



## **Preamble**

This policy statement affirms CARE Australia's commitment to the welfare of children and their protection from abuse and exploitation. Child abuse and exploitation is unacceptable to CARE Australia (CA) and the organisation is committed to abiding, upholding and promoting appropriate risk-based Child Protection standards at all times. CA will provide training and guidance for staff to meet these standards. Any instances of alleged abuse or exploitation will be immediately and thoroughly addressed.

Consistent with CA's vision, mission and core values of respect, integrity and accountability, we seek to create and maintain an organisational environment that is free of harassment and exploitation, and to ensure the same in all of our work with the communities that we work with. Each member of the community with whom CARE works or provides assistance must have CA's utmost assurance that they will not be subject to any form of harassment or exploitation.

The children in the communities that we work with are a particularly vulnerable group. There is a growing awareness that sex offenders are targeting and infiltrating organisations in order to access children. International non-government organisations (INGOs), in particular those working closely with children and/or based in developing countries, are particularly susceptible. This policy aims to deter, minimise and remove opportunities for child abuse to occur in our country programs.

CA is a child-safe organisation and is committed to having child-safe programs in-country. Requirements for CARE Australia-led Country Offices and Non-Lead-Member Country Offices are included in Attachment 1 and 2 respectively.

### **1. Application and Definitions**

For the purpose of this policy, a child will be considered to be a person under the age of 18 years.

The policy applies to:

- all staff
- all contractors, e.g., consultants
- all volunteers and interns
- all Board members
- any persons who visit CA projects, e.g. donors, family members of CA staff and Board members.



- 1.1 Child exploitation and abuse** (involves one or more of the following):
- committing or coercing another person to commit an act 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.
- 1.2 Physical abuse**  
Physical abuse occurs when a person purposefully injures or threatens to injure a child or young person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take the form of bruises, cuts, burns or fractures.
- 1.3 Emotional abuse**  
Emotional abuse is 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.
- 1.4 Neglect**  
Neglect is 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 well-being.
- 1.5 Child Sexual Abuse**  
Sexual abuse is when a child or young person is used by an older or bigger child, adolescent or adult for his or her own sexual stimulation or gratification, or economic gain. Sexual abuse involves contact and non-contact activities which encompasses all forms of sexual activity involving children, including exposing children to pornographic images, or taking pornographic photographs of children.
- 1.6 Grooming**  
Grooming generally refers to behaviour that makes it easier for an offender to procure a child for sexual activity. It often involves the act of building the trust of children and/or their carers to gain access to children in order to sexually abuse them. For example, by encouraging romantic feelings or exposing the child to sexual concepts through pornography.



**1.7 Online grooming**

Online grooming is the act of sending an electronic message with indecent content to a recipient who the sender believes to be under 18 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.

**2. Awareness**

CA will ensure that all staff and others (as applicable in Section 1) are aware of the problem of child abuse and the risks to children.

**2.1 Training and Development**

All staff will receive information relating to CA's Child Protection Policy and Code of Conduct during the induction process. Introduction to Child Protection issues will be provided as part of the CA orientation program provided for all new staff. Further training will be conducted at a departmental or Country Office level, tailored to the needs of the department or Country Office, on specific areas of responsibility as appropriate on an annual basis.

**3. Risk Assessment**

CA has a risk management policy including a key business risk register which includes child protection. CA project designs should include child protection as part of the overall project assessments. This ensures that we meet CA risk management policy.

**4. Prevention**

CA will ensure that through awareness and personal and professional conduct, that staff and others minimise the risk to children.

**4.1 Vigilance in Recruitment and Selection**

The Human Resources team and Country Offices adheres by strict guidelines in the recruiting process of new staff, consultants, volunteers and interns. The recruitment guidelines will be reviewed and updated regularly to ensure that they accurately reflect child safe recruiting and screening standards. The recruitment guidelines will include:

- A clear and bold statement that confirms CA's commitment to child protection in all advertising
- Adopting 'best practice' recruitment and selection techniques
- Interviews will include behaviour questions for positions which involve working with children
- Conducting verbal reference checks is mandatory when the position involves working with children
- Conducting police checks where required and feasible.



#### **4.2 Criminal Record Checks**

All personnel who work with children will be asked to sign an authority for a criminal record check. In addition, criminal record checks will be conducted for all employees, regardless of whether or not they work with children.

In cases where international criminal record checks cannot be completed in time or where a country does not provide criminal record checks with adequate reliability, rigorous referee checks and employee declarations will be used in their place.

#### **4.3 Code of Conduct**

All staff, and others (as applicable in Section 1) will be expected to sign and adhere to a Code of Conduct for the Protection of the Child (see Attachment 3).

#### **4.4 Use of Child Photos and Information**

Pictures, images, or other likenesses of children and/or information related to children that could compromise their care and protection will not be made available through any form of communication media without proper protection and understanding of their use. Any images of children should not be accompanied by detailed information relating to their place of residence. Images with corresponding text which may identify a child should be removed.

### **5. Reporting**

CA will ensure that staff and others are clear what steps to take where concerns arise regarding the safety of children.

#### **5.1 Incident reporting**

It is mandatory for any allegation, belief or suspicion of sexual or physical abuse (past or present) by a CA employee, contractor, donor, board member or other partner to be reported immediately to the Country Director or the Principal Executive – Corporate Services (PECS). The Country Director must notify the PECS immediately, who will determine the appropriate reporting requirements – including to the donor and/or legal authorities - and record the report.

If a child reports an incident, the child/young person must be taken seriously and listened to carefully. Once an allegation is made there should be an immediate response that protects the child from further potential abuse or victimisation. Where appropriate, the family of the child victim should be informed of the allegation and action proposed and they should be consulted where possible as to the process to be followed.<sup>1</sup> This process will be steered

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<sup>1</sup> There needs to be consideration about what treatment the child will receive from his or her family or from local authorities. E.g., will the child be victimised, criminalised or ostracised.



and guided by the Principal Executive – Corporate Services in Australia and the Country Director in Country Offices.

Each Country Office will have a country-specific Child Protection reporting procedure that takes into account the local context.

## **5.2 Document the incident**

The incident should be documented immediately (within a period of 24 hours of the disclosure), the staff member receiving the disclosure needs to have fully documented the allegation, including the time, place, witnesses. This report will possibly be used in court if charges are forthcoming.

All reports should be submitted to the Principal Executive – Corporate Services in Australia or the Country Director in Country Offices. Country Offices will also inform the Principal Executive – Corporate Services within CA in writing immediately if any staff member is alleged to have committed or been arrested for, or convicted of, criminal offences relating to child abuse or child pornography.

If the incident occurs in Australia or involves an Australian, the Principal Executive – Corporate Services will consult with legal counsel and appropriate bodies (e.g., Australian Federal Police, ECPAT, Department of Family and Community Services, Human Services), to ascertain due process and steer participants accordingly, subject to the incident reported.

## **5.3 Report follow-up**

Where any person has made a report and believes insufficient action has been taken, that person is encouraged to have initial follow-up with the CARE Country Director in the first instance. Should the person continue to believe that insufficient action has been taken, further follow up may also be directed to the Principal Executive Corporate Services and if appropriate to the Chief Executive Officer (CEO) through the 'Tell Us' Policy. Alternatively, any person may report wrongdoings by calling the confidential hotline (1800) 898-834 or +61 2 6279 0261, emailing [tellus@care.org.au](mailto:tellus@care.org.au), or calling the designated Country Office 'Tell Us' telephone number listed in the Tell Us Policy.

## **6. Responding**

CA will ensure that action is taken to support and protect children where concerns arise regarding possible abuse.

### **6.1 Distance the alleged perpetrator**

The best interests of the child/young person may warrant the standing down of a staff member or volunteer/intern while an investigation commences. Staff members stood down receive full pay and are entitled to a just process that does not pre-suppose guilt or innocence. The allegations should not be discussed or communicated to other people until such have been considered and a decision made by management. The decision made should be documented and filed.

### **6.2 Confidentiality**

Confidentiality is crucial to a fair and effective reporting procedure. It is unacceptable and potentially defamatory for concerns of child abuse (and abusers) to be spread throughout the organisation rather than being directed through a formal complaints process. All participants must understand the importance of following the set reporting lines when concerns arise. Confidentiality protects the child, the notifier, the respondent and the organisation, and ensures a fair and proper process.

### **6.3 Reprisal**

CA will not tolerate any form of coercion, intimidation, reprisal or retaliation against any employee who reports any form of abuse or exploitation, provides any information or other assistance in an investigation.

### **6.4 Counselling support**

Professional counselling support will be made available to all parties involved.

### **6.5 Investigation of complaints**

Physical and/or sexual abuse of a child is a crime. Organisations will be required to notify authorities when there are reasonable grounds for reporting abuse, particularly if the allegations are made in Australia or involve an Australian citizen.

Allegations made overseas will need to consider national legislation or internal procedures to investigate and address the allegations.<sup>2</sup>

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<sup>2</sup> Consideration needs to be given how the local authorities will treat the alleged perpetrator (e.g., torture, death penalty, corrupt justice systems) as well as the child (e.g., will the child be victimised, criminalised or forced to undergo medical checks).



Internal investigations will consider a confidential, thorough, impartial and prompt process. The investigation may consist of interviews with witnesses and others as appropriate, collection of information about the alleged conduct, gathering of documentation, or other procedures as appropriate. The individual alleged to have violated this CA policy would have the opportunity to present his or her view of the events in question. CA will hold its determination until the investigation is completed.

**7. Review of this Policy**

CA will review this policy every five years or earlier if warranted.

**Attachments**

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|--------------|--|
| Attachment 1 | Child Protection Requirements for CARE Australia-led Country Offices |
| Attachment 2 | Child Protection Requirements for non-lead-member Country Offices    |
| Attachment 3 | Code of Conduct for the Protection of the Child                      |



## Attachment 1

### Child Protection Requirements for CARE Australia-led Country Offices

CARE Australia-led Country Offices must have the following:

- a child protection policy that complies with CA standards<sup>3</sup>
- child-safe recruitment and screening processes, including criminal record checks<sup>4</sup> prior to engagement, targeted interview questions and verbal referee checks, for all personnel (including volunteers and interns) who will be working with children
- a documented child protection complaints management procedure
- regular provision of child protection training for relevant personnel
- a child protection code of conduct that must be signed by all personnel
- a provision in all employment contracts that the organisation has the right to dismiss the employee or transfer the employee to other duties if he/she breaches the child protection code of conduct
- a documented policy compliance regime, including specified sanctions for breaches
- a reporting mechanism where the Principal Executive – Corporate Services is informed immediately in writing if any of the personnel is alleged to have committed, or been arrested for, or convicted of, criminal offences relating to child abuse or child pornography
- child protection strategies incorporated into project risk management processes

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<sup>3</sup> This will involve Country Offices adopting and endorsing the CARE Australia Child Protection Policy.

<sup>4</sup> In cases where international criminal record checks cannot be completed in time or where a country does not provide criminal record checks with adequate reliability, rigorous referee checks will be used in its place.





## Attachment 2

### Child Protection Requirements for non-lead-member Country Offices

CARE Australia-funded projects must have the following:

- child-safe recruitment and screening processes, including criminal record checks<sup>5</sup> prior to engagement, targeted interview questions and verbal referee checks, for all personnel (including volunteers and interns) who will be working with children
- a documented child protection complaints management procedure
- regular provision of child protection training for relevant personnel
- a child protection code of conduct that must be signed by all personnel implementing CARE Australia-funded activities in-country
- a provision in all employment contracts that the organisation has the right to dismiss the employee or transfer the employee to other duties if he/she breaches the child protection code of conduct
- a documented policy compliance regime, including specified sanctions for breaches
- a reporting mechanism where the Principal Executive – Corporate Services is informed immediately in writing if any of the personnel implementing CARE Australia-funded activities is alleged to have committed, or been arrested for, or convicted of, criminal offences relating to child abuse or child pornography
- child protection strategies incorporated into project risk management processes

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<sup>5</sup> In cases where international criminal record checks cannot be completed in time or where a country does not provide criminal record checks with adequate reliability, rigorous referee checks will be used in its place.



## **Code of Conduct for the Protection of the Child**

### **INTRODUCTION**

Child abuse and exploitation is unacceptable to CA and the organisation is committed to abiding, upholding and promoting appropriate risk-based Child Protection standards at all times. CA will provide training and guidance for staff to meet these standard. Any instances of alleged abuse or exploitation will be immediately and thoroughly addressed.

CA's capacity to ensure the protection of and assistance to the children that we work with, depends on the ability of its staff to uphold and promote the highest standards of ethical and professional conduct. We, the staff members of CARE, are personally and collectively responsible for and committed to abiding, upholding and promoting appropriate Child Protection standards at all times. Managers have a particular responsibility to uphold these standards, to set a good example, and to create a working environment that supports and empowers staff.

It is recognised that CA's work often puts its staff in positions of power in relation to its children that we work with. Staff have an obligation not to abuse this power.

This Code of Conduct is intended to serve as an illustrative guide for staff to make ethical decisions in their professional lives, and at times in their private lives. However, the behaviours stipulated are not intended to interfere with normal family interactions.

While acknowledging that local laws and customs may differ from one country to another, the Code of Conduct is based on international legal standards.

The Code applies to all CARE staff members, who will be requested to sign it. Any breach of the Code of Conduct will be seen as a serious concern and will result in disciplinary action or dismissal, in accordance with CA's disciplinary procedures. Other CARE associates (as applicable in Section 1 of the Policy such as consultants, Board members, volunteers and interns) will also receive the Code and be requested to confirm that they uphold its standards.

All CARE staff are responsible for encouraging, advocating and promoting the dissemination of the Code of Conduct. They also have a role in implementing, monitoring and enforcing its standards. Staff are also urged to encourage partners to adhere to these standards and to join CARE staff in upholding them.



*As a staff member of CARE, I commit myself to:*

- 1. Treat all children fairly, and with respect and dignity, regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.**

I will always seek to care for and protect the rights of children, and act in a manner that ensures that their best interests shall be the paramount consideration.

- 2. Uphold the integrity of CARE, by ensuring that my personal and professional conduct is, and is seen to be, of the highest standard.**

I will demonstrate integrity, truthfulness, dedication and honesty in my actions. I will be patient, respectful and courteous to all persons with whom I deal in any capacity, including children.

I recognise that my personal conduct will reflect on CARE's reputation and may impact on community perceptions, therefore I will refrain from inappropriate behaviour that may be compromising or detrimental to CARE.

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

- 3. Safeguard and make responsible use of the information and resources to which I have access by reason of my employment with CARE.**

I will exercise due care in all matters of official business, and not divulge any confidential information about a child and other work-related matters in accordance with the staff regulations and rules and current guidelines.

I will protect, manage and utilise CARE human, financial and material resources appropriately. I will never use CARE resources to exploit or harass children or access child pornography. When photographing or filming a child for work-related purposes, I 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 consent from the child or parent or guardian of the child. As part of this, I must explain how the photograph or film will be used.



- 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, meta-data or text descriptions do not reveal identifying information about a child.

#### **4. Prevent, oppose and combat all exploitation and abuse of the child.**

I undertake not to abuse the power and influence that I have by virtue of my position over the life and well-being of a child.

I will report concerns or allegations of child exploitation and abuse by a CARE staff member, consultant, volunteer, intern, partner, visitor or donor.

I will not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.

I will never request any service or favour from a child in return for protection or assistance. I will never engage in any exploitative relationships – sexual, emotional, financial or employment-related – with a child.

I will refrain from hiring 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. I will report in writing on the nature and conditions of this employment to my supervisor.

Wherever possible, I will ensure that another adult is present when working in the proximity of children.

I will not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger.

I will 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.

I will refrain from physical abuse of children.

I will not engage in behaviour to shame, humiliate, belittle or degrade a child or young person or otherwise emotionally or psychologically abuse a child or young person including exposing them to family violence.



I will not use any computers, mobile phones, video cameras, cameras or social media inappropriately, and will never exploit or harass children or access child exploitation material through any medium.

I will not inappropriately use social media to contact, access, solicit or befriend a child involved in CARE programs or activities and misuse images of those children on personal social media sites (e.g. publishing them online).

**5. Refrain from any involvement in criminal or unethical activities, activities that contravene human rights, or activities that compromise the image and interests of CARE.**

I will neither support nor take part in any form of illegal, exploitative or abusive activities, including, for example, child labour, child pornography and trafficking of human beings and commodities.

I will not engage children under the age of 18 in any form of sexual activity or acts, including paying for sexual services or acts. This is regardless of the local age of consent, i.e. the local or national laws of the country in which I work. Ignorance or mistaken belief of the child's age is not a defence. Failure to report such a relationship may lead to disciplinary action pursuant to CA's policies and procedures.

I will comply with all relevant Australian and local legislation, including labour laws in relation to child labour.

**6. Disclosure.**

I will immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with CARE, that relate to child exploitation and abuse.



**Attachment 3**

**CODE OF CONDUCT**  
**For the Protection of the Child**

I acknowledge that I have received, read and understand CARE Australia's Code of Conduct for the Protection of the Child and agree to abide, uphold and promote appropriate risk based Child Protection standards at all times. I also understand that any breach of the Code of Conduct for the Protection of the Child will result in disciplinary action or dismissal, in accordance with CARE's disciplinary procedures and could also result in criminal prosecution.

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(PRINT NAME)

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(SIGNATURE)

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(DATE)