

CHILD PROTECTION POLICY (ABV Policy #14)

March 2018

Introduction

Australian Business Volunteers (ABV) is committed to the safety and protection of children from all forms of abuse and exploitation. While ABV does not work directly with children, we recognise that children are part of the community fabric of all communities in the developing countries where we work and therefore require ABV to have a strong commitment to their safety, wellbeing and protection.

Purpose

This Child Protection Policy (CPP) has been developed to provide a practical guide to protect children and prevent child abuse that may arise as a result of ABV's programs and initiatives. It will outline a range of risk management strategies that will be implemented which will reduce the risk of children being harmed and demonstrate ABV's commitment to protect children from harm and abuse.

As a signatory to the ACFID Code of Conduct, ABV is obliged to have policies and procedures implemented which advance the safeguarding of all children through its services and programs, in particular to minimise the risk of abuse to children (ACFID Code of Conduct 1.4.1, 1.4.2 and 1.4.3)

ABV is obliged to adhere to local and international child protection criminal laws, which prohibit the abuse and exploitation of children. These include local laws where ABV's programs exist, and international laws and Conventions in relation to all forms of child abuse and child exploitation, including: child sex tourism, child sex trafficking, child labour and child pornography.

Policy Scope

This policy covers concerns about harm to children by ABV staff, program participants or associated people in the course of their work and when representing ABV, and applies to program participants at any stage when they are on assignment or involved in projects.

Adherence to this policy is a mandatory requirement for all staff, ICMs, volunteers and partners, who will sign the Protection of the Child Code of Conduct at Attachment 2 as part of the employment, volunteer registration or partnership engagement process.

Policy

ABV is committed to the safety and wellbeing of all children. We support the rights of children and will act without hesitation to ensure a child safe environment is maintained. ABV is committed to the protection of children from harm, abuse and exploitation. Children have a right to survival, development, protection and participation as stated in the United Nations Convention on the Rights of

the Child (UNCRC). ABV will uphold these rights. ABV contributes to a safe environment for children through appropriate approaches to awareness raising and adherence to internationally recognised standards.

ABV recognises that there are a number of potential risks to children in the delivery of our programs to the vulnerable and disadvantaged. In recognising these risks, ABV proactively assesses and manages these risks to children in our programs (and in the communities in which we work) to reduce the risk of harm. This is achieved by examining each program and its potential impact on children. While we do not have programs that work directly with children, as children are part of every community in which we work, we are always mindful of potential risks.

Risk management is an ongoing process, and ABV conducts a child protection risk assessment on every new and emerging program and project, included in the project management cycle. Staff and others should continually be aware of risks, and be actively minimising opportunities and situations where children can be harmed.

Staff members and volunteers are responsible for maintaining a professional role with children, which means establishing and maintaining clear professional boundaries that serve to protect everyone from misunderstandings or a violation of the professional relationship. All staff and volunteers should conduct themselves in a manner consistent with their role as an ABV representative and a positive role model to children.

Partnership Guidelines

ABV recognises the need to implement specific guidelines to manage the child protection risks within its partnership programs. All partners will receive clear child protection guidelines early in the partnership development process. CPP forms part of the overall Partnership Services Agreement.

Where an employee of a partner contravenes this CPP, ABV can bring the partnership to a close.

Implementation

The following definitions apply to the approaches undertaken in support of this policy:

ABV staff: all Australian and international staff with a current contract of employment with ABV.

Associated people: This includes board directors, office volunteers and interns, contractors and service providers and any person representing the organisation at ABV's request.

Child and young person: A child or young person is regarded to be any person under the age of 18 years, unless a nation's laws recognise adulthood earlier.

Child Protection: Is the term used to describe the responsibilities and activities undertaken to prevent or stop children being abused or maltreated.

Child Exploitation: Commercial or other exploitation of a child refers to the use of the child in work or other activities for the benefit of others that are unacceptable because it deprives them of their childhood, development or dignity. This includes, but is not limited to, child labour and child prostitution.

Child Abuse: Abuse happens to male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion. Child abuse includes physical, sexual, emotional, neglect, bullying, child labour and domestic violence. Both boys and girls can be the victims of abuse, and abuse can be inflicted on a child by both men and women,

as well as by young people themselves. In some cases, professionals and other adults working with children in a position of trust also abuse children.

Duty of Care: Duty of Care is a common law concept that refers to the responsibility of the organisation to provide children with an adequate level of protection against harm. It is the duty of the organisation to protect children from all reasonably foreseeable risk of injury.

Physical abuse: This 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: This occurs when a child is repeatedly rejected or frightened by threats. This may involve name calling, being put down or continual coldness from parent or caregiver, to the extent that it affects the child's physical and emotional growth.

Neglect: Neglect is the persistent failure or the deliberate denial to provide the child with clean water, food, shelter, sanitation or supervision or care to the extent that the child's health and development are placed at risk.

Sexual abuse: This occurs when a child or young person is used by an older or bigger child, adolescent or adult for his or her own sexual stimulation or gratification - regardless of the age of majority or age of consent locally. These can be contact or non-contact acts, including threats and exposure to pornography.

Bullying: Bullying is the inappropriate use of power by an individual or group, with an intent to injure either physically or emotionally. It is usually deliberate and repetitive. The bullying may be physical or psychological (verbal and non-verbal). Physically, bullying includes pushing, hitting, punching, kicking or any other action causing hurt or injury. Verbal bullying includes insults, taunts, threats and ridicules. Psychological bullying includes physical intimidation and ostracism.

Grooming: Behaviours used to form a special or power-based relationship with children. The process is designed to build the family and child's trust and to make it easier for the person to commit abuse.

Employment of Staff

ABV is committed to child safe recruitment, selection and screening practices. These practices, which are detailed in ABV's HR Manual, aim to recruit the safest and most suitable people to work in our programs, and include:

- Promoting our child safe commitment on our website, in other promotional materials and in all job advertisements.
- Providing a copy of ABV's CPP to all applicants and informing them of the screening requirements during the recruitment process, including a police clearance or relevant criminal history checks depending on the country of engagement. All staff will be required to provide proof of identify including birth certificate, passport, drivers licence and relevant qualifications. Original documents are required.
- Conducting interviews for all positions, ideally face-to-face, but telephone interviews may be necessary in the international context.
- All positions will be subject to a probationary period depending on the length of the contract.

Child safe practices for ongoing staff members include:

- All staff are required to read and sign the ABV's Child Protection Code of Conduct.
- All staff to have current police check on file.
- Issues relating to child protection will be included in staff performance reviews.
- Assessment of the level for risk in relation to contact with children of all positions.
- Maintaining job descriptions for all staff positions which describe key selection criteria and outline tasks and accountabilities.

ABV reserves the right to refuse employment to or terminate any person's employment that may pose a risk to children.

Engagement of Volunteers

ABV is committed to child safe recruitment, selection and screening practices of volunteers, and practices include:

- Promoting our child safe commitment on our website, in other promotional materials and in all job advertisements.
- Conducting interviews for all positions, ideally face-to-face, but telephone interviews may be necessary in the international/remote or regional context. There are specific questions to address the candidate's ability to work with vulnerable people.
- All volunteers are required to read and sign the ABV's Child Protection Code of Conduct during pre-departure training.

ABV's volunteers are recruited in accordance with ABV registration policy, which details reference checking procedures.

Use of Children's Images

ABV will at all times portray children in a respectful, appropriate and consensual way. Our guidelines on the use of children's images, are:

- A child should always be portrayed 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.
- A child and its family must always be asked for consent when using their images. When asking for consent to use the image, details should be given as to how and where this image will be used.
- There should be no identifying information of the child used in the publication of images with their location.
- Children should be portrayed as part of their community.
- Local cultural traditions should be assessed regarding restrictions for reproducing personal images.

- Images should be an honest representation of the context and the facts.
- When sending images electronically, file labels should not reveal identifying information.
- All photographers will be screened for their suitability, including police checks where appropriate.

Reporting

ABV considers the abuse and exploitation of children to be completely unacceptable. We will take all concerns and reports of child abuse seriously and act on these reports immediately.

It is mandatory for all ABV staff and others to report concerns or allegations of child abuse. These concerns may relate to a child or a staff member involved in the organisation or a concern about a child or person/s outside of the organisation's programs. Any concern should immediately follow ABV's child abuse reporting procedures at Attachment 1.

Who should report?

All ABV staff, volunteers and members of partner organisations.

What should be reported?

Any disclosure or allegation from a child/community member or staff regarding the safety/abuse exploitation of a child, as defined by this policy.

Any observation or concerning behaviour exhibited by an ABV staff member, volunteer or other relevant stakeholder that breaches this policy.

Inappropriate use of the organisation's photographic equipment or computers including evidence of child pornography.

Staff engaging in suspicious behaviour that could be associated with sexual exploitation or trafficking.

Who to report to when abuse occurs

A report must be made to:

- (i) The relevant in-country manager; and
 - a. relevant Program Manager in Australia; or
 - b. the CEO

An initial assessment will be made based on the quality and reliability of the information and a decision will be made (in consultation with the CEO) on what steps to take.

A local reporting procedure will guide the process based on whether the allegation constitutes a criminal offence in the country, or whether it is a breach of this policy and will be dealt with as a disciplinary matter.

The first step will be to gather all the relevant information and address any health and protection needs of the child. The matter may be directly referred to the local police and/or authorities if the allegations are considered to be criminal offences.

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

Child abuse concerns should be raised immediately verbally, and in writing.

What will happen next?

ABV will treat all concerns raised seriously and ensure that all parties will be treated fairly and the principles of natural justice will be a prime consideration. 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. ABV will ensure that the interests of anyone reporting child abuse in good faith are protected. Any employee, 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.

Children and community members with whom ABV works will be provided with information about how to report any child protection concerns about ABV staff members and others.

Confidentiality. ABV will ensure that any concerns raised will be handled according to the principles of confidentiality, safety, impartiality, procedural fairness, timeliness and accuracy. All reports, the names of people involved and the details will remain confidential. Only the In- Country manager and the CEO, the relevant Program Manager and the people involved 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 protection authorities is made.

Attachment 1 provides details of:

- i. procedures for determining the appropriate action required by ABV staff when an allegation has been made; and
- ii. Guidance for staff, volunteer and partner organisations on responding to disclosure of abuse by a child.

Other significant actions to take

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 victimization 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 arrangements should be made for the child to go to a safe place

Distance the alleged perpetrator. The best interest of the child may warrant the standing down of a staff member or volunteer. The manager should recommend the appropriate action in writing to the CEO.

Educating the Organisation

ABV is committed to educating staff, volunteers, partners and others on its Child Protection Policy and in how to reduce risks and create child safe environments. We will promote child safe practices which 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. This information will include reporting child abuse if they have concerns about an ABV member of staff or other representative in the organisation.

Review

ABV will coordinate the review this policy every three years as part of the ACIFID Code of Conduct Self-Assessment Procedure.

Related Documents

ABV Policy #20 – Police Check Suitability Policy

Attachment 1

Procedures for determining the appropriate action following a child abuse allegation

If the abuse occurs overseas, the In-Country Manager, in consultation with the CEO and relevant Program Manager will consider the following:

- Interviewing the person/persons who made the allegations or other witnesses to gather more information with which to make a decision
- Report to local police and or child protection authority
- Concern handled internally if it is not a criminal matter
- No further action taken.

If the abuse occurs in Australia, the CEO will decide upon further action required being either:

- Interviewing the person/persons who made the allegations or other witnesses to gather more information with which to make a decision
- Report to local police and or child protection authority
- Report made to the Australian Federal Police
- Concern handled internally if it is not a criminal matter
- No further action taken.

Advice for staff, volunteers and partner organisations when responding to disclosure by a child

When a child/young person tells you that he or she has been abused, they may be feeling scared, guilty, ashamed, angry and powerless. You, in turn, may feel a sense of outrage, disgust, sadness, anger and sometimes disbelief

If a child discloses abuse, whatever the outcome, the child must be taken seriously

It is important for you to remain calm and in control and to reassure the child/young person that something will be done to keep him or her safe

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

Listening carefully

Telling the child/young person you believe him or her

Telling the child/young person it is not their fault and he/she is not responsible for the abuse

Telling the child/young person you are pleased he/she told you

You will not be helping the child/young person if you:

- Make promises you cannot keep, such as promising that you will not tell anyone
- Push the child/young person into giving details of the abuse. Your role is to listen to what the child/young person wants to tell you and not to conduct an investigation (beware of asking any leading questions as this may prejudice any subsequent investigation)

- Indiscriminately discuss the circumstances of the child/young person with others not directly involved.
- Try and obtain some details such as where the abuse is taking place, school, home, work etc; is it currently occurring or did occur in the past, name of perpetrator if possible but not necessary.

It is possible that some children or young people will make a disclosure and then ask you not to tell anyone. It is important you seek guidance from your In-Country Manager or the Senior Staff member in your Host Organisation to discuss how the child or young person can be supported and the disclosure managed.

Attachment 2

ABV CHILD PROTECTION CODE OF CONDUCT

I have received and read ABV’s Child Protection Policy. I agree to be bound by the terms of this policy whilst:

- employed by ABV
- deployed as a volunteer through an ABV program

and agree that in the course of my association with ABV 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 a child (under the age of 18 years) in any form of sexual activity or acts, including paying for sexual services or acts;
- 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 supervisor’s permission, and ensure that another adult is present if possible;
- use any computers, mobile phones, video and digital cameras or social media appropriately, and never to exploit or harass children or to access child exploitation material through any medium – in accordance with (but not limited to) the ‘Use of Children’s Images’ outlined in this policy;
- not use physical punishment on children;
- not hire 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 local legislation, including labour laws in relation to child labour;
- immediately report concerns or allegations of child abuse and exploitation in accordance with the ABV Child Protection Policy and any relevant legislative reporting requirements; and
- immediately disclose all charges, convictions and outcomes of an offence, which occurred before or occurs during my association with ABV that relate to child exploitation or abuse.

(PRINT NAME)

(SIGNATURE)

(DATE)