

AUSTRALIAN DOCTORS FOR AFRICA

Procedure: CHILD SAFEGUARDING

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1 INTRODUCTION

ADFA considers safeguarding children in all contexts to be of paramount importance, which informs the development of these procedures. It is also an ACFID requirement for ADFA to have a child safety policy in place and ADFA endorses the requirement. This is in keeping with the United Nations Convention on the Rights of the Child (1989) is the universal foundation for child protection.

The ADFA Child Safeguarding Policy is available on the ADFA website (www.ausdocafrica.org). This Procedure document supports the policy and reflects the minimum professional standard expected by ADFA staff, board members, volunteers, partners, observers and associates when dealing with children in the communities within which we work and provides a framework for managing and reducing risks of child abuse or harm in the context of ADFA's work.

When working in a foreign country, all ADFA staff, volunteers and immediate associates are required to abide by local legislation, including labour laws with regard to child labour.

ADFA is committed to the safety, protection and wellbeing of all children and acknowledges that children are present in all communities in all countries where we work, and deserve our particular protection not merely where they interact with our projects. Children are abused physically, sexually, emotionally and through ill treatment and neglect. Children living in poverty are more at risk of child abuse and exploitation.

We support the rights of children and take a zero tolerance approach to child exploitation and abuse. ADFA takes a risk based approach to child safety and uses careful management to identify, mitigate, manage or reduce risks to children that may be associated with its initiatives. All decisions regarding the welfare and protection of children are made based on the 'Best Interests of the Child' Principle. This principle refers to decisions considering that the child receives maximum benefit possible from services provided.

ADFA will prevent a person from working with children if they pose an unacceptable risk to children and are committed to immediately reporting breaches to DFAT in the cases where DFAT funding is involved.

This document provides a practical guide to prevent child abuse in ADFA's programs. The following sections outline the expectations that ADFA has of its personnel, including staff, volunteers, and associates in the undertaking of their activities. It then outlines how any breaches of these expectations should be handled, in terms of reporting, and sanctions which will be invoked in various circumstances. The document also outlines the risk management strategies that ADFA implements to reduce the risk to children of abuse or exploitation, in particular screening and training of all personnel and volunteers. Guidance is also provided for ethically obtaining and using visual images and stories, particularly of children.

Finally, ADFA's Safeguarding Code of Conduct must be committed to and signed by all staff, board members, volunteers and contractors.

2 SCOPE

This policy applies to all ADFA Board members, staff and volunteers, including medical and other ADFA organisational volunteers. It also applies to ADFA partners and contractors and individuals related to ADFA's international medical missions including observers or partners. Jointly all of the above groups will be referred to as ADFA personnel.

3 DEFINITIONS

Child Abuse:

- **physical abuse**—the use of physical force against a child that results in harm to the child. Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning

- **emotional abuse**—refers to a parent or caregiver’s inappropriate verbal or symbolic acts toward a child, or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts have a high probability of damaging a child’s self-esteem or social competence
- **sexual abuse**—the use of a child for sexual gratification by an adult or significantly older child or adolescent. Sexually abusive behaviours can include fondling genitals; masturbation; oral sex; vaginal or anal penetration by a penis, finger or any other object; fondling breasts; voyeurism; exhibitionism; and exposing the child to, or involving the child in, pornography
- **neglect**—the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing
- **ill-treatment**—disciplining or correcting a child in an unreasonable and seriously inappropriate or improper manner; making excessive and/or degrading demands of a child; hostile use of force towards a child; and/or a pattern of hostile or unreasonable and seriously inappropriate degrading comments or behaviour towards a child

Child Exploitation: One or more of the following:

- committing or coercing another person to commit an act or acts of abuse against a child possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material
- committing or coercing another person to commit an act or acts of grooming or online grooming
- using a minor for profit, labour, sexual gratification, or some other personal or financial advantage.

4 EXPECTATIONS OF PERSONNEL

The following section outlines the expectation of ADFA’s personnel, in general, and not only in the undertaking of their activities with ADFA.

4.1 ADFA Personnel will:

- treat every child with dignity and respect regardless of differences of ethnicity, religion, age, ability, gender, sexual orientation and economic circumstances;
- conduct themselves in a manner consistent with their position as a positive role model to children and as a representative of ADFA;
- be aware of cultural differences and sensitivities;
- comply with all relevant Australian and local legislation, including labour laws in relation to child labour;
- immediately report concerns or allegations of child abuse or exploitation in accordance with ADFA's reporting requirements;
- immediately disclose all charges, convictions and other outcomes of an offence that relates to child exploitation and abuse, including those under traditional law, which occurred before or occurs during association with ADFA;
- be aware of behaviour and avoid actions or behaviours that could be perceived by others as child exploitation and abuse;
- listen to children, take their concerns seriously and allow them to have a say in the decisions that affect them, as appropriate;
- be visible when working with a child;
- avoid being alone with a child where practicable and ensure that other adults are present when working with a child.

4.2 ADFA Personnel will not:

- engage in any behaviour that is intended to shame, humiliate, belittle or degrade a child;
- use language, make suggestions or offer advice that is inappropriate, offensive, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- take a child to one’s hotel or lodgings, nor sleep alone in the same room or share a bed with a child who is not one’s own;

- physically assault, physically punish or discipline a child;
- engage children in any form of sexual activity or acts, including paying for sexual services or acts act in ways that may be abusive or place a child at risk of abuse;
- behave physically in a manner that is inappropriate or sexually provocative;
- use any computers, mobile phones or video and digital cameras inappropriately and never to exploit or harass children or to access child pornography through any medium.
- condone, or participate in, behaviour which is illegal, unsafe or abusive;
- photograph or video a child without the consent of the child and his or her parent/s or guardian/s;
- supply alcohol or illicit drugs to minors.

4.3 Visual Images and Stories

When photographing or filming a child for work related purposes, ADFA Personnel must:

- before photographing or filming a child, obtain informed consent from the child and a parent or guardian and explain how the image or video will be used;
- assess and comply with local laws, traditions or restrictions on taking photographic images/stories ;
- ensure films, videos, and DVDs are respectful of a child's dignity and maintain standards of taste and decency;
- ensure images do not portray a child in a submissive manner, are adequately clothed and never in poses that could be seen as sexually suggestive;
- ensure images are honest representations of the context and facts;
- protect the personal identity of a child when sending images electronically.

Guidance notes for visual images and stories are provided at **Annexure 1** below.

5 REPORTING PROCEDURES

ADFA takes all concerns and reports of child abuse seriously and acts on these reports immediately. These concerns may relate to a child or an ADFA representative, or a concern about a child or person/s outside of ADFA's programs.

All concerns should **immediately** be reported and all relevant information and details regarding the complaint recorded on a child safety incident report form (**Annexure 2**).

5.1 Who should report?

All ADFA Personnel should report all concerns. People in the community and representatives of in-country partner organisations should also report their concerns.

5.2 What should be reported?

- Any disclosure or allegation from a child / community member or ADFA Personnel regarding the safety, abuse or exploitation of a child;
- Any behaviour exhibited by ADFA Personnel that breaches the ADFA Safeguarding Code of Conduct;
- Inappropriate use of visual images or stories, including evidence of child pornography;
- Suspicious behaviour that could be associated with sexual exploitation or trafficking.

5.3 How should it be reported?

When overseas, child abuse reports should be made to the nominated team leader or other ADFA representative, who will escalate the complaint to ADFA's CEO or Chair. ADFA representatives include local staff, local consultants and partners, who are able to communicate in local language with community members, and facilitate access to reporting mechanisms. Reports can be given verbally and by completing ADFA's Child Safety Incident Form (**Annexure 2**).

Individuals can also call the ADFA office on T: +61 8 6478 8951, or send an email to the CEO (ceo@ausdocafrica.org) or Chair of the Board (chair@ausdocafrica.org).

Reports can also be made in **writing** to:

Chief Executive Officer or Chair of the Board
Australian Doctors for Africa
Suite 1, 219 Onslow Road
SHENTON PARK WA 6008

Alternatively, a complaint can be made directly to ACFID. ADFA is committed to working according to the standard required by the Code of Conduct of ACFID, and a complaint can be made against any ACFID member when it is believed that they have breached the Code. The independent Code of Conduct Committee (CCC) is responsible for receiving, managing and investigating complaints against ACFID members. The full procedure for this is outlined on the ACFID website (<https://acfid.asn.au/code-of-conduct/complaints/>) and also on the ADFA website at <https://ausdocafrica.org/complaints/>. Complaints can be lodged via the following means:

Website: ACFID Code Committee at <http://www.acfid.asn.au/code-of-conduct/complaints>

Email: Chair, ACFID Code of Conduct Committee at code@acfid.asn.au.

Post: Chair, ACFID Code of Conduct Committee c/- ACFID, Private Bag 3, Deakin ACT 2600 (such complaints should be marked 'confidential').

5.4 Who to report to?

Overseas: Child abuse reports should be made to the nominated team leader. If this is not possible reports can be made directly to the CEO of ADFA or the Chair of the Board using the email addresses above. (See section 5.5.)

Where DFAT funding is involved, ADFA will immediately report breaches to DFAT via childwelfare@dfat.gov.au.

In Australia: Child abuse reports should be made to the CEO of ADFA or the Chair of the Board (as above). (See section 5.6.)

5.5 Reporting of Child Abuse Allegations Overseas

The first step is to gather all the relevant information. An initial assessment will be made based on the quality and reliability of the information and a decision will be made on what further steps to take.

A report will be dealt with as an internal disciplinary matter if it is a breach of the ADFA Safeguarding Code of Conduct. If the allegation constitutes a criminal offence in the country the matter may be directly referred to the local police or authorities.

If the incident has occurred outside of ADFA's program the matter will be referred to an external body or agency dealing with child safety matters in the country.

5.6 Reporting of Child Abuse in Australia

Reporting child abuse in Australia is a clearer process compared to responding to incidents that occur overseas. In all Australian States and Territories, sexual and physical abuse of a child is a crime. The age of consent in most Australian States and Territories is 16, including in Western Australia. Additionally, in some jurisdictions it is a criminal offence for persons who are in positions of power and trust (e.g. teacher, parent, carer) to engage in sexual activity with a child under the age of 18.

Reporting child abuse can either be made to the local State Police or the State child safety authorities. If there is an allegation or suspicion of child abuse by an ADFA representative this will be reported to the State Police.

If there are concerns that someone external to the organisation is sexually abusing a child, ADFA will contact the State Police and/or child safety authorities. Concerns about the welfare of the child in relation to neglect and/or emotional abuse will be reported to the *Department of Child Protection*, tel 1800 176 888 or *Western Australian Police*, tel 131 444.

Concerns about people engaging in child sex tourism, child sex trafficking and child pornography will be reported to: *Australian Federal Police, tel 131 237.*

5.7 What will happen next?

The nominated team leader, in consultation with the CEO and/or Chair of the Board, will discuss the allegations and decide upon the next step. This will involve either:

- interviewing the person/s who made the allegations or other witnesses to gather more information with which to make a decision;
- reporting to local police and or child safety authority;
- reporting to the Australian Federal Police;
- handling internally if it is not a criminal matter; and/or
- taking no further action.

ADFA will treat all concerns seriously, ***ensure that all parties are treated fairly and the principles of natural justice prevail.*** All reports will be handled professionally, confidentially and expediently.

All reports made in good faith will be viewed as being made in the best interests of the child regardless of the outcomes of any investigation. ADFA will ensure that the interests of anyone reporting child abuse are protected. Any person who intentionally makes false and malicious allegations will face disciplinary action.

The rights and welfare of the child is of prime importance; every effort must be made to protect the rights and safety of the child throughout the investigation.

5.8 Responding to Disclosure by a Child

When a child reports that he / she has been abused, they may be feeling scared, guilty, ashamed, angry and powerless. If a child alleges abuse, whatever the outcome, the child must be taken seriously.

It is important to remain calm and in control and to reassure the child that something will be done to keep him / her safe.

When a child or young person discloses they are being harmed you can show your care and concern for the child/young person by:

- listening carefully;
- telling the child you believe him or her;
- telling the child it is not their fault and he / she is not responsible for the abuse; and
- telling the child you are pleased he / she told you.

You will not be helping the child if you:

- make promises you cannot keep, such as promising that you will not tell anyone;
- push the child into giving details of the abuse (your role is to listen to what the child wants to tell you and not to conduct an investigation);
- ask any leading questions, as this may prejudice any subsequent investigation; or
- indiscriminately discuss the circumstances of the child with others not directly involved.

It may be possible to obtain some details such as where the abuse is taking place (ie school, home, work, etc), whether it is currently occurring or did occur in the past and the name of the perpetrator, without pushing or re-traumatising the child.

It is possible that some children will make a disclosure and then ask you not to tell anyone. It is important you seek guidance from the team leader to discuss how the child can be supported and the disclosure managed.

5.9 Other Actions to Take

5.9.1 Protect the Child

Once an allegation is made there should be an immediate response that protects the child from further potential abuse or victimisation. The child may require medical assistance or counselling support. Where possible the child should remain in the place of residence or relevant program.

Exceptions may be made where the child is deemed to be at risk of victimisation by peers as a result of the allegation or because the alleged abuse has occurred in home-based care. If the child is in immediate danger you should make arrangements for the child to go to a safe place.

5.9.2 Distance the Alleged Perpetrator

The best interest of the child may warrant the standing down of a volunteer or ADFA representative. The person who has identified the abuse should recommend the appropriate action in writing to the CEO and/or Chair of the Board.

5.10 Confidentiality

All reports, names of people involved and other details will remain confidential. Only the team leader, CEO and/or Chair of the Board will be informed of the report. Details will be released on a need-to-know basis or when required by relevant local or Australian law or a notification to Police or child safety authorities is made.

5.11 Sanctions

Where the Child Safeguarding Policy or Procedure or the Safeguarding Code of Conduct has been breached ADFA may remove or suspend an individual immediately from a program activity while the case is being assessed, or where a child's safety is potentially at risk. During any formal investigation period, the investigated person will be suspended from participation in program activities. This action is to be taken as a matter of precaution and does not form or evidence a judgement of guilt.

ADFA recognises an individual's right to a just process and does not presume guilt or innocence. Therefore, other than in circumstances of serious misconduct for which they may be suspended without pay at ADFA's sole discretion, any suspended paid personnel will continue to receive full pay. Any volunteers who are stood down will receive reasonable reimbursement of costs in the natural course.

ADFA may consider the following sanctions if the Child Safeguarding Policy and Procedure and/or the Safeguarding Code of Conduct have been breached by volunteers:

- (a) Suspension
- (b) Dismissal

Employees who breach the Child Safeguarding Policy or Procedure and/or the Safeguarding Code of Conduct will be sanctioned in accordance with ADFA Human Resources policies, and the following disciplinary actions may be applied:

- (a) Transfer to other duties
- (b) Suspension
- (c) Termination of Employment

Where a Program team member, who is an overseas resident or citizen (such as a local medical professional in an overseas setting), is the subject of an allegation the following will be applied:

- (a) Suspension from the ADFA program team whilst under investigation
- (b) Removal from the ADFA program team and all ADFA associated work if found to have breached the Child Safeguarding Policy.

Anyone who, after due investigation by the relevant authorities, is found to have put at risk or abused a child, will not be permitted any further involvement in ADFA's initiatives.

6 TRAINING

ADFA is committed to providing regular training to all personnel regarding child safeguarding with a particular focus on international development contexts, to ensure that personnel are fully aware of their responsibilities to protect children and how to report concerns or allegations about child exploitation and abuse or policy noncompliance. Initial training will be provided to new personnel during induction and includes a discussion regarding the individual's responsibility to build and

maintain a child safe organisation, how to make a child safeguarding report, and what is considered appropriate behaviour when interacting with children or child sensitive material.

Refresher training will be undertaken every 3 years and other periodic training on specific safeguarding topics will be undertaken as deemed necessary.

All volunteers involved in activities where contact with children is identified, are required to complete safeguarding training prior to deployment.

The Board is required to undertake safeguarding training, and to understand and support all policies and procedures implemented by ADFA, The Chair of the Board understands and accepts responsibilities under this policy to be a contact point for reporting of allegations of misconduct, and procedures for dealing with such reports.

ADFA will work to strengthen the child safeguarding capacity and understanding of partners which may involve awareness raising as well as discussion and review of child safeguarding implementation.

Community members and in-country partners with whom ADFA works will be provided with information about how to report any child safety or other concerns about ADFA volunteers and representatives.

7 SCREENING AND RECRUITMENT

The following child safe recruitment and screening procedures are used in the identification and contracting of ADFA staff, volunteers and associates.

7.1 Police Checks

A criminal record check must be obtained for any individual engaging in ADFA's initiatives, this includes staff, volunteers, consultants, Board members and/or family members accompanying a volunteer overseas.

A criminal record check must be obtained from an individual's:

- Country of citizenship; and
- Country of residence; and
- Any country an individual has lived for a period of 12 months or more in the last five years.

In Australia, an Australian Federal Police (AFP) National Police Check (NPC) clearance certificate must be obtained. In New Zealand, a Criminal Record check from the Ministry of Justice must be obtained. A certificate of no more than 6 months currency must be supplied.

Exceptional Circumstances: In certain cases, such as in the emergency mobilisation of a team or a team member, there may be insufficient time for the results of a criminal record check to be received by ADFA. In this instance, a statutory declaration must be provided by the individual in substitute of a police clearance, declaring the individual free from any criminal charges and/or involvement in any ongoing criminal court hearings (or awaiting verdict), inclusive of child-related offences. Before engaging this option, personnel must demonstrate that every reasonable effort has been made to source a criminal record check from the required country.

A police check is considered valid for three years from the date of issue, but must have no more than 6 months currency when provided. The Office Administrator maintains a register for ADFA staff, board members, and local volunteers, whilst police clearances for medical volunteers are considered for validity with each subsequent mission.

All information relating to criminal record checks must be handled in accordance with the ADFA Privacy Policy.

7.2 Working with Children Check

All medical volunteers are required to obtain a Working with Children Check (WWCC) as per the *Working with Children (Criminal Record Checking) Act 2004*. All medical volunteers would be considered as involving 'child-related work' and as such ADFA requires them to obtain a WWCC prior to deployment.

A WWCC is valid for three years unless cancelled sooner, unlike the National Police Certificate, which is only current on the day it is issued. The Office Administrator maintains a register for ADFA medical volunteers, whilst police clearances for medical volunteers are considered for validity with each subsequent mission.

7.3 Reference Checks

Character reference checks that include child safeguarding questions are mandatory for all personnel engaging in ADFA's activities. Where an individual has been nominated for participation by an existing team leader, long-standing volunteer, a documented recommendation from the nominator (including how long, and in what capacity the individual has been known to the nominator) must be procured. ADFA must also undertake 2 verbal referee checks (other than family members) supporting the recommendation. Where an individual is engaged to participate in ADFA's activities without a recommendation, 2 verbal referee checks must be conducted.

7.4 Interviews

Child safe behaviour-based questions will be asked of all volunteer or staff candidates and will be requested to disclose whether they have been charged with child exploitation offences.

7.5 Code of Conduct

Prior to engagement, all individuals (paid or unpaid) must read and abide by the ADFA Safeguarding Code of Conduct which provides clear guidance to personnel and associates about ways to minimise risk to children and make clear the standards of behaviour and practice required of them at all times when they are in contact with children, including the use of visual images, and commit to, sign and return the Safeguarding Code of Conduct.

8 REFERENCES

8.1 Associated Documents

This policy should be read in conjunction with these documents:

- ADFA Child Safeguarding Policy
- ADFA Safeguarding Code of Conduct
- ADFA Child Safety Incident Form (Annexure 2)
- ADFA Complaints Handling Policy

8.2 Reference Documents

- ACFID Code of Conduct www.acfid.org.au
- United Nations Convention on the Rights of the Child (1989) www.unicef.org/crc
- Geneva Declaration of the Rights of the Child
<https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

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ANNEXURE 1: GUIDANCE NOTES ON ETHICAL IMAGES AND STORIES

In our use of images, both photographic stills and video, and stories from the field, our overriding principle is to maintain respect and dignity in our portrayal of children, families and communities. Whilst images and stories are an essential means of documenting our work, we strive to maintain the dignity of everyone with whom we work and will not use images or stories that are disrespectful or demeaning. The following **principles** serve as guidelines for personnel taking visual images and documenting stories on ADFA's international medical operations:

- Respect the dignity of the subject.
- Always obtain informed consent when writing stories and or taking photographs or video footage of individuals. Informed consent for taking and using photographs of children will be sought from parents / caregivers or from children directly when they are of sufficient age and understanding.
- Informed consent forms signed by the subjects are required for all images used in ADFA media or communications.
- Wherever appropriate, explain to the subject the likely use of the story or images (ie Annual Report publication or ADFA Newsletter).
- Never take pictures of people who say they don't want to be photographed.
- When photographing Persons with Disabilities, ensure you have their informed consent, and ensure they are portrayed with dignity and respect.
- Do not publish stories or images in scientific journals, the internet, newspapers or other sources that identify an individual or place them in a potentially compromising situation without the permission of that individual. Requirements for verification of permission granted varies from country to country but for images or stories likely to be published we suggest that individuals are either not identified (if the face is included place a bar across the eyes and mid-face) or for images that include surgical pathology of the genitals that permission is confirmed and that the risk of misinterpretation of intent is considered.
- Use images and stories truthfully and do not exploit the subject.
- Do not manipulate the subject in a way which distorts the reality of the situation.
- Be confident that, to the best of your knowledge, the subject would regard the image or story and its use as truthful if s/he saw it.
- Maintain standards of taste and decency.
- Do not use images which are erotic, pornographic or obscene.
- Images depicting naked bodies may sometimes present in a surgical context, however, avoid portraying children in this manner unless it is necessary for reporting or documentation purposes. Board approval required for use of such images.
- When publishing images of a surgical nature, avoid nudity wherever possible.
- Maintain high technical standards – do not crop or digitally enhance an image in a way which misleadingly distorts the reality of the situation and, in video editing, do not misleadingly distort the reality of the situation.
- Be mindful of storing and sharing visual images, particularly when children are depicted in a surgical context.
- File labels must not reveal identifying information about a child when sending images or videos electronically.
- Store your images and stories in a secure file with restricted access.
- Where possible, avoid distributing (ie via email) visual images of children that might identify them or expose them.
- The whole world is on the web including ADFA; all data is kept on the web and is in fact accessible. Ensure the security of all images or stories and avoid public access to compromising or identifying images.
- Be wary when viewing images on your laptop or digital camera in public that images cannot be misinterpreted.

ANNEXURE 2: CHILD SAFETY INCIDENT FORM - CONFIDENTIAL

1 REPORTER'S DETAILS

Reporter's name		
Home address		
Other address		
Contact phone no.		Email:
Date of report		Time of report:

2 PERSON BELIEVED RESPONSIBLE FOR ALLEGED ABUSE OR HARM

Name	
Position/Organisation (if known)	
Address	
Phone	
Relationship to child	

3 DETAILS ABOUT THE CHILD

Child's first name: <i>(or description of child if the name is unknown)</i>		Child's last name:
Date of birth		Or estimated age of child:
Sex	Female <input type="checkbox"/> Male <input type="checkbox"/>	Cultural Identity:
Disability (if applicable)		Region:
Interpreter required	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Address		
Current residence of child		

4 CONCERN FOR SAFETY OF CHILD

Do you have a concern for the immediate safety of the child concerned? Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure <input type="checkbox"/>
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5 DETAILED REPORT

Please provide details of the grounds for your belief that a child has been the subject of physical, emotional or psychology abuse.

ADFA insists that you provide details of the grounds for your belief that the abovenamed child has been the subject of sexual abuse.

You must provide information that you think is of concern and has informed your belief that child abuse is alleged to have occurred. Attach further information if required.

6 AUTHORITIES

Are local police or other local authority aware of the incident\allegation?

Yes No Unsure

Explain:

7 SIGNATURE

Reporter's Signature _____
Date

Reports are to be lodged with the ADFA TEAM LEADER or the ADFA CEO ceo@ausdocafrica.org, Chair of the Board chair@ausdocafrica.org.