

# Child Safeguarding Policy and Procedures

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# Introduction

Includovate is committed to solving poverty and inequality through research, social policy, institutional strengthening, systems analysis and partnerships. Includovate places human dignity at the center of its work. Includovate recognises its duty of care to keep children safe and is committed to the wellbeing of children to ensure that they are treated with dignity and respect.

The need for this policy flows from a recognition that our work often puts includovate staff in positions of power in relation to the communities in which we operate. Communities trust that the people representing includovate will conduct themselves in a professional manner at all times and not engage in behaviour contrary to the safety or wellbeing of the children and adults with whom they come into contact.

Includovate takes seriously the responsibility to promote child safe practices and protect children from harm, abuse, neglect and exploitation in any form. We will take positive action to prevent people who pose a threat to children becoming involved in Includovate in any way, and take strict measures against any Includovate staff member (employee, contractor or subcontractor) who mistreats a child. Our decisions and actions in response to child protection concerns will be guided by the principle of 'the best interests of the child'. Adherence to this policy is a mandatory requirement for all Includovate employees, contractors and subcontractors.

Includovate's CEO has overall responsibility for creating the managerial environment that enables and facilitates the implementation of all aspects of this policy. The CEO also holds overall responsibility for developing and implementing local procedures and is responsible for delegating responsibility to key posts including the Managing Director of any Includovate entity, the Chief Operations Officer, Compliance Director and/ or the People and Culture Department.

### Purpose

This policy defines Includovate's commitment to safeguard children from harm and sets out how Includovate will actively prevent and respond to incidents of child exploitation and abuse. It aims to create an open and aware organisational culture that allows those affected by child exploitation and abuse to raise concerns and report incidents with the assurance their concerns will be handled sensitively and appropriately. This policy protects employees, contractors and subcontractors of Includovate by providing clear behaviour standards.

# Scope of this policy and procedure

The policy and procedures guideline applies to all Includovate employees, contractors and subcontractors (collectively referred to as Includovate Staff):

- Employees at all level, international or national, permanent, temporary full time, part time and casual
- Contractors working with Includovate on either a short or long term basis
- Sub-contractors
- Consultants and advisors
- Visitors (researchers, journalists, media etc.) who may come in contact with children through Includovate

All Includovate Staff must agree to the Child Safeguarding Policy and sign the Code of Conduct prior to the commencement of their engagement.



Implementation of the Child Safeguarding Policy and Procedures is underpinned by the following principles:

Principle 1: Includovate upholds the rights articulated in the international and national conventions, and recognises the best interests of the child

Includovate upholds the rights articulated in the International Bill of Human Rights and the United Nations Convention on the Rights of the Child, and promotes the right of children to be protected from all forms of violence including sexual exploitation and abuse. In all actions concerning children, the best interests of the child shall be a primary consideration.

#### Principle 2: Zero tolerance of child exploitation and abuse

Includovate has a zero tolerance approach to child exploitation and abuse. Includovate will not knowingly engage, directly or indirectly, anyone who poses a risk to children and will work to minimise the risks of child exploitation and abuse associated with its functions and programs.

#### Principle 3: Child exploitation and abuse is an act of gross misconduct

Child exploitation and abuse by any Includovate staff member constitute acts of gross misconduct. Such acts are reportable, criminal offences and grounds for termination of employment and/or contract.



#### **Principle 4: Inclusion and empowerment**

Full consideration will be given to how decisions affect children, and as far as possible decisions made about children will be made with their participation. If our projects involve children, then these children will be encouraged to express their views and these views will be duly considered in accordance with the age and level of maturity of the child.

#### **Principle 5: Open and accountable**

Includovate will operate in an open and transparent manner, creating an environment where child protection concerns can be raised and discussed, and inappropriate behaviour 'called out' and addressed. We will hold ourselves accountable for our commitment to protect children by regularly reviewing and strengthening our child protection measures.

## Principle 6: Child protection risks and impact will be continuously assessed and managed

While it is not possible to entirely eliminate the risk of child exploitation and abuse, Includovate will actively work to identify, mitigate, manage or reduce the risks to children that may be associated with Includovate functions and programs.

#### **Principle 7: Procedural fairness**

Includovate will apply procedural fairness when making decisions that affect a person's rights or interests. Includovate employees, contractors and subcontractors are expected to adhere to this principle when responding to concerns or allegations of child exploitation and abuse.

## **Code of Conduct**

This Child Safeguarding Code of Conduct sets out how Includovate employees, contractors and subcontractors should behave to protect children, prevent exploitation and abuse, and prevent any other intentional or unintentional harm to the people Includovate works amongst. This is not an exhaustive or exclusive list. The principle is that staff should conduct themselves in a manner consistent with their role as a representative of Includovate and as a positive role model for children.

When working with children, Includovate staff must do everything they can to create and maintain an environment that prevents sexual exploitation and abuse of children and promotes the implementation of this Code of Conduct. This includes the requirement to:

- Respect all children and treat them equally regardless of gender, race, religious or political beliefs, age, physical or mental health, sexual orientation, family and social background and cultural, economic and immigration status or criminal background.
- Comply with all relevant Australian and overseas protection legislation, including labour



laws in relation to child labour. Further guidance on Child Labour is provided below.

- Ensure two or more adults supervise all activities that involve children. Adults must remain visible and present at all times.
- Avoid any physical contact with children.
- Seek informed consent from the child and their parent or guardian prior to taking photographs or videos of a child. Further guidance on requirements for photographing children is provided in the Photography section below.
- Use positive, non-violent methods to manage children's behaviour.
- Accept responsibility for personal behaviour and actions, including accountability for their response to a child's behaviour.
- Be aware of situations that may present a risk and actively manage these through forward planning and adequate organisation.
- Listen to, and show respect for, the views of children encouraging them to share their opinions and concerns.
- Ensure all interactions are safe, appropriate, child-friendly and sensitive to the child's feelings. This includes ensuring that language is moderated and refraining from adult comments that may cause discomfort.
- Encourage children to provide feedback on their experiences with Includovate staff members and partners.
- Be vigilant for signs that a child may have been trafficked, or is at risk of trafficking.
- Familiarise themselves with reporting procedures and report any child protection concerns immediately in line with this Child Safeguarding Policy and Procedures.
- Regularly monitor the implementation of the policy and procedures. Participate in child safeguarding training and capacity building as provided by Includovate's People and Culture Department.

#### When working with children, Includovate staff members must never:

- Abuse and/or exploit a child or behave in any way that places a child a risk of harm.
- Act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse, discriminate against, show differential treatment, or favour particular children to the exclusion of others.
- Hit or otherwise physically assault, harm or abuse children.
- Work alone with a child or have physical contact of any kind with a child.
- Develop physical/sexual relationships with children, or involve children in any form of sexual activity, including paying for sexual services.
- Develop relationships with children that could in any way be deemed exploitative or abusive.
- Use language, make suggestions or offer advice that is inappropriate, offensive or abusive.
- Behave verbally or physically in a manner that is inappropriate or sexually provocative.



- Have a child with whom you are working stay overnight at personal accommodation.
- Seek ways to make contact with any child outside of the program times (for example, contacting them via social media).
- Do things for a child of a personal nature that they can do for themselves, such as assistance with toileting or changing clothes.
- Condone, or participate in, behaviour of a child that is illegal, unsafe or abusive.
- Give or provide children with alcohol or illegal drugs.
- Take or use photographs, videos or other images of children for personal use or uses that are not directly work related. Further guidance on use of a child's image is provided below.
- Hire children in any form of child labour (including as "house help").
- View, download, distribute or create indecent or inappropriate images of children and pornography.
- Allow allegations made by a child or concerns expressed by others about their welfare, to go unrecorded or not acted upon.

#### Photography and use of a child's image

In addition to the above behaviour standards, when photographing or filming a child, or using children's images for work-related purposes, Includovate staff members, visitors and associates must:

- Never photograph a child in contexts where their identity may be revealed
- Never photograph a child with insecure immigration status
- Obtain informed and documented consent of the child and his/her parents or guardian before photography/filming (a photography consent form is at Annex E to this policy). This includes giving a child and his/her parents or guardian the opportunity to decline to appear in the photograph/film.
- Provide an explanation on how the photograph/film will be used.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner, and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure file labels, metadata or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.
- Take care to ensure the local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child.

# **Child Labour**

Includovate acknowledges that in the course of our work, representatives may encounter children engaged in labour activities that do not accord with the minimum age standards expressed in the International Labour Organisation's Fundamental Principles on Rights at Work. Includovate opposes such practices and prohibits the use of child labour within its own business and in that of its suppliers and contractors.

# Risk Identification and Assessment

Includovate recognises that there are a number of potential risks to children in the delivery of our programmes. Activities and programs that involve direct work with children are considered a higher risk, and therefore require more stringent child safeguarding procedures. Aside from our internal ethical review board clearance, research conducted with children will go through national ethical review board clearance.

All Includovate Staff (employees, contractors and subcontractors) undergo training in child safeguarding. They are expected to be continually aware of potential risks to children as well as to be actively minimising opportunities and situations where children can be harmed.

# Personnel Recruitment and Selection

Includovate is committee to child safe recruitment, selection and screening practices. Includovate will not knowingly engage – directly or indirectly – anyone who poses a risk to children. These practices aim to recruit the safest and most suitable people to work in our programs. Includovate's child safe recruitment practices include:

- All successful applicants will receive a copy of Includovate's Child Safeguarding Policy and Procedures.
- Applicants will be required to submit a detailed application form when applying for a position. This form will ask for extensive information about the applicant's background such as dates and places of employment, education and other activities.
- Successful applicants for positions that involve direct contact with children will be required to provide a police clearance certificate.
- Job descriptions that describe key selection criteria and outline tasks and accountabilities are required for all positions (staff, volunteers, consultants etc).



- Recruitment screening processes for all personnel working with children will include the additional screening measures of being asked behavioural-based interview questions.
- A minimum of three verbal referee checks will be required for all preferred candidates in positions that have direct contact with children.
- All staff will be required to provide proof of identity including birth certificates, passports and relevant qualifications.
- All positions will be subject to a probationary period depending on the length of the contract.
- All of Includovate's employees, contractors and subcontractors will be required to read and sign this Child Safeguarding Policy and Procedures and sign the Code of Conduct.
- Includovate reserves the right to refuse employment or terminate any person's contract that may pose a risk to children. All contracts will contain provisions for the prevention of a person working with children if they present an unacceptable risk to children.

# Educating staff about child protection

Includovate is committed to educating employees, contractors and subcontractors in child protection, prevention of abuse, how to reduce risks and create child safe environments. Includovate will promote child safe practices that keep children safe in the organisation and in their own community, and provide information about child protection to the children and communities in which we work.

# **Responding to and reporting of child protection concerns**

It is mandatory for all Includovate employees, contractors and subcontractors to report concerns or allegations of child abuse that relate to a child or participant involved with Includovate programs. We will take all concerns and reports of child abuse seriously. We will investigate and act on these reports immediately, with the highest priority. **Includovate staff are not to take action or make decisions on a course of action independently.** 

An allegation of child abuse is a serious issue. In following this policy, it is essential that all parties maintain confidentiality. Sharing of information, which could identify a child, an alleged perpetrator or the informant/reporter could put them at harm so should be done strictly on a 'need to know' basis.

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#### Who should report?

All Includovate employees, contractors and subcontractors **must report** concerns or allegations of child abuse that relate to a child or participant involved with any Includovate programs. Children, parents, members of the community or partner organisations should also make a report if they hold concerns.

Includovate is committed to maintaining a child-friendly complaints handling process. This includes taking any disclosure of abuse from a child seriously.

#### Who to report to?

All concerns should be reported directly to the CEO (<u>kristie.drucza@includovate.com</u>) and Includovate's People and Culture Department (<u>hr@includovate.com</u>). **Includovate staff are not to take action or make decisions on a course of action independently.** 

Concerned community members or partners can also report directly to either the CEO and People and Culture Department. Either reporting line is mandated to act appropriately in accordance with this policy. There is a reporting function on the Includovate website <u>Report Anomaly and</u> <u>Wrongdoing | Includovate</u> that can also be used to report concerns.

The CEO will lodge the report with the appropriate client body as required. Those who report are welcome to check with Includovate's client that the report has been lodged.

#### What should be reported?

Any disclosure, concern or allegation from a child, community member, employee, contractor and subcontractor or stakeholder regarding the safety, abuse or exploitation of a child should be reported. This includes actual, suspected, or risk of abuse or harm to a child.

Any observation of concerning behaviour exhibited by an Includovate employee, contractor or subcontractor that breaches the Includovate Code of Conduct must also be reported.

If Includovate staff member(s) witness any form of child abuse during a visit to another partner organisation or contractor they have a duty to report this to the relevant local authorities, and to the police if they believe a crime has been committed.

#### How should it be reported?

Reports should be made in writing by completing the Includovate's **Incident Reporting Template** at Annex D to this policy. Reports should be as factual as possible and include specifics such as time and date, nature of concern and reason for reporting, and details of persons involved.

#### When to report?

Child abuse concerns should be reported immediately.

#### What will happen next?

The CEO and/or the delegated Senior Manager and/or People and Culture Department will discuss the allegations and then decide upon next steps. This may involve one or more of the following:

- Interviewing the person/persons who made the allegation and/or other witnesses to gather more information with which to make a decision about the allegation.
- Reporting to local police and/or child protection authority when it is suspected that a crime has been committed.
- Reporting to the Australian Federal Police if it is suspected that a crime involving child sex tourism, child sex trafficking and/or child pornography has been committed.
- Reporting to the Conduct and Ethics Section (CEU) within the Australian Department of Foreign Affairs and Trade if required (for Australian Government funded projects)
- Handling the concern internally if it is not a criminal matter.
- No further action taken (if allegation is found to be baseless).
- Providing support to all stakeholders (including reporter) as necessary.

The CEO and/or the delegated Senior Manager and/or Human Resources Department are responsible for recording incidents, concerns and referrals and storing these securely, so that information remains confidential. Such files will be retained in a file separate from other files. The CEO is responsible for delegating responsibility for these tasks to a Senior Manager or to the Human Resources Department on a case-by case basis.

#### **Local Legislation**

Most countries in which Includovate works have legislation relating to child exploitation and abuse. When working in any country, Includovate staff members implementing its activities are required to abide by local legislation, including labour laws with regard to child labour. In the case of Ethiopia for instance; the Constitution of the Federal Democratic Republic of Ethiopia (article 36), the revised Family Code of Ethiopia (Articles 194/2, 266/2) are relevant local legislation.

#### **Disciplinary Action**

Includovate will take disciplinary action against any staff member found to have: knowingly neglected to report a child protection concern, intentionally made a false allegation, or breached the Child Safeguarding Policy and Procedures and/or Code of Conduct.

If an employee, contractor or subcontractor raises a legitimate concern about suspected child abuse, which proves to be unfounded on investigation, no action will be taken against the staff member. Any staff member who makes false and malicious accusations, however, will face disciplinary action.

# **Policy Review**

Includovate will review its Child Safeguarding Policy and Procedures every three years. The CEO (or delegate) will manage the review and staff will be consulted in the process.

## References

The policy was developed after consulting the following documents:

- Australian Government: Department of Foreign Affairs Child Protection Policy, 2017
  <a href="https://www.dfat.gov.au/about-us/publications/pages/child-protection-policy">https://www.dfat.gov.au/about-us/publications/pages/child-protection-policy</a>
- United Nations Convention on the Rights of the Child
  <u>https://www.unicef.org.au/our-work/information-for-children/un-convention-on-the-rights-of-the-child</u>
- Australian Council for International Development (ACFID) Guidelines for the Development of a Child Safeguarding Policy, ACFID code of conduct., 2018 <u>https://acfid.asn.au/sites/site.acfid/files/resource\_document/ACFID%20Code%20of%20Cond</u> <u>uct%20Guidelines%20for%20the%20Development%20of%20a%20Child%20Safeguarding%</u> <u>20Policy\_Nov%2018.pdf</u>
- Plan International Child Protection Policy 2013
  <u>https://plan-international.org/sites/files/plan/field/field\_document/annex\_b.pdf</u>

### **Annexes** A: Definitions

**CHILD:** a "child" is defined as anyone under the age of 18.

**CHILD ABUSE:** "Child abuse" or "maltreatment" constitutes 'all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility & trust or power.'

**CHILD PROTECTION:** Child Protection refers to the set of policies, procedures and practices that we employ to ensure that Includovate is a child safe organisation in which the children we work with are safe and that we respond appropriately to individual cases of abuse and exploitation (either internal or external to the Company) when they occur. It is to protect children from both intentional and unintentional harm. It helps to create a safe and positive environment for children and to show that the organisation is taking its duty and responsibility of care seriously.

**CHILD PARTICIPATION:** Anyone below the age of 18 taking part in a process or playing a role in a process at his/her level, according to their evolving capacities, children and young people thinking for themselves, expressing their views effectively, and interacting in a positive way with other people; involving children in the decisions which affect their lives, the lives of the larger society in which they live.

**CHILD PORNOGRAPHY:** any representation by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

**DIRECT CONTACT WITH CHILDREN:** being in the physical presence of a child or children in the context of Includovate's work, whether contact is occasional or regular, short or long term.

**INDIRECT CONTACT WITH CHILDREN:** having access to information on children in the context of Includovate's work, such as children's names, locations (addresses of individuals or projects), photographs and case studies.

**INFORMED CONSENT**: capacity to freely give consent based on all available information, according to the age and evolving capacities of the child.

**SEXUAL EXPLOITATION:** means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from sexual exploitation or another.

**SENIOR MANAGEMENT TEAM:** means the Managing Director of any Includovate Entity, the Chief Operations Officer or any Director.

**STAFF MEMBER:** means anyone engaged by Includovate to carry out work on its behalf. It includes employees, contractors, subcontractors, interns, volunteers, consultants, advisers and anyone else engaged by Includovate.

#### **B: Code of Conduct**

Includovate has developed this Code of Conduct to protect and safeguard children, and Includovate staff members by providing clear behavioural guidelines and expectations. All Includovate staff members, in the course of carrying out their work, must adhere to the following principles.

#### As a staff member of Includovate, I will:

- Respect all children and treat them equally regardless of gender, race, religious or political beliefs, age, physical or mental health, sexual orientation, family and social background and cultural, economic and immigration status or criminal background.
- Comply with all relevant Australian and overseas protection legislation, including labour laws in relation to child labour. Further guidance on Child Labour is provided below.
- Ensure two or more adults supervise all activities that involve children. Adults must remain visible and present at all times.
- Avoid any physical contact with children.
- Seek informed consent from the child and their parent or guardian prior to taking photographs or videos of a child. Further guidance on requirements for photographing children is provided in the Photography section below.
- Use positive, non-violent methods to manage children's behaviour.
- Accept responsibility for personal behaviour and actions, including accountability for their response to a child's behaviour.
- Be aware of situations that may present a risk and actively manage these through forward planning and adequate organisation.
- Listen to, and show respect for, the views of children encouraging them to share their opinions and concerns.
- Ensure all interactions are safe, appropriate, child-friendly and sensitive to the child's feelings. This includes ensuring that language is moderated and refraining from adult comments that may cause discomfort.
- Encourage children to provide feedback on their experiences with Includovate staff members and partners.
- Be vigilant for signs that a child may have been trafficked, or is at risk of trafficking.
- Familiarise themselves with reporting procedures and report any child protection concerns immediately in line with this Child Safeguarding Policy and Procedures.
- Regularly monitor the implementation of the policy and procedures. Participate in child safeguarding training and capacity building as provided by Includovate's People and Culture Department.

#### As a staff member of Includovate, I will not:

• Abuse and/or exploit a child or behave in any way that places a child a risk of harm.

- Act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse, discriminate against, show differential treatment, or favour particular children to the exclusion of others.
- Hit or otherwise physically assault, harm or abuse children.
- Work alone with a child or have physical contact of any kind with a child.
- Develop physical/sexual relationships with children, or involve children in any form of sexual activity, including paying for sexual services.
- Develop relationships with children that could in any way be deemed exploitative or abusive.
- Use language, make suggestions or offer advice that is inappropriate, offensive or abusive.
- Behave verbally or physically in a manner that is inappropriate or sexually provocative.
- Have a child with whom you are working stay overnight at personal accommodation.
- Seek ways to make contact with any child outside of the program times (for example, contacting them via social media).
- Do things for a child of a personal nature that they can do for themselves, such as assistance with toileting or changing clothes.
- Condone, or participate in, behaviour of a child that is illegal, unsafe or abusive.
- Give or provide children with alcohol or illegal drugs.
- Take or use photographs, videos or other images of children for personal use or uses that are not directly work related.
- Hire children in any form of child labour (including as "house help").
- View, download, distribute or create indecent or inappropriate images of children and pornography.
- Allow allegations made by a child or concerns expressed by others about their welfare, to go unrecorded or not acted upon.

#### Photography and use of a child's image

In addition to the above behaviour standards, when photographing or filming a child, or using children's images for work-related purposes, I will:

- Never photograph a child in contexts where their identity may be revealed
- Never photograph a child with insecure immigration status
- Obtain informed and documented consent of the child and his/her parents or guardian before photography/filming (a photography consent form is at Annex E to this policy). This includes giving a child and his/her parents or guardian the opportunity to decline to appear in the photograph/film.
- Provide an explanation on how the photograph/film will be used.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner, and not in a vulnerable or submissive manner. Children should be adequately



clothed and not in poses that could be seen as sexually suggestive.

- Ensure file labels, metadata or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.
- Take care to ensure the local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child.

This Code of Conduct forms part of staff contracts with Includovate. Failure to adhere to it could result in your engagement with Includovate being terminated and/or criminal prosecution.

#### **Declaration:**

I, [*insert full name*] confirm that I have been provided with a copy of, and have read, understand and agree to abide by Includovate Pty Ltd Child Safeguarding Policy and Procedures.

#### I also declare that:

- I have never had a finding of guilt against me in any legal proceedings against me for charges related to child abuse;
- I am not the subject of any ongoing legal proceedings related to allegations of child abuse against me; and
- To the best of my knowledge, I am unaware of any legal investigation, whether criminal or civil, into alleged child abuse or exploitation allegedly committed by me.

I understand that Includovate reserves the right to take formal action against me if I am to breach the Includovate Child Safeguarding Policy and Procedures and the Code of Conduct or any other local or international child protection laws.

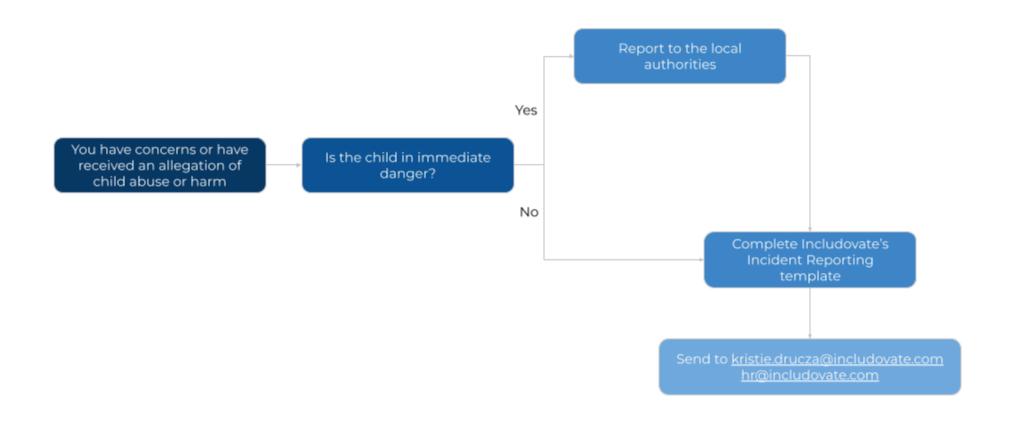
Signature:

Date:

\*\* This signed Declaration will be held on file for the duration of your engagement with Includovate

#### Annex C:

## **Reporting requirements flowchart**



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#### **D: Child protection incident reporting template**

Please use the following template to report concerns of child abuse, exploitation or harm. Please be aas factual as possible, including specific information (e.g. time and date, names of people involved etc) wherever possible.

Part One: About reporting person
Your name:
Your role in relationship to Includovate:
Details of any other organisation involved:
Your relationship to the child or children concerned:
About the Child/Children
Name(s):
Gender:
Age:
Address:
Who does the child live with?
Where is the child now (is he/she safe)?
Are there any immediate medical or safety issues?
Concern of the reporting person
Date, time and place of any incident(s):
How did you come to have a concern: was abuse observed or suspected? Was an allegation made?
Did a child disclose abuse?
Nature of concern/allegation:



Observations made by you (e.g. child's emotional state, any physical evidence):
Write down exactly what the child said and what you said: (continue on a separate sheet if necessary):
Any other relevant information? (E.g. disability? language?):
Were other children involved or aware? Yes No (circle)
Have you reported to parents or guardians or any other staff or Agencies?
If yes:
Time and date of reporting:
Person(s) to whom report was made:
Advice given:
Action taken:

#### Please send a copy of this completed form to:

#### hr@includovate.com

and

kristie.drucza@includovate.com

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