

Child Safe and Sexual Exploitation, Abuse and Harassment Allegation Management Procedure

In this Section

This section contains the following topics:

1. **Reporting allegations or concerns about child safety, or sexual exploitation, abuse and harassment towards an adult ('SEAH')**
2. **Investigating allegations or concerns about child safety or SEAH**
3. **Concluding investigations about child safety or SEAH**

Before you start you need access to:

- Child Safe Policy and/or Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy
- Child Safe and SEAH Reporting Form
- Child Safe Code of Conduct
- Whistleblowing Policy
- Gender Policy

Overview

Who should report?

All TAI representatives and external stakeholders (e.g. supporters, partner organisation staff, community members, participants in events or trips conducted in whole or part by TAI or its subsidiaries) "the information provider" must report any concerns they have:

- For the safety or wellbeing of a child including child exploitation or abuse, the possession of child exploitation material, or policy noncompliance. (Please refer to the Child Safe Policy for definitions.)
- Regarding incidents of SEAH towards an adult. (Please refer to the PSEAH Policy for definitions)

Please note, if your concern relates to:

- A grievance not covered under this Allegation Management Procedure (for example, a grievance related to discrimination, vilification, bullying and conflict) then a report should be made under the Grievance Policy.
- A complaint other than those addressed by the PSEAH, Child Safe or Grievance Policies, please see the Complaints Handling Policy.



What should I report?

Any behaviour that you suspect or/and report made to you* about a TAI representative, supporter, associate or implementing partner regarding;

- child exploitation and/or abuse
- possession of any child exploitation material
- breach of the Child Safe Policy or Child Safe Code of Conduct (“COC”)
- criminal proceedings being undertaken in regard to child exploitation and/or abuse
- sexual exploitation of an adult
- sexual abuse of an adult
- sexual harassment of an adult
- criminal proceedings being undertaken in regard to sexual exploitation and abuse of an adult
- any other concerns

*Includes reports made by a child.

What if I am not sure if what I have seen is a Child Safe or SEAH matter?

Contact your representative on the Safeguarding Committee, TAI’s Safeguarding Committee Chair – (TAI’s HR Manager recruitment@baptistworldaid.org.au), TAI’s Safeguarding Officer or Director of International Programs for advice and further information about what constitutes a child safe or SEAH incident. TAI ask that you report any concerns rather than investigate them yourself.

When should I report?

Immediately or as soon as it is practically possible.

Who do I report to?

Your representative on the Safeguarding Committee, TAI’s Safeguarding Committee Chair (TAI’s HR Manager recruitment@baptistworldaid.org.au), TAI’s Safeguarding Officer or Director of International Programs.

What happens to the information I provide?

All misconduct complaints must be recorded, subject to the wishes and welfare of the complainant.

All information provided will be treated in accordance with relevant Commonwealth legislation, including the Privacy Act 1988. Records that may be or are required as evidence in any judicial proceeding must not be destroyed under section 317 of the *Crimes Act 1900* (NSW).

All information gathered is to be clearly documented, filed and maintained in a safe and secure repository either physically or electronically.

Information will only be shared with those persons who are directly involved in the investigation and decision-making process and/or the provision of professional advice on the matter.

TAI will ensure that the best interests of the child are reflected in the actions that the organisation takes to handle the abuse. TAI has a commitment to operating within a survivor-centric approach and will respect the wishes and dignity of the survivor.



TAI will treat all concerns raised seriously and ensure that all parties will be treated fairly. TAI will meet country, state or territory specific legislative requirements. TAI will treat victims/survivors with dignity and respect, and ensure that their needs are prioritised in the actions that the organisation takes to handle the incident. This may include involving them in decision making, providing them with comprehensive information, protecting their privacy and confidentiality, not discriminating, and considering needs for counselling

Transform Aid International (“TAI”) will treat all concerns raised seriously and ensure that all parties will be treated fairly. TAI will meet country, state or territory specific legislative requirements. Any person who intentionally makes a false allegation or malicious allegation will face disciplinary action (see Disciplinary Policy).

In relation to Child Safe matters, TAI must immediately notify the relevant authorities including the Department of Foreign Affairs and Trade (DFAT) Child Protection Compliance Section of any concerns relating to the abuse or exploitation of children in DFAT funded activities. These reports must be immediately reported per the below process. The Director of International Programs will facilitate notification to DFAT.

In relation to SEAH matters, TAI must notify the relevant authorities including the Department of Foreign Affairs and Trade (DFAT) of any concerns relating to SEAH in DFAT funded activities. These reports must be reported per the below process. The Director of International Programs, along with the Safeguarding Officer, will facilitate notification to DFAT.

Where allegations are made against an implementing partner or its representatives, the implementing partner will investigate and report to TAI. Where appropriate, TAI may conduct its own investigation pre- or post-finalisation of the implementing partner’s investigation.

Guide to Dealing with Children

This information provides guidance on how to respond to a child who raises a concern, before following the Allegation Management Procedure. When discussing abuse with the child during the first telling ensure that there is a clear understanding of the emotional distress the child may be experiencing. Ensure a caring and sensitive approach to the child and assure him or her of a willingness to listen and assist if there is a problem.

TAI will show care and concern for the rights of the child at all times.

- Listen carefully to what the child says about his or her concern or allegation
- Reassure the child that you believe what he or she is telling you
- Ensure that the child understands and is reassured that he or she is not responsible for the abuse and it is not his or her fault that it has occurred
- Ensure that the child understands that a report will be made to those with the necessary authority to stop the abuse and that the child is assisting in that process by sharing about his or her experience
- Provide assurance to the child that it was right that they shared the information with you
- Organize appropriate professional support for the child including physical and/or mental medical support
- Follow the Allegation Management Procedure for reporting purposes

It is also important when handling a disclosure that you don’t:



- attempt to investigate or confront persons accused in the disclosure
- panic or show other negative emotions e.g. anger
- make promises you cannot keep
- ask why
- ask closed or leading questions
- give an impression that you blame the child
- touch the child

Procedure

1. Complete the following 3 steps to report allegations or concerns about child safety or SEAH.

Step	Action
1	<p>TAI representative or Implementing Partner suspects or receives allegation regarding:</p> <ul style="list-style-type: none"> • Child exploitation or abuse • Possession of exploitation or abuse material involving children • Breach of Child Safe Policy or Code of Conduct • Criminal proceedings being undertaken in regard to the sexual exploitation and/ or abuse of a child • Sexual exploitation of an adult • Sexual abuse of an adult • Sexual harassment of an adult • Criminal proceedings being undertaken in regard to the sexual exploitation and abuse of an adult
2	<p>The TAI representative or implementing partner will take immediate necessary actions to protect the child/adult from exploitation or abuse, including reporting the suspicion or allegation to:</p> <ul style="list-style-type: none"> • the relevant IPC and/or a member of the Safeguarding Committee (mandatory) • police and/or government authorities (inform the Director of International Programs) <p>The TAI representative or implementing partner will contact the child's parent(s) or guardian(s) immediately unless this would jeopardise the child's welfare.</p>
3	<p>In relation to DFAT-funded activities, TAI's Director of International Programs will:</p> <ul style="list-style-type: none"> - In relation to child safe matters, immediately notify the Department of Foreign Affairs and Trade (DFAT) Conduct and Ethics Unit (via childwelfare@dfat.gov.au) of any concerns relating to the abuse or exploitation of children, including suspected or alleged instances of child abuse. - In relation to SEAH matters, will notify DFAT using the DFAT Sexual Exploitation, Abuse and Harassment Incident Notification Form (www.dfat.gov.au/pseah) and emailed to seah.reports@dfat.gov.au <p>This notification will be made:</p> <ul style="list-style-type: none"> ○ Within two working days of any alleged incident of SEAH; ○ Within five working days of any policy non-compliance.



End of Procedure

2. Complete the following 4 steps to investigate allegations or concerns about child safety

Step	Action
1	<p>The CEO will:</p> <ul style="list-style-type: none"> • Appoint one Investigating Officer out of the Safeguarding Committee representative, Safeguarding Officer or Director of International Programs. • Determine if a TAI representative is implicated in the allegation, whether to suspend their employment / engagement until the investigation is concluded. <p>In the event the allegation has been made against the CEO, the Board Chairman will perform the duties assigned to the CEO in this process.</p>
2	<p>Investigating Officer, Safeguarding Officer, Director of International Programs and CEO will make up an investigating committee and make all decisions throughout the process. A representative from the Implementing Partner organisation will be included if incident/s occurred during implementation of TAI-funded program.</p>
3	<p>The Investigating Officer will request completed Child Safe and SEAH Reporting Form from those reporting the allegation.</p> <ul style="list-style-type: none"> • Name and contact details of person lodging the Form. • Date/s of incident/s • Name of organisation/s involved • Alleged offender's details including name, nationality and occupation or relationship to TAI or Implementing Partner organisation • Details of alleged incident/s • Whether local law enforcement authorities or Australian Federal Police have been involved • If incident/s occurred in the course of a TAI activity or TAI funded activity, the name of the activity • Steps taken • Any other relevant information
4	<p>Investigating Officer will commence the investigation.</p> <p>The following principles will apply during the investigation:</p> <ul style="list-style-type: none"> • When investigating take care to act in a fair and reasonable manner. • The nature and extent of the investigations will depend on the matter. • Keep an open mind and look for evidence. • Give all attendees warning and time to prepare for investigation/fact finding meetings. • Investigatory meetings should be conducted by the Investigating Officer and should be confined to establishing the facts of the case. <p>It is important that disciplinary action is not considered at an investigatory meeting. If it becomes apparent that formal disciplinary action may be needed then this should be dealt with at a formal meeting at which the employee will have right to be accompanied.</p>
End of Procedure	

3. Complete the following 4 steps to conclude investigations about child safety or SEAH matters

Step	Action
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1	Investigating Officer to meet with the investigating committee at conclusion of investigation.
2	<p>If the allegation or concern is found to be:</p> <ul style="list-style-type: none"> • Unsubstantiated <ul style="list-style-type: none"> i. Provide ongoing monitoring and review ii. Human Resources will develop a return to work plan for a TAI representative that was suspended pending the investigation. For any TAI representative subject to investigation, counselling will be made available as per the Employee Assistance Program • Substantiated but not require mandatory reporting to statutory and regulatory authorities, then: <ul style="list-style-type: none"> i. For TAI Representatives, implement Disciplinary Procedure (up to and including termination of employment) ii. For supporters, manage relationship up to and including termination of the relationship with the supporter iii. For implementing partners, Safeguarding Committee, Director of International Programs and CEO to monitor and advise on management of ongoing partnership and projects. • Substantiated and require mandatory reporting to statutory and regulatory authorities <ul style="list-style-type: none"> i. For TAI Representatives: <ul style="list-style-type: none"> a. Individual to be suspended from work (if applicable) until conviction determined by authorities b. Disciplinary procedure implemented following conviction result (up to and including termination of employment) c. Details of disciplinary procedures and/or conviction to be included in employee's file ii. For supporters, manage relationship up to and including termination of the relationship with the supporter iii. For implementing partners, Safeguarding Committee, Director of International Programs and CEO to monitor and advise on management of ongoing partnership and projects.
3	<p>The investigating committee will determine to whom the outcome will be reported, for example: -</p> <ul style="list-style-type: none"> • Safeguarding Committee, • Executive • Board • Parents/caregivers of the child/children involved. If police and state authorities have been informed then the provision of information will be undertaken in line with the direction of those authorities
4	The investigating committee will review: -



	<ul style="list-style-type: none"> • Whether this process and the Child Safe or PSEAH Policy was followed; • Consider the outcomes of the investigation; • Consider whether the best interests of the child were served throughout the process; • <u>D</u>etermine steps to be taken to improve the process.
5	All documentation evidencing the processes in this procedure must be stored by the Investigating Officer in a secure location owned by the Chair of the Safeguarding Committee.
End of Procedure	

Document Control Information

CS and SEAH Allegation Management Procedure	
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12/11/2011	1	Created	
27/09/2016	2	Reviewed	
01/11/2017	3	Reviewed and updated against DFAT Child Protection Policy 2017 Consolidated this Procedure with BWAA Child Safe Complaint Handling Procedures 2012	Policy QA Coordinator, International Program Coordinator (Child Safeguarding Officer)
30/09/2019	4	Updated from Child Safe Reporting Procedure to the CS and SEAH Allegation Management Procedure, to account for ACFID/DFAT PSEAH requirements.	Policy QA Coordinator; Associate Director Strategic Relations

IMPORTANT INFORMATION: If this Procedure is revised, please ensure that the Supporter Trip Booklet titled “Travelling with TAI” is updated to align.