

CHILD PROTECTION POLICY

Vision

For all people to transcend the injustice, indignity, and inequality of entrenched poverty.

Mission

To empower changemakers to break the cycle of poverty.

1. Introduction

Action on Poverty (AOP) is an independent, secular, not for profit, non-governmental organisation (NGO). Founded in Australia in 1968, AOP was incorporated in the state of New South Wales in 1983. AOP works with partners and communities in Africa, Asia and the Pacific.

AOP is committed to supporting work that is of the highest standard, and in doing so, holds full accreditation with the Australian Government through the Department of Foreign Affairs and Trade (DFAT). AOP is a signatory to the Australian Council for International Development (ACFID) Code of Conduct which requires high standards of corporate governance, public accountability and financial management to be in place.

As a NSW-based organisation, AOP also adheres to the Child Protection (Working with Children) Act 2012 through its Child Protection Policy and Guidelines.

2. Purpose

This Child Protection Policy was developed to prevent harm to children and to respond immediately and appropriately to any abuse of children within the AOP or its programs. It is aimed to guide and educate all staff and associated personnel about what is expected of them and promote a culture and environment where everyone is committed to protecting children.

This policy is accompanied by a Safeguarding Code of Conduct, which outlines requirements and procedures to assist staff and associated personnel to plan for and manage children's safety and protection across all areas of the organisation's work.

Further, it provides guidance on what steps to take where concerns arise regarding the safety of children, and that appropriate action and support are undertaken in this regard.

AOP is committed to the protection of children from violence, abuse, neglect and exploitation. AOP affirms that all children have the right to protection from all forms of abuse, including child labour, child sex tourism and grooming behaviour.

We implement a rights-based approach in our programs and ensure that all activities integrate the key principles of the United Nations Convention on the Rights of the Child¹, including additional optional protocols as well as relevant International Labour Organisation Conventions. AOP is committed to meeting the minimum standards of the Australian Government Department of Foreign Affairs and Trade Child Protection Policy. Taking steps to protect children from all forms of violence, abuse, neglect, and exploitation such as child labour, child sex tourism and grooming behavior is consistent with AOP's vision, mission and values.

Definition of Child Abuse: Abuse happens to male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion. Abuse includes

¹ UN Convention on the Rights of the Child, 1989 – accessed at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

physical, sexual, emotional, neglect, child labour and family violence. In some cases, professionals and other adults working with children in a position of trust also abuse children.

- 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.
- 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 well-being.
- Emotional abuse: 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 abuse: 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, and oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling breasts, voyeurism, and exhibitionism and exposing the child to, or involving the child in, pornography. (Australian Government/AusAID Child Protection Policy, January 2013).
- Grooming Behaviour: behavior that makes it easier for an offender to procure a child for sexual activity. For example, an offender may build a relationship of trust or intimacy with the child, and then seek to sexualize that relationship. Examples include: favouring a child, isolating a child, giving excessive attention or gifts, using sexualised language or physical contact, exposing a child to sexual concepts, or providing a child with drugs or alcohol.

Refer to Annex 1 in AOP's Child Protection Guidelines for further definitions that apply to this Policy.

3. Scope

- 3.1 This policy applies to all AOP activities.
- 3.2 This policy applies to all personnel, including: board members, staff and associated personnel, consultants, as well as visitors and volunteers.
- 3.3 This policy applies at all times when staff or representatives can be considered to be representing the organization, whether during working hours or not.
- 3.4 This policy cascades and applies to AOP partners and contractors and is built into AOP agreements with partners and contractors.

4. Policy Principles

- 4.1 AOP believes that any form of violence, abuse, neglect and exploitation of children is unacceptable and will not be tolerated.
- 4.2 AOP believes that all children have a right to be safe at all times, and we have an obligation to provide safe and protective services and environments.
- 4.3 AOP recognises its duty of care to take all reasonable steps to ensure that children are safe from harm.
- 4.4 AOP prioritises the prevention of harm to children by assessing and mitigating risks to children across its programs and partnerships.
- 4.5 AOP takes proactive steps to create child safe and child friendly programs, recognising that the safety of children and young people is everyone's responsibility. AOP believes children in our programs have the right to express their views on matters affecting them.

- 4.6 AOP believes all children should have the right to be equally protected and assisted regardless of their gender, nationality, religious or political beliefs, family background, economic status, physical or mental health or criminal background.
- 4.7 AOP applies principles of procedural fairness when investigating complaints, concerns and allegations.

5. Policy Implementation

5.1 Roles and Responsibilities

All personnel are responsible to ensure the safety and wellbeing of children and to act in accordance with this Child Protection Policy at all times. Specific positions, however, have specific responsibilities. These responsibilities are outlined in detail in AOP's Child Protection Guidelines, however in general they include:

Senior Management (executives) are responsible to lead, champion and promote the implementation of this Policy, the Safeguarding Code of Conduct and associated guidelines. The CEO has ultimate responsibility to ensure adherence with this Policy.

Program Managers must:

- ensure that every program has a risk assessment that identifies and mitigates risks to child exploitation and abuse
- ensure all relevant partners have appropriate agreements in place, and child protection capabilities are assessed as suitable
- adopt a Survivor-Centred Approach to safeguarding, which places the victim/survivor's experiences, considerations, needs at the centre of our processes, elevates the voice of victim/survivors and places their wishes, rights, dignity, safety, and well-being at the forefront of efforts to prevent and respond - from initial reporting, through investigation and follow up actions.

Child Protection Focal Points

Each AOP partner or program, including AOP head office, will appoint/select at least one, preferably two, Child Protection Focal Points who are responsible to monitor and support the implementation, enforcement, compliance, and monitoring of the AOP Child Protection Policy, Code of Conduct and Implementation Guidelines.

Human Resource Management

- ensure appropriate checks and monitoring are used to identify suitable representatives and deter unsuitable candidates and provide adequate professional supervision and development for all staff and volunteers.
- manage and maintain robust and accountable reporting and case management systems of all child protection allegations made against personnel and partner staff engaged in its activities. All relevant laws related to the protection of children must be applied.

All personnel are responsible to:

- Actively implement and adhere to the Child Protection Policy.
- Ensure that all training requirements are complied with as outlined in the Child Protection Policy and related guidelines.
- Immediately report all concerns, suspicions, and incidents in accordance with reporting requirements as outlined in the Child Protection Policy and related guidelines.
- Demonstrate the highest professional and ethical standards in their day-to-day conduct.

5.2 Recruitment

AOP is committed to ensuring that no one is recruited to work with AOP who may pose a potential risk to children:

AOP has put in place child safe recruitment, screening, selection and contracting processes. These child safe recruitment guidelines are detailed in the AOP Child Protection Guidelines and the AOP Operations Manual. In summary, these include: child safeguarding inclusions in job/role advertisements, position descriptions, interviews, reference checking, screening, and contracting.

AOP requires all staff and associated personnel to comply with the Child Safeguarding Policy and Code of Conduct throughout their period of employment. Failure to do so may result in a transfer to other duties, suspension or dismissal, depending on the nature of the offense. Criminal behaviour will be reported to the relevant authorities as per the Reporting Procedures below.

Contracts clearly state that adherence to the Child Protection Policy and Safeguarding Code of Conduct is required, and failure to do so will lead to disciplinary consequences, including dismissal.

5.3 Training and Awareness

AOP will ensure that all staff and associated personnel are aware of this Child Protection Policy and AOP's Safeguarding Code of Conduct. AOP requires its personnel to abide by its Safeguarding Code of Conduct, which outlines the expected standard of behaviour required for all personnel. Non-compliance will result in disciplinary action up to and including termination of engagement with AOP and criminal proceedings.

The following steps will be taken to ensure proper educational support is provided:

- We will ensure that all staff and associated personnel are aware of the problem of child abuse and the risks to children.
- All AOP staff and associated personnel will sign and abide by this Child Protection Policy and Code of Conduct.
- All staff and associated personnel will have access to a copy of this Child Protection Policy in English and Vietnamese, and the policy will be made publicly available to all through the website and in every AOP (program) office.
- All staff and associated personnel will be trained on child protection and their responsibilities within three months of joining the organisation.
- Additional training and support will be provided by AOP every 3 years or after incidents, to ensure commitments are met.
- We will ensure that all programs/offices select a Child Protection Focal Point to support the implementation of the Child Protection Policy and be the first point of contact to receive reports on child safeguarding incidents.
- We will ensure that AOP staff and associated personnel are aware of their relevant Child Protection Focal Point for the purposes of reporting a breach of this Policy and/or Code of Conduct.
- Our supervision and performance appraisal processes will include a focus on the Child Protection Policy, Code of Conduct and related Guidelines, as well as a commitment to performance management.

5.4 Reporting and Response

AOP will implement the following Reporting Process for breaches of the Child Protection Policy or the Safeguarding Code of Conduct, or when reporting a concern for the safety or well-being of a child:

Mandatory Reporting: It is mandatory for all AOP staff and associated personnel to report incidents, concerns or allegations of child abuse/breach of the Child Protection Policy and/or Code of Conduct, without exception, within 24 hours of becoming aware. These reports should be made directly to the

Child Protection Focal Point (CPFP) in the relevant office or program.² The CPFP will immediately inform the AOP CPFP in Sydney, in addition to taking the necessary measures in country.

Best Interest of the Child: The Best Interest of the Child is the primary consideration in any response. The first step is always to ensure the child is safe and any needs are taken care of.

Confidentiality: Confidentiality of reporting is ensured to protect the identity of the child or children involved, the whistle-blowers, and alleged perpetrators. All details of the reporting process and investigation process must be kept confidential, and only shared with those relevant (authorities and donors, if required). Provisions will be made for the protection of the person reporting an issue or concern if they have a genuine fear for their physical safety, but the case still must be reported.

Notification: The AOP CPFP in Head Office is responsible for informing the relevant donors as per their requirements.³

Integrity of Reporting Process: Upon reporting, the CPFP and HR in country, as well as the AOP CPFP in Sydney will be called to review the report, inform the authorities (if deemed safe to do so) and assist the authorities with their investigation. AOP applies procedural fairness whilst any investigation is being conducted.

Outcomes of the Investigation: There are three potential outcomes of an investigation:

- The incident is a substantiated case of child abuse and will lead to dismissal or end of contract.
- The case of abuse cannot be substantiated, upon which further action will be decided.
- The allegation or suspicion is proven to be untrue. All those involved will be informed and if there is a suspicion the report was made with malicious intent, this will be investigated.

5.5 Working with Partners

Most of AOP's work is carried out in collaboration with partners, therefore it is vital to ensure partners commit to the same standards of child protection and take all necessary measures to ensure the safety and well-being of children. To this end, AOP will:

- Require that partners read and acknowledge the AOP Child Protection Policy, sign the AOP Code of Conduct, and commit to put measures in place to keep children safe. If a partner does not have their own policy, AOP requires that the partner develop their own Child Protection as part of their collaboration with AOP;
- Require all partners, from the day of signing the Contract and the Code of Conduct, without exception, to report any suspected Child Protection incidents to AOP within 24 hours, in addition to responding to the incident. Failure to do so, will result in suspension and potentially termination of any Project Agreement.
- Provide assistance and resources to partners to develop their own Policy in line with international standards and specific donor requirements.
- Provide child protection training for all partners.
- Breaches in this policy can lead to termination of agreements.

5.6 Risk Management

AOP will proactively manage risks to children in our programs (and the communities where we work) to reduce the risk of harm, by:

² Details on how to report are included in the Child Safeguarding Implementation Guidelines.

³ Under the DFAT Child Protection Policy, it is mandatory for concerns that have been reported to the Child Protection Focal Point or their relevant delegated authority, to then be communicated to DFAT within 24 hours. It is at this stage, that AOP will discuss a schedule for provision of regular updates on progress and deadline for completing the investigation. It is important to note that the failure to notify DFAT of a reported incident within 24 hours of becoming aware of an incident, constitutes a breach of the Head Funding Agreement and may result in AOP losing its accreditation status.

- Examining each program and its potential contact with and impact on children. Programs that involve direct work with children are considered a higher risk, and therefore require more stringent and regular risk assessments and oversight, which are integrated in project development, budgeting, implementation, monitoring and evaluation.
- AOP staff will conduct a child protection risk assessment/audit of partners and projects at the start of the collaboration and on a regular basis from then on. Partners and projects will be classified into high, medium or low risk categories, based on the level of contact they have with children and the nature of their program/context activities or location.

5.7 Monitoring and Evaluation:

This Policy and its implementation will be monitored on an ongoing basis. Reports on implementation are included in program reports, as well as reports to the AOP Board. The policy will be reviewed following incidents and near misses and/or at least every 3 years to ensure that it remains relevant to the needs of AOP and its partners.

6. Acknowledgement

- I, _____ (insert name) acknowledge that I have received, read and understood AOP's Child Protection Policy.
- I understand that disciplinary measures, legal action and/or suspension from duties may be undertaken in case of breach of the Child Protection Policy.

<p>SIGNED BY:</p> <p>_____</p> <p>(PRINT NAME)</p> <p>_____</p> <p>(SIGNATURE)</p> <p>_____</p> <p>(DATE)</p>	<p>WITNESSED BY:</p> <p>_____</p> <p>(PRINT NAME)</p> <p>_____</p> <p>(SIGNATURE)</p> <p>_____</p> <p>(DATE)</p>
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Approved by the Board: June 2018

Approved: April 2021

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