

Child Safe (CS) and Sexual Exploitation, Abuse and Harassment (SEAH) Allegation Management

Standard Operating Procedure

Date approved: 02 September 2021

Approved by: Asian Aid Safeguarding Committee

Reviewed by: Moores Legal

INTRODUCTION

Asian Aid's work centres on nurturing the well-being and healthy development of children. The Child Focused Approach (CFA) is based on our organizational vision to refocus our programs to foster supportive, protective, child-safe and child-friendly communities. Asian Aid believes that all children and young people around the world are entitled to adequate care and support as they grow and develop. We also believe that every child and person has the right to be protected from abuse, neglect, violence and exploitation. In undertaking this work Asian Aid treats all concerns raised in regards to Child Safeguarding and Sexual Exploitation, Abuse and Harassment (SEAH) seriously.

The purpose of this procedure is to ensure all Representatives understand the legal and other reporting obligations related to child and adult safety that apply to Asian Aid. It also sets out the reporting obligations that apply to Representatives individually. In addition to the roles and responsibilities contained in this procedure, Representatives may have a duty of care or moral obligation to prevent and respond to a risk of child safety and/or SEAH.

This Standard Operating Procedure (**SOP**) is to be read and used in conjunction with the following Asian Aid's policies and related documents:

- Safeguarding Committee Terms of Reference (ToR)
- Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy
- Child Safeguarding Policy
- Child Safe Code of Conduct
- Code of Conduct
- Gender Equality, Disability and Social Inclusion (GEDSI) Policy
- Performance Counselling and Disciplinary Policy
- Recruitment Policy
- Complaints Handling Policy
- Grievance Policy
- Whistleblower Policy
- Marketing and Communications Policy
- Ethical Decision Making Framework
- Privacy Policy

Terms in the SOP have the same meaning as defined in Asian Aid's policies unless otherwise specified.

SCOPE

This SOP applies to all Asian Aid staff, volunteers, contractors, supporters and Board members, partner organization staff, community members, regular visitors and participants in events or trips conducted in whole or part by Asian Aid or its subsidiaries engaged by Asian Aid (collectively known as **Representatives**) in Australia and overseas.

It applies to all disclosures and all forms of child abuse and SEAH being:

- any act committed against or in the presence of a child or person involving:
 - a sexual offence; or
 - a grooming offence; and
- the infliction, on or in the presence of a child or person, of—
 - physical violence; or

- serious emotional or psychological harm; and
- the serious neglect of a child.

ROLES AND RESPONSIBILITIES

This procedure has been endorsed by the Asian Aid Board. The Asian Aid Board is responsible for developing and reviewing this procedure to ensure compliance. The Chair of the Asian Aid Board is responsible for managing an alternative procedure for responding to an allegation or disclosure if the CEO is unable to fulfil their role, such as if the CEO is implicated in the child safety or SEAH concern or allegation.

The CEO has the responsibility to implement this procedure and ensure its compliance. The CEO is responsible for making reports under any applicable Reportable Conduct Scheme and ensuring internal investigations are completed as needed.

Safeguarding Manager(s) is responsible for assisting Representatives in complying with the obligations in this procedure. They are also responsible for promptly managing Asian Aid's response to an allegation or disclosure of child abuse or SEAH, and ensuring that the allegation or disclosure is taken seriously. Safeguarding Officers / Safeguarding Manager will act as first responders and respond appropriately to a child or adult who makes or is affected by an allegation of child abuse or SEAH.

All Representatives are responsible for understanding their reporting requirements and complying with this procedure.

BREACH OF THIS PROCEDURE

Representatives that breach this procedure may be subject to disciplinary action, including and up to termination of their employment or engagement.

Individuals that are aware of a suspected breach of this procedure must make a report to the Safeguarding Manager(s). All reports will be treated with confidentiality.

PROCEDURE REVIEW

A review of this procedure shall be conducted every three years or earlier if required, such as due to changes in legislation.

The Asian Aid Board is responsible for ensuring this procedure is reviewed and updated as needed and endorsing this procedure.

DISCLOSURES

What are disclosures?

For the purpose of this SOP, a disclosure is any revelation by an adult or child about a past, ongoing or reasonable belief of a future incident/s of child abuse, any other child safety or SEAH concern reported to a Representative while in their role or related to their role at Asian Aid.

It may be a verbal disclosure or a written/electronic disclosure. A disclosure does not have to contain all the details of the incident (in fact it rarely will), it is simply any indication of a violent incident, child safety or SEAH concern.

An adult or child who discloses abuse does not always have a clear objective and a disclosure is separate to filing a report. However, making a disclosure can be a support seeking behaviour and an indication that the survivor is seeking support and advice on what to do next. All disclosures, especially if it is the first time a survivor is disclosing, can be pivotal in the survivor's recovery process.

A disclosure may also be made by a person other than a survivor such as a friend, family member, Representative or member of the community.

What do you do when you receive a disclosure?

It is mandatory for all Asian Aid Representatives, partner personnel and associates to immediately (within 24 hours) report any concerns:

- For the safety or wellbeing of a child participating in or impacted by Asian Aid funded programs and activities including child exploitation or abuse, the possession of child exploitation material, or noncompliance with policies, procedures and Codes of Conduct (refer to the Child Safeguarding Policy for definitions.)
- Regarding incidents of SEAH towards a person participating in or impacted by Asian Aid funded programs and activities (refer to the PSEAH Policy for definitions).

This includes disclosures, concerns and allegations from a child, parent/family member, community member, or observations concerning the behaviour of program staff, personnel or associates, including child labour, possession of child exploitation material and/or general non-compliance with Asian Aid's Child Safeguarding Policy.

Please note, if the concern relates to:

- A grievance not covered under this Allegation Management SOP such as a grievance related to discrimination, vilification, bullying and conflict; please refer to the Asian Aid Grievance Policy.
- A complaint other than those addressed by the PSEAH, Child Safeguarding or Grievance Policy, please refer to the Asian Aid Complaints Handling Policy.

If any Representative is made aware of child abuse or mistreatment, or witnesses behaviour of this nature whilst in the field, they must immediately (within 24 hours) contact the Asian Aid Safeguarding Manager:

Mandatory Safeguarding (Child and Adult) Reports	
Safeguarding Manager	Email: safeguard@asianaid.org.au Mobile: +61 434 605 096

What should I disclose?

Any behaviour that you suspect and/or is disclosed to you (by an adult or child) about an Asian Aid Representative, supporter, associate or partner regarding;

- Child exploitation and/or abuse or suggestion of child exploitation and/or abuse
- Possession of any child exploitation material
- Suspected grooming
- Breach of the Child Safeguarding Policy, Child Safe Code of Conduct or Code of Conduct
- Criminal proceedings being undertaken in regard to child exploitation and/or abuse
- Sexual exploitation, abuse and/or harassment of an adult
- Criminal proceedings being undertaken in regard to sexual exploitation and abuse of an adult
- Any other concerns

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

If you have any concerns about child safety or SEAH, but are not sure if it is a Child Safeguarding or SEAH matter, Asian Aid requires that you report it to the Safeguarding Manager rather than ignoring it or investigating it yourself. You should report any concern or allegation, regardless of whether you believe that it is substantiated or not to the Safeguarding Manager. Relevant Asian Aid Representatives will respond to the matter who are equipped to determine whether or not there has been a Child Safeguarding or SEAH incident.

When should I disclose and who do I disclose to?

You should report immediately (within 24 hours) any child safety or SEAH concern. After completing a Child Safe and SEAH Allegation Notification Form (see Appendix I or <https://www.asianaid.org.au/child-safe-and-seah-allegation-notification-form/>), follow the steps in the SOP below to determine who to provide the Allegation Notification Form to or who to contact if unable to fill in the Allegation Notification Form.

What happens to the information that I provide?

Recording and sharing of information:

- All disclosures must be recorded.
- All information provided will be treated in accordance with the Asian Aid Privacy Policy and relevant legislation. 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). Where the disclosure involves an overseas partner this includes local country legislation also.
- All information gathered is to be clearly documented, filed and maintained in a safe and secure location either physically or electronically by the Asian Aid office and/or the partner office.
- Information will only be shared with those persons who are directly involved in the investigation, decision-making process and/or the provision of professional advice on the matter in accordance with the Asian Aid Privacy Policy and any legal or regulatory requirements.

Interests of those involved:

- Asian Aid will take all reasonable steps to ensure that the best interests of the survivor/s are reflected in the actions that the organisation takes to handle the abuse.
- Asian Aid will treat all concerns raised seriously and take all reasonable steps to ensure that all

parties will be treated fairly.

- Asian Aid will endeavour to meet all country, state / territory specific legislative requirements.
- Asian Aid will treat survivors with dignity and respect ensuring their needs are prioritised in the actions taken 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.

Reporting to authorities:

- For Child Safeguarding matters, Asian Aid must immediately notify the relevant authorities. For Department of Foreign Affairs and Trade (DFAT) funded activities, the Child Protection Compliance Section must be notified of any concerns relating to the abuse or exploitation of children. These reports must be immediately reported as outlined in the SOP below.
- For SEAH matters, Asian Aid must notify the relevant authorities. For Department of Foreign Affairs and Trade (DFAT) funded activities, the Sexual Exploitation, Abuse and Harassment Incident Notification Form (www.dfat.gov.au/pseah) must be completed and emailed to seah.reports@dfat.gov.au for any concerns relating to SEAH. These reports must be reported as outlined in the SOP below.
- Where allegations are made against an implementing partner or its representatives, the implementing partner will investigate and report to Asian Aid. Where appropriate, Asian Aid may conduct its own investigation pre- or post-finalisation of the implementing partner's investigation.

GUIDE TO DEALING WITH CHILDREN

Asian Aid takes a survivor-centred approach and will show care and concern for the rights of the child/ren at all times. Representatives are not counsellors and are not authorised to provide professional support or hold themselves out as being able to provide professional support to those making a disclosure. However, the first response to any disclosure is of the utmost importance and Representatives should follow the HEARTS technique:

Hear – Listen, believe and remain calm.

Empathise – Encourage, give them your attention, let them use their own words.

Affirm that it is not their fault – Reassure them and acknowledge that this happens.

Record observations – Keep a record of what has happened.

Tell someone – Refer the matter in accordance with the reporting requirements set out in the SOP or under the law.

Self-care – Take care of yourself and seek help if you need it.

Representatives must not, under any circumstances:

- Promise the survivor that they will not to tell anyone else or make any other promises that they cannot keep. Instead tell the child in age-appropriate language you are or may be required to report to the relevant authority to help stop the abuse, and explain the role of these authorities if appropriate (for a young child this may be as simple as saying “I will need to talk to people to work out what to do next to help you”);

- Pressure the child into telling you more than they want to, they will be asked a lot of questions by other professionals and it is important not to force them to retell what has occurred multiple times;
- Keep the disclosure a secret;
- Provide any information that they are not sure about (i.e. court processes, mandatory reporting);
- Give any opinions on the child's next choices – Representatives are never to tell the discloser that they 'should' report or 'should' say nothing as this is up to the discloser;
- Do not ask leading questions, for example gently ask, "What happened next?" rather than "Why?";
- Give the survivor any of their personal contact information, unless permission is granted by Asian Aid or its partners.

STANDARD OPERATING PROCEDURE (SOP)

Name	Child Safe and Sexual Exploitation Abuse and Harassment (SEAH) Allegation Management		
Revision Number	VI.1	Owner	Asian Aid CEO
Implementation date	02 September 2021	Review Date	02 September 2024
Approved by	Asian Aid Safeguarding Committee		

OVERVIEW

Goal	To provide a process for those involved in reporting, responding and investigating an allegation regarding child safety or SEAH related to any project or activity funded by Asian Aid.
Immediate Danger	<p>The Asian Aid Representative or Implementing Partner will take immediate necessary actions to protect the child/adult from further exploitation or abuse where it is possible and safe to do so. This includes:</p> <ul style="list-style-type: none"> • For a child - contact the child’s parent(s) or guardian(s) immediately unless this would jeopardise the child’s welfare; • For an adult – contact the survivor mentioned in the allegation; or • The Representative or Asian Aid will stay with the child or adult (if within their presence). <p>Any person that believes a child or adult is at immediate risk of abuse should contact the police or relevant protection authorities.</p>
Step I: Receiving the Disclosure	<p>Asian Aid Representative or Implementing Partner suspects or receives an allegation or information including but not limited to:</p> <ul style="list-style-type: none"> • Child exploitation, grooming and/or abuse or suggestion of child exploitation, grooming and/or abuse • Possession of exploitation or abuse material involving children • Breach of Asian Aid policies and procedures including Child Safeguarding Policy, PSEAH Policy, Code of Conduct or Child Safe Code of Conduct • Criminal proceedings being undertaken in regard to the sexual exploitation and/or abuse of a child or adult • Sexual exploitation, abuse or harassment of an adult

<p>Step 2A: Internal Reporting</p>	<p>Reporting the suspicion or allegation must be done within 24 hours. Mandatory reporting must be done as per country legislation and local child protection laws.</p> <p>The Asian Aid Representative or Implementing Partner who has received the Child Safeguarding/SEAH allegation, is to complete the Child Safe and SEAH Allegation Notification Form (Appendix 1 or https://www.asianaid.org.au/child-safe-and-seah-allegation-notification-form/),). If the person who made the disclosure has already completed the form, the Asian Aid Representative will review and complete any missing details on the form.</p> <p>If the form is completed online it will automatically be sent to the Safeguarding Manager. If the form is completed in hard copy, it must be provided within 24 hours to the Safeguarding Manager.</p> <p>For International Programs - The completed report is to be submitted immediately either in person or via email to the Director of the Implementing Partner responsible for the Asian Aid funded project and the Chair of the Safeguarding Committee who will notify the Asian Aid CEO and relevant Program Manager within 24 hours of any alleged incident. Where there is more than one donor involved (e.g. several donors providing child sponsorship to a school) and the third party has made the report to another donor, the Implementing Partner will ensure that Asian Aid is notified of the allegation. The report will be logged and filed by both the Implementing Partner and Asian Aid in the Allegation File (titled as per case) and logged in the Allegation Register (Diskstation: /Company Safeguarding/Safeguarding Committee/Allegation Register).</p> <p>For Domestic Programs - The completed report is to be submitted immediately (within 24 hours) either in person or via email to the Asian Aid CEO and to the Chair of the Safeguarding Committee who will notify the relevant line manager about the allegation. The report will be logged and filed in the Allegation File and logged in the Allegation Register (Diskstation: /Company Safeguarding/Safeguarding Committee/Allegation Register).</p> <p>For domestic and international allegations, a report is to be provided to the Police and/or relevant government authorities (including Australian Federal Police as necessary) where mandatory reporting is required by respective country legislation.</p>
<p>Step 2B: External Reporting – refer to Appendix 3 for Australian Authorities</p>	<p>All forms and instances of suspected or alleged child abuse must be reported to the appropriate authority where there is a requirement to do so under a law which operates in the same jurisdiction as the Representatives.</p> <p>A mandatory reporter who forms a belief on reasonable grounds that a child is in need of protection from sexual or physical child abuse that their parents cannot or will not protect them from must disclose that information to the relevant authority or anyone may do so voluntarily. Refer to ‘Immediate Danger’ (above) and continue with the steps below.</p>

<p>Step 2C: DFAT Reporting</p>	<p>For DFAT-funded activities, in addition to Step 2A, once Asian Aid’s CEO and/or the Chair of the Safeguarding Committee has received a reported allegation they 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, immediately notify DFAT using the DFAT Sexual Exploitation, Abuse and Harassment Incident Notification Form (www.dfat.gov.au/pseah) and email to seah.reports@dfat.gov.au This notification will be made: <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.
<p>Step 3: Receipt of Disclosure by the Safeguarding Committee</p>	<p>The Safeguarding Committee is convened and the Allegation Notification Form received is assessed for legitimacy of the disclosure.</p>
<p>Step 4: Assessment of the Disclosure</p>	<p>If it is determined by the Safeguarding Committee that the allegation requires further investigation, continue to Step 5. Where mandatory reporting is required provide evidence that this has taken place in accordance with Step 2B.</p> <p>If it is determined that the allegation does not require further investigation, the Implementing Partner Director/Asian Aid CEO and/or Chair of the Safeguarding Committee are to respond to the allegation and resolve the matter. This will include logging the outcome of the report in the Allegation Register (Diskstation: /Company Safeguarding/Safeguarding Committee/Allegation Register). Continue to Step 9.</p> <p>When the outcome of the assessment determines further investigation is required continue to Step 6.</p> <p>Where the Asian Aid CEO and/or Implementing Partner Director is unavailable, the delegated authority will act in the capacity of the CEO or Director within the matter.</p>

<p>Step 5: Establishment of the Investigation Committee</p>	<p>The Asian Aid CEO and/or Implementing Partner Director (irrespective of any external legal investigations) will:</p> <ul style="list-style-type: none"> • Authorise the Chair of the Safeguarding Committee to act as the key Investigating Officer in the matter. If the CEO/Director deems this to be inappropriate, they may take this role on themselves. • The CEO/Implementing Partner Director may determine that the Investigating Officers require the support of other Asian Aid Representatives, who will collectively make up the Investigating Committee (e.g. the Program Manager, a relevant Departmental Director, the Asian Aid CEO). <p>If an Asian Aid Representative is implicated in the allegation, determine alongside the Asian Aid CEO and Human Resource Manager whether to suspend their employment/engagement until the investigation is concluded.</p> <p>In the event the allegation has been made against the CEO/Implementing Partner Director, the relevant Board Chair will perform the duties assigned to the CEO/Implementing Partner Director in this process.</p> <p>The CEO/Implementing Partner Director appointed Investigating Committee (to include Asian Aid Australia Representative – typically the CEO and partner personnel) will make all decisions throughout the process. A representative from the Implementing Partner organisation will be included if incident/s occurred during implementation of an Asian Aid-funded program or activity.</p>
<p>Step 6: Internal Investigation</p>	<p>Under guidance provided by the Chair of the Safeguarding Committee the Investigating Committee will commence the investigation. The following principles will apply during the investigation:</p> <ul style="list-style-type: none"> • Meetings should be confined to establishing the facts of the case. • When investigating care needs to be taken that all committee members act in a fair and reasonable manner. • The nature and extent of the investigations will depend on the matter and if there is any involvement of local, state or international authorities. Those investigating the allegation need to keep an open mind using an evidence based approach. • Advanced warning and time and procedural fairness should be provided to all those that are involved or will be called on in the course of the investigation. • Investigatory meetings should be conducted by those on the Investigating Committee only and under the direction of the Chair of the Safeguarding Committee. <p>NOTE: Establishing facts at investigatory meetings does not include disciplinary action at the meetings. If it becomes apparent that formal disciplinary action may be needed then this should be dealt with in conjunction with the Human Resource Manager at a formal meeting at which the employee will have the right to bring a</p>

	<p>support person.</p> <p>Any updated or new factual information is to be logged by the CEO/Implementing Partner Director and the Chair of the Safeguarding Committee in the Allegation Register (Diskstation: /Company Safeguarding/Safeguarding Committee/Allegation Register) and filed in the Allegation File.</p>
<p>Step 7:</p> <p>Outcome of the Internal Investigation</p>	<p>Depending on the findings of each allegation or concern, Asian Aid may take the following actions (during and/or post allegation finding), including but not limited to:</p> <p>Unsubstantiated</p> <ul style="list-style-type: none"> • Provide ongoing monitoring and review of the situation that leads to the disclosure. • The CEO/Implementing Partner Director and the Human Resource Manager may develop a return to work plan for the Asian Aid Representative that was suspended pending the outcome of the investigation in accordance with Asian Aid Human Resource policies including the Performance, Counselling and Disciplinary Policy and Fair Work legislation. <p>Substantiated; non mandatory reporting required to statutory regulatory authorities:</p> <ul style="list-style-type: none"> • Asian Aid Representative/s – in accordance with Human Resource policies and disciplinary procedure implemented up to and including termination of employment/engagement at Asian Aid. • Asian Aid supporter – manage relationship up to and including termination of the relationship with the supporter. • Implementing Partner – Chair of Safeguarding Committee, Program Manager and Asian Aid CEO to monitor and advise on management of ongoing partnership and projects including possible termination of partnership. <p>Substantiated; requires mandatory reporting to statutory regulatory authorities:</p> <ul style="list-style-type: none"> • Asian Aid Representative/s <ul style="list-style-type: none"> ○ Suspension from work to continue (if applicable) until conviction is determined by authorities. ○ Following result of conviction disciplinary procedure to be implemented up to and including termination of employment. ○ Human Resource file to include details of disciplinary procedures and/or conviction in accordance with Human Resource policies. • Asian Aid supporter – manage relationship up to and including termination of the relationship with the supporter. • Implementing Partner – Chair of Safeguarding Committee, Program Manager and Asian Aid CEO to monitor and advise on management of ongoing partnership and projects including possible termination of

	<p>partnership.</p> <ul style="list-style-type: none"> • Indirect Implementing Partner - Chair of Safeguarding Committee, Implementing Partner Director, Program Manager and Asian Aid CEO to monitor and advise on management of ongoing partnership and projects including possible termination of partnership with Implementing Partner.
<p>Step 8: Reporting the Outcome of the Investigation</p>	<p>The Investigating Committee is to report the outcome of the investigation. Pending on type and nature of the allegation this could include reporting to one or more of the following:</p> <ul style="list-style-type: none"> • Safeguarding Committee (Asian Aid and Implementing Partner) • CEO and/or Implementing Partner Director • Governing Board • Relevant stakeholders and donors • Parents/caregivers of the child/ren involved <p>Where police and state authorities have been informed of the allegation, provision of the information will be provided in line with the direction of the authorities.</p> <p>The report and all documentation providing evidence of the allegation will be filed with the Asian Aid CEO Director and the Chair of the Safeguarding Committee and logged in the Allegation Register (Diskstation: /Company Safeguarding/Safeguarding Committee/Allegation Register) and filed in the Allegation File.</p>
<p>Step 9: Evaluation</p>	<p>To ensure that this SOP continues to be current the Asian Aid Board will be notified as needed and a learning review will take place at the end of each incident assessed and/or investigated. This review will involve the Asian Aid Board and Investigating Committee to:</p> <ul style="list-style-type: none"> • Review the process used and the Asian Aid and/or Implementing Partner Child Safeguarding and/or PSEAH policy and related documents; • Consider the outcomes of the investigation; • Consider if the best interests of the child/ren or survivor were served throughout the process used; • Determine and document any steps that may need to be taken to improve the process and inform the CEO and Implementing Partner Director (where an international allegation has taken place); • The CEO/Implementing Partner Director are responsible to ensure the improvement actions are assigned.
<p>Step 10: Record Keeping</p>	<p>The final outcome and all documentation providing evidence of the process in this procedure will be filed with the Asian Aid CEO / Implementing Partner Director and the Chair of the Safeguarding Committee and logged in the Allegation Register (Diskstation: /Company Safeguarding/Safeguarding Committee/Allegation Register) to close out the allegation. All evidence relating to the allegation and the process taken is to be filed in the Allegation File.</p>

Responsibilities	<p>Director (Implementing Partner)</p> <p>Chair of Safeguarding Committee</p> <p>Asian Aid CEO</p> <p>Asian Aid Programs Manager</p> <p>Investigating Committee (Australian and International partner representatives)</p> <p>Chairperson of the governing Board</p>
Key behaviours	<p>Confidentiality – any allegation received or discussed in meetings is to remain confidential at all times</p> <p>Sensitivity – towards those determined to be survivors of sexual exploitation, abuse (of any kind) or harassment (child/ren or adults) that sensitivity is used at all times</p> <p>Respect – the wishes of the survivors are taken on board in decisions made where mandatory reporting is not required by law</p>
Innovate	<p>This SOP does not allow for innovative approaches to be used without written prior approval from the Asian Aid CEO</p>
Tools and Supports	<p>Safeguarding Training (Child and PSEAH)</p> <p>Allegation Notification Form</p> <p>Child Safe and SEAH Allegation Flow Chart</p> <p>Informed Consent Procedures</p>

APPENDIX I

Child Safe and Sexual Exploitation, Abuse and Harassment (SEAH) Allegation Notification Form

In accordance with the Asian Aid Child Safeguarding and Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policies (www.asianaid.org.au/about-us/policies/), all Asian Aid Representatives (staff, implementing partners and the staff and/or management of all institutions supported by Asian Aid Implementing Partners) must report alleged child safety and sexual exploitation, abuse and harassment (SEAH) allegations when they occur in the conduct of the development assistance provided by Asian Aid.

This Allegation Notification form is for organisations or individuals (including Asian Aid Representatives) to report an alleged incident to Asian Aid. Once completed the form is to be emailed to: safeguard@asianaid.org.au. If you do not have email access, please telephone +61 434 605 096 to report a Child Safeguarding or SEAH incident. If you require assistance in completing this form, please contact Asian Aid by email or telephone.

It may not always be obvious if a SEAH allegation relates to an Asian Aid-supported program or activity. If in doubt, please report.

The privacy of information provided in this form

Asian Aid takes a survivor-centered approach to the reporting of alleged SEAH incidents. Incidents should only be reported in accordance with the Asian Aid Privacy Policy, where it is safe to do so, where required by law and/or where it is in line with the survivor's wishes. Information that identifies individuals does not need to be reported unless required by law or where allowed under the Asian Aid Privacy Policy.

Privacy Notification

Asian Aid will collect, use and disclose the personal and sensitive information collected through this form in accordance with our obligations under the Asian Aid Privacy Policy, Australian Privacy Principles (APP) and the Privacy Act 1988 (Commonwealth Privacy Act). Asian Aid will be clear in regards to the information disclosed as required by state and territory authorities. For further information regarding Asian Aid Privacy Policy - <https://www.asianaid.org.au/about-us/policies/privacy-policy>

Personal information may include an individual's name, signature, address, telephone number, date of birth and any commentary or opinion about a person. Sensitive information may include information about a person's health or racial/ethnic origin.

Asian Aid collection, use and disclosure of information collected in this form

Asian Aid reasonably believes that the collection, use or disclosure of the information, including personal information in this form is necessary in order for Asian Aid to:

- Manage the risks and incidents relating to Child Safe and SEAH in the provision of development assistance;
- Take appropriate action where it suspects that unlawful activity or misconduct of a serious nature has been or is being engaged in; and
- Lessen or prevent a serious threat to the life, health or safety of an individual or to public health or safety.

If Asian Aid is unable to collect your personal information, Asian Aid may not be able to contact you to make further enquiries about the alleged incident you have reported.

If anyone related to this notification is in imminent danger: In Australia - please telephone 000

Internationally - please phone or visit your local law enforcement office (if safe to do so) or another support service (e.g. medical centre, hospital, sexual violence or rape support centre, etc.)

Child Safe and SEAH Allegation Notification Form

Please provide as much information as you can when you fill in this form.

Note: please consider the privacy and protection of any individuals reporting SEAH (e.g. whistleblowers).

Reporting Individual / Organization details	
Organization name:	
Individual/s name:	
Contact phone Number:	
Email:	
Address (of individual and/or organization):	
Child Safe or SEAH Allegation	
Details of allegation/s (please provide as much detail as possible including any specific vulnerabilities such as disability, sex worker, child/ren etc)	
Type of allegation <i>(refer to the Child Safe and/or SEAH policy regarding definitions)</i>	Select all that apply: <input type="checkbox"/> Sexual exploitation <input type="checkbox"/> Physical abuse <input type="checkbox"/> Other (What) <input type="checkbox"/> Sexual abuse <input type="checkbox"/> Psychological harm <input type="checkbox"/> Sexual harassment <input type="checkbox"/> Neglect
Date/s of alleged incident	
Location of alleged incident <i>(country, province, city, village, town etc. Please provide as much detail as possible)</i>	
Date allegation report received	
Is the survivor of the alleged incident a:	<input type="checkbox"/> Beneficiary of an Asian Aid supported program/activity? Please provide program/activity details:
	<input type="checkbox"/> Employee/volunteer of an Asian supported program/activity?

	Please provide program/activity the person is involved with:	
What support has/is being provided to the survivor? (<i>referral to medical facility, counselling services, etc</i>)	Please provide as much detail as possible	
Reporting and Investigation		
What investigation or reporting has been undertaken by Asian Aid or the Asian Aid Implementing Partner?	Steps already undertaken (<i>please include details when this was done and by whom</i>):	Status (complete, ongoing):
	Steps planned:	Status (complete, ongoing):
Are local police aware of the alleged incident? <i>If yes, please provide contact name and details for the local police including full title of the local police station. If available, please attach a copy of the police report.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes: Date of when alleged incident was reported to the authorities: Contact details:	
Has the alleged incident been notified to any other law enforcement authority? <i>If yes, please provide contact name and</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes:	

<p><i>details for the law enforcement authority including full title of authority, contact details. If available, please attach a copy of the report made to the law enforcement authority</i></p>	<p>Date of when alleged incident was reported to the authorities:</p> <p>Contact details:</p>
<p>Has the alleged incident been reported to any other organization or authority other than law enforcement authorities? If yes, please provide:</p> <p><i>Name of organization / authority</i></p> <p><i>Contact name and details</i></p> <p><i>Date the alleged incident was reported to the organization or other authority</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes: <i>(If more than one please fill in the following details for all that have received reports)</i></p> <p>Name of other organization or other authority</p> <p>Contact name and details:</p> <p>Date of when alleged incident was reported to the other organization or other authority:</p>
<p>Other information</p> <p><i>Please provide any further relevant information not already provided above</i></p>	

This Allegation Form was completed by:		This Allegation Form was received by: (Organization Director/ Asian Aid CEO or Chair of Safeguarding Committee)	
Name:		Name:	
Organization:		Organization:	
Date:		Date:	
Signature:		Signature:	

Send form to Asian Aid CEO: safeguard@asianaid.org.au

For use by the Safeguarding Committee:

Outcome of Assessment:			
Review Completed			
Date Closed:			
Name:		Signature	

If there is insufficient space to identify the safeguarding assessment outcomes etc in the box above, please attach using additional paper.

File and Log in the Allegation Register and applicable Allegation File

Definitions:

Sexual exploitation – any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another.

Sexual abuse – actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It covers sexual offences including but not limited to:

- attempted rape (which includes attempts to force someone to perform oral sex)
- sexual assault (which includes non-consensual kissing and touching)
- All sexual activity with someone under the age of consent (in the law of the host country or under Australian Capital Territory law [16 years], whichever is greater) is considered to be sexual abuse as is the commission of sexual acts or sexual abuse in the presence of a person under the age of consent. The intention of the perpetrator is not relevant.

Sexual harassment – if another person makes an unwelcome sexual advance or an unwelcome request for sexual favours or engages in other unwelcome conduct of a sexual nature, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

Sexual harassment can take various forms. It can be obvious or indirect, physical, verbal or visual, repeated or one-off and perpetrated by any person of any gender towards any person of any gender and age. Sexual harassment can be perpetrated against beneficiaries, community members, citizens, as well as staff and personnel.

Physical abuse – hitting/kicking, rough restraint or excess force

Psychological harm – exposure to violence/threats of violence/humiliation/belittling

Neglect – inadequate clothing/food/inadequate medical care/shelter/lack of supervision, etc

Authority – legal representatives including police, Australian Federal Police (AFP), Department of Children Services, welfare council, etc.

Survivor – someone still living after dangerous event such as sexual abuse, exploitation, physical or domestic abuse.

Mandatory Reporter – a person in a position who works with children or a public guardian role and/or a person 18+ years is required by law to report suspected or actual child safety (sexual or physical abuse) concerns to legal authorities.

Safeguarding – measures to protect the health, well-being and human rights of individuals, which allow people — especially children, young people and vulnerable adults — to live free from abuse, harm and neglect.

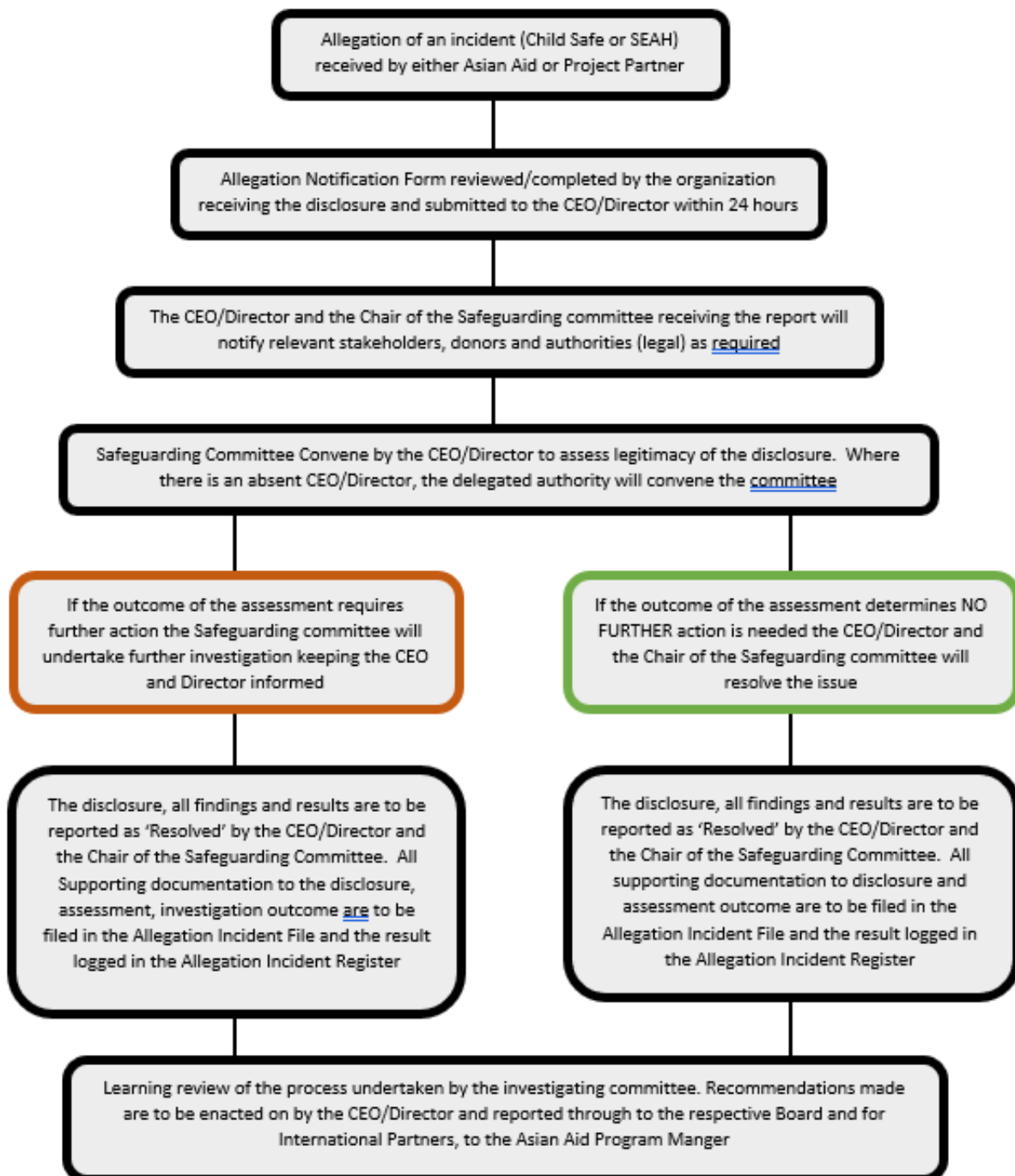
APPENDIX 2

Allegation Flowchart

International and Domestic use

This flowchart is for quick reference to the SOP for Child Safe and SEAH Allegation Management by Asian Aid and Asian Aid Partners. Refer to the full SOP for detailed steps to follow in the event of a CS and SEAH disclosure.

Note: Director – refers to head of Implementing Partner; CEO – refers to Head of Asian Aid



APPENDIX 3

External Reporting – Jurisdictions*:

State	Office	Child Protection Authorities
New South Wales	Office of the Children’s Guardian	Department of Family and Community Services
Victoria	Commission for Children and Young People in VIC	Department of Health and Human Services
Queensland	Queensland Family and Child Commission	Department of Child Safety, Youth and Women
Western Australia	Commission for Children and Young People - WA	Department of Communities, Child Protection and Family Support
Australian Capital Territory	Public Advocate and Children and Young People Commissioner	Community Services Directorate
South Australia	Commission for Children and Young People in - SA	Department for Child Protection
Tasmania	Commission for Children and Young People - TAS	Department of Health and Human Services
Northern Territory	Office of the Children’s Commissioner - NT	Territory Families

*Source of information: <https://www.ncca.org.au/national-child-safety-framework/state-bodies>

Any person (aged 18 or over) that forms a belief, on reasonable grounds, that a sexual offence has been committed in Victoria against a child (under the age of 16 years) by another person (aged 18 or older), must make a report to the Police as soon as practicable.

Any person that knows that there is a substantial risk that a relevant child will become the victim of a sexual offence committed by another adult associated with Asian Aid must not negligently fail to reduce or remove that risk. Reporting to the relevant authority and / or Police is one way to reduce or remove that risk.

NB: additional voluntary or mandatory reporting obligations may apply in each state or territory and may impose additional obligations on Representatives. For more information contact the Asian Aid Safeguarding Manager.

The CEO must make a report to the Office of the Children’s Guardian in NSW or the Commission for Children and Young People in VIC (Commission) if there is a reportable allegation under the applicable Reportable Conduct Schemes.

Any person may disclose a reportable allegation to those Commissions if operating in those jurisdictions.

NB: There are specific timeframes by which the CEO must abide by when making a report to the Commission (i.e. in Victoria it is within 3 business days of receiving a disclosure and forming a reasonable belief the conduct is reportable. In NSW this is 7 business days)