



## Child Safeguarding Policy

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<b>Responsible Officer</b>	National Director		
<b>Contact Officer</b>	Head of Governance and Operations		
<b>Superseded Documents</b>	A4U Child Protection Policy V1.0		
<b>Review</b>	Three years		
<b>Associated Documents</b>	A4U Workplace and Human Resources Policies		
<b>Policy Status</b>	This policy may be amended or revoked by A4U at any time and at its discretion		
<b>Version</b>	<b>Authorisation</b>	<b>Approval Date</b>	<b>Effective Date</b>
2.0	Board	02 02 2018	02 02 2018

## Introduction

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This policy statement formally expresses Australia for UNHCR's (A4U) absolute and fundamental belief in and commitment to the principle contained in Article 19 of the UN Convention on the Rights of the Child. This states that all children, wherever they may live and whatever may be their circumstances, have the right to be protected, nurtured and to be free from all forms of violence, abuse, neglect, maltreatment and exploitation.

## Commitment to child safeguarding

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A4U is committed to the safety and well-being of all children and to protecting them from abuse and exploitation. We support the rights of children and will act to ensure a child safe environment is maintained.

## Purpose of the policy

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This policy has been developed as a practical guide to protect the safety and well-being of all children in A4U's activities and programs. It outlines a range of risk management strategies that are implemented to reduce the risk of children being harmed.

As a signatory to the ACFID Code of Conduct, A4U is obliged to have policies and procedures implemented which promote the safety and well-being of all children accessing its programs, in particular to minimise the risk of abuse of children. Despite not working directly with children, from time-to-time A4U's representatives may have contact with children. This policy will demonstrate A4U's commitment to protect children from harm and abuse and sets out A4U's Child Safeguarding Code of Conduct.

## Guiding principles

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A4U believes that any form of child abuse and exploitation is unacceptable and will not be tolerated.

A4U recognises its duty of care to take all reasonable steps to ensure that children are safe from harm.

## Context

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Whilst A4U does not work directly with children, it recognises that 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.

## Definitions

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**A child or young person** - In line with the United Nations Convention on the Rights of the Child, a child is defined as any person/s under the age of 18.

**A4U representative** – includes A4U staff, Board members, contractors, consultants, volunteers, interns, associates visiting UN Refugee Agency (UNHCR) programs internationally (i.e. media, supporters) and any other individuals or groups that have been brought in contact with children (including their personal information and images) while conducting A4U activities.

**Child Abuse** - Child abuse includes physical, sexual, emotional, neglect, bullying, child labour commercial or other exploitation of a child, family violence and includes any actions that result in actual or potential harm to a child.

**Child Protection** - An activity or initiative designed to protect children from any form of harm, particularly that arising from child exploitation and abuse.

**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.

**Emotional abuse** - 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 care giver; to the extent that it affects the child's physical and emotional growth.

**Exploitation** - Commercial or other exploitation of a child refers to the use of the child in work or other activities for the benefit of others that are to the detriment of the child's physical and mental health, education, or moral and social-emotional development.

**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.

**Physical abuse** - 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.

**Sexual abuse** - the use of a child for sexual gratification by an adult or significantly older child or adolescent.

## Scope

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The policy applies to all A4U representatives. :

- A4U staff and Board members,
- all contractors, consultants, partners and agents
- volunteers, interns and work experience personnel

The overall goal of this policy is to protect children from abuse of all kinds with whom its representatives may come into contact.

## Risk management

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Despite not working directly with children, A4U recognises that there are potential risks to children with whom A4U representatives make contact with. While it is not possible to eliminate all risks, careful management can reduce the risks to children that may be associated with activities. A4U representatives should continually be aware of risks, and be actively minimising opportunities and situations where children can be harmed.

A4U has developed a Risk Management Policy and Framework to ensure that all organisational risks are reduced and/or maintained within an acceptable level. Child safeguarding and the risk of child abuse occurring through A4U activities was identified, analysed and included in A4U's Risk Register, which is monitored by the Senior Management Group and the Finance, Audit and Risk Committee. Child safeguarding and the risk of child abuse occurring through A4U activities will be managed in accordance with the A4U Child Safeguarding Policy guidelines

## **Overview of communication and use of children's images guidelines**

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A4U is committed to portraying children in a positive manner in all its marketing and communication materials.

The following principals related to child safeguarding are reflected in A4U's fundraising and marketing materials.

- A4U provides an accurate context for any child's story or image ensuring the child's dignity and best interest are taken into consideration when using images and reporting on children.
- A child will always be portrayed in a dignified and respectful manner and not in a vulnerable or submissive manner. Children will be adequately clothed and not in poses that could be seen as sexually suggestive.
- A4U will not knowingly publish a story or image which might put the child, siblings or peers at risk even when identities are changed, obscured or not used.

To ensure adherence to these principals, A4U has in place the Executive Sign off Form process which is escalated through the Senior Management Group. All external communications require the authorisation of the National Director or Deputy National Director.

When photographing or filming a child for work related purposes, representatives must:

- before photographing or filming a child, assess and endeavour to comply with local traditions or restrictions for reproducing personal images
- before photographing or filming a child, obtain informed consent from the child or a parent or guardian of the child. An explanation of how the photograph or film will be used should be provided.
- ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive
- ensure images are honest representations of the context and the facts
- ensure file labels do not reveal identifying information about a child when sending images electronically.

## **Personnel recruitment and selection**

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A4U has established internal recruitment processes in the recruitment, selection and screening of all permanent and fixed-term contract staff to ensure they are suitable. All staff are provided with job descriptions which outlines the specific duties and accountabilities of the position. In circumstances where A4U is recruiting for positions/personnel who may come into contact with children, A4U's Recruitment screening processes are to also include;

- Criminal record checks before engagement (statutory declarations of local legal equivalent where criminal record checks are unavailable or unreliable)
- Verbal referee checks.
- Behavioral-based interview questions.

For the recruitment of all permanent and fixed-term contract staff A4U utilises a variety of tools to check the CV integrity of prospective employees including LinkedIn, organisational websites, verification of employment through previous employers and nominated referees. Shortlisted

candidates are interviewed during which the applicant's background such as dates and places of employment, education and other activities can be clarified. For preferred candidates, A4U asks for three referee reports from the candidate's most recent direct managers. These referee reports are verified through contacting the organisation/business they are working directly.

Prior to commencement, the employee is required to sign the letter of engagement which represents the acceptance of the terms and conditions of the employment contract and agrees to have read and comply with the A4U Policies and procedures manual (including Child Safeguarding Policy), ACFID Code of Conduct and that he/she will comply with the lawful directions of A4U.

At commencement, all staff are required to provide proof of working rights through their passport or drivers licence. Original documents are required. Following commencement, all staff are subject to a probationary period and thereafter regular review of performance with his/her supervisor.

A4U's volunteers and interns are required to submit a CV and at least two referees. As outlined above A4U utilises a variety of tools to check the CV integrity of prospective volunteers and interns and conducts reference checks with nominated referees. A4U volunteers and interns also sign a Volunteer Agreement prior to commencing.

A4U's Procurement Policy sets out the due diligence process for prospective A4U contractors and consultants. All contracts with contractors and consultants are signed by either the Deputy National Director or National Director following review by the Head of Governance and Operations and Finance Manager.

### **Educating the organisation on child abuse and the child safeguarding policy**

All staff and representatives are provided access to A4U's policies and procedures (including Child Safeguarding Policy) and are encouraged to refer to the documents and review any updates provided.

A4U new hire induction process includes information on ACFID Code of Conduct Guidelines, A4U policy & procedures. Permanent and fixed term staff are required to complete the ACFID e-learning Code of Conduct module and sign the A4U Child Safeguarding Code of Conduct. All A4U representatives who are likely to come into contact with children through A4U activities are required to sign the A4U Child Safeguarding Code of Conduct.

A4U's casual fundraisers additionally receive training on the Public Fundraising Regulatory Authority (PFRA) standards which states that fundraisers must not intentionally approach a member of the public who appears to be a 'vulnerable person' or amongst other criteria a person under the age of 18.

Implementation of and compliance with A4U's Child Safeguarding Policy is reported annually to the Board.

### **Working with partners**

Programs supported by A4U are principally implemented through UNHCR as requested in the Recognition Agreement between A4U and UNHCR dated 1 January 2017. UNHCR's<sup>1</sup> policy

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<sup>1</sup> UN High Commissioner for Refugees (UNHCR), A Framework for the Protection of Children, 26 June 2012, available at: <http://www.refworld.org/docid/4fe875682.html>

framework and corresponding Child Safeguarding measures are the means of ensuring child safeguarding risks are managed and mitigated.

UNHCR's framework for the Protection of Children:

- recognizes children as rights-holders
- emphasizes children's capacity to participate in their own protection
- focuses on prevention and response to child abuse, neglect, violence and exploitation
- emphasizes the need for stronger partnerships
- takes a broad rights-based approach focusing on ensuring protection for all children of concern rather than focusing more narrowly on specific categories of children
- sets out clear goals which create more predictability and consistency across operations
- sets benchmarks to strengthen performance measurement and monitoring and outlines UNHCR's institutional commitment to the protection of children
- emphasizes engagement with communities and national child safeguarding systems through advocacy, collaboration, and support

Where A4U works with other program partners, due diligence is undertaken, including a review of the partner's policies and procedures to ensure any child safeguarding risks are managed and mitigated. All contracts with prospective program partners are signed by either the Deputy National Director or National Director following review by the Head of Governance and Operations and Finance Manager.

### **Visiting programs overseas**

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A4U conducts visit to its programs overseas, for example, conducting progress review of existing programs, identifying potential future projects, gathering collateral for fundraising appeals and media campaigns.

A4U will ensure reasonable precautions are taken to protect children if any staff or representatives are likely to come into contact with children during program visits. It does so by ensuring staff and representatives have undertaken the following preventative measures:

- All visits to programs overseas will be arranged through A4U
- In preparation for the visit, visitors will be provided with a mission briefing, from the appropriate A4U staff member, outlining the purpose, objectives, and expectations of the visitor and outcomes of the visit. All visitors will be required to sign the A4U Child Safeguarding Code of Conduct prior to their visit.
- Whilst visiting A4U's programs overseas, visitors must be accompanied by an A4U and/or UNHCR staff member at all times. During the visit, a visitor should never spend time with a child unsupervised
- Inappropriate or suspicious behaviour of visitors towards any child must be addressed immediately by the A4U staff member accompanying them at the time. The A4U or UNHCR staff member accompanying the visitor must seek assistance of their supervisor and follow the guidelines established in this policy for managing and reporting suspected child abuse.

### **Child abuse reporting process**

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A4U will take all concerns and reports of child abuse seriously and act on these reports immediately. It is mandatory for all A4U staff and representatives to report any witnessed, suspected or alleged incidents of child abuse or any breach of this policy and/or code of conduct.

Any incident, belief or suspicion of sexual or physical abuse (past or present) by A4U staff or representatives must be reported immediately to the Head of Governance and Operations. The staff member or representative should document the complaint including details such as time, place and witnesses to the incident. If the report relates to conduct of the Head of Governance and Operations, then incidents will be reported to the National Director. Incidents overseas can be reported to the UNHCR Field Office of where the incident occurred.

The incident and information will be assessed/investigated by the Head of Governance and Operations and Senior Management Group and then decide upon the next step. All allegations will be handled with confidentiality until all issues are considered and a decision made by the Head of Governance and Operations and Senior Management Group. A4U is committed to protecting the rights of children and rights of A4U representatives. All allegations are handled with utmost care and confidentiality to all our stakeholders.

Following the investigation, possible outcomes include:

- Reporting to police and or child protection authority when it is suspected or becomes clear that a crime has been committed
- Providing support to all stakeholders (including reporter) as necessary e.g. counselling
- Handling the concern internally if it is not a criminal matter
- Breaches of this Policy and Code of Conduct may result in performance management, disciplinary action or termination of employment.

Within 24 hours or as soon as is reasonably possible of becoming aware of the concern or incident, the incident must be reported to:

Australia for UNHCR – Head of Governance and Operations

In person: Level 8, 120 Sussex St Sydney NSW 2000

Mail: Reply Paid 428 Queen Victoria Building NSW 1230

Phone: 1300 361 288 (within Australia) or +61 2 9262 5377 (overseas)

Fax: 02 9262 4345

Email: [info@unrefugees.org.au](mailto:info@unrefugees.org.au)

Online: <http://unrefugees.org.au/contact-us>

UNHCR Inspector General's Office

In person or by post: 94 rue de Montbrillant, CP 2500, 1211 Geneva

Fax: +41 22 739 73 80

Email: [inspector@unhcr.org](mailto:inspector@unhcr.org)

Online: <http://www.unhcr.org/igo-complaints.html>

## **Policy review**

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This Policy is intended to be a living document that will be reviewed at minimum every three years. A review will be undertaken earlier according to any significant changes in A4U policies and/or Australian state/federal legislation.

## Child Safeguarding Code of Conduct

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I, \_\_\_\_\_, acknowledge that I have read and understand Australia for UNHCR's Child Safeguarding Policy, and agree that in the course of my association with Australia for UNHCR's (A4U), I must:

- treat all children with respect
- not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- encourage open communication between all children, young people, parents/guardians, A4U representatives and have children and young people participate in the decisions that affect them.
- not engage children under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services or acts, as defined under Criminal Code Act 1995
- wherever possible, ensure that another adult is present when working in the proximity of children
- not invite unaccompanied children into my home or accommodation, unless they are at immediate risk of injury or in physical danger
- hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way
- not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible
- use any computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass children or access child exploitation material through any medium
- not use physical punishment on children
- not provide a child with alcohol or drugs
- refrain from offering or receiving gifts to or from individual children and young people
- 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, including labour laws in relation to child labour
- immediately report concerns or allegations of child exploitation and abuse and policy noncompliance in accordance with appropriate procedures
- disclose immediately all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with Opportunity that relate to child exploitation and abuse.

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

- obtain informed consent from the child and parent or guardian of the child and explain how the photograph or film will be used
- assess and endeavour to comply with local traditions or restrictions for reproducing personal images
- photograph children with a guardian where possible
- present the subject in a dignified, respectful manner, portraying them as equal partners in the development process. Children should be adequately clothed and not depicted as vulnerable or submissive or in poses that are sexually suggestive
- ensure images are honest representations of the context and the facts

- ensure file labels, meta data or text descriptions limit identifying information about a child to first name, age and region or city, when sending images electronically or publishing images in any form (for example do not include surnames, school or village).

I understand that the onus is on me, as a person associated with A4U, to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse.

Signed:

Date: