



CHILD PROTECTION POLICY & CODE OF CONDUCT

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Annexure A - Child Protection Code of Conduct

Annexure B - Recruitment Practices

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1. Application

For the purpose of this policy, a child will be considered to be a person under the age of 18 years unless under the law applicable to the child, majority is obtained earlier.

Protecting children from harm is the responsibility of all those who participate in the work of ActionAid Australia. This policy applies to:

- all staff;
- all volunteers including AYADs, interns and work experience students;
- all contractors, e.g., consultants;
- all Board Members; and
- all partner organisations and associates.

Each person is responsible for having a thorough knowledge of this policy and the procedures set out below, acting in accordance with this policy and complying with the ActionAid Australia Child Protection Code of Conduct.

Breach of this policy or the Child Protection Code of Conduct constitutes an act of misconduct and is grounds for disciplinary action and/or termination of employment.

2. Principles

This policy is informed by a set of principles that derive from the UN Convention on the Rights of a Child:

- All children have equal rights to protection from abuse and exploitation.
- All children should be encouraged to fulfil their potential and inequalities should be challenged.
- Everybody has a responsibility to support the care and protection of children.
- ActionAid Australia has a duty of care to children with whom we work and with whom our representatives work.
- ActionAid Australia's partners have a responsibility to meet minimum standards of protection for the children in their programs.

3. Statement of responsibility

This policy statement affirms ActionAid Australia's commitment to the welfare of children and their protection from abuse and exploitation.

ActionAid Australia recognises that the abuse and exploitation of children happens in all countries and societies across the world. All child abuse involves the violation of children's rights.

Child abuse is never acceptable and a commitment to children's rights in general also means a commitment to safeguard the children with whom ActionAid Australia is in contact.

ActionAid Australia will not permit a person to work with children if that person poses an unacceptable risk to children's safety or wellbeing.

Senior managers and managers are responsible for promoting children's rights and championing the protection of children. Management are responsible for the implementation of this policy and ensuring that all parties comply with the Child Protection Code of Conduct.

Particular management responsibilities as set out in this policy include building child protection awareness, advocacy, rigorous recruitment and selection practices, training, and responding appropriately to allegations.

4. Action statement

ActionAid Australia will meet its commitment to safeguard children through the following means:

Awareness: Ensure that all staff and others are aware of the problem of child abuse and the risks to children.

Prevention: Ensure, through awareness and personal and professional conduct, that staff and others minimise the risk to children.

Reporting: Ensure that staff and others have clear steps to follow where concerns arise regarding the safety of children.

Responding: Ensure that action is taken to support and protect children where concerns arise regarding possible abuse.

In order that the above standards of reporting and responding are met, ActionAid Australia will ensure that it:

- takes seriously any concerns raised;
- takes positive steps to ensure the protection of children who are the subject of any concerns;
- supports children, staff or other adults who raise concerns or who are the subject of concerns;
- acts appropriately and effectively in instigating or co-operating with any subsequent process of investigation;
- demonstrates responsibility to and respect for children by being sensitive in our communications that involve them; and
- is supported by stringent recruitment and selection measures that have been designed to minimise the possibility of recruiting persons who may pose a risk to children.

5. What is child abuse?

Child abuse can be physical abuse, emotional abuse, neglect or sexual abuse.

Physical abuse

Physical abuse occurs when a person purposefully injures or threatens to injure a child or young person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take the form of bruises, cuts, burns or fractures.

Emotional abuse

Emotional abuse is a chronic attack on a child or young person's self esteem. It can take the form of name calling, threatening, ridiculing, intimidating or isolating the child or young person.

Neglect

Neglect is the failure to provide the child with the basic necessities of life, such as food, clothing, shelter and supervision to the extent that the child's health and development are at risk.

Child sexual abuse

Sexual abuse is when a child or young person is used by an older or bigger child, adolescent or adult for his or her own or another's sexual stimulation or gratification, or economic gain.

6. Implementation

ActionAid Australia commits itself to a number of processes in adopting a child safe culture.

6.1 Vigilance in recruitment and selection

All persons covered by this policy must adhere to strict guidelines in the recruitment and selection process. The recruitment guidelines will be reviewed and updated regularly to ensure that they accurately reflect child safe recruiting and screening standards. This will include:

- a clear and bold statement that confirms ActionAid Australia's commitment to child protection in all advertising;
- adopting 'best practice' recruitment and selection techniques;
- conducting verbal reference checks; and
- conducting national police checks where ever feasible.

Guidelines on recruitment practices, including interview and reference check questions, are set out at Annexure B.

6.2 ActionAid Australia Child Protection Code of Conduct

All persons covered by this policy are required to sign a Child Protection Code of Conduct set out at Annexure A.

6.3 Police checks

ActionAid Australia will undertake police checks in accordance with current AusAID guidelines.

Currently, a police check must be obtained upon recruitment for staff who will be working on or visiting projects. This includes all staff in international offices. For tenders only, AusAID will accept a police check for a period of 12 months after issue.

A police check must be obtained for each country the person has lived in for the past five years *and* for his or her country of citizenship. Police checks must also be obtained by partner organisations for staff members who will be working with children.

All personnel working with children, including volunteers, will be asked to obtain a Police Check or sign an authority to obtain a Police Check. The police check will be requested for all full-time, part-time and casual employees including long-term contract appointments, regardless of location.

If a potential employee declines to undergo a police check, the offer of employment will be withdrawn.

Where a police check cannot be obtained all reasonable measures, including background and reference checks, will be undertaken to ensure the person does not pose a risk to children.

6.4 Program planning and implementation

ActionAid Australia will ensure that where any work or project involves working with children, all risk assessments will incorporate risks to children.

Risks to children will also be considered when developing and implementing disaster response activities.

Note: the organisation implementing an activity holds the primary responsibility for ensuring that risks to children are managed effectively.

6.5 Training and development

All staff, volunteers, Board members, partners and others covered under this policy will receive information relating to ActionAid Australia's Child Protection Policy during the induction process. Further training will be tailored to individual team requirements.

7. Reporting concerns of child abuse

7.1 Incident reporting

It is mandatory for any allegation, belief or suspicion of sexual, physical or emotional abuse or neglect (past or present) by an ActionAid Australia or partner employee, volunteer, consultant, donor, partner or board-member to be reported **immediately** to the relevant Country Director, the ActionAid Australia General Manager - International Programs (GM-IP) **and** the ActionAid Australia General Manager - Human Resources (GM-HR). Appropriate professional advice will be sought.

A child or person reporting an incident must be taken seriously and listened to carefully. Once an allegation is made there should be an immediate response that protects the child from further potential abuse or victimisation. The family of the child victim should be informed of the allegation and action proposed and they should be consulted where possible as to the process to be followed.

When concerns arise, all parties will be directed through a formal complaints process by the GM-HR. The GM-HR may consult with legal counsel and/or police authorities if appropriate, and steer the investigation process accordingly.

7.2 Distance the alleged perpetrator

The best interests of the child/young person may warrant the standing down of the alleged perpetrator while an investigation commences. A person who has been stood down will receive full pay and is entitled to a just process that does not pre-suppose guilt or innocence. The allegations should not be discussed or communicated to any person outside the process until a final outcome is known. The reasons for a decision to stand down a person must fully documented.

7.3 Document the incident

As soon as possible (within a period of 24 hours of the disclosure), the person receiving the disclosure must fully document the allegation, including the time, place, witnesses on the Incident Report at Annexure C. This report will be used as the basis for investigation and possibly used in court if charges are forthcoming.

7.4 Confidentiality

Confidentiality is crucial to a fair and effective reporting procedure. It is unacceptable and potentially defamatory for concerns of child abuse (and abusers) to be spread throughout the organisation rather than being directed through a formal complaints process. All participants must understand the importance of following the set reporting lines when concerns arise. Confidentiality protects the child, the notifier, the respondent and the organisation, and ensures a fair and proper process.

7.5 Investigation of complaints

Internal investigations will undertake a confidential, thorough, impartial and prompt process. The investigation may consist of interviews with witnesses and others as appropriate, collection of information about the alleged conduct, gathering of documentation, or other procedures as appropriate. The individual alleged to have violated this ActionAid Australia policy would have the opportunity to present his or her view of the events in question. ActionAid Australia will hold its determination until the investigation is completed.

Physical and/or sexual abuse of a child is a criminal offence. Organisations may be required to notify national authorities when there are reasonable grounds for reporting abuse.

7.6 Reprisal

ActionAid Australia will not tolerate any form of coercion, intimidation, reprisal or retaliation against any employee who reports any form of abuse or exploitation, provides any information or other assistance in an investigation.

8. Use of Child photos and information

Pictures, images, or other likenesses of children and/or information related to children that could compromise their care and protection will not be made available through any form of communication media. Images of children should not be accompanied by detailed information relating to their place of residence. Images with corresponding text which may identify a child must be removed.

9. Policy review

This policy will be reviewed by ActionAid Australia every five years.

I confirm that I have read and understood the ActionAid Australia Child Protection Policy and agree to strictly adhere to the Policy. I understand that breach of the ActionAid Australia Child Protection Policy may result in termination of my employment.

Name (please print)

Signature

Date

ANNEXURE A

CHILD PROTECTION CODE OF CONDUCT

For the purpose of this policy, a child will be considered to be a person under the age of 18 years unless under the law applicable to the child, majority is obtained earlier.

I, _____, agree that while implementing ActionAid Australia activities I will:

- treat children with respect regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;
- not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- not engage children in any form of sexual activity or acts, including paying for sexual services or acts. I understand that mistaken belief of the age of the child is not a defence;
- wherever possible, ensure that another adult is present when working in the proximity of children;
- not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger;
- not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my manager's permission, and ensure that another adult is present if possible;
- use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any medium;
- refrain from physical punishment or discipline of children (excluding my own children);
- refrain from hiring children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury;
- comply with all relevant Australian and local legislation, including labour laws in relation to child labour; and
- immediately report concerns or allegations of child abuse in accordance with appropriate procedures.

Use of children's sounds and images for work-related purposes

When recording, photographing or filming a child for work-related purposes, I must:

- before recording, photographing or filming a child, assess and endeavour to comply with local traditions or restrictions for reproducing personal images;

- before recording, photographing or filming a child, obtain consent from the child or a parent or guardian of the child. As part of this I must explain how the recording, photograph or film will be used;
- ensure recordings, 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 recordings and images are honest representations of the context and the facts; and
- ensure file labels do not reveal identifying information about a child when sending images electronically.

I understand that the onus is on me, as a person engaged by ActionAid Australia, to use common sense and avoid actions or behaviours that could be construed as child abuse when undertaking ActionAid Australia activities.

Name (please print)

Signature

Date

ANNEXURE B

RECRUITMENT PRACTICES

Child related positions must be identified at the recruitment requisition stage of recruitment. As a guide, if a position has contact with children on a regular basis it must be deemed to be a "child related position". It is the Hiring Manager's responsibility to ensure that the following practices are implemented.

Past History

The Hiring Manager must ask every applicant to provide a complete work history and ensure that there are no suspicious patterns or unexplained gaps in the applicant's work history. Copies of all qualifications must be obtained and retained on the applicant's file.

Interviews

If there are any unaccounted for breaks in employment the Hiring Manager should use the interview to discuss these with the applicant.

The Hiring Manager must inform all candidates that ActionAid Australia is a child-safe employer and these questions are standard for **all** interviews.

Question for all positions

- What is your understanding of the ActionAid Australia Child Protection Policy & Code of Conduct? How do you think it would apply to you in this role and what steps would you take to comply with the Policy/Code of Conduct?

Questions for child related positions

- Do you have any concerns about working directly with children?
- Have you worked with children before? If so, what are some of the methods you have used to motivate children?
- Please tell us about a time in which a child you were responsible for did something very unexpected or inappropriate. What happened and how did you handle it?
- Can you give an example of where you have acted to protect a child? What did you learn from this and how has it impacted on your current work practices.

Reference Questions

The Hiring Manager must inform each referee that ActionAid Australia is a child-safe employer and advise that this question is standard for all reference checks:

"Do you have any concerns about recommending this person to work directly with children?"

Reference checks can also be used to raise any issues that may have been cause for concern during the interview process.

ANNEXURE C
INCIDENT REPORT

Name of complainant:	
Address/contact details:	
Age:	
Sex:	
Name of alleged victim (if different from complainant):	
Address/contact details:	
Age:	
Sex:	
Name(s) and address of parents, if applicable:	
Has the alleged victim given consent to the completion of this form?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Date of incident(s):	
Time of incident(s):	
Location of incident(s):	
Physical & emotional state of victim (Describe any cuts, bruises, lacerations, behaviour, and mood):	
Witnesses' names and contact information:	
Brief description of incident(s) (attach extra pages if necessary):	
Name of accused person(s):	
Job title of accused person(s):	
Organization accused person(s) works for:	
Address of accused person(s) (if known):	
Age:	
Sex:	
Have the police been contacted?	YES <input type="checkbox"/> NO <input type="checkbox"/>
If yes, what happened?	
If no, does the alleged victim want police assistance, and if not, why?	
Has the alleged victim been informed about available medical treatment?	YES <input type="checkbox"/> NO <input type="checkbox"/>
If yes, has the alleged victim sought medical treatment for the incident?	YES <input type="checkbox"/> NO <input type="checkbox"/>

If yes, who provided treatment?	
What is the diagnosis and prognosis?	
What immediate security measures have been undertaken for victim?	
Who is responsible for ensuring safety plan (Name, Title, Organisation):	
Any other pertinent information provided in interview (including contact made with other Organisations, if any)	
Details of referrals and advice on health, psychosocial, legal needs of victim made by person completing report:	
Report completed by: <i>Name Position/Organisation</i> <i>Date/Time/Location</i>	
Has the complainant been informed about the organisation's procedures for dealing with complaints?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Complainant's consent for data to be shared with other entities (check any that apply):	Police <input type="checkbox"/> Other (Specify) <input type="checkbox"/> _____
Date report forwarded to relevant management structure	