instances of Policy non-compliance. You can lodge this form by sending it directly to the Safeguarding Focal Point via [safeguarding@adra.org.au](mailto:safeguarding@adra.org.au)


Alternatively, it can be sent anonymously via [complaints.officer@adra.org.au](mailto:complaints.officer@adra.org.au) or to Adsafe via 1800 220 486 or (02) 9847 3488

Please complete this form to the best of your knowledge.

<p><b>PART A – Complainant to complete:</b>  Person making complaint (can be anonymous):  Date:</p>
<ol style="list-style-type: none"> <li>1. Who is the complaint about?</li> <li>2. Who was the victim of the breach of conduct (name and contact details desirable but not essential)?</li> <li>3. When did breach of conduct occur?</li> <li>4. What was the breach of conduct?</li> <li>5. Where did breach of conduct occur?</li> <li>6. Who else was involved in this breach of conduct?</li> <li>7. How did you come by this information about breach of conduct?</li> <li>8. Any other details you would like to add?</li> </ol>
<p><b>PART B – Safeguarding Focal Point to complete:</b>  Date received by ADRA Australia Safeguarding Focal Point:</p>
<ol style="list-style-type: none"> <li>1. When did breach of conduct occur?</li> <li>2. Report origin (member agency, partner or community member):</li> <li>3. Name of program/location of program:</li> <li>4. Who is the report about?</li> <li>5. Who was the victim of the breach of conduct (name and contact details desirable but not essential)?</li> <li>6. Survivor support services offered:</li> <li>7. What was the breach of conduct?</li> <li>8. Was this complaint investigated? Yes/No</li> <li>9. If No, why not?</li> <li>10. Is there evidence or suspicion of a breach of conduct? Yes/No</li> <li>11. If No, what is the next step you will take?</li> <li>12. If Yes, what disciplinary action or further investigation will take place?</li> <li>13. What is the final outcome of this complaint?</li> <li>14. Report submitted to ADRA Australia? Yes/No</li> <li>15. Date of completion:</li> </ol>

Any documentation associated with the complaints procedure and investigation should be filed together for future reference if needed.

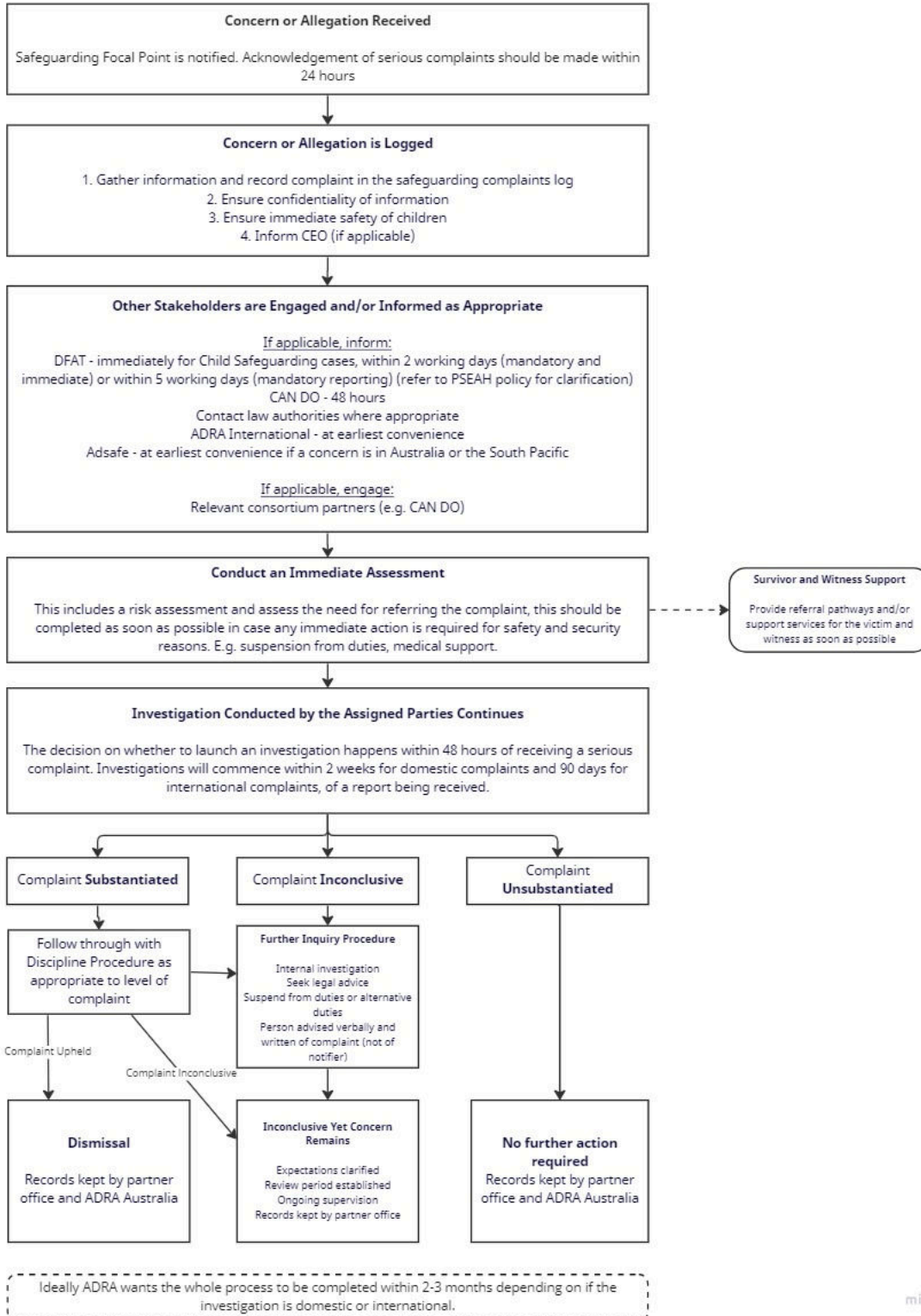
It is important to keep records as several unproven or minor breaches may indicate a pattern of negative behaviour that is forming in a person and more supervision should be implemented with such Personnel around minors.



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### ANNEX 3 – ADRA Australia Concern or Allegation Response Process




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## ANNEX 4 – Sample Program Risk Assessment Tool

Program/Event:	
Activity/Activities:	Date/s:
Description of Venue:	Prepared by:
Aim/Purpose:	Checked by:

RISK	RISK EVALUATION	PREVENTION	EMERGENCY PLANS
Consider physical, emotional, mental and spiritual events that may occur.	Low/Medium/High (Refer Risk Matrix, below)	How will you attempt to ensure the risk doesn't happen? <i>What child safeguarding controls are currently in place?</i>	What will you do if it does happen?
People Risks – Does the activity involve working with children or contact with children?			
Equipment Risks			
Environment Risks			
Steps taken to minimise risk: (Contingency plans, actions, recommendations, etc.)			
Skills required by staff: Child Safeguarding knowledge, how to identify warning signs, etc			
Safety equipment required:			

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## Annex 5 – Investigable Conduct<sup>3</sup>

### Investigable Conduct

A. **Investigable Conduct** is defined as allegations of:

1. **Reportable Conduct** for jurisdictions where a Reportable Conduct Scheme exists and may further include if not already applicable:
2. any **sexual offence** or **child sexual misconduct** committed against, with or in the presence of a child (including a child pornography offence or an offence involving child abuse material); and
3. any **physical abuse** of a child; and
4. any **sexual offence** or **adult sexual misconduct** committed against, with or in the presence of a vulnerable adult; and
5. any **physical abuse** of a vulnerable adult.

B. **Investigable Conduct** is conduct that if alleged must:

1. be **reported to Adsafe** in addition to any other reporting obligations for the jurisdiction; and
2. Investigated using an independent investigator overseen by Adsafe
3. have the findings and recommendations of the investigation reviewed and implemented by Adsafe and the wider church.


C. **Investigable Conduct** is alleged conduct that must be investigated where the investigation:

1. is overseen by Adsafe to ensure procedural fairness and confidentiality for all related parties;
2. may use a Police investigation as evident by a court conviction or an external independent investigator; and
3. for external independent investigations is funded by the relevant church company or affiliated entity.

D. **Investigable Conduct** is conduct committed against a child or vulnerable person by:

1. an “employee” as defined by the applicable **Reportable Conduct Scheme** if it exists in the jurisdiction.  
or
2. a presently or at the time of the alleged conduct **appointed volunteer** (including a religious leader or office holder) of a local church, company or group who is presently over the age of 18.  
or
3. an employee of the Church including affiliated entities, employed presently or at the time of the allegation, who is now over the age of 18.  
or

<sup>3</sup> This is Investigable Conduct for the Australia context

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4. a volunteer, contractor, consultant or a person in work placement who is engaged presently or at the time of the allegation to work directly with children by the Church including affiliated entities and who is now over the age of 18.
- E. **Investigable Conduct** is conduct that is alleged to have occurred recently or historically:
1. by a then adult or,
  2. in the context of a sexual offence or child sexual misconduct, by a then child towards a child where there is a significant age difference, power imbalance or evidence of coercion.
- F. All allegations investigated at once
- Adsafe acknowledges that best practice in investigation handling and the principles of Procedural Fairness to the Person Subject of Allegation suggests that all allegations presently untested should be deal with in the one investigation. Given this imperative it should be understood that while an allegation of Investigable Conduct may trigger an investigation that is overseen by Adsafe, allegations of other types such as Professional Misconduct will also be included in the investigation.
- G. Other investigations
- Allegations of Professional Misconduct and Inappropriate behaviour may be investigated by the Church or affiliated entities.

## Embedded definitions

**Child** – a person under 18 years of age.

**Sexual Offence** – The term ‘sexual offence’ encompasses all criminal offences in the jurisdiction involving a sexual element that are ‘committed against, with or in the presence of a child’ or adult.


**Child Sexual Misconduct** – any conduct with, towards or in the presence of a child that is sexual in nature other than a sexual offence which may include but is not limited by:

- (1) descriptions of sexual acts without a legitimate reason to provide the descriptions;
- (2) sexual comments, conversations or communications;
- (3) comments to a child that express a desire to act in a sexual manner towards the child, or another child;
- (4) unwanted and inappropriate touching; and
- (5) undressing or watching someone else undress.

**Adult Sexual Misconduct** – Conduct that includes one or more of the following

- (1) Sexual harassment
- (2) Sexual exploitation

**Sexual Exploitation:** Refers to any form of sexual contact or invitation to sexual contact with whom there is a pastoral or supervisory relationship, whether or not there is consent and regardless of who initiated the contact or invitation. It does not include such contact or invitation within a marriage.

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*This policy applies to both ADRA Australia and Open Heart International. Unless specifically mentioned in the policy, references to ADRA Australia extend to, and include, Open Heart International.*

**Sexual Harassment:** Means unwelcomed conduct of a sexual nature, whether intended or not, where the person reasonably feels in all circumstances offended, belittled or threatened. Such behaviour may consist of a single incident or several incidents over a period of time.