

# CHILD PROTECTION POLICY (CPP)

**Approved by Board: 31 August 2018**

**Review: August 2019**

## 1. INTRODUCTION

Business for Development (B4D) is committed to promoting the safety and well-being of all children associated with its services and programs, particularly to minimize the risk of child abuse.

Child abuse is the term used to describe different types of maltreatment inflicted on a child or young person. It includes non-accidental physical injury, sexual abuse, neglect and emotional abuse of children or young people. Child abuse traumatises children and adversely affects their development and well-being. Children are dependent on adults to care for and protect them and therefore it is the collective responsibility of all adults to prevent child abuse.

As required by the Australian Council for International Development (ACFID) Code of Conduct, B4D is obliged to have policies and procedures implemented which promote the safety and well-being of all children involved in its activities. B4D is also obliged to adhere to local and international child protection criminal laws, which prohibit the abuse and exploitation of children.

## 2. COMMITMENT TO CHILD PROTECTION

B4D is committed to protecting children from exploitation and abuse. Children can be extremely vulnerable and deserve higher standards of protection. B4D recognises it has a fundamental duty of care to take all reasonable steps to ensure a child safe environment and to keep children safe from harm when they are engaged in B4D activities.

## 3. PURPOSE OF THE POLICY

- This Child Protection Policy (CPP) provides a practical guide to prevent child abuse in B4D's operations.
- 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 provides a range of risk management strategies which will reduce the risk of children being harmed.
- The CPP aims to create an open and aware environment where concerns for the safety and wellbeing of a child can be raised and managed in a fair and just manner, which protects the rights of all.
- The CPP will provide guidance on how to respond to concerns and allegations of child abuse

## 4. GUIDING PRINCIPLES

This policy is guided by the following principles:

- B4D believes that any form of child abuse and exploitation is unacceptable and will not be tolerated.
- B4D is committed to upholding the rights and obligations of The United Nations Convention on the Rights of the Child which states that children have a right to survival, development, protection and participation.
- B4D believes that all children have a right to be safe at all times, and we have an obligation to foster safe and protective environments
- Adherence to this CPP is a mandatory requirement for all staff, consultants, volunteers and others.

## 5. CONTEXT

While B4D staff members have no direct contact with children during normal working operations in Australia, at times children are present during in-country field visits though they are not directly engaged in or are not direct beneficiaries of our projects.

In terms of indirect contact, B4D publishes material and has a public website where images of children may be displayed.

## 6. SCOPE OF THE POLICY

This policy applies to:

1. B4D staff
2. B4D associates – These include individual consultants working on the behalf of B4D, board members, interns, volunteers.
3. B4D participants – These include participants on B4D led missions and community visits.

This CPP **does not apply** to B4D clients that commission the organisation to undertake consultancy and project management services. Such entities are however encouraged to maintain and promote child safe environments.

This policy applies to the above stakeholders when undertaking B4D activities. However, if it is suspected that a child is being abused and/or neglected or is at risk of being abused and/or neglected by a non-B4D staff member or outside of B4D activities, a report to child protection authorities may be made. The contact for making a child concern report is:

Victorian Government

Department of Health and Human Services

Ph: 1300 650172

Email: [childsafestandards@dhhs.vic.gov.au](mailto:childsafestandards@dhhs.vic.gov.au)

## CODE OF CONDUCT FOR WORKING WITH CHILDREN

B4D staff, associates and participants 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.

B4D has developed a Child Protection Code of Conduct to protect children, staff and the organisation by providing clear behavioural guidelines and expectations. This Code of Conduct must be signed during the Induction Process by all staff, associates and participants and retrospectively for existing parties. All Board members should sign this Code of Conduct as part of Board induction.

### 1. CHILD PROTECTION RISK MANAGEMENT

Staff and others should continually be aware of risks and be actively minimising opportunities and situations where children can be harmed. This includes assessing risk when traveling to the field and in assessing projects developed by the organisation.

While B4D does not offer childcare services, it is a family friendly organisation and recognises that occasionally staff members may need to bring their children to the office when childcare difficulties arise. In this event, in order to keep children safe, **children must be supervised by their parent at all times.**

### 2. USE OF CHILDREN'S IMAGES

B4D will at all times portray children in a respectful, appropriate and consensual way. Our guidelines on the use of children's images are in line with the ACFID Code of Conduct Quality Principle 1 (Rights, Protection, and Inclusion), Commitment 1.4 (We advance the safeguarding of children), and are included in the B4D Child Protection Code of Conduct which must be signed by relevant parties

Specifically, we require that staff, associates and participants:

- Assess local cultural traditions regarding restrictions for reproducing personal images and or appropriateness of photography and filming.
- Ask the child and its family for consent when using their images and explain how they will be used – to be recorded via written consent or other recording method (refer 'Media Consent Form' and 'Media Consent Form for Parent/Legal Guardian')
- Ensure there is no identifying information of the child used in the publication of images and make sure when sending images electronically that file labels do not reveal identifying information.

Using B4D's computers to access child exploitation material or to engage in online grooming is unacceptable and will be dealt with promptly and reported to the relevant law enforcement authorities.

### 3. OVERSEAS TRAVEL

B4D staff members are regularly required to travel overseas. The B4D Child Protection Code of Conduct applies to conduct in and outside of Australia. As well as local criminal law, B4D adheres to international child protection law and Conventions in relation to all forms of child abuse including child sex tourism, child sex trafficking, child labour and child pornography.

B4D staff, associates and participants will be required to undertake a police check prior to travelling/working overseas for B4D purposes.

### 4. EMPLOYMENT OF STAFF AND VOLUNTEERS

B4D's internal recruitment processes include screening measures to ensure inappropriate people are not employed by the organisation. These include reference checks, applications requiring detailed background work information and face-to-face interviews. All new staff, consultants, interns and volunteers will be required to read and sign the B4D CPP. All positions are subject to a probationary period and B4D reserves the right to refuse employment or terminate any person's employment that may pose a risk to children.

### 5. CHILD ABUSE REPORTING PROCESSES

B4D 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.

#### Who should report?

It is mandatory for all B4D staff, associates and participants to report concerns or allegations of child abuse.

#### 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 a B4D staff or other relevant stakeholder that breaches the B4D 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?

Child abuse reports should be made to the Chief Operating Officer.

#### When to report?

Child abuse concerns should be raised immediately.

### How should it be reported?

Verbally or in writing

### What will happen next?

The Chief Operating Officer and the Chief Executive Officer 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, or equivalent if overseas;
- Report made to the Australian Federal Police or equivalent if overseas;
- Concern handled internally if it is not a criminal matter;
- No further action taken.

### Procedural Fairness

B4D will ensure that all parties are treated fairly. All reports will be handled professionally, confidentially and expediently.

The rights and welfare of the child is of prime importance. Every effort will be made to protect the rights and safety of the child throughout the investigation.

## 6. RESPONDING TO DISCLOSURE BY A CHILD

When a child or young person discloses that 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.
  - Indiscriminately discuss the circumstances of the child/young person with others not directly involved.

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 to discuss how the child or young person can be supported and the disclosure managed.

## **7. EDUCATING THE ORGANISATION ON THE CHILD PROTECTION POLICY**

B4D is committed to educating staff on the CPP. B4D staff, consultants, volunteers, interns and board members will:

- Receive the CPP as part of the Induction Process
- Acknowledge their responsibilities under the CPP by signing the B4D Child Protection Code of Conduct

## **8. REVIEWING THE CHILD PROTECTION POLICY**

B4D's Child Protection Policy will be reviewed every year as part of the annual policy review cycle. The Chief Operating Officer will manage the review of the CPP, and staff will be consulted in this process.

## B4D CHILD PROTECTION CODE OF CONDUCT: ACKNOWLEDGEMENT

I, \_\_\_\_\_ (insert name), acknowledge that I have read and understand B4D's *Child Protection Policy*, **October 2015**, and agree that during my association with B4D:

I will:

- Treat all children and young people encountered during the course of our business activities with respect.
- Conduct myself in a manner that is consistent with the values of B4D.
- Provide a welcoming, inclusive and safe environment for all children.
- Respect cultural differences.
- Wherever possible, ensure that another adult is present when working in the proximity of children.
- Report any concerns of child abuse.

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.
- 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 my 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.
- 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 B4D programmatic work.
- Use B4D's computers, mobile phones, video and digital cameras inappropriately, nor use them for the purpose of exploiting or harassing children. In addition, I will not use similar personal devices owned by me for such purposes whilst working with/for B4D.
- Hire minors as domestic labour.

When photographing or filming a child or using children's images for work-related purposes, I must always:

- Portray the child in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in positions that could be seen as sexually suggestive.
- Assess local cultural traditions regarding restrictions for reproducing personal images and or appropriateness of photography and filming.
- Ask the child and its family for consent when using their images and explain how they will be used.
- Ensure images are an honest representation of the context and the facts.
- Ensure that the use of images will not endanger the children they portray.
- Ensure there is no identifying information of the child used in the publication of images and make sure when sending images electronically that file labels do not reveal identifying information.

Name:

Signed:

Date:

## DEFINITIONS USED IN THE ACFID CHILD PROTECTION POLICY

**Child and young person:** A child or young person is regarded to be any person under the age of 18 years.

**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 protection:** 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.

**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.

**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 exploitation material:** Material, irrespective of its form, which is classified as 'child abuse material' or 'child pornography material'.

**Child abuse material:** Material that depicts (expressively or implicitly) a child under 18 years as a victim of torture, cruelty or physical abuse.

**Child pornography:** Child pornography is material that depicts a person, or is a representation of a person, who is, or appears to be, under 18 years of age and is engaged in, or appears to be engaged in, a sexual pose or sexual activity, or is in the presence of a person who is engaged in, or appears to be engaged in, a sexual pose or activity, and does this in a way that a reasonable person would regard as being, in all the circumstances, offensive (see the Criminal Code Act 1995).

**Online grooming:** The act of sending an electronic message with indecent content to a recipient who the sender believes to be under 16 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender (see the Criminal Code Act 1995).

**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).