ACFID Code of Conduct

Guidelines for the Development of a Child Protection Policy
July 2008
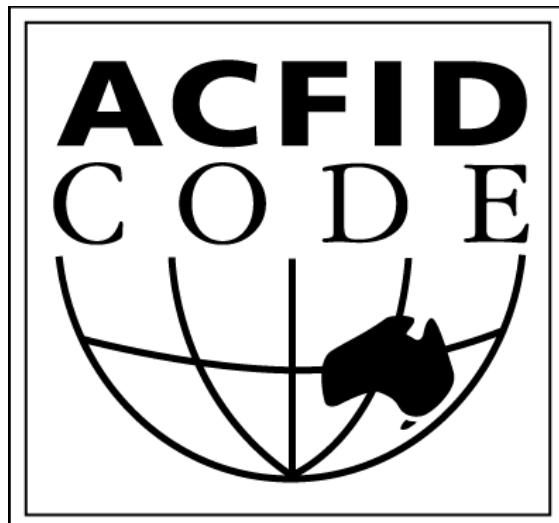
CONTENTS

Section	Title
1	Background and Context
2	Purpose of these Child Protection Policy Development Guidelines
3	Steps to Develop and Implement a Child Protection Policy
4	How to use the Child Protection Policy Template
5	Child Protection Policy Template
6	Example Good Practice Child Protection Policy
7	Useful Web-links

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Guidelines for the development of a child protection policy

1. BACKGROUND AND CONTEXT

The ACFID Code of Conduct clause 2.6 requires that organisations have policies and procedures to promote the safety and wellbeing of all children accessing their services and programs, particularly to minimise the risk of abuse of children. The ACFID Code specifies that the child protection policy and procedures should be clear and in place.

As well as minimising risks to children, a child protection policy also serves to protect agencies and their representatives.

Signatories to the Code of Conduct are required to have a child protection policy. A Signatory's child protection policy should be tailored to the Signatory's organisation and, where appropriate, address the following:

- program planning and implementation;
- use of images and personal information for promotion, fundraising and development education;
- personnel recruiting (in Australia or overseas) including staff, volunteers, consultants and suppliers;
- behaviour protocols;
- reporting procedures for allegations and/or incidences;
- education and training of staff regarding the child protection policy and protocols;
- relevant legal responsibilities as applicable to each section of the child protection policy;
- processes for reviewing for the child protection policy, ideally in line with other audits;
- communication and distribution of the child protection policy to employers, employees, program partners, volunteers and other relevant stakeholders.

2. PURPOSE OF THESE CHILD PROTECTION POLICY DEVELOPMENT GUIDELINES

These child protection policy development guidelines have been produced to provide guidance to Signatory organisations on how to develop, implement and review their child protection policies and procedures. These policy development guidelines are considered to be an example of good practice and are based on the current policy format of many international NGDOs. These guidelines combine child protection policies and procedures in one document. A separate child protection procedures manual should be created to operationalise the organisation's child protection policy, which will include specific guidelines on how the organisation will implement the

different components of the policy; such as the steps that will be taken when responding to complaints of child abuse.

An organisation's child protection policy should reflect the organisation's size, nature, style, character and program delivery structure. The size of the policy may therefore vary between organisations, dependent on these factors and the level and type of risk factors faced by each organisation. The child protection policy should refer to and link with other organisational charters, policies, codes and procedure manuals in order to ensure that the child protection policy is relevant and integrated into the organisational culture.

3. STEPS TO DEVELOP AND IMPLEMENT A CHILD PROTECTION POLICY

Step 1:	**Consultation and discussion within the organisation**
	• Identify key stakeholders for participation in the policy development process (Ideally participation will incorporate staff from a range of country/cultural settings in which the child protection policy will apply) • Define the purpose of the child protection policy for your organisation, and the issues to be addressed within the policy document • Ensure the views and wishes of children and young people are respected
Step 2:	**External consultation**
	• Consult as widely as necessary to inform your child protection policy development eg. Child protection specialists ie Child Wise, other INGOs and child focused organisations and lawyers and police • Include consideration of funding and implementing partners to ensure compliance with their child protection policy requirements
Step 3:	**Stocktake**
	• Review your existing policies and use them as the basis of your child protection policy • Reflect on the work your organisation does, and use this process to accurately represent your organisation and its commitment to child safety
Step 4:	**Risk identification**
	• Review all activities of your organisation and their potential for impacting on children. In all areas identified as impacting on children, determine how your child protection policy will address and reduce any identified risk. Ensure that higher risk areas are noted for additional management and monitoring
Step 5:	**Developing and drafting a child protection policy**
	• Determine at the outset who is responsible for drafting the policy • The planning phase should include consideration of your organisation's vision, values and commitment to children, definitions to be detailed, issues to be addressed, and identification of the child protection focal point to be named in the policy eg. Child Protection Officer • ***This is the stage at which the Child Protection Template can be used***.

Step 6:	Implementation and training
	- Determine the steps by which the organisation will ratify, promote and educate participants about the policy - Identify additional organisational resource requirements which may be required to effectively implement all aspects of the policy
Step 7:	Monitoring and review
	- Determine the steps your organisation will take to monitor the effectiveness of the policy - Identify a group to review and set a realistic timeline
	Outcome
	A child protection document that is a living document. It will constantly be reviewed to ensure it is responsive to the needs of the organisation committed to good/best practice in the protection of children

4. HOW TO USE THE CHILD PROTECTION POLICY TEMPLATE

The child protection policy template at Section 5 incorporates:

a) suggested sections to include in a child protection policy; and
b) the rationale for the inclusion of each section.

An example good practice child protection policy is then provided at Section 6.

The template aims to provide organisations with a variety of structural, stylistic and content options that can be adapted to suit the mission and specific needs of an organisation. It is designed to assist organisations to develop a current child protection policy. There has already been a significant amount of work done by many NGO's on developing and refining child protection policies, from which this template has been drawn and developed.

The child protection policy template can also be used as a tool for reviewing existing child protection policies in order to ensure that they are current, up to date and relevant to address developments and or new programs and activities.

Although there is no one policy that fits all NGDO's, all policies should be based on the following:

- nature and size of the organisation;
- types of activities undertaken;
- risks presented to children; and
- how these risks are managed.

Risk management, or identifying risks to children is an important step in developing and reviewing your child protection policy. Child protection risk management should become an ongoing activity in the organization, and be considered as integral to the planning of all new activities or expanding existing ones.

The success of a child protection policy will depend largely on stakeholder involvement and support, including:

- the extent to which key stakeholders (including overseas partners and program teams) can readily absorb the key policy requirements;
- the way in which the policy is distributed to stakeholders- this may differ depending on who the stakeholders are;
- the way stakeholders are supported (through training/awareness raising/resourcing) to meet the key policy requirements

Accessibility of your policy

Consider your stakeholder groups when designing the format of your policy. For example some of the sections may need to be translated, or to be attached as annexes to enhance accessibility for certain stakeholders, such as a child-friendly version designed for children and young people.

Communication and distribution of your policy

After finalising your child protection policy, it will be important to consider how best to share it with your key stakeholders. Agency approaches may differ depending on the nature of operations and the relevant stakeholders. An organisation's child protection policy can be distributed to stakeholders through some of the following mechanisms:

- **Staff/ Board and Volunteers**: Recruitment, induction packages and training on an ongoing basis;
- **Partners and suppliers:** Include the child protection policy as part of contracting or partnership agreements, include partners in training as appropriate
- **Project visitors:** Include the child protection policy in pre-departure briefing/documentation
- **Supporters**: Include reference to the child protection policy in sign up mechanisms and terms and conditions etc

Supporting policy implementation

Whilst it is important to have a child protection policy in place, it is equally important to regularly monitor its implementation. The creation of a simple checklist to use as part of a regular (preferably annual) internal audit or review is one way to monitor policy implementation. This exercise can also prove helpful in gaining whole of agency/stakeholder ownership of the policy and for identifying ongoing or new resource requirements.

Attachments:
Attached are two examples of self-audit tools from *'setting the standard'*, *A common approach to* **Child Protection** *for international NGOs and Keeping Children Safe*

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5. CHILD PROTECTION POLICY (CPP) TEMPLATE

CPP SECTION	RATIONALE OF WHAT SHOULD BE INCLUDED IN EACH SECTION AND GUIDE TO CONTENT DEVELOPMENT
1. Title of policy	The title is included to describe the intent of the policy. This could be as specific as child protection, or be broader to include child rights or child safety.
2. Introduction and Preamble	The introduction will describe the organisation's mission, vision, purpose and nature of programs. A preamble to the Child Protection Policy (CPP) could also be included to explain why the organisation developed a CPP.
3. Statement on commitment to child protection	The statement of commitment should describe how the organisation wants to portray itself in relation to child protection and its duty of care. The statement will also send a message to the staff, stakeholders and broader community that the organisation takes child protection and its duty of care seriously.
	This statement will confirm that the policy protects staff and others through reducing vulnerability.
4. Purpose of the policy	The purpose will explain why there is a need for a CPP and how it will be implemented. This statement can also include aims and objectives of the CPP. Overall the policy will aim to protect children through outlining systems and mechanisms for awareness raising, prevention, reporting and responding to child protection issues.
5. Guiding principles	The guiding principles are the underlying philosophical principles on which the CPP is based. This statement expands on the organisation's commitment to child safety. These principles would highlight the organisation's stance on child abuse, as well as obligations to protect children.
6. Context	This section will outline the context in which the organisation works, with a particular emphasis on child protection risks and issues concerning delivery and services.
7. Definitions	This section will provide definitions relevant to the CPP.
8. Scope of the policy	The scope will define the relevant stakeholders, or to whom the policy refers, which can include staff, volunteers, visitors, sponsors, board members and consultants.
	The policy should be distributed to all stakeholders, as referred to in this 'Scope of the Policy' section. Where appropriate, these stakeholders could be required accept and to sign onto the policy.

CPP SECTION	RATIONALE OF WHAT SHOULD BE INCLUDED IN EACH SECTION AND GUIDE TO CONTENT DEVELOPMENT
9. Child protection risk management	A child protection risk assessment will guide the development and content of the CPP. A risk assessment which examines the risk to children in all programs and activities is an important step in the development of the CPP.

The risk assessment process involves mapping out the type of contact the organisation has with children, what child protection measures are already in place, and identifying where there are gaps. The risk assessment will highlight risks to children, in terms of child abuse and how these will be managed. Strategies should then be developed to reduce or remove these risks.

A risk log can also be used, similar to the following:

Risk	Probability	Impact	Exposure	Action	Status

The questions in identifying risks are:
- what are the practical details of the program?
- what could go wrong? (RISK)
- what is the likelihood of something going wrong? (PROBABILITY)
- what would the consequences be? (IMPACT)

High risk factors can include:

Work with children who are:
- very young;
- have been abandoned, orphaned
- living with disabilities
- already victims of abuse and exploitation
- living without a carer
- displaced

Staff and volunteers who:
- have not been screened carefully e.g. through interviews, police checks and reference checks
- were recruited quickly for immediate deployment e.g. in emergency situations
- are not supervised adequately |

Locations which are:
- isolated
- disaster areas
- overcrowded
- refugee camps
- in war or other civil unrest
- secluded or inaccessible
- home-based

Activities which involve:
- one-to-one contact
- physical contact
- personal hygiene tasks
- swimming, bathing, changing
- staffing by volunteers

Supervision which:
- is non-existent or informal, such as where visitors can attend a children based program unsupervised
- includes areas where visitors outside are not encouraged to visit a program
- involves staff working alone

It is critical that specific guidelines are developed to manage high risk activities. For example running a sponsorship program can be considered a high-risk activity. Specific guidelines need to be developed for this program that address the risks of sponsors contacting and/gaining access to children through the program (see below). Additionally, organizations that work in disaster and emergency situations are working in extremely high risk environments where children are more vulnerable to exploitation, abuse and trafficking. Specific child protection disaster and emergency guidelines should be developed to manage these risks.

Local risk factors also need to be considered, particularly in vulnerable communities and locations. High risks to children include: child sex tourism, child sex trafficking and child labour. Awareness of local risks and issues affecting children will enhance the risk assessment process and guide child protection strategies.

To manage these risks the organisation will need to
- identify ways of reducing these risks (ACTION)
- have procedures in place for when thing go wrong
- establish monitoring systems

Child protection risk management should become an ongoing activity in the organization, and be part of the planning of all new activities or expanding existing ones. Monitoring risks is an essential part of reviewing the CPP. Questions should be asked:
- do the risks still exist?
- have they been reduced, controlled, managed by the existing strategies?

	• are there new risks • what strategies/resources are needed to implement to reduce, remove, control these emerging risks?
CPP SECTION	**RATIONALE OF WHAT SHOULD BE INCLUDED IN EACH SECTION AND GUIDE TO CONTENT DEVELOPMENT**

10. Code of Conduct for working with Children	A code of conduct is a clear, organizational guide of what is acceptable and unacceptable behaviour in relation to working with children. It can act to establish a common understanding of the standards of behaviour and appropriate boundaries expected of staff and others.
	
	It will provide guidance to staff and others for maintaining professional boundaries that serve to protect everyone from misunderstandings by promoting transparency and accountability.
	
	The code of conduct should be based on the risk assessment of the programs and activities.
	
	The code of contact for working with children should encourage staff and others to be conscious of their own behavior, and how these behaviors are perceived by others. The code of conduct should provide staff and others with guidance on how to protect themselves from unfair/false allegations.
	
	Codes of conduct should address:
	   • Physical touching
	   • Sleeping arrangements
	   • Sign in and out procedures
	   • Adult child ratios
	   • Respect for privacy
	   • Cultural sensitivities
	   • Confidentiality
	   • Toileting and bathing
	   • Language
	   • Photography
	   • Favouritism
	   • Internet use
	   • Special relationships
	   • Perceptions and appearances
	   • Transport
	   • Discipline
	   • Out of hours contact

11. Sponsorship guidelines	Sponsorship programs which facilitate relationships between an adult sponsor and a child in a development program across international borders are complex, and potentially a risk in terms of child protection. Harm to children can be caused intentionally or unintentionally.

	Children can be harmed intentionally by people wishing to abuse children by writing inappropriate letters and sending inappropriate gifts and photos. They can also use correspondence to obtain contact details of the child. There have been incidences where children in a sponsorship program have been targeted by child sex offenders, therefore specific sponsorship guidelines to minimise risks in sponsorship programs are important.
12. Use of children's images	International development agencies often use children's images when promoting their programs for marketing and fundraising purposes. If an organisation does use images of children it is important to include a section in the CPP on the use of children's images. Children should not be portrayed as weak, isolated and vulnerable. Images of children should portray them as resilient human beings and as partners in the development process. These guidelines are also necessary to protect the privacy of children and not to create opportunities where children can be identified and contacted by potentially harmful people. The organisation should be mindful of how children's images could be used, adapted and viewed
13. Employment of staff and volunteers	This section should outline how the organisation will implement child protection within the recruitment and selection process. The aim is to employ the most suitable people for the position, and also to reduce the risk of engaging people who may pose a risk to children. Children in international development programs may be harmed and/or abused by staff or volunteers working in these programs. This harm could be intentional or unintentional. Staff and others may harm children in a range of ways including neglect, emotional, physical or sexual abuse. Child sex offenders actively seek positions to gain access to children and seek out opportunities to offend. International development agencies are particularly vulnerable, as they often work in complex, emergency and poorly supervised environments. Inexperienced and poorly managed staff may unintentionally harm children through physical or emotionally harmful care and disciplinary practices. Children may also be neglected by poor work practices and inadequate conditions of care. Experience has found that abuse of children is more likely to happen in organizations that do not have rigorous child protection policies and procedures, and that do not screen or supervise staff and volunteers carefully. Organisations should have robust child safe recruitment and selection procedures to deter potential abusers and to recruit the most suitable people to work with children. Even if the program does not work directly with children, the organisation may present opportunities to gain contact with children in host countries through its programs. **Minimum standards of child safe recruitment practices include:** 1. Use of an application form which requests extensive information about the applicant's educational and professional background. It is important to examine background information carefully to identify patterns or unexplained gaps in their employment history. 2. Ensure that the organization's stance on child protection is well promoted in materials sent to applicants. This will help applicants self assess and deter persons who may not share your values on child protection. 3. All positions whether paid, voluntary or contract should have a position description which outlines the specific duties and accountabilities of the position. This clarifies boundaries and this clarity assists in the management of staff.

	4. Face-to-face employment interviews are recommended. A mixed gender panel provides a good balance of views. Consider including a young person on the interview panel if you are working directly with children and young people, as they can bring a different perspective.
	5. Use behavioural-based questions in the interview to explore the person's past experiences. Past behaviour is the best predictor for future actions.
	6. Referee checks should be conducted on all preferred candidates. All referees should be contacted directly. It is important to verify the identity of the referee and clarify the relationship between the candidate and the referee.
	7. Police clearances must be conducted for all staff and all others involved with the organisation. People with a criminal history of child abuse, violence to adults or children and internet offences involving children would pose an unacceptably high risk to children in your programs and potentially in the communities in which you work.
	8. Screening is an ongoing process and should continue throughout the orientation process and the probationary period.
14. Child abuse reporting processes and how to respond to a child who has been abused	This section should provide a detailed procedure for the reporting and management of child abuse concerns within the organisation. It should also include a reporting procedure for child abuse in Australia and in the countries where your programs are implemented.
	The reporting procedure should include:
	• what to report
	• who to report to
	• when to report
	• what will happen next
	A very clear reporting procedure is required to ensure that staff and others are aware of their legal and moral responsibilities to report suspected child abuse within and outside of the organisation.
	A fair, confidential and transparent reporting process will inspire confidence in staff and others to raise child abuse concerns about a child, a carer or a staff member. The clearer the process, the more likely that people will speak up.
	Managing child abuse allegations within an organisation is often difficult. It is even more challenging when allegations or reports of child abuse have been made in overseas programs and communities.
	Organisations may be faced with complex legal decisions on how they should respond to allegations of child abuse in situations where child protection laws are unclear and where law enforcement into child abuse is inadequate. Organizations may also face situations in some countries where reporting child abuse to authorities may result in a staff member facing serious human rights violations.
	International development agencies will need to develop child abuse reporting procedures which deal with reports of

abuse in Australia, as well as develop local reporting procedures for the countries in which they work.

Developing localized reporting procedures:

Responding to child abuse in programs based overseas

Organisations must also develop a child protection reporting procedure for its overseas programs. Each country program will need to have its own local reporting procedure based on the specific laws and the local context.

In developing a local child protection reporting procedure it is important that the following are taken into consideration:

- local laws (and penalties) in relation to child abuse;
- cultural interpretations of child abuse;
- contact details of local police and child protection statutory authorities (where they exist);
- contact details of child welfare support agencies e.g. counseling, medical services, legal support;
- contact details for foreign embassies and international police services;
- contact details for other organizations to draw on for advice or support e.g. Child Wise;
- in-country managers and/or child protection focal point contact details;

Child protection reporting focal points:

It is advisable that child protection focal points are established as part of the child protection reporting procedure. Some larger INGOs have appointed Child Protection Officer's (CPO's) who act as child abuse reporting focal points at a national and international level. CPO's can also be responsible for monitoring the CPP and providing advice and education to the organisation on child protection matters. While a specialised CPO role may not be appropriate in all organizations, particularly smaller ones, it is essential that the organisation clearly identifies who concerns of child abuse should be reported to e.g. line managers, program manager, HR manager or CEO. This person should have sufficient training and support to carry out the role. It is important to have more than one point of contact in case the person concerned is also the line manager.

Reporting considerations:

Consideration should be given to the following issues when deciding on how to respond to child abuse concerns in overseas programs. Strategies should be put in place to manage the following difficult and complex issues which may emerge:

a) the treatment that the child will receive by local authorities eg will the child be victimized, criminalized, forced to undergo medical checks etc
b) long term support for child and family, who how etc
c) whether the child will be ostracized by its family and or community as a result of reporting the abuse;
d) how the local authorities will treat the alleged perpetrator e.g. torture, death penalty, corrupt justice systems
e) impact on your staff, and organisational reputation by either reporting or not reporting
f) how you will handle the media

	Any of the above considerations should not be used as reasons to avoid reporting child abuse in countries where child sexual abuse/ exploitation/ physical abuse are crimes. Child abuse is a violation of children's rights and organisations have a moral and often legal responsibility to take action either criminal or disciplinary. This will depend on whether a crime has been committed under the law of the land. The best interest of the child must also be considered as well as the risk to your organisation by not responding or reporting child abuse. All of these factors must be considered in the decisions you make and in the actions that you take.
15. Involving children and young people	Outlines strategies that the organisation has adopted to incorporate the views of children and young people in its programs.
16. Educating the organisation on child abuse and the child protection policy	This will describe how the organisation will educate staff and others about child abuse and the CPP.
16. Reviewing the Child Protection Policy	It is important to review the CPP on a regular basis, to assess its effectiveness and to include any new activities or relevant legislation.

6. EXAMPLE GOOD PRACTICE CHILD PROTECTION POLICY (CPP)

CPP SECTION	EXAMPLE GOOD PRACTICE STATEMENTS
1. Title of policy	• (AGENCY's) Child Protection Policy (CPP) • (AGENCY's) Child Safe Policy • (AGENCY's) Keeping Children Safe Policy
2. Introduction and Preamble	
3. Statement on commitment to child protection	• (AGENCY) is committed to the safety and well being of all children. We support the rights of children and will act without hesitation to ensure a child safe environment is maintained. • (AGENCY) 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). (AGENCY) will uphold these rights. • (AGENCY) takes its duty of care seriously and will aim at all times to provide the safest possible programs and environments for children. This will be achieved by identifying and managing risks that may lead to harm.
4. Purpose of the policy	• This CPP has been developed to provide a practical guide to prevent child abuse in (AGENCY)'s programs. It will outline a range of risk management strategies that will be implemented which will reduce the risk of children being harmed. • The CPP will demonstrate (AGENCY)'s commitment to protect children from harm and abuse. • The CPP aims to educate staff and others about child abuse and promote a child safe and a child friendly culture where everyone is committed to keeping children safe. • The CPP aims to create an open and aware environment where concerns for the safety and well being of a child can be raised and managed in a fair and just manner, which protects the rights of all. • Additionally, the CPP will provide guidance on how to respond to concerns and allegations of child abuse. It provides guidance to staff and others on how to work respectfully and effectively with children. This will provide all stakeholders, including staff and others with a safe working environment. • As a signatory to the ACFID Code of Conduct, (AGENCY) is obliged to have policies and procedures implemented which promote the safety and well-being of all children accessing its services and programs, in particular to minimise the risk of abuse to children (See Clause 2.6 of the ACFID Code of Conduct). • (AGENCY) 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 (AGENCY)'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.
5.Guiding principles	• (AGENCY) believes that any form of child abuse and exploitation is unacceptable and will not be tolerated. • The United Nations Convention on the Rights of the Child is the universal foundation for child protection. The fundamental principle of the Convention is that children have their own indivisible rights. • (AGENCY) believes that all children have a right to be safe at all times, and we have an obligation to provide safe and protective services and environments. • (AGENCY) recognizes its duty of care to take all reasonable steps to ensure that children are safe from harm. • (AGENCY) will take proactive steps to create child safe and child friendly programs.

	• Adherence to this CPP is a mandatory requirement for all staff and others. • (AGENCY) will ensure that all staff and relevant stakeholders are made aware of the CPP and their responsibilities. • All decisions regarding the welfare and protection of children are made based on the Best Interests of the Child Principle. 'This principle refers to decisions considering that the child receives maximum benefit possible from services provided, and that the positive impacts of any course of action outweigh any negative impacts. • Where possible, children will be consulted in the development of the CPP and the implementation of child safe practices. Children in our programs should be given opportunities to express their views on matters affecting them. • (AGENCY) believes that all children should be equally protected and assisted regardless of their gender, nationality, religious or political beliefs, family background, economic status, physical or mental health or criminal background.
6. Context	Child abuse is a global problem that affects both boys and girls. It has existed since the beginning of time and is deeply rooted in cultural, economic and social practices. Children are abused physically, sexually, emotionally and through neglect. Children are forced to endure the most hazardous forms of child labour including sweat shops and prostitution. In some countries boys are kidnapped and forced into armed conflict as soldiers. In many countries children experience severe corporal punishment in schools. Children living in poverty are more at risk of child abuse and exploitation. • According to the World Health Organisation (2001) forty million children below the age of 15 suffer from abuse and neglect and require social and health care. • An estimated 1.2 million children are trafficked every year. (Every Child Counts, New Estimates on Child Labour, International Labour Organisation April, 2002; UNICEF 2007) • 1 million children enter the commercial child sex trade every year (1995 estimate). The numbers are likely to be higher now. (Sale of Children, Child Prostitution and Child Pornography, United Nations A/50/456, Sept 1995) • 250 million children are involved in child labour, more than 180 million are working in hazardous situation or conditions. (A Future without Child Labour, International Labour Organisation, 2002) • 1 in 4 females and 1 in 7 girls will experience some form of sexual abuse in their childhood. While most child abuse occurs within families and communities, children also experience abuse and exploitation in organisations which provide them with support and services. Experience has found that physical, emotional abuse and neglect in child focussed organisations and institutions are less systematic and usually un-planned. It is usually the result of poor conditions, bad work practices and negligent management. However child sexual abuse in organisations is often planned and premeditated. Child sex offenders target organisations working with children in order to gain access to victims. They will seek work in organisations that provide opportunities to make contact with children and an environment where their abuse may go undetected. Child sex offenders will be attracted to organisations with inadequate recruitment practices and supervision. Over the last decade many Western countries have enacted tougher laws against child sex offending and many child-focussed organisations have implemented tighter screening practices for the staff and volunteers. These improved child protection measures have led to increasing numbers of child sex offenders moving overseas to seek work in developing countries and development programs. They will seek work in countries with inadequate child protection laws and law enforcement as well as countries where children and their families are vulnerable to exploitation. During recent responses to natural disasters and emergencies it was widely reported that people who pose a risk to children (eg convicted child sex offenders) applied for positions in programs that brought them into contact with vulnerable children. While there are examples of children being sexually abused by foreign offenders there are also numerous examples of local staff and volunteers sexually abusing children in aid and development programs. In 2002 widespread sexual abuse and

	exploitation of children by aid workers were exposed by the media in West African refugee camps. It was alleged that 67 aid workers from more than 40 agencies were trading shelter, education, food and medicine for sexual favours. Most of the allegations involved male national staff who traded humanitarian commodities for sex with girls under 18. It is believed that this information had been known to the agencies for sometime.
7. Definitions	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. 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 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. 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. Child-Sex Tourism ECPAT International defines child-sex tourism as: *'...the commercial sexual exploitation of children by men or women who travel from one place to another, usually from a richer country to one that is less developed, and there engage in sexual acts with children, defined as anyone aged under 18 years of age.' (ECPAT International, 2006)* 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. Exposure to Domestic Violence Domestic violence occurs when children and young people witness or experience the chronic domination, coercion, intimidation and victimisation of one person by another by physical, sexual or emotional means within intimate relationships. (adapted from the Australian Medical Association definition) Particularly vulnerable children Child abuse takes place not only within the family environment, but also outside the family, including: institutions, at work, on the streets, in war zones and emergencies. Children in emergencies Children in emergencies are especially vulnerable to abuse and exploitation. In an emergency or crisis situation, children are extremely vulnerable when they become part of a displaced or traumatised population.
8. Scope of the policy	• This policy applies to all staff and other key groups. 'Staff' refers to: full time, part time, international and national and also those engaged on short term contracts such as: consultancies, researchers, photographers etc. 'Others' refers to: visitors, volunteers, board members, trustees, staff in partnership agencies, and any other individuals or groups that have contact with the organisation.
9. Child protection risk management	• (AGENCY) recognizes that there a number of potential risks to children in the delivery of our programs to the vulnerable and disadvantaged. In recognizing these risks, (AGENCY) 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. Programs that involve direct work with children are considered a higher risk, and therefore require more stringent child protection procedures. However, as children are part of every community in which we work, we are always mindful of potential risks. • Risk management is an ongoing part of every activity, and (AGENCY) 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 minimizing opportunities and situations where children can be harmed. • A child abuse incident reporting sheet has been developed and staff are aware of its existence.
10. Code of conduct for working with children	Staff members and others 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 should conduct themselves in a manner consistent with their role as an (AGENCY) representative and a positive role model to children. (AGENCY) has developed a child safe code of conduct to protect children, staff and the organisation by providing clear behavioural guidelines and expectations. **(AGENCY)'s child safe code of conduct includes:** **I WILL:** • Treat all children and young people in our program with respect. • Conduct myself in a manner that is consistent the values of (AGENCY). • 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 have children and young people participate in the decisions that affect them. • Report any concerns of child abuse. • At all times 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. • Speak up when they observe concerning behaviours of colleagues. **I WILL NOT:** • Engage in behaviour that is intended to shame, humiliate, belittle or degrade children. • Use inappropriate, offensive 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. • Take children to their own home/hotel or sleep in the same room or bed as a child. • Smack, hit or physically assault children. • Develop sexual relationships with children or relationships with children that may be deemed exploitative or abusive. • Behave provocatively or inappropriately with a child. • Condone or participate in, behaviour of children that is illegal, unsafe or abusive. • Act in a way that shows unfair and differential treatment of children. • Photograph or video a child without the consent of the child and his/her parents or guardians. • 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 (AGENCY)'s computers, mobile phones, video and digital cameras inappropriately, nor use them for the purpose of exploiting or harassing children.
- Hire minors as domestic labour.

Additional guidelines are contained in the Inter Agency Task Force code.

The IASC Task Force on Prevention of Sexual exploitation and abuse outlines six core principles:

1. Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment;
2. Sexual activity with children is prohibited regardless of the age of majority locally. Mistaken belief in the age of a child is not a defence;
3. Exchange of money, employment, goods or services for sex including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes exchange of assistance that is due beneficiaries;
4. Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged, since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work;
5. Where a humanitarian worker develops concerns or suspicions regarding sexual abuse by a fellow worker, whether in the same agency or not, s/he must report such concerns via established agency reporting mechanisms;
6. Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse, and which promotes the implementation of their code of conduct;
7. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

11. Sponsorship guidelines	(AGENCY) recognises the need to implement specific guidelines to manage the child protection risks within its sponsorship programs. These guidelines include ensuring that: - Letters which contain political or religious comments which could cause offence or be inappropriate are not permitted - All sponsors will receive clear child protection and behavioural guidelines upfront - All visits should be arranged in advance through our office and sponsors interviewed - Sponsors inform agency at least 3 months in advance - Police checks are required for visiting sponsors and any accompanying family members - All visiting sponsors will sign the child protection policy - Partner agency staff will be present at all times during the visit - Children should not be invited to leave or taken away from their communities - Invitations to the sponsor's country are not allowed - Sponsors will be interviewed before each visit - All gifts and correspondence will be screened by the agency - Sponsors and sponsored families should not exchange mailing addresses during visits - After every visit a report will be sent to the head office - All visits will be monitored - Where sponsors go against policies the organisation can bring sponsorship to a close
12. Use of children's	(AGENCY) will at all times portray children in a respectful, appropriate and consensual way. Our guidelines on the use of

images	children's images, in line with the ACFID Code of Conduct Clause 4.2, 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.
13. Employment of staff and volunteers	(AGENCY) is committed to child safe recruitment, selection and screening practices. These practices aim to recruit the safest and most suitable people to work in our programs. Our child safe practices include: • Promoting our child safe commitment on our website, in other promotional materials and in all job advertisements. • All applicants will receive a copy of (AGENCY)'s CPP and be informed of the screening requirements when they are sent the application form. • Applicants will be required to submit a detailed application form when applying for a position. This form will ask for extensive information about the applicant's background such as dates and places of employment, education and other activities. • All positions will be assessed for the level for risk in relation to contact with children. Positions working directly with children will require the highest level of screening and the applicant must possess relevant qualifications and experience in working with children. • Job descriptions are required for all positions (staff, volunteers, consultants –short long term etc), which describe key selection criteria and outline tasks and accountabilities. • Interviews will be conducted for all positions, ideally face-to-face, but telephone interviews may be necessary in the international context. • Behavioural-based questions will be used to ask for examples of the candidate's past behaviour and experiences. In positions working directly working with children, the panel will explore the candidate's motivations for working with children, which will include value-based questions seeking information about the candidate's attitudes to children, professional boundaries, accountability, team work and how they have responded to ethical dilemmas. • A minimum of three reference checks will be required for all preferred candidates. This would include short and long terms positions, volunteers on placement and consultants. The candidate's most recent employer/supervisor must be one of these referees. (AGENCY) will verify the identity of the referee and make direct contact with each of these referees. Written references will not be accepted. (AGENCY) reserves the right to request additional references. • All staff and all others involved with the organisation will be required to have a police clearance or relevant criminal history checks depending on the country of origin. • Where the candidate is working directly with children in Australia, they may require a Working with Children Check (depending on the jurisdiction). • All staff will be required to provide proof of identify including birth certificate, passport, drivers licence and relevant qualifications. Original documents are required. • All positions will be subject to a probationary period depending on the length of the contract.

14. Child abuse reporting processes and how to respond to a child who has been abused	• Issues relating to child protection will be included in staff performance reviews. • All staff and others will be required to read and sign the (AGENCY)'s CPP. • (AGENCY) reserves the right to refuse employment to or terminate any person's employment that may pose a risk to children. (AGENCY) 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 (AGENCY) 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. If you do have a concern you should immediately follow (AGENCY)'s child abuse reporting procedures. **Who should report?** • All (AGENCY) staff and others including people in the community and partner organizations. **What should be reported?** • Any disclosure or allegation from a child/community member or staff regarding the safety/abuse exploitation of a child. • Any observation or concerning behaviour exhibited by an (AGENCY) staff, volunteer or other relevant stakeholder that breaches the (AGENCY) code of conduct for working with children. • 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?** • *Overseas:* Child abuse reports should be made to the line manager or Country Director. If this is not possible reports can be made directly to the Australian based Child Protection Officer (CPO) • In Australia: Child abuse reports should be made to the CPO or the CEO. **Reporting of child abuse in Australia** Child abuse reports should be made directly to the CPO and/or the CEO in Australia. • Reporting child abuse in Australia is a clearer process compared to responding to incidents that occur overseas. In all Australian states and territories, sexual and physical abuse of children are crimes. The age of consent in most Australian states and territories is 16. However it is important to check in each jurisdiction as the age limit may be different. • Additionally, in some jurisdictions it is a criminal offence for persons who are in positions of power and trust (e.g. teacher, parent, carer) to engage in sexual activity with children under the age of 18. It is important to research the laws and child protection provisions in each Australian state and territory and ensure that these details are included in the child protection policy. • Reporting child abuse can either be made to the local state police or the state child protection authorities. If there is an allegation or suspicion of child sexual abuse by a staff member or volunteer in the organization, these matters will be reported to the state police. In most Australian states there are specialised units dealing with child sexual crimes. If there are concerns that a child is being sexually abused by someone external to the organization, (AGENCY) will contact the state police and/or child protection authorities.

- Concerns about the welfare of the child in relation to neglect and/or emotional abuse will be reported to the child protection authorities in each state or territory. Contact details of these authorities are: (AGENCY to complete)
- Concerns about people engaging in child sex tourism, child sex trafficking and child pornography should be reported to the Australian Federal Police (Transnational Sexual Crimes Squad). Contact details are: (AGENCY to complete)

Reporting of child abuse allegations overseas

- Child abuse reports should be made to the line manager or Country Director. If this is not possible reports can be made directly to the Australian based Child Protection Officer (CPO). 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 the (AGENCY) code of conduct 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 of the program the matter will be refereed to an external body or agency dealing with child protection matters in the country.

When to report?

- Child abuse concerns should be raised immediately.

How should it be reported?

- Verbally and by completing the (AGENCY) child abuse incident reporting sheet.

What will happen next?

- The In-Country Manager in consultation with the Country Director and the CPO will discuss the allegations and then decide upon the next step. This will involve 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
- (AGENCY) 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. (AGENCY) 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 (AGENCY) works will be provided with information about how to report any child protection concerns about (AGENCY) staff members and others.

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 the agency you are working in to discuss how the child or young person can be supported and the disclosure managed.

Other 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 victimization. The child may require medical assistance or counseling 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 you should make arrangements 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. Any staff member stood down in this manner continues to receive full pay - this measure recognizes that that the member is entitled to a just process that does not pre-judge guilt or innocence. Any volunteers who are stood down similarly receive any reasonable reimbursement of costs.
- *Confidentiality* - All reports, the names of people involved and the details will remain confidential. Only the in-country Manager, Country Director, CPO and the CEO, 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.

15. Involving children	• (AGENCY) is committed to child and youth participation. We will do this by providing opportunities for children's views to

and young people	be heard and incorporate their views into our policies and programs. Children will be asked for their feedback about staff and services. They will be consulted in the development and review of the CPP and will be asked to contribute to the child safe code of conduct in regards to what they consider to be appropriate and inappropriate behaviours. Children will also be informed about the (AGENCY) child abuse reporting process and who to contact if they are at risk, have been abused or are concerned about another child.
16. Educating the organisation on child abuse and the child protection policy	• (AGENCY) is committed to educating staff and others in the CPP, 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 (AGENCY) member of staff or other representative in the organisation.
17. Reviewing the Child Protection Policy	• (AGENCY)'s Child Protection Policy will be reviewed every two years. The CPO will manage the review of the CPP, and staff will be consulted in this process.

7. USEFUL WEB-LINKS

AusAID Child Protection Policy:
http://www.ausaid.gov.au/publications/pubout.cfm?Id=7954_7703_6074_4255_4227

Building Child Safe Organisations – Child Wise:
http://childwise.net/downloads/12Steps.pdf

Convention on the Rights of the Child:
http://www2.ohchr.org/english/law/crc.htm

Keeping Children Safe- A toolkit for child protection
http://www.keepingchildrensafe.org.uk/resources.htm

Setting the standard – A common approach to Child Protection for international NGOs:
http://tilz.tearfund.org/webdocs/Tilz/Topics/Child%20Protection%20Policy.pdf