

HR08 – 8.1 Safeguarding Children and Vulnerable Adults Policy and Procedure

8.1.1 Purpose

Catholic Mission (CM) recognises the personal dignity and rights of children and vulnerable adults towards whom it has a special responsibility and duty of care and respect. All CM workers including contractors and volunteers undertake to create a safe environment for children and vulnerable adults and to prevent their neglect, physical abuse/harm, emotional abuse/harm or sexual exploitation.

CM will not tolerate any form of child abuse, harm or sexual exploitation including the possession or access to child pornography, as well as any other form of activity that diminishes the dignity of a child or vulnerable adult.

CM takes its duty of care seriously and commits to the safeguarding of children and vulnerable adults from various types of harm, abuse and exploitation in the delivery of services within Australia and overseas. For this reason, CM has developed the following guidelines which aim to protect the rights of children and vulnerable adults, as well as CM workers, representatives and partners, through outlining systems and mechanisms for raising awareness, preventing, reporting and responding to issues related to safeguarding children and vulnerable adults.

8.1.2 Scope

This procedure applies to all CM staff and other key stakeholders:

- a) Staff at CM (full-time, part-time, casuals, fixed term contractors).
- b) Other key stakeholders refers to those engaged in short term contracts such as contractors, consultants, researchers, photographers, etc.; visitors, volunteers, National Council, trustees, donors partner agencies, supporters and other groups or individuals involved in or visiting CM supported activities; anyone providing a service to CM.

8.1.2.1 Within CM – including CM staff, volunteers and independent contractors

CM will ensure a co-ordinator approach with Human Resources (HR) and line managers leading the promotion of safeguarding children and vulnerable adults within the agency. Specifically, we commit to:

- a) Improve awareness on safeguarding issues for staff and others (that is, volunteers and independent contractors) and how risks will be managed through the course of CM's international and domestic work, including use of child/vulnerable adult images to educate or promote its work.
- b) Strengthening the internal recruitment and screening process for staff and others.
- c) Enhance CM's *HR08-8.2 Safeguarding Code of Conduct for Children and Vulnerable Adults* and ensure the compliance of staff and others.
- d) Enhance internal procedures for handling child/vulnerable adults abuse/harm related issues and ensure the awareness of staff and others.
- e) Ensure that CM's *HR04-4.4.6 Information Technology Use Policy* covers the production of child/vulnerable adults abuse/harm materials.

f) Regular review of the following:

- *HR08-8.1 Safeguarding Children and Vulnerable Adults Policy and Procedure,*
- *HR08-8.2 Safeguarding Code of Conduct for Children and Vulnerable Adults and*
- *HR08-8.3 Safeguarding Children and Vulnerable Adults in Story Telling and the Media*

and all associated supporting forms.

8.1.2.2 Partnership Level

CM will take reasonable care to ensure that safeguarding children/vulnerable adults is integrated into our work with partners and other stakeholders.

Where appropriate, CM will provide partners with the necessary support to meet the minimum requirements and enable them to promote child/vulnerable adult safe environments in the delivery of mission formation, aid and development activities.

CM will document in formal agreements with our partners, our requirements with regards to the protection of the children/vulnerable adults that partners have contact within the delivery of mission formation, humanitarian and development activities. Specifically, we commit to:

a) Ensure that partners working directly with children have appropriate policy and internal procedures to prevent harm and abuse of children/vulnerable adults.

b) Ensure that partners are aware of CM's:

- *HR08-8.1 Safeguarding Children and Vulnerable Adults Policy and Procedure*
- *HR08-8.2 Safeguarding Code of Conduct for Children and Vulnerable Adults*
- *HR08-8.3 Safeguarding Children and Vulnerable Adults in Story Telling and the Media.*

This will be achieved by sharing with partners these documents, supporting them in promoting safeguarding of children and vulnerable adults in their work, as well as making them accountable through reviews. Where necessary CM will support awareness training for partners on safeguarding children/vulnerable adults and managing risks.

c) Ensure that partners have robust procedures for the recruitment and screening of staff.

d) Ensure that partners understand that they have a *legal obligation* to report 'a reasonable belief' that a child or vulnerable adult has been abused or harmed or is at risk of abuse or harm. The reporting is to be made to the appropriate external body, be it a Child Abuse Report Line and/or Police Department, within 24 hours of being informed or incident(s) being witnessed.

e) Ensure that partners also have an internal procedure for handling child or vulnerable adult abuse/harm reports made to an external body (eg. police) in their communities; for example, training of community members on safeguarding protocol and responses.

f) Ensure that partners have staff training plans for new and existing staff on safeguarding children/vulnerable adults, particularly with regards to CM's *HR08-8.1 Safeguarding Children and Vulnerable Adults Policy and Procedure*, *HR08-8.2 Safeguarding Code of Conduct for Children and Vulnerable Adults* and *HR08-8.3 Safeguarding Children and Vulnerable Adults in Story Telling and the Media*.

i. Ensure that partners have a Safeguarding Code of Conduct for the Children and Vulnerable Adults that meets the minimum standards set by DFAT.

ii. Ensure that partners are committed to safeguarding children and vulnerable adults from all forms of abuse or harm in the course of their work.

- iii. Ensure that partners are aware of local safeguarding laws which prohibit the sexual abuse and exploitation of children/vulnerable adults – eg. child sex tourism, child sex trafficking, child/vulnerable adults labour and the production of child/vulnerable adults abuse materials.
- iv. Ensure that all activities do not directly or indirectly support organisations and individuals associated with illegal/corrupt practices in child/vulnerable adult exploitation including child sex tourism.
- v. Enhance partner appraisals and review processes to ensure that the organisations we partner with are committed to safeguarding children and vulnerable adults.

8.1.2.3 Project/Program Level

CM will ensure that safeguarding children and vulnerable adults is integrated into projects/programs it supports. Specifically, we commit to:

- a) Enhance the project/program process and ensure that it covers assessment of likely risks to children/vulnerable adults and how the risk will be managed.
- b) Where appropriate, enshrine safeguarding of children/vulnerable adults in projects/programs – at least at the ‘awareness’ level.
- c) Ensure that risk to children/vulnerable adults are managed in disaster situations.
- d) Risks are identified and monitored by staff during project monitoring visits.

8.1.3 Related Documents

Australian

- Criminal Code Act 1995, Divisions 272, 273 and 274
- Crimes Act 1914 IIIA (Child Sex Tourism)
- Crimes Act 1900
- Carer Recognition Act 2010
- National Principles for Child Safe Organisations
- Anti-discrimination legislation (as listed in CM’s HR07-7.2 Anti-Discrimination Policy)
- Australian Institute of Family Studies (<https://aifs.gov.au/resources/resource-sheets/pre-employment-screening-working-children-checks-and-police-checks>) for a comprehensive list of pre-employment screening with regards to Working with Children Checks and Police Checks (eg National Criminal History Checks) as this site is regularly updated.
- Australian Institute of Family Studies (<https://aifs.gov.au/resources/resource-sheets/mandatory-reporting-child-abuse-and-neglect>) for a comprehensive list of mandatory reporting requirements by state within Australia.

State and Territory

- ACT: Children and Young People Act 2008
- NSW: Children and Young Persons (Care and Protection) Act 1998
- NT: Care and Protection of Children Act 2007
- QLD: Child Protection Act 1999
- SA: Children and Young People (Safety) Act 2017
Child Safety (Prohibited Persons) Act 2016
- TAS: Children, Young Persons and their Families Act 1997
- VIC: Children, Youth and Families Act 2005
- WA: Children and Community Services Act 2004
- Anti-discrimination legislation (as listed in CM’s HR07-7.2 Anti-Discrimination EEO Inclusion and Diversity Policy)

Catholic Church

- Towards Healing, 2016
- Integrity in Ministry 2010
- Integrity in the Service of the Church 2011
- National Catholic Safeguarding Standards (Second Edition) Dec 2022 @ https://www.acsltd.org.au/wp-content/uploads/2022/12/National-Catholic-Safeguarding-Standards-Edition-2_FINAL_December2022.pdf

International Safeguarding Instruments that Australia is a Signatory to:

- United Nations Convention of the Rights of the Child.
- Optional protocol to the United Nations Convention of the Rights of the child on the sale of children, child prostitution and child pornography.
- Geneva Declaration for the Rights of the Child
- International Labour Organisation Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

Catholic Mission

- HR02 Recruitment & Selection Policy and Procedures
- HR04-4.0-4.4 Conditions of Employment
- HR05-5.4 Managing Misconduct Procedure
- HR07-7.2 Antidiscrimination EEO Inclusion and Diversity Policy
- HR08-8.1 Safeguarding Children & Vulnerable Adults Policy and Procedure
- HR08-8.2 Safeguarding Code of Conduct for Children and Vulnerable Adults
- HR08-8.3 Safeguarding Children and the Vulnerable in Story Telling and the Media
- HR11 Volunteer Management & Administration Procedures
- Form HR15 Conditions of Employment – Policy Awareness Acceptance
- Form HR15W Worker other than Employee Conditions of Work – Policy Awareness Acceptance
- Form HR11 Reference Check Template
- Form HR20 Induction Checklist
- Form HR34 Risk Assessment Form for an Event/Activity
- Form HR49 Risk Identification, Assessment & Control for multiple Events/Activities
- Form HR50 Assessment of Safeguarding Risk Context
- Form HR51 Safeguarding Children/Vulnerable Adults Reporting Form for Suspected Abuse
- Form HR52 Consent Form for Use of Photographs of and Materials Produced by Children/Vulnerable Adults within Australia
- Form HR53 Photographer's/Videographer's Release
- Form HR54 Consent Form for Use of Photographs of and Materials Produced by Children/Vulnerable Adults In-Country (outside Australia)

8.1.4 Definitions**8.1.4.1 Children**

For the purposes of this procedure, children (and young people) are defined as people who are under the age of 18.

8.1.4.2 Vulnerable Adults

A vulnerable adult is a person over the age of 18 years, who is susceptible to unfair treatment, exploitation or abuse.

A vulnerability can be permanent or temporary.

There are many personal attributes that can make a person vulnerable. For example among vulnerable adults could be the frail and elderly, the physically or intellectually disabled, those with mental health issues, those who have experienced bereavement, those of lower socio-economic status, those with poor understanding of the English language, those under the influence of drugs or alcohol and many others.

8.1.4.3 Contact with Children/Vulnerable Adults

Contact with children/vulnerable adults means working on an activity or in a position that involves or may involve contact with children/vulnerable adults, either under the position description or due to the nature of the work environment. This includes indirect contact with children/vulnerable adults in the community. The risk associated with this level of contact is generally moderate.

Examples of contact are:

- Any in-country work, in particular working in remote/rural locations.
- Oral and written communication (including electronic communication and imagery) relating to a child/vulnerable adult.
- Visiting premises e.g. schools, health or residential facilities, that provide services to children/vulnerable adults.
- Any community consultation (data collection, surveying, training).

8.1.4.4 Working with Children/Vulnerable Adults

Working with children/vulnerable adults means being engaged in an activity with a child/vulnerable adult where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. Working includes volunteering or other unpaid work. The risk associated with this type of work is generally high.

At CM, examples of working with children/vulnerable adults activities or services include:

- Child education services.
- Children in Sports.
- Accommodation services.
- Health services.
- Counselling and support services.
- Emergency response / Humanitarian assistance.

8.1.4.5 Abuse/Harm

- a) Abuse/Harm (child abuse or harm) occurs when adults or other children hurt male or female children or young people under the age of 18, either physically, sexually, emotionally, psychologically, or in some other way. Child abuse/harm includes physical, sexual, emotional, neglect, bullying, child labour and domestic violence. In the majority of cases, the abuser is someone the child or young person knows well, such as a parent, friend or relative.
- b) Abuse or harm of a vulnerable adult occurs when adults hurt male or female adults (who are vulnerable as for example, the elderly, or those who have a disability) either physically, sexually, emotionally, psychologically, or in some other way. Abuse/Harm includes physical, sexual, emotional, neglect, bullying, child labour and domestic violence. In the majority of cases, the abuser is someone the vulnerable adult knows well, such as a carer, friend, relative or may even be a child (as in the case of ageing parents).

- c) Physical abuse and harm is actual or likely physical injury to a child, such as hitting, kicking or shaking, where there is definite knowledge, or reasonable suspicion, that the injury was inflicted, threatened or knowingly not prevented. No harm or injury is required.
- d) Emotional abuse and harm is done by persistent or severe emotional ill-treatment or rejection, such as degrading punishments, threats, bullying, and not giving care and affection, resulting in adverse affects on the behaviour and emotional development of a child/vulnerable adult. Indicators include emotional development regression, attention seeking behaviour, bullying and other maladaptive behaviours.
- e) Neglect or ill treatment occurs when basic needs such as food, warmth and medical care are not met, or when there is failure to safeguard a child/vulnerable adult from exposure to any kind of danger, resulting in serious impairment of a child's or young person's health or development.
- f) Sexual abuse/harm occurs if a child/vulnerable adult is pressured or forced to take part in any kind of sexual activity, whether or not the child/vulnerable adult is aware of, or consents to, what is happening. Sexual abuse/harm includes incest, rape and fondling. It may also include non-contact activities such as showing pornography or internet-based activity. Sexual abuse may involve siblings or other family members, or persons outside the family.

Abuse or harm may be current or recent, or in some cases historical, i.e., an adult may disclose sexual abuse that took place when he/she was a child. Abuse or harm may be carried out by adult men or women, or by siblings or other young people.

There are some groups of children and adults who are particularly vulnerable; children/adults with disabilities are among these, and children/adults from ethnic minority communities who may be particularly vulnerable if their communities suffer from discrimination. Children/vulnerable adults who are refugees, asylum seekers and children/vulnerable adults living in residential care are also among these groups. Abuse or harm may also take place in families in which there is alcohol or drug abuse, domestic violence or mental health problems.

8.1.4.6 Partner organisation

A partner organisation is an organisation with which CM has formed a formal partnership in order to deliver services, programs and activities.

8.1.4.7 Worker

Worker refers to any person who carries out work for or on behalf CM, both in Australia or overseas. This includes all paid and unpaid workers, that is, employees, contractors, consultants, volunteers, partner agencies and visitors.

8.1.4.8 Supervisor

The Supervisor is a CM National Director, Bishop, Executive Director, Manager, Coordinator or Team Leader, who is responsible for the day-to-day supervision of workers.

8.1.4.9 DFAT

Refers to the Department of Foreign Affairs and Trade, a federal government agency. The department's purpose is to help make Australia stronger, safer and more prosperous by promoting and protecting our interests internationally and contributing to global stability and economic growth.

The department provides foreign, trade and development policy advice to the government. We work with other government agencies to ensure that Australia's pursuit of its global, regional and bilateral interests is coordinated effectively.

8.1.4 Responsibilities

8.1.5.1 Workers

Workers are responsible for:

- Complying with procedures and processes designed to safeguard children/vulnerable adults.
- Complying with CM's policies, guidelines and procedures in safeguarding of children and vulnerable adults including:
 - *HR08-8.1 Safeguarding Children and Vulnerable Adults Policy and Procedure*
 - *HR08-8.2 Safeguarding Code of Conduct for Children and Vulnerable Adults*
 - *HR08-8.3 Safeguarding Children and Vulnerable Adults in Story Telling and the Media.*
- Managing risks in relation to working with children and vulnerable adults.

8.1.5.2 Supervisors

Supervisors are required to:

- Carry out safeguarding risk management and control within CM.
- Implement safeguarding procedures and processes within CM.
- Monitor effectiveness of safeguarding procedures within CM.
- Provide induction and ongoing training for workers on safeguarding procedures.
- Take appropriate action in response to allegations of breaches in safeguarding children and vulnerable adults.

8.1.5.3 HR Director

The HR Director is responsible for:

- Developing safeguarding procedures and processes.
- Providing advice on risk management and control.
- Obtaining legal advice in relation to safeguarding issues.

8.1.5.4 National Committee for Professional Standards (NCPS) as represented by the Australian Catholic Safeguarding Limited (ACSL)

The NCPS and the ACSL may be consulted in relation to:

- General advice on safeguarding issues.
- Developing procedures for safeguarding of children and vulnerable adults.
- Provide advice on training and education.
- Monitor and provide advice on legislative and regulatory factors in the area of professional standards.

8.1.5 Recruitment and Selection

Safeguarding children and vulnerable adults begins with the recruitment and selection of workers. Recruitment and selection of workers must be carried out according to CM's Recruitment and Selection Policy and Procedures outlined in *HR02 Recruitment and Selection* process. Engagement of volunteers must be carried out according to CM's *HR11 Volunteer Management & Administration Procedures*.

If a position involves working with children and vulnerable adults, targeted questions must be asked, such as:

- Has any of your previous work involved working with children and vulnerable adults? Can you tell me what that involved?
- What motivates you to work with children and vulnerable adults?
- What are your particular strengths in relation to working with children and vulnerable adults?
- Can you tell me about a challenging situation that you experienced when working with children and vulnerable adults? *(if required, prompt: What did you do?)*

Carrying out reference checks is essential, and must be recorded as stated in *HR02-2.4.5 Reference Checking Procedure*. In carrying out these checks, particular emphasis must be given to asking the referee targeted questions relating to the worker's background in working with children and vulnerable adults.

Specific reference checking requirements for clergy and religious are set out in sections 45.6 and 45.7 of "Towards Healing". The Australian Catholic Ministry Register (ACMR) will assist clergy and religious to meet these requirements.

All reference checks must be documented in compliance with CM's *HR02-2.4.5 Reference Checking Procedure* using *Form HR11 Reference Check Template*.

In accordance with CM's *HR02 Recruitment and Selection policy and procedures*, when a pre-employment check such as a Working with Children Check (WWCC) is a requirement of a position (such as for Diocesan Director positions or positions in Mission Formation, Communications or Fundraising), the position will only be offered on the proviso that a WWCC has been completed, the results of which have been viewed and verified by CM.

- For example, in South Australia, organisations must verify the accuracy of the WWCC in the *DSH Screening Unit* portal before the person can engage with working with children or the vulnerable.

8.1.6 Training

8.1.7.1 Induction

Workers who are likely to interact with children and vulnerable adults must be given the appropriate training in safeguarding procedures and processes at induction. This must be documented on *Form HR20 Induction Checklist*.

Supervisors must ensure that workers who are likely to interact with children and vulnerable adults have been given a copy of CM's *HR08-8.2 Safeguarding of Children and Vulnerable Adults Code of Conduct*.

Workers who are likely to interact with children and vulnerable adults must read *HR08-8.2 Safeguarding of Children and Vulnerable Adults Code of Conduct* and agree to adhere to this code of conduct by signing off on either one of the forms below:

- Form HR15 Conditions of Employment – Policy Awareness Acceptance OR
- Form HR15W Worker other than Employees Conditions of Work – Policy Awareness Acceptance.

In addition, workers who are likely to interact with children and vulnerable adults must also read *HR08-8.3 Safeguarding Children and the Vulnerable in Story Telling and the Media* and agree to adhere to this policy by signing off on either one of the forms below:

- Form HR15 Conditions of Employment – Policy Awareness Acceptance OR
- Form HR15W Worker other than Employees Conditions of Work – Policy Awareness Acceptance.

All those new hires in frontline positions (such as positions as Diocesan Directors, or positions in Mission Formation, Communications and Fundraising), will be enrolled in the online Safeguarding of Children and the Vulnerable courses offered either by Catholic Church Insurances (CCI) or by the Australian Catholic Safeguarding Limited (ACSL).

8.1.7.2 Ongoing Training

Supervisors must provide workers with regular ongoing training on procedures and processes for safeguarding children and vulnerable adults. Examples of ongoing training include training and refresher training on CM safeguarding processes and procedures, Safeguarding Code of Conduct, risk management, mandatory reporting, legislative requirements, appropriate use of images of children and vulnerable adults, etc.

The HR Unit or the Office for Employment Relations can assist with sourcing appropriate training. Training can be online or face-to-face.

Records of all training must be kept and retained in the CPD Register and in the individual worker's Training Profile. Training records may be in hard copy or electronic format.

8.1.7 Supervision

Supervisors must monitor activities involving interactions with children and vulnerable adults to ensure that any risk management processes which have been implemented are well understood by workers, and that these processes and procedures are being followed.

Procedures and processes must be reviewed regularly to check that they are still adequate and appropriate for the situation.

Position descriptions must also be reviewed regularly to check that they are current and cover all activities carried out by that position.

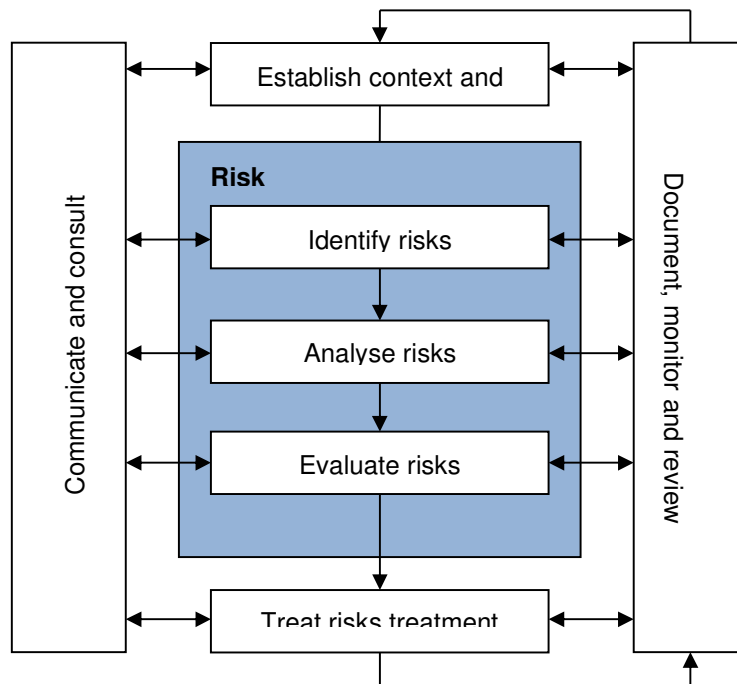
8.1.8 Safeguarding Risk Management

For specific activities that involve working with children and vulnerable adults CM must follow a risk management approach to safeguarding.

Potential risks arising from an Agency's activities can be identified and controlled in a systematic way through this process. The controls identified can then be embedded into any processes and procedures relating to these activities.

Safeguarding Risk Management can be carried out by any CM worker for any activity.

Safeguarding Risk Management must be carried out by CM for any activity that involves working with children and vulnerable adults. Supervisors are responsible for making sure that Safeguarding Risk Management is carried out and that risk identification and risk control plans are documented. See diagram on the following page.



8.1.9.1 Establishing the context of the risk

There are three key steps in establishing the context of the safeguarding risk:

1. Determine the level of contact with children and vulnerable adults the activity is likely to involve using the Section A of *Form HR50 Assessment of Safeguarding Risk Context*. Refer to the definitions in the Section to complete the form. Determine whether the risk level is Low, Moderate or High. If the risk is moderate to high, then a full risk assessment will be necessary so that the appropriate controls can be implemented.
2. Determine whether CM or the partner organisation/service provider is focused on safeguarding and what safeguarding controls are in place. Record this in Section B of *Form HR50 Assessment of Safeguarding Risk Context*. Determine whether the Organisation has a Low, Moderate or High focus on safeguarding.
3. Determine the potential overall safeguarding risk context and whether a full safeguarding risk assessment is required based on the outcomes of the first two steps.
 - Work out the overall risk context in terms of the level of contact and Safeguarding focus using the matrix below. Record this in Section C of *Form HR50 Assessment of Safeguarding Risk Context*.
 - If a full assessment of safeguarding risks is required, conduct this using the risk processes and documentation outlined in the Risk Assessment table on the following page.

Organisation Level of Contact with Children/ Vulnerable Adults and Systems in Place	Activity Level of Contact with Children/ Vulnerable Adults		
	NIL (LOW)	CONTACT (MODERATE)	WORKING (HIGH)
NO FOCUS (LOW)	No further assessment required	No further assessment required, monitor for changes	Full assessment required
FOCUS & STRONG SYSTEMS (MODERATE)	No further assessment required, monitor for changes	No further assessment required, monitor for changes	Full assessment required
FOCUS & POOR SYSTEMS (HIGH)	Full assessment required	Full assessment required	Full assessment required

- If a full risk assessment is required, record the name of the person who will complete it and the date that the full risk assessment will be completed in Section D of *Form HR50 Assessment of Safeguarding Risk Context*.

8.1.9.2 Assessing the risk

All risks identified must be assessed using the risk assessment matrix below.

Likelihood	Consequences				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Very High	Very High
Likely	Moderate	Moderate	High	High	Very High
Possible	Low	Moderate	High	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High

- If a full risk assessment of a project (with a multitude of activities/events) is required, as, for example, for a project managed by the International Programs and Partnerships (IPP) Unit, then it must be carried out and documented using *Form HR49 Risk Identification, Assessment & Control*. If a risk assessment is for a single activity/event is required, then it must be carried out and documented using *Form HR34 Risk Assessment Form for an Event/Activity*.
- List each of the risks associated with carrying out each of the activities and determine the risk using the Risk Matrix above. Record this on *Form HR49 Risk Identification, Assessment & Control*.
- Identify any existing controls which may be in place, and reassess the risk. If the residual risk is moderate, high or very high, further controls must be implemented to reduce the risk.

4. Embed these controls into any procedure or processes pertaining to activities that present a potential risk to children/vulnerable adults.
5. Review risk identification and control plans least every five years and whenever a breach is suspected or reported.
6. Review risk identification and control plans for specific activities following any report of a breach of safeguarding procedures or processes. If required amend any risk controls to be implemented and any related procedures.

8.1.9.3 Control Actions for Safeguarding

If an activity involves working directly with children and vulnerable adults, additional controls must be put in place to reduce the potential increased risk of exploitation, abuse and harm occurring.

Control actions for safeguarding include:

- a) Pre-employment screening of prospective workers. This includes strong background and reference checking of CM paid workers, volunteers, contractors, and anyone else who provides services on behalf of CM (ie. partner agencies).
- b) Mandatory checks: This includes Working with Children/Vulnerable Adults Checks, Criminal History Checks, etc. It is to be noted that all CM workers must undergo a Criminal History Check upon commencement with CM and only those workers who work directly with children or vulnerable adults need to undertake a Working with Children/Vulnerable Adult Check.
- c) Background Checks of partner organisations to ensure that they have safeguarding procedures in place.
- d) Having position descriptions for all workers. This outlines the activities that will be carried out by a worker and the accountability and expectations of that position.
- e) Making sure that all workers in frontline roles that deal specifically with children and/or vulnerable adults are aware of the requirements of *HR08-8.2 Safeguarding Code of Conduct* and *HR08-8.3 Safeguarding Children and the Vulnerable in Story Telling and the Media*.
- f) Providing training so that workers are fully aware of processes and procedures to be followed in respect to safeguarding.
- g) Supervision: Support through supervision helps to create an environment where workers are encouraged to speak up about concerns, and to work on a solution.

There may be a number of specific controls for certain activities for example:

- i. Transporting children/vulnerable adults: Do not take children/vulnerable adults alone in a car, even for short journeys, unless this is unavoidable for safety reasons. If this is unavoidable, make sure an adult caretaker or supervisor is aware that it is happening.
- ii. Overnight stays: Do not sleep close to unsupervised children/vulnerable adults unless absolutely necessary; in which case supervisor's permission must be obtained and another adult to be present if possible.

- iii. Taking photographs: Obtain written consent for taking or using the image. Ensure that the child or vulnerable adult is adequately clothed. Refer to *8.1.9.4 Use of Children's/Vulnerable Adults' Images* below.

8.1.9.4 Use of Children's/Vulnerable Adults' Images

CM will at all times portray children with dignity and respect and should not in any way endanger or stigmatise the people that they include in images. Our guidelines on the use of children's images are:

- a) Images of children should be presented in a dignified manner.
- b) Photographic images should be respectful and not present children as victims. Children should be adequately clothed in photographs and not in poses which depict them in a vulnerable or sexually suggestive manner.
- c) Photographs should be used in context, should be a true representation of events and clearly and accurately labelled/captioned.
- d) Where children's images are to be used, obtain verbal consent from the child and respective family or guardians. Their parent or guardian's consent should be obtained in writing, where possible and children must be portrayed as part of the community. Details must be provided as to how and where this image may be used.
- e) Images accompanying stories of specific projects should be of the mentioned project.
- f) Local cultural/social traditions should be assessed regarding restrictions for reproducing personal images.
- g) Images sent electronically should be password protected with file labels not to reveal identifying information.
- h) Images placed on the website should be watermarked to protect their use and distribution.
- i) Where children's images are obtained via secondary sources, written consent from both the secondary source and the key person/s in the image should be outlined.
- j) All photographers/cinematographers will be screened for their suitability with children, youth and the vulnerable.
- k) Photographers/cinematographers are to be provided with the following relevant documents as attachments to their contractor agreements:
 - *Form HR52 Consent Form for Use of Photographs of and Materials Produced by Children/Vulnerable Adults within Australia* for photos, recordings, videos, film, artwork and interviews. This document must be completed and signed for each individual within Australia who is being photographed, filmed, recorded, videoed or depicted in art.

- *Form HR54 Consent Form for Use of Photographs of and Materials Produced by Children/Vulnerable Adults In-Country (outside Australia)* for photos, recordings, videos, film, artwork and interviews.
 - This document must be completed and signed for each group of individuals 'in-country' who are being photographed, filmed, recorded, videoed or depicted in art.
 - If you identify a 'hero/heroine' child for a particular fundraising campaign DVD/poster or other, then you complete a specific *HR54 Form* for that individual 'hero/heroine' child and have their carer sign.
 - That you complete 2 identical *Form HR54* for each instance – one that you keep and one that you give as a copy to the carer.
- *Form HR53 Photographer's/Videographer's Release* to enable CM to use photos, videos, recordings and film taken by the photographer/videographer.
- Also it is important to read and abide by the *HR08-8.3 Safeguarding of Children and Vulnerable Adults in Story Telling and the Media*.

8.1.10 Breaches in Safeguarding

If you suspect a breach in safeguarding (e.g. this includes concerning behaviour), you must report it as per the following procedures.

8.1.10.1 Child/Vulnerable Adult Abuse/Harm Reporting Procedures

If any member of staff or others suspects abuse or harm, or if a child/vulnerable adult makes a disclosure, the following steps should be taken immediately:

- a) Ensure that the affected child, youth or vulnerable adult is placed within a safe environment.
- b) Then the member of staff who suspects abuse/harm or to whom a disclosure of abuse/harm has been made by a child/vulnerable adult needs to make a mandatory notification to the identified external body.
- c) If the allegation is in relation to the National Director, then the matter must immediately be reported to the Chair of the CM National Council.
- d) If the allegation relates to a child/vulnerable adult who is resident in Australia or there are reasonable grounds to suspect that a child/vulnerable adult in Australia may be at risk, the allegation will be immediately reported to the relevant state child protection authority and/or police by the CM National Director.
- e) If an allegation of child/vulnerable adult abuse as defined in these Guidelines occurs in another country and involves an Australian citizen or national, the allegation will be reported to the Australian Federal Police.
- f) If the allegation involves a non-Australian citizen and the child/vulnerable adult is overseas, CM will provide support to the partner in reporting the incident to the relevant government departments.
- g) In any overseas country, all suspected child/vulnerable adult abuse or harm as defined in this policy, must be reported within 24 hours following the mandatory reporting requirements in whichever country the work is being carried out and thereafter reported to the relevant CM Manager, e.g. the Associate Director Programs or Programs Officer assigned to the specific country, the National Director and/or HR Director. In international cases (eg, in countries not Australia) where appropriate, after mandatory reporting to external statutory body, a report will be made to the Executive Director of the partner agency.

- h) In Australia, all suspected child/vulnerable adult abuse or harm as defined in this policy, must be reported within 24 hours following the mandatory reporting requirements in whichever state the work is being carried out and thereafter reported to the relevant CM Manager/Supervisor where the incident of abuse/harm has taken place, the National Director and/or the HR Director. No internal investigation will proceed until and unless the statutory body to whom the incident has been reported endorses said internal investigation.
- i) Refer to *Form HR51 Safeguarding Children/Vulnerable Adults Reporting Form for Suspected Abuse/Harm*.

If a child/vulnerable adult tells you they are being, or have been, abused or harmed:

- a) Accept what the child/vulnerable adult says but don't ask any probing or leading questions – leave that to child protection professionals or the police.
- b) Take the alleged abuse/harm seriously but do not promise that you can “fix” anything.
- c) Reassure the child/vulnerable adult that they have done the right thing by telling you.
- d) Let the child/vulnerable adult know that you need to tell someone else. Do not promise total confidentiality.
- e) Let the child/vulnerable adult know what you are going to do next and that you will let them know what happens.
- f) Record carefully what you have heard while it is still fresh in your mind. Include attendance, date, time and place of your conversation and any incident disclosed. Date and sign anything you write and number the pages. If you do not have access to a computer, take care with handwriting. When writing what the child/vulnerable adult said, try and be as accurate as possible and use inverted commas to make clear what the child said, rather than your interpretation of what the child/vulnerable said. If you are going to give your opinion or assessment put it under a separate heading so as not to confuse the facts with an opinion. Make your report to the statutory child protection authority and/or police within 24 hours of the disclosure to you. Refer to *Form HR51 Safeguarding Children/Vulnerable Adults Reporting Form for Suspected Abuse/Harm*.
- g) Once mandatory reporting has been completed, then report in as much detail as possible, and without delay, to your Manager.

8.1.10.2 How CM will act in cases of Suspected Abuse or Harm

- a) If a member of staff is the subject of an allegation of child/vulnerable adult abuse or harm and/or abuse of humanitarian aid, that staff member will be asked to take leave from their duties on full pay until an investigation has been completed.
- b) It should be made clear that such suspension does not imply guilt, but rather protects all parties whilst an investigation is undertaken.
- c) Confidentiality of all persons involved in any complaint or investigation process is paramount.

- d) No action will be taken against staff or others who report in good faith information indicating perceived misconduct of a staff member or other.
- e) Where it is established that abuse or harm has taken place, the guilty party will be dismissed from their post immediately as the matter is handled by the police and social services.
- f) Where it is established that abuse or harm has not occurred, because no criminal charge has been made, steps will be taken to sensitively re-instate the staff member without delay.
 - If it is found that the incident/situation that prompted the allegation to be made could be construed as meeting CM's definition of misconduct, then CM will follow the procedure outlined in *HR05-5.4 Managing Misconduct Procedure*.
 - If it is found that the allegation was vexatious, appropriate action in relation to the person making the allegation will be taken.
- g) If a staff member of partner agency is the subject of an allegation of child harm or abuse, the mandatory reporting to the requisite statutory body (be it Child Protection Authority and/or Police/Australian Federal Police) will be made, after which a report to the Executive Director of the partner agency and their Board will be made. It is expected that the partner agency guidelines and procedures for dealing suspected harm or abuse would apply.

8.1.11 Mandatory Reporting

Reporting of any suspected abuse or harm allegations is *mandatory* and must be made to the appropriate statutory body within 24 hours of the disclosure being made or the incident being witnessed.

- a) If the allegation of abuse is in another country and involves an Australian citizen or national, the allegation will be reported to the *Australian Federal Police*.
- b) If the allegation involves a non-Australian citizen and the child is overseas, CM will report abuse/harm incident or suspected abuse/harm to the relevant statutory body and thereafter provide a report to the child's guardian.

8.1.12 Record Keeping

The following records are to be maintained in a secure location. Access to them is by permission of the National Director or HR Director. Records are to be retained in accordance with the relevant state or commonwealth legislation.

- Reference Checks at Recruitment (Form HR11)
- Working with Children Checks
- Criminal History Checks
- Completed Assessment of Safeguarding Risk Context (Form HR50)
- Completed Risk Identification, Assessment and Control (Form HR49)
- Completed Risk Assessment Form for an Event/Activity (Form HR34)
- Completed Induction Checklist (Form HR20)
- Training Records in CPD Register
- Workplace investigation records
- Consent Forms
- Media Release Forms