



Policy Name:	Child Protection Policy	Policy No.:	1.12
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## CHILD PROTECTION POLICY (CPP)

### 1. PURPOSE OF POLICY

Business for Development (B4D) is committed to promoting the safety and well-being of all children associated with its services and programs, particularly to minimise the risk of child 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. B4D believes that any form of child abuse and exploitation is unacceptable and will not be tolerated. We are committed to implementing effective systems and controls to prevent violations from taking place anywhere in our business or supply chains.

This Child Protection Policy (CPP) provides a practical guide to prevent child abuse in B4D's operations. The CPP provides a range of risk management strategies to mitigate the risk of children being harmed and provide guidance on how to respond to concerns and allegations of child abuse.

B4D believes all children have a right to be safe at all times and we shall do our best to foster safe and protective environments in the projects and communities in which we are involved. 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. In addition to B4D's commitment and consistent with the Australian Council for International Development (ACFID) Code of Conduct, B4D has policies and procedures implemented to promote the safety and well-being of all children involved in its activities. B4D also adheres to local and international child protection criminal laws, which prohibit the abuse and exploitation of children (as a minimum in the jurisdictions in which we operate).

### 2. SCOPE

This policy applies to all persons working for B4D or on our behalf in any capacity including staff members, board members, third-party representatives, project partners, suppliers, visitors and B4D participants – these include participants on B4D led missions and community visits. This policy is extended to all partners and downstream personnel, such as sub-contractors, through MOUs or similar agreements when contact with children may occur. B4D apply detailed due diligence procedures ensuring compliance with B4D's policies or application of equivalent policies and procedures within their organisation.

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, B4D will initiate the



appropriate actions to have an investigation and/or report initiated to the appropriate child protection authorities..

### 3. DEFINITIONS

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, harassment, and emotional or psychological abuse of children or young people. Cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crimes, coercion and exploitation, and abuse of power are also incidents of harm.

Child abuse can be inflicted on a child by both men and women, as well as by young people themselves. Such incidents traumatise children and adversely affect 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.

Abuse<sup>1</sup> :

- **Physical:** the use of physical force against a child that results in harm to the child. Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning.
- **Neglect:** the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing.
- **Emotional:** refers to a parent or caregiver's inappropriate verbal or symbolic acts toward a child, or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts have a high probability of damaging a child's self-esteem or social competence.
- **Sexual:** the use of a child for sexual gratification by an adult or significantly older child or adolescent. Sexually abusive behaviours can include fondling genitals; masturbation; oral sex; vaginal or anal penetration by a penis, finger or any other object; fondling breasts; voyeurism; exhibitionism; and exposing the child to, or involving the child in, pornography<sup>2</sup>.
- **Ill-treatment:** disciplining or correcting a child in an unreasonable and seriously inappropriate or improper manner; making excessive and/or degrading demands of a child; hostile use of force towards a child; and/or a pattern of hostile or unreasonable and seriously inappropriate degrading comments or behaviour towards a child.

Child or children – in accordance with the United Nations Convention on the Rights of the Child, 'child' means every human being under the age of 18 unless under the law applicable to the child, majority is attained earlier. For the purposes of this policy, B4D considers a child to be a person under the age of 18 years.

Child abuse material – material that depicts (expressly or implicitly) a child under 18 years of age as a victim of torture, cruelty or physical abuse.

Child exploitation – one or more of the following:

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<sup>1</sup> Department of Foreign Affairs and Trade (DFAT) Child Protection Policy January 2018

<sup>2</sup> Fact Sheet No. 12 *What is child abuse and neglect?* National Children's Clearinghouse, Australian Institute of Family Studies.



- committing or coercing another person to commit an action or acts of **abuse** against a child;
- possessing, controlling, producing, distributing, obtaining, or transmitting **child exploitation material**;
- committing or coercing another person to commit an act or acts of **grooming or online grooming**;
- using a minor for profit, labour, sexual gratification, or some other personal or financial advantage.<sup>3</sup>

Child exploitation material – material, irrespective of its form, which is classified as child abuse material or child pornography material.

Child pornography – in accordance with the Optional Protocol to the Convention on the Rights of the Child, ‘child pornography’ means ‘any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.’ For further information about child pornography offences, refer to the Criminal Code Act 1995.<sup>4</sup>

Child pornography material - 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.<sup>5</sup>

Child protection - an activity or initiative designed to protect children from any form of harm, particularly that arising from child exploitation and abuse.<sup>6</sup>

Child-sex tourism - ECPAT (End Child Prostitution and Trafficking, formally now known as ECPAT only) 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).

Grooming - generally, refers to behaviour that makes it easier for an offender to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualise that relationship (for example by encouraging romantic feelings, or exposing the child to sexual concepts through pornography).<sup>7</sup>

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<sup>3</sup> Department of Foreign Affairs and Trade (DFAT) Child Protection Policy January 2018

<sup>4</sup> Department of Foreign Affairs and Trade (DFAT) Child Protection Policy January 2018

<sup>5</sup> This definition has been extracted from the *Criminal Code Act 1995*. See Part 10.6 of the criminal code for the full definition.

<sup>6</sup> Department of Foreign Affairs and Trade (DFAT) Child Protection Policy January 2018

<sup>7</sup> Department of Foreign Affairs and Trade (DFAT) Child Protection Policy January 2018



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).

#### **4. B4D APPROACH**

Advancing the needs of those most vulnerable in society is fundamental to B4D's operations, ethics and principles. Our actions to support and respect such individuals, therefore, is comprised of protecting and safeguarding children.

Our commitment to child protection is aligned to the UN Guiding Principles' premise that appropriate methods shall be in place for certain groups of uniquely vulnerable people, such as children, whom may face specific challenges or risks.

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 programs. However, due to the international, often rural, nature of our work, B4D assesses both direct and indirect risk to children and evaluates outcomes when traveling to the field and in assessing programs developed by the organisation. B4D intends to detect changes in risks, instances of harm and of non-compliance with obligations.

In terms of indirect contact, B4D publishes material and has a public website where images of children may be displayed. Thus, the guidelines for use of children's images is outlined in the Code of Conduct ([Appendix 2](#)) and in the Code of Conduct: Acknowledgement ([Appendix 3](#)).

#### **Key Management Practices**

Effective implementation of the CPP includes regular reviews by the CEO and Operations Manager, along with scheduled annual reviews with the Board and Audit and Risk Committee. Implementation of all supporting mechanisms - policies outlined in Appendix 1 and all supporting procedures ensure risk assessments, safeguards, and incidents are managed appropriately. Prevention procedures to prevent a person from working with children if they pose an unacceptable risk to children are in place as part of B4D's recruitment and on-going screening of staff members.

#### **Training**

B4D promotes awareness-raising activities among staff members and all staff members are provided with safeguarding training, which consists of child protection mechanisms. Induction and regular child protection training is conducted with all staff members to ensure compliance.

#### **Monitoring & Evaluation**

B4D designates the Operations Manager as the Child Protection Lead to provide ongoing leadership for implementation of this policy, monitor B4D's compliancy with ongoing or new resource requirements, ensure B4D is reflective of external good practice standards for child protection and to act as the child protection incident reporting focal person.

#### **5. REPORTING A CONCERN**

In the event that B4D identify conduct contrary to our child protection commitment, we will work with all relevant stakeholders to immediately rectify the situation and take action aimed at preventing future violations. B4D will implement the Crisis and Incident Handling Policy and procedures to manage the concerns accordingly, identify the root cause and implement



corrective actions. In addition, we operate and implement continuous improvement protocols and are committed to increasing our capacity to identify and respond to concerns.

We encourage our staff members, board members, visitors, beneficiaries and members of the public to speak up, without retribution, about any concerns. We will not tolerate retaliation or reprisal against any workers, suppliers, or others for having reported suspected violations of this Policy.

B4D ensures all stakeholders and members of the public know how they can report a child protection concern in a simple, safe and accessible manner as noted below.

**Staff members with a concern:** Staff members should report their concern immediately to their manager or the Operations Manager. If the staff member does not feel comfortable reporting to the Operations Manager or their manager (for example if they feel that the report will not be taken seriously, or if those persons are implicated in the concern) they may report their concern to the CEO or the Board.

**Board members with a concern:** Board members should report concerns to the CEO or the Chair.

**Beneficiaries, visitors and members of the public with a concern:** B4D ensures that its beneficiaries, visitors, members of the public, partners and others know they can report a child abuse concern to any staff member and that their report will be treated in a safe and confidential manner via the B4D website.

As the concern may be about the behaviour of a B4D staff member or board member it is important that beneficiaries also have an alternative means of raising a concern. B4D ensures that its beneficiaries know they can also report their concern to the client who has engaged B4D. Clients typically always have a direct connection with beneficiaries and the local community.

Any staff member who receives a concern from a beneficiary, member of the public or from a client must report that concern immediately in accordance with the process that applies to any concern they might have themselves.

**In all instances:** A complaint can be made directly to the Chief Executive Officer:

Phone: +61 3 9008 9030

Email: [feedback@businessfordevelopment.org](mailto:feedback@businessfordevelopment.org)

B4D's Whistleblowing Policy applies and should be read in conjunction with this policy. This and other related policies that address child protection are listed in [Appendix 1](#). The detailed child abuse reporting process is outlined in the [Code of Conduct for Working With Children](#).

## 6. ADMINISTRATION OF THE CHILD PROTECTION POLICY

This policy shall be subject to periodic review and revision. Any review shall have appropriate regard to the interests of B4D's stakeholders. The Operations Manager will manage the review of the CPP and staff members will be consulted in this process.

This policy will be publicly available on the B4D website ensuring accessibility for all relevant parties.

Relevant monitoring, oversight and review processes are undertaken to review the effectiveness of B4D's child protection commitments as specified in related policies, processes, frameworks and/or action plans and in accordance with legislation, including the Family Law Act 1975 (Cth), Australian Human Rights Commission Act 1986 (Cth), Children,



Youth and Families Act 2005 (Vic), The Charter of Human Rights and Responsibilities Act 2006 (Vic) and the relevant local legislation in place for each program country in which B4D operates.



## **APPENDIX 1. ASSOCIATED POLICIES**

Anti-Fraud and anti-corruption Policy

Code of Conduct

Complaints Handling Policy

Crisis and Incident Handling Policy

Diversity and Inclusion Policy

Human Rights Policy

Safeguarding Policy

Whistleblowing Policy

Working Conditions Policy



## APPENDIX 2. CODE OF CONDUCT FOR WORKING WITH CHILDREN

This Appendix applies to all persons working for B4D or on our behalf in any capacity including staff members, board members, third-party representatives, project partners, suppliers and visitors. These stakeholders are responsible for maintaining a professional role with children, which means establishing and maintaining clear professional boundaries that serve to protect everyone from misunderstandings, a violation of the professional relationship and protecting vulnerable individuals from any harm that may arise from coming into contact with B4D's staff, board members, visitors or programs.

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

### 1. CHILD PROTECTION – PROFESSIONAL BEHAVIOURS<sup>8</sup>

Adherence to the following behaviours is mandatory to all persons working for B4D:

- treat all children with respect
- not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- not engage children under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services
- wherever possible, ensure that another adult is present when working near children
- not invite unaccompanied children into private residences, unless they are at immediate risk of injury or in physical danger
- not sleep close to unsupervised children unless absolutely necessary, in which case the supervisor's permission must be obtained, and ensuring that another adult is present if possible (noting that this does not apply to an individual's own children)
- never use any computers, mobile phones, video cameras, cameras or social media to exploit or harass children, or access child exploitation material through any medium
- not use physical punishment on children
- not hire children for domestic or other labour: which is inappropriate given their age or developmental stage; which interferes with their time available for education and recreational activities; or which places them at significant risk of injury
- comply with all relevant Australian and local legislation in the jurisdiction you are working, including labour laws in relation to child labour
- immediately report concerns or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures
- immediately disclose all charges, convictions and other outcomes of an offence that relates to child exploitation and abuse, including those under traditional law, which occurred before or occurs during association with B4D

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<sup>8</sup> Department of Foreign Affairs and Trade (DFAT) Child Protection Policy January 2018





- be aware of behaviour and avoid actions or behaviours that could be perceived by others as child exploitation and abuse

These behaviours are not intended to interfere with normal family interactions.

## 2. CHILD PROTECTION RISK MANAGEMENT

Staff members 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 programs 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.

## 3. 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.

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.

Specifically, we require all persons working for B4D or on our behalf in any capacity including staff members, board members, third-party representatives, project partners, suppliers and visitors to:

- 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.

## 4. 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 and all other countries where B4D have staff members. 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 members, board members, third-party representatives, project partners, suppliers and visitors will be required to undertake a police check prior to travelling/working overseas for B4D purposes.



## **5. EMPLOYMENT OF STAFF MEMBERS (WORLDWIDE)**

B4D's internal recruitment processes include screening measures to ensure inappropriate people are not employed by the organisation. These include police checks, reference checks, applications requiring detailed background work information and face-to-face interviews. All new staff members, consultants and interns 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.

## **6. CHILD ABUSE REPORTING PROCESSES**

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 members, board members, third-party representatives, project partners, suppliers and visitors to report concerns or allegations of child abuse.

### **What should be reported?**

- Any disclosure or allegation from a child/community member or staff members regarding the safety/abuse exploitation of a child.
- Any observation or concerning behaviour exhibited by a B4D staff member, any relevant stakeholder, any Australian citizens, permanent residents, or Australian company 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 members 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 Operations Manager who acts as the child protection incident reporting focal person. Reports can also be made by an individual to their manager who shall escalate the report to the Operations Manager.

### **When to report?**

Child abuse concerns should be raised immediately.

### **How should it be reported?**

Verbally or in writing.

### **What will happen next?**

The Operations Manager 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;



- Report made to DFAT if the program or organisation is receiving DFAT funding (via [childwelfare@dfat.gov.au](mailto:childwelfare@dfat.gov.au));
- Concern handled internally if it is not a criminal matter;
- B4D Crisis and Incident Handling Policy will be invoked;
- 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.

## **7. 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.
- Reassure the child or young person it is right to speak up.
- 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.

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

B4D is committed to educating staff members on the CPP. B4D staff members, board members, third-party representatives, project partners and visitors 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.



## **APPENDIX 3. B4D CHILD PROTECTION CODE OF CONDUCT: ACKNOWLEDGEMENT**

I, \_\_\_\_\_ (insert name), acknowledge that I have read and understand B4D's Child Protection Policy, October 2020, 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.
- Physically assault or touch a child in an inappropriate, unnecessary or culturally insensitive way.
- Develop sexual relationships with children or relationships with children that may be deemed exploitative or abusive.
- 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.
- Provide alcohol or illegal drugs to children.
- Show favouritism through the provision of gifts or inappropriate attention.
- Behave provocatively or inappropriately with a child.



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.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_