



Child Protection Policy and Procedures

Approved by Board on 25 August 2011

Table of Contents

1. Child Protection Policy	2
2. Staff Code of Conduct (child protection)	7
3. Child Protection Procedures	10
3.1 Recruitment.....	10
3.2 Training and Development.....	11
3.3 Sponsorship.....	11
3.4 Program Planning and Implementation.....	15
3.5 Marketing and Communications.....	15
3.6 Allegation Reporting and Management.....	15
Annexure A – Recruitment Practices	21
Annexure B – Incident Report Form	22
Annexure C – Child Protection Policy and Procedures and Code of Conduct Undertaking	24

1. Child Protection Policy

Introduction

ActionAid Australia is fundamentally committed to protecting children from violence, abuse and exploitation in all their forms and to promoting children's rights as set out in the United Nations Convention on the Rights of the Child (1989).

ActionAid Australia will take all reasonable steps to safeguard the interests, rights and well-being of those children with whom the organisation is in contact and will advocate for strengthening the protection and promotion of rights of all children in the communities in which we work. ActionAid Australia will implement procedures and practices as set out in this document to protect children from violence, abuse and exploitation by staff, partners, sponsors and other organisational representatives who have contact with children.

Application

Protecting children from harm is the responsibility of all those who participate in the work of ActionAid Australia including:

- Board members;
- staff;
- volunteers;
- contractors e.g. consultants;
- partner organisations;
- donors and support who visit ActionAid projects (there is a separate and more tailored *Child Protection Policy and Procedures for Supporters Visits to ActionAid Projects*)

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.

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.
- All children should be encouraged to participate in demanding their rights and to hold duty bearers to account.

- 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.

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.

ActionAid Australia respects and upholds statutory law in those countries where it operates. ActionAid Australia's policy and procedures must be interpreted and enforced in accordance with local law. There may be instances where the agency policy and procedures are more stringent than local law and in these cases the ActionAid Australia policy and procedures should be followed.

ActionAid Australia respects and will generally work to strengthen the culture, traditions and practices in the countries/communities in which we work. However in instances where cultural practices are clearly contrary to children's rights, ActionAid Australia will work with the community to change such practices (e.g., female genital mutilation; preventing girls from attending school in order to carry out domestic tasks).

The ActionAid Australia Child Protection Policy aim to protect children from harm and to provide guidance to staff, sponsors and relevant others so they can work safely and effectively with children.

The ActionAid Australia Child Protection Policy will be reviewed every five years or sooner, if required.

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.

What is Child Abuse?

In keeping with the United Nations Convention on the Rights of the Child, a child in this policy is a person under the age of 18 years.

Child abuse is defined as an act by parents, caregivers, other adults or older adolescents that endanger a child or young person's physical or emotional health or development.¹ Child abuse can be a single incident but usually takes place over time.

Child abuse is primarily understood as acts committed by adults or older adolescents against children. However it is also recognised that certain actions or the failure to act by governments and other authorities can breach children's rights and can result in serious harm to children. ActionAid Australia will work to promote the responsibility of State Parties and other duty bearers to take all appropriate legislative, administrative, social and educational measures to protect children.

ActionAid Australia classifies child abuse according to five main types.

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

¹ Definition of child abuse is taken from Australian Institute of Family Studies, Fact Sheet: Child Protection in Australia. Children See. Children Do. Make your Influence Positive. 2008

Emotional or psychological abuse involves a sustained pattern of verbal abuse and harassment that results in damage to a child or young person's self-esteem or social competence. It can take the form of name calling, threatening, ridiculing, constant criticism, belittling, intimidating or isolating the child or young person.

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. This can also include exposure or failure to prevent the exposure of children to all forms of pornography and sexual acts.

Neglect

Neglect is the deliberate denial to provide a 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.

Exploitation

Exploitation refers to the use of children for someone else's advantage, gratification or profit often resulting in unjust, cruel and harmful treatment of the child.

There are two main forms of child exploitation that are recognised:

Sexual exploitation: the abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the exploitation of another as well as personal sexual gratification.

Examples: Child prostitution, trafficking of children for sexual abuse and exploitation, child pornography, sexual slavery.

Economic exploitation of a child: the use of the child in work or other activities for the benefit of others. This includes, but is not limited to, child labour. Economic exploitation implies the idea of a certain gain or profit through the production, distribution and consumption of goods and services. This material interest has an impact on the economy of a certain unit, be it the State, the community or the family.

Examples:

Child soldiers and the recruitment and involvement of children in armed conflict, child bondage, the use of children from criminal activities including the sale and distribution of narcotics, the involvement of children in any harmful or hazardous work.

Responsibilities of Management and Staff

Management

ActionAid Australia executive staff and managers are responsible for promoting children's rights and championing the protection of children. Management are responsible for implementation of the ActionAid Australia child protection policy and procedures as set out in this document and will comply with the Staff Code of Conduct.

Particular responsibilities as detailed in the following procedures include building child protection awareness, advocacy, rigorous recruitment and selection practices, training, sponsorship controls, responding appropriately to allegations, systems and administration.

Executive staff and managers are responsible for promoting child safe messages in their work including appropriate child-safe communications on websites, brochures, recruitment materials and publications.

Staff

ActionAid Australia staff and representatives are responsible for having a thorough knowledge of the ActionAid Australia policy and procedures as set out in this document, acting in accordance with these policies and procedures and complying with the Staff Code of Conduct.

Questions and Contacts

Staff who have questions or concerns or require further information in relation to the child protection policy and procedures should contact their manager or supervisor, or the Country Director (in program countries) or the ActionAid Australia Executive Director in Sydney

2. Staff Code of Conduct (child protection)

Introduction

All ActionAid Australia representatives (ActionAid Australia staff, board members, volunteers, and contractors in Australia and in ActionAid Australia program countries) will conduct themselves in a manner that promotes children's rights and protects children from harm.

Children are at risk from abuse from a variety of sources. It is the responsibility of all ActionAid Australia representatives to minimise this risk by setting a positive example, undertaking active prevention efforts, identifying and managing potential risks and responding to allegations of abuse. The code of conduct describes the basic expectations of ActionAid Australia representatives, particularly regarding their contact and dealings with children.

All ActionAid Australia representatives will be required to sign an undertaking to comply with this code. (See Annexure C).

All ActionAid Australia partner organisations that are implementing AusAID funded aid activities are required to sign an undertaking to comply with this code. (See Annexure C).

Core Principles

ActionAid Australia has identified four core principles that relate to child abuse and exploitation and the conduct of humanitarian and development workers:

1. Exploitation and all forms of abuse of children by humanitarian and development workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
2. Where a humanitarian or development worker develops concerns or suspicions regarding any type of child abuse or exploitation by a fellow worker, whether in the same agency or not, s/he must report such concerns via the prescribed ActionAid Australia reporting mechanisms.
3. Humanitarian and development workers are obliged to create and maintain an environment which prevents exploitation and all forms of abuse of children and promotes positive staff conduct. Managers at all levels have particular responsibilities to support and develop systems that maintain this environment.
4. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defence.

ActionAid Australia Representatives Undertaking

ActionAid Australia representatives will act at all times to ensure children's safety and protection.

Specifically ActionAid Australia representatives will:

- take action to inform themselves and others on the ActionAid Australia policy and the United Nations Convention on the Rights of the Child;
- maintain and promote a safe environment for children to participate in ActionAid Australia's activities;
- treat all children and young people with respect regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;
- conduct themselves in a manner that is consistent with the values of ActionAid Australia ;
- provide a welcoming, inclusive and safe environment for all children, young people, parents, staff and volunteers;
- respect cultural differences;
- encourage open communication between all children, young people, parents, staff and volunteers and ensure that children and young people participate in the decisions that affect them;
- wherever possible, ensure that another adult is present when working in the proximity of children;
- comply with all relevant Australian and local legislation, including labour laws in relation to child labour;
- report any concerns or allegations of child abuse according to the prescribed ActionAid Australia procedures;
- at all times ActionAid Australia staff should be transparent in their actions and whereabouts
- take responsibility for ensuring they are accountable and do not place themselves in positions where there is a risk of allegations being made;
- self-assess their behaviours, actions, language and relationships with children; and
- speak up when they observe concerning behaviours of colleagues.

ActionAid Australia representatives will not:

- engage in behaviour that is intended to shame, humiliate, belittle or degrade children;
- use inappropriate, harassing, abusive, sexually provocative, demeaning, offensive, culturally inappropriate or discriminatory language when speaking with a child or young person;
- do things of a personal nature that a child can do for him/herself, such as assistance with toileting or changing clothes;
- invite unaccompanied children into their home/hotel, unless they are at immediate risk of injury or in physical danger;

- sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my manager's permission, and ensure another adult is present if possible;
- smack, hit or physically assault children;
- physically punish or discipline children (excluding my own children);
- 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;
- behave provocatively or inappropriately with a child;
- participate in or condone any behaviour of children that is illegal, unsafe or abusive;
- act in a way that shows unfair and differential treatment of children;
- hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way;
- seek to make contact and spend time with any child or young person outside the program times;
- use ActionAid Australia's computers, mobile phones, blackberries, video or digital cameras inappropriately, nor use them for the purpose of exploiting or harassing children or to access child pornography through any medium;
- hire minors as 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.

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 (where feasible) and 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.

A breach of the Code of Conduct or breach of ActionAid Australia's child protection procedures are grounds for disciplinary action, may lead to dismissal from employment or service, and may result in legal proceedings.

3. Child Protection Procedures

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

3.1 Recruitment

3.1.1 Interview and Selection Process

ActionAid Australia's commitment to the protection of children is evidenced through the strict guidelines relating to the recruitment of staff, particularly those who will be in direct contact with children. These guidelines, that form part of the broader ActionAid Australia Recruitment and Selection Manual, are regularly reviewed and updated, ensuring that at all times they accurately reflect child safe recruitment and screening standards.

The guidelines include:

- a clear statement that confirms ActionAid Australia's commitment to child protection on the Job Vacancy page of the ActionAid Australia website;
- targeted interview questions;
- conducting reference checks; and
- conducting national police checks where ever feasible.

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

All ActionAid Australia employees are to be informed of ActionAid Australia's Child Protection Policy and Procedures during the induction process, with employees required to sign an acknowledgement that they have read the document and will comply with its requirements.

If it is discovered that any employee (or potential employee) is prohibited from working with children under Australian law, their employment will be immediately terminated and the relevant authorities will be notified.

3.1.2 Criminal Background Check

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. The police check will be requested for all full-time, part-time, and casual employees including long-term contract appointments, regardless of location.

These checks will be conducted at the commencement of employment, with follow-up checks conducted every 12 months for those who are working with children. ActionAid Australia will inform all prospective staff of this requirement and will never knowingly employ anyone convicted of a child related offence or permit a person to work with children if they pose an unacceptable risk to children. 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.

3.2 Training and Development

3.2.1 Training in ActionAid Australia Sydney Office

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. Staff are responsible for reading and upholding ActionAid Australia's Child Protection Policy and Procedures and Code of Conduct.

3.2.2 Training in ActionAid Australia Program Countries

It is the responsibility of the relevant Country Director to ensure that all staff are informed about ActionAid Australia's Child Protection Policy and Procedures.

In order to deliver quality programs it is necessary for staff in country offices to have direct contact with children. As such, additional training on child protection and working with children will usually be required and will be arranged by the relevant manager or Country Director. Training should at all times be culturally appropriate, taking into account different cultural perspectives on child protection.

Country Offices should work to develop, document and implement staff training and awareness related to the Child Protection Policy and Procedures.

3.3 Sponsorship

Children and sponsors being served through ActionAid Australia have the right to be secure from accidental or intentional abuse or inappropriate contact by a sponsor, a child or any other person associated with the organisation.

ActionAid Australia encourages communication between sponsors and children as it has the potential to positively impact on both the development of the child/sponsor relationship and the cultural education and awareness of the sponsor. This communication occurs through letter writing/emails and sponsor visits to the child. All letters and emails need to be vetted by the relevant ActionAid country office to

ensure child and sponsor protection. All sponsor visits need to be authorized by the ActionAid Australia Sydney office and must adhere to the Sponsor Visit procedures.

It is important that policies and guidelines relating to child/sponsor communication are adhered to in order to protect the sponsor, the child and the child's family. Failure to adhere to these guidelines may result in:

- cancellation of the sponsorship;
- removal of the child/family from enrolment;
- termination of employment of ActionAid Australia staff;
- removal of staff from activities;
- closure of the activities.

3.3.1 Correspondence

Letter writing is a way sponsors and children can forge close relationships. Through asking questions about the lives of their children, reinforcing their achievements and sharing their own lives with the children, sponsors can demonstrate their commitment and care.

All correspondence between sponsors and children must be reviewed by ActionAid Australia staff for appropriate content, cultural sensitivity and to ensure the confidentiality of the child's and sponsor's addresses are maintained. The address and contact information must **NEVER** be shared between sponsors and children.

In the event of inappropriate content by an Australian sponsor, the Supporter Relations staff member involved in discovering this content (either having been alerted by a counterpart in another country or discovering it themselves) reports this to the Head of Fundraising. As a result of an internal investigation into the incident, ActionAid Australia may terminate the sponsorship and if necessary report the matter to the police. Any sponsor who writes sexually suggestive or inappropriate comments to their child will have their sponsorship immediately terminated. All steps taken as part of the investigation are to be documented and filed in a secure location with the Head of Fundraising and not on the ActionAid Australia database. However, a note should be made on the database to refer any future contact between ActionAid Australia and the sponsor to the General Manager of Fundraising and Communications.

In the event of inappropriate content in correspondence from sponsorships from other ActionAid International member organizations, the relevant ActionAid Australia country office and the ActionAid Australia Sydney office should be informed. ActionAid Australia would expect the member organisation to conduct an internal investigation into the matter and, if appropriate, report the incident to local authorities. Actions must be documented and shared with both the relevant country office and ActionAid Australia. Regardless of the outcome of the investigation,

ActionAid Australia reserves the right to terminate a sponsorship if sexually suggestive or inappropriate comments to the child are made.

3.3.1. Unauthorised Contact

With greater access to new technologies, it is now possible for sponsors and sponsored children (or their families) to establish contact through social networking/messaging sites or email. Direct contact between sponsor and sponsored child (or family member) is **PROHIBITED** by ActionAid Australia.

All correspondence between sponsors and sponsored children must go via the ActionAid national office without exception. This ensures that ActionAid Australia can monitor any communications to ensure that both the sponsor and sponsored child are protected from inappropriate content, abuse and any fraudulent activities.

ActionAid Australia cannot allow direct contact between a sponsor and sponsored child, as it is unable to guarantee the safety of communications for both parties.

ActionAid Australia will take unauthorised contact seriously. The child (family or representative) and sponsor will be asked to cease this communication and ActionAid Australia may:

- cancel the sponsorship;
- remove the child/family from enrolment.

3.3.2 Sponsor Visits

All sponsor visits to either a child or a community are arranged through ActionAid Australia's Supporter Relations Team in Sydney or the relevant ActionAid International member office. This minimises the risk of harm and exploitation to sponsored children, their families and communities. No sponsor is allowed to visit their child unless the visit has been arranged through the ActionAid Australia or ActionAid International member organisation Supporter Relations Team.

3.3.3 Pre-departure: ActionAid Australia Sponsors

When Australian sponsors first start their sponsorship, they are provided with basic information about procedures and policies regarding visits to sponsored children. They are also informed that they must contact ActionAid Australia at least three months prior to departure.

Once a specific inquiry is received by ActionAid Australia regarding a child/community visit, the Supporter Relations Officer will provide the sponsor with detailed information about Sponsor Visit Procedures. This involves the sponsor being sent Visit forms, including an application for a criminal background check. Sponsors are responsible for having the check completed and must send ActionAid Australia a dated copy of the results. The cost of doing the background check is the responsibility of the sponsor.

All Australian sponsors wishing to visit a child and/or community **MUST** undergo a criminal background check. This check must be completed before ActionAid

Australia and the National Office approve the visit. ActionAid Australia has the right to either refuse or cancel a sponsor visit if the results of the check are not provided or if the check contains any recent history of child related offences. If a visit is cancelled or refused, the relevant country office is contacted as the sponsor may still try to visit the child/community.

Under no circumstances will any person who has had their request to visit a child or community denied be allowed to visit, even if they still turn up at the country office. In this case, the country office is to deal with the sponsor according to local procedures and processes. The Country Director is responsible for documenting the event and notifying the Executive Director of ActionAid Australia.

3.3.4 Pre-departure: ActionAid International Member Sponsors

Sponsors from ActionAid International member organisations (e.g., US, Italy and UK sponsors) will comply with the procedures prescribed by that member organisation.

3.3.5 In-Country Supervision of Visits

At all times during a sponsor visit, the sponsor must be accompanied by an ActionAid Australia staff member. Under no circumstances is an ActionAid Australia staff member to leave the child and parent/guardian alone with the sponsor at any time during the visit. Meetings are to occur in public places such as the Country Office, the field office, schools, restaurants, parks, playgrounds etc. and **NEVER** take place in the child's home. The Country Office staff are responsible for ensuring that the child's actual place of residence is kept confidential at all times. This is necessary in order to prevent sponsors returning unaccompanied to a child's house after the scheduled visit.

During the visit, any inappropriate or suspicious behaviour by the sponsor toward any child or family member is to be reported immediately in accordance with the reporting guidelines established by the Country Office. Both the Country Director and ActionAid Australia's Head of Fundraising are to be notified. Based on the report received from the relevant Country Office, the sponsorship may be terminated and the ActionAid Australia Head of Fundraising in discussion with the Executive Director will determine whether the incident should be reported to the police. The report from the Country Office as well as any further correspondence relating to the incident is to be documented and filed in a secure environment with the Head of Fundraising.

3.3.6 Child Visits to the Sponsor's Residence

Visits by the child to the sponsor's country or residence are **STRICTLY PROHIBITED**. Not only does this present an enormous risk of abuse, but also the child may be negatively impacted by the culture and material wealth of an environment outside their own experience.

3.4 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.

3.5 Marketing and Communications

ActionAid Australia will undertake all reasonable precautions to protect paper and electronic information about enrolled children. Child Information Folders are kept in a secure location and child information is restricted to ActionAid Australia individuals who require access to the information as part of their responsibilities. At all times staff are required to adhere to ActionAid Australia's Privacy Policy.

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. All images of children that are used in promotional or awareness materials are **NEVER** accompanied by explicit information regarding the child's place of residence. Any text accompanying an image that in any way identifies the child will be pixilated or removed.

All independent photographers will be appropriately screened as is required for all ActionAid Australia representatives.

All communications involving children use pictures and text that are decent and respectful. In all communications children are adequately clothed in accordance with local customs and any poses that are potentially sexually suggestive are avoided.

While ActionAid Australia recognises that supporters will often wish to share photos or stories of their sponsored children as a means of promoting the work of ActionAid Australia, given the privacy and security risks the placement of child photos or personal information on websites or intranets by sponsors is prohibited. Any sponsor wishing to further promote the work of ActionAid Australia should contact the Communications team for more information.

3.6 Allegation Reporting and Management

The development, implementation and continual monitoring of an effective allegation and incident management system is essential to ActionAid Australia's efforts to protect children from all forms of abuse and to ensure due process for any ActionAid Australia representatives involved in an allegation.

The potential for staff, donors or partners to seek access to children for abusive purposes is acknowledged by ActionAid Australia. This threat is treated with the utmost importance and seriousness and ActionAid Australia is committed to doing all it possibly can to prevent the abuse of children and to hold accountable those who harm children.

3.6.1 Obligation to Report Suspected Incidents of Child Abuse

It is mandatory for any allegation, belief or suspicion of child abuse as defined in this policy (past or present) by an ActionAid Australia or partner employee, volunteer, consultant, donor, partner or board-member to be reported immediately as detailed below. If a person knowingly chooses not to report an incident, then they will be subject to disciplinary action including possible termination of employment.

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 ActionAid Australia's Head of Human Resources. The Head of Human Resources may consult with legal counsel, external expert investigators and/or police authorities if appropriate, and steer the investigation process accordingly.

3.6.2 Allegations Made in Australia

All incidents or suspicions of child abuse, including the inappropriate use of printed materials (past or present) by an ActionAid Australia representative in Australia must be reported immediately either to their manager or the Executive Director of ActionAid Australia **and** the Head of Human Resources. In the instance that a suspicion or incident is initially reported to a Manager, it then becomes the Manager's responsibility to report to the Executive Director. The person making the allegation is required as soon as possible (usually within 24 hours) to document the allegation, including the time, place and any Witnesses on the Incident Report Form at Annexure B.

If the allegation is in relation to the Executive Director then the matter must immediately be reported to the President of the ActionAid Australia Board and the Head of Human Resources. If the allegation relates to a child who is resident in Australia or there are reasonable grounds to suspect that a child in Australia may be at risk, the Executive Director or President of the Board of ActionAid Australia will immediately report the matter to the relevant state child protection authorities. An allegation of physical or sexual abuse or exploitation as defined in this policy and involving a child in another country will be reported to the Australian Federal Police.

In all reports of suspected child abuse involving an ActionAid Australia employee, sponsor or other representative, the Executive Director or President of the Board of ActionAid Australia will conduct or arrange an internal investigation in a timely manner and may involve external legal, mediation or expert advice and participation if required. Depending on the nature of the allegation and what is found during the internal investigation the Executive Director may refer the matter to the police. If the matter becomes part of a criminal investigation, ActionAid Australia will cooperate

fully with the relevant authorities which may include discontinuing the internal investigation whilst a police investigation is undertaken.

At all times ActionAid Australia will act in the best interests of the child. This may involve the standing down of the alleged perpetrator while an investigation takes place. Any member of staff who has been stood down will receive full pay and is entitled to a fair and just process including appropriate information about the investigation process. No assumptions are to be made regarding guilt or innocence, with the investigation process remaining confidential until a decision has been reached by management. Regardless of the decision made, the process must be documented and filed, with all printed and electronic matter being kept in a secure and confidential place at all times.

The investigation process will conclude one of the following:

- There are possible grounds for criminal or statutory proceedings and the ActionAid Australia Child Protection Policy and Procedures have been breached. In this case the matter will be referred to appropriate authorities (if it hasn't already) and disciplinary action including consideration of termination of employment will ensue.
- There is no basis for referral to criminal or statutory proceedings however the staff person has breached the ActionAid Australia Child Protection Policy and Procedures. Disciplinary action will be conducted including possible termination of employment.
- There is no basis found for the allegation in which case the person will resume normal duties. If it is found that the allegation was vexatious, appropriate disciplinary action in relation to the person making the allegation will be taken which may include termination of employment.

3.6.3 Allegations made about an ActionAid Australia representative, including donors, or ActionAid Australia partner organisation representative operating in ActionAid Australia program countries

All incidents or suspicion of child abuse occurring must be reported immediately to the Country Representative. The Country Representative must then inform the ActionAid Australia Executive Director and Head of Human Resources in the Sydney office. If the allegation is in relation to the Country Representative then the matter must be reported immediately and directly to the Executive Director and Head of Human Resources in Sydney. The person making the allegation is required as soon as possible (usually within 24 hours) to document the allegation, including the time, place and any witnesses on the Incident Report Form at Annexure B.

The Country Representative or ActionAid Australia Executive Director is responsible for instituting appropriate action including:

- taking immediate steps to secure the safety and well-being of the child or children concerned;

- conducting or arranging an internal investigation to determine if the ActionAid Australia Child Protection Policy and Procedure has been breached. The internal investigation must be conducted in a timely manner and may involve external legal, mediation or expert advice and participation if required;
- making a report to local statutory authorities – where such a system exists complying with relevant statutes and protocols and cooperating with local authorities. This may involve notifying appropriate authorities prior to the outcome of any internal investigation if local law requires this;
- determining whether referral of information to the Australian Federal Police or other international authorities is appropriate and possible;

At all times ActionAid Australia will act in the best interests of the child. This may involve the standing down of the alleged perpetrator while an investigation takes place. Any member of staff who has been stood down will receive full pay and is entitled to a fair and just process including appropriate information about the investigation process. No assumptions are to be made regarding guilt or innocence, with the investigation process remaining confidential until a decision has been reached by management. Regardless of the decision made, the process must be documented and filed, with all printed and electronic matter being kept in a secure and confidential place at all times.

The investigation process will conclude one of the following:

- There are possible grounds for criminal or statutory proceedings and the ActionAid Australia Child Protection Policy and Procedures have been breached. In this case the matter will be referred to appropriate authorities (if it hasn't already) and disciplinary action including consideration of termination of employment will ensue.
- There is no basis for referral to criminal or statutory proceedings however the staff person has breached the ActionAid Australia Child Protection Policy and Procedures. Disciplinary action will be conducted including possible termination of employment.
- There is no basis found for the allegation in which case the person will resume normal duties. If it is found that the allegation was vexatious, appropriate disciplinary action in relation to the person making the allegation will be taken which may include termination of employment.

3.6.4 Allegations made about an ActionAid Australia representative, including donors, or ActionAid Australia partner organisation representative operating in a country with no ActionAid Australia office.

Any incident or suspicion relating to child abuse involving an ActionAid Australia representative or sponsor or partner organisation representative must be reported to the Head of the Partner organisation in country and to the Executive Director and Head of Human Resources of ActionAid Australia in Sydney. If the allegation is in

relation to the Head of the Partner organisation, then the matter must immediately be reported to the Executive Director of ActionAid Australia. The person making the allegation is required as soon as possible (usually within 24 hours) to document the allegation, including the time, place and any witnesses on the Incident Report Form at Annexure B. All such matters are confirmed in writing.

The head of the partner organisation of the country in which the allegation is made liaises with ActionAid Australia and follows its own legislative or internal procedures to investigate and address the allegations. Procedures by the head may include acting immediately if there is risk to the child, performing an internal investigation by an investigation team, informing the regional representative and if appropriate/possible, according to the nature of the concerns and the local prevailing circumstances, reporting the incident to external authorities as required by local laws.

The investigation team will develop a detailed investigation plan based on established local procedures. Once the investigation is completed, a full report (findings, recommended actions) will be shared with/approved by the CEO of ActionAid Australia. Depending on the nature of the allegations the CEO may refer the matter to the AFP. All steps taken are to be extensively documented and filed. A copy of all documentation is to be kept by ActionAid Australia in a secure place.

Possible outcomes after the conclusion of the investigation include:

- There are possible grounds for criminal or statutory proceedings and the ActionAid Australia Child Protection Policy and Procedures have been breached. In this case the matter will be referred to appropriate authorities (if it hasn't already) and disciplinary action including consideration of termination of employment will ensue.
- There is no basis for referral to criminal or statutory proceedings however the staff person has breached the ActionAid Australia Child Protection Policy and Procedures. Disciplinary action will be conducted including possible termination of employment.
- There is no basis found for the allegation in which case the person will resume normal duties. If it is found that the allegation was vexatious, appropriate disciplinary action in relation to the person making the allegation will be taken which may include termination of employment.

In situations whereby ActionAid Australia policies or standards are more stringent than local laws, ActionAid Australia policy and procedures should be followed. However, in a situation where the involvement of local authorities is necessary, ActionAid Australia recognises that their actions must in no way contravene local laws.

3.6.5 Allegations made about a representative from another humanitarian or development organisation that has no formal linked relationship with ActionAid Australia

Any incident or suspicion relating to child abuse involving the representative of another non-related humanitarian organisation must be reported to the Executive Director and Head of Human Resources of ActionAid Australia. The person making the allegation is required as soon as possible (usually within 24 hours) to document the allegation, including the time, place and any witnesses on the Incident Report Form at Annexure B. All such matters are confirmed in writing.

The Executive Director will inform the relevant organisation of the allegation and request that they undertake an investigation into the allegation. The organisation would follow its own legislative or internal procedures to investigate and address the allegations. If the alleged incident took place in a country where there is an ActionAid Australia office then the Executive Director will inform the relevant Country Director.

If the allegation relates to a child who is resident in Australia or there are reasonable grounds to suspect that a child in Australia may be at risk, the Executive Director will immediately report the matter to the relevant state child protection authorities.

3.6.6 Confidentiality

Confidentiality is crucial to a fair and effective reporting procedure. It is unacceptable and potentially defamatory for concerns of child abuse (and alleged 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.

ActionAid Australia understands that in some cases reporting of incidents and allegations may occur even if the child or party concerned is reluctant to give their consent.

3.6.7 Investigation of Complaints

Internal investigations as outlined above will undertake a confidential, thorough, impartial and prompt process. The investigation team may include an external expert investigator/s if deemed appropriate. 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.

3.6.8 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.

Annexure A**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.