



# Child Safe Policy

## Policy Statement

Transform Aid International's (TAI) vision of "a world where poverty has ended and all people enjoy the fullness of life God intends" cannot be realised until all children experience the freedom of living in a world that is absent from exploitation and abuse. Children across the world are vulnerable, subjected to exploitation and abuse from adults or other children, including physical, emotional and sexual abuse, and neglect. Children require protection from the effects of poverty, abuse, homelessness and neglect, unequal access to essential services, and justice systems that do not recognise their special needs. Each year natural and man-made disasters affect an estimated 231 million people worldwide. Children are at much greater risk of abuse or exploitation during a disaster or emergency situation. TAI's emergency response projects follow international codes to protect children at risk.<sup>1</sup>

## Policy Objectives

The objective of this policy is to create and maintain protective environments for children in the delivery of TAI activities or TAI-funded activities.

This policy is guided by the following principles:

### Principle 1: Zero Tolerance of Child Exploitation and Abuse

TAI does not tolerate child exploitation and abuse. Such action attracts criminal, civil and disciplinary actions up to and including termination of employment. TAI works to reduce the risks of child exploitation and abuse associated with delivering TAI or TAI funded activities including training TAI representatives on their obligations. TAI will not knowingly engage anyone who poses an unacceptable risk to children or partner with any organisation that does not meet TAI's child protection standards.

### Principle 2: Taking a Risk Management Approach

TAI recognises that it is not possible to eliminate all risks of child exploitation and abuse, however through child safe and child protection strategies TAI aims to identify, mitigate, manage and reduce the risks to children in its operations.

### Principle 3: Sharing Responsibility for Keeping Children Safe

There is international recognition that adults who have a formal role in working with or supporting children are in positions of trust and authority. The relationship between an adult and child is not a relationship of equals. It is a shared responsibility of all adults to prevent child exploitation and abuse. To effectively manage risks to children, all TAI representatives must show that they understand and

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<sup>1</sup> Child Protection in Emergencies, Priorities, Principles and Practice, Save the Children, 2010



agree to comply with the Policy, Code of Conduct and Child Safe Reporting Process prior to and during their employment or engagement.

This Policy recognises TAI's responsibilities and commitment to working with implementing partners to prevent and respond to child exploitation and abuse against children who are in contact with TAI representatives, TAI activities and TAI funded activities.

#### Principle 4: Procedural Fairness

TAI follows a fair and proper process when making decisions that affect a person's rights or interests, and works with implementing partners [with the expectation/on the basis] that they do the same.

#### Principle 5: A Human Rights Approach

TAI acknowledges that a human rights approach to child protection nurtures the dignity of children; rejecting the notion that children are of intrinsically lower status than adults. Child abuse is a serious violation of children's rights and protecting children from all forms of abuse is a human rights imperative. TAI will consider the best interests of the child in all operations concerning children.

TAI affirms the principles set forth in *Setting the Standard: A Common Approach to Child Protection for International NGOs* derived from the Convention on the Rights of the Child by an international consortium of NGOs<sup>2</sup>. These principles include:

- All children have equal rights to protection from abuse and exploitation.
- All children should be encouraged to fulfil their potential and inequalities should be challenged.
- Everyone has a responsibility to support the care and protection of children.
- INGOs have a duty of care to children with whom they work and with whom their representatives work.
- If agencies work through partners they have a responsibility to meet minimum standards of protection for the children in their partners' programmes.<sup>3</sup>

#### Principle 6: Child Safeguarding and Theology of Development

TAI's Theology of Development frames TAI's child safe strategy. All people, including children, have been created in God's image and are equally loved by God. TAI understands development as the process by which people are able to realise right relationships with God, one another and the earth, witnessing to the reality of God's Kingdom breaking through to the here and now. This will mean all people, and especially children, living in households where they feel safe and loved; have the opportunity to learn, grow and mature; experience intimate, loving interpersonal relationships; and, where there is adequate provision for their most important needs. It also means people living in communities where they are physically and emotionally safe; where they feel welcomed, valued and loved; and where social structures ensure justice, equity, and opportunity to participate in social life and decision making.

The discrimination and exclusion frequently experienced by children in societies means they often fail to experience this security. Wherever this occurs, Christians should be working towards the restoration of the patterns of right relationships that God intends, affirming children's dignity and, due to their particular vulnerabilities, the special need to respect and protect them. In the gospel narratives, we see Jesus modelling this. Jesus consistently acted to affirm the value of children and

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<sup>2</sup> A steering group comprising the following members: Christian Aid, NSPCC, Save the Children, People in Aid, EveryChild and TEARFund.

<sup>3</sup> *Setting the Standards: A Common Approach to Child Protection for International NGOs*, 2003



their unique strengths that others can learn from. He recognised the vulnerability of children and the duty of adults to protect them.

These fundamental implications of the gospel frame TAI’s approach to child rights and building a child safe environment in all spheres of influence.

## Scope

This Policy applies to all TAI representatives, whether in Australia or overseas; implementing partners; project participants; supporters of TAI and its subsidiaries; and participants in events or trips conducted in whole or part by TAI or its subsidiaries,

## What does this policy look like in practice?

TAI takes a risk management approach to safeguard and protect children, and therefore has implemented minimum child safeguarding processes across the organisation regardless of whether operations have contact with children or not.

Additional measures are taken where risk to children is identified. To identify whether child safe practices need to be implemented, the relevant TAI representative (as determined by the process) considers whether the operation will involve potential contact with children, impact on children or working with children. This initial assessment of risk is documented through a formal risk assessment or incorporated into existing planning and risk management processes.

If there will be potential contact with children, impact on children or working with children, then strategies to mitigate and manage risk to children must be developed.

TAI has implemented the following practice to mitigate, manage and reduce risk to children in its operations: -

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## Recruitment and Engagement

TAI has a robust recruitment, screening process to minimise the risk of a person who poses an unacceptable risk to children being employed by the organisation. TAI must attract safe people who share TAI's values and commitment to protect children. TAI must ensure the Background Checking Policy and Procedures are followed when conducting checks to screen potential representatives.

Procedures include:

- Applicants will be requested to disclose whether they have been charged with child exploitation offences in Australia or overseas in the Job Application Form or Consultant Agreement;
- Behavioural interview questions about child protection are used to determine past actions, beliefs, attitudes, motivations, and values in regards to children and young people and working with them;
- Two verbal reference checks - including question relating to the applicant's general conduct and questions regarding any concerns about candidate's conduct when working or interacting with children and young people. One reference must be from the person's current or most recent employer;
- Signed Child Safe Statement, Code of Conduct prior to commencement;
- National Criminal History Check for each country in which the applicant has lived for 12 months or longer over the last 5 years, and for the individual's countries of citizenship\*;
- Working with Children Check\*\*
- Once engaged, complete child protection induction module and attend Child Protection training session per the Child Safe Training Agenda.

\*A statutory declaration (criminal declaration form) where a foreign police check is not available, and disclosing any charges and spent convictions related to child protection, may be accepted in lieu.

\*\* WWCC or equivalent will be undertaken as allowed by legislation.

These procedures must be evidenced by:

- Job Application Form;
- Documented criminal record checks;
- Documented verbal referee checks;
- Interview plans incorporating behavioural-based interview questions that are specific to working with children;
- Documented request for an applicant to disclose whether they have been charged with child exploitation offences and their response.

TAI Representatives are responsible for reporting a change in their circumstances to TAI management or SC, for example:

- involvement in criminal activity;
- Criminal or civil court proceedings relating to child exploitation and abuse.

The appropriate response to a change in circumstances will be considered by TAI on a case-by-case basis by the appropriate person/s, e.g. as per the Crisis Management Policy, Disciplinary Policy and related procedures. Members of the Safeguarding Committee may need to review the change of circumstances information and decide the appropriate response.

All employment contracts must contain provisions for disciplinary actions up to and including dismissal for any person who breaches the Child Protection Policy and Code of Conduct.

### **Child Safe Code of Conduct**

The Child Safe Code of Conduct outlines acceptable and unacceptable behaviour in relation to children. All TAI representatives must sign the Policy and Code of Conduct and agree to comply with the principles and standards they contain. A breach of the Code may result in disciplinary action including termination of employment or engagement.

### **Increasing Awareness of Child Safeguarding Obligations Under the Policy**

The Safeguarding Committee will increase awareness of child protection among TAI Representatives through ongoing education and training, technical advice, collaboration with all programs and departments, child protection program design and providing day to day guidance.

### **Training**

All TAI employees will be trained on this policy so that they understand why it is necessary to protect children, their responsibilities in protecting children including mandatory reporting of concerns or allegations about child exploitation and abuse. Training as set out in the training agenda is mandatory.

The Safeguarding sets and reviews the Child Safe training agenda to ensure training is ongoing and relevant. All TAI employees receive;

- Child Safe Training as part of orientation and induction
- Job specific training (where set out in the agenda)
- A yearly refresher (to be facilitated biennially by an external organisation)

### **Use of Visual Images, Written Publications and Social Media**

TAI must portray children in a dignified and respectful manner and not as vulnerable or submissive at all times. Photographs, films of children and website publications must respect and be in the best interest of the child, and comply with the Code of Conduct.

Refer to the Informed Consent and Communication Resources Policy for TAI's policy on obtaining consent for communication resources featuring children, including photographs, films and direct quotes.

### **Engagement in International Programs through 'Supporter Trips'**

TAI recognises the need to implement specific guidelines to manage the child safeguarding risks when allowing people to engage with international programs through participation in 'Supporter Trips' and/or visits to TAI projects. TAI proactively manages these risks by undertaking the following preventative measures:



### **Visits to International Projects**

- TAI must facilitate all TAI initiated Supporter Trips and/or visits to TAI projects.
- TAI must facilitate a National Police History Check for all people participating in Supporter Trips and/or visits to TAI projects
- All people participating in Supporter Trips and/or visits to TAI projects sign the TAI Child Safe Code of Conduct.
- TAI must conduct pre-visit Child Safe training covering Child Safe Policy, Code of Conduct, Child Safe Reporting Process and practical examples of Child Safe while on the visit including taking and using photographs.
- TAI must advise the implementing partner if the Supporter Trip and/or visit to TAI projects is cancelled due to a person not providing a National Police History Check, or if a check contains information that would disqualify the person from visiting the program.
- TAI will not intentionally facilitate a direct introduction between Supporter/Child Partner during a Supporter Trip and/or visit to TAI project/s.

### **Supporter Program Communication**

TAI understands that sponsorship as a funding mechanism facilitates relationships between an adult supporter and a child in a development program across international borders. This form of funding can potentially increase the risk to children participating in the program.<sup>4</sup> These risks will be mitigated by:

- Providing all supporters with a Supporter Welcome Booklet that clearly outlines TAI child protection and behavioural guidelines.
- Screening all supporters' communication to ensure that no political, religious, or inappropriate comments which could cause offence or are unsuitable to the context are included.
- Concluding a relationship between a supporter and a child partner if a supporter has not followed CCCD Program Guidelines.

### **Risk Assessment**

TAI undertakes risk assessments on all TAI activities and events that have potential contact with children, impact on children or working with children.

The Safeguarding Committee will undertake a yearly organisation-wide Child Safe Risk Assessment on all activities that have potential contact with children, impact on children, working with children and/or children's sensitive information.

TAI requires implementing partners to conduct a child safeguarding risk assessment on annual project plans. TAI will also review implementing partner policies for risk assessments on activities and events and provide support as required. Risk assessments submitted by implementing partners will be in the form of a Child Safeguarding Risk Template for TAI and Partners (as part of the Annual Proposal process) or incorporated into existing planning and risk management processes. The assessment must identify risks and document steps being taken to reduce or remove these risks. Child Safeguarding Risk

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<sup>4</sup> Preventative measures outlined in the TAI Child Safe Policy have been taken from the ACFID Guidance for the Development of a Child Protection Policy. Specific guidelines are outlined in the Supporter Welcome Booklet.

Templates should be undertaken at the program design and monitored and checked during the proposal assessment process and throughout the project cycle.

### **Reporting Child Exploitation and Abuse**

All TAI representatives, implementing partners and third parties must report any concerns they have for the safety or wellbeing of a child including child exploitation and abuse allegations, the possession of child exploitation material, and Code of Conduct or policy non-compliance. The Child Safe and SEAH Allegation Management Procedure must be followed.

TAI will treat all concerns raised seriously and ensure that all parties will be treated fairly. TAI will meet country, state or territory specific legislative requirements. Any person who intentionally makes a false allegation or malicious allegation will face disciplinary action.

TAI must immediately notify the Department of Foreign Affairs and Trade (DFAT) Conduct and Ethics Unit (via [childwelfare@dfat.gov.au](mailto:childwelfare@dfat.gov.au)) of any concerns relating to the abuse or exploitation of children in DFAT-funded activities, including suspected or alleged instances of child abuse. TAI may notify DFAT of any concerns relating to the abuse or exploitation of children in activities that are not funded by DFAT.

Communities involved in TAI activities and TAI funded activities must be informed on how to raise a concern through TAI or the implementing partner about their safety or wellbeing or that of another child.

### **Measures for Breach of the Policy and Code of Conduct**

The following measures can be applied for any TAI representative who breaches this Policy and/or Code of Conduct:

- Meeting to discuss breach and opportunity for person to provide their account/understanding of the situation;
- Performance management;
- Further education on this Policy and Code of Conduct;
- Formal warning and monitoring;
- Transfer to other duties;
- Suspension pending investigation;
- Internal investigation;
- Report to DFAT;
- Report to Police;
- Termination of employment or engagement.

These measures will apply alongside any criminal investigation where relevant.

### **Implementing Partners**

Implementing Partners have their own Child Safe Policy and Code of Conduct in place. TAI will assess and support partners to socialise and implement their own policies using TAI's and DFAT's (when required) Policy and Code of Conduct as a minimum standard.

TAI will not knowingly engage partners with any individual or organisation who poses an unacceptable risk to children or does not meet TAI's child safeguarding compliance standards.



It is a requirement that any individuals or partner organisations engaged by TAI report concerns, suspicions or allegations of child exploitation or abuse in TAI or TAI funded activities. Implementing partners must adhere to the TAI Child Safe Reporting Process.

## Responsibilities

Child safeguarding is everybody's responsibility as outlined in the Child Safe Policy and Code of Conduct. Specific roles have responsibilities and accountabilities for child safeguarding and protection including Human Resources (HR), Safeguarding Committee (SC), Safeguarding Officer (SO), Board Members, Directors, and Managers. These roles are explained in the Safeguarding Committee Terms of Reference, position descriptions and this policy.

The Safeguarding Committee is responsible for;

- Responding to reports of child exploitation and abuse; and policy non compliance
- Conducting child protection risk assessments, audits and spot checks
- Monitoring internal and external compliance with the policy
- Providing child protection training
- Reviewing the policy

This policy will be available on TAI's intranet.

This policy will be reviewed annually, or sooner as required.

## Definitions

**Abuse:** Includes but is not limited to:-

- **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, 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.

**Child:** A person under the age of 18 years. This is the UN definition of a child.

**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 or Abuse:**



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**.

**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 regarding child pornography offences, refer to the *Criminal Code Act 1995*.

**Child Protection:** Program activities that prevent and respond to the denial of children's protection rights (e.g. community based child protection systems strengthening, project activities that prevent child trafficking)

**Child Protection Code of Conduct:** outlines acceptable and unacceptable behaviour in relation to children.

**Child Safeguarding:** Preventative measures we put in place to ensure that our organisation, partner organisations and project activities do not cause harm to children (e.g. policies and procedures put in place to ensure as an organisation we are 'child safe')

**CSC:** The Child Safe Committee is made up of one or more representatives from each functional team within TAI. The Child Safe Committee is responsible for the development, implementation and promotion of the Policy and Code of Conduct and;

- Responding to reports of child exploitation and abuse; and policy non compliance
- Conducting child protection risk assessments, audits and spot checks
- Monitoring internal and external compliance with the policy
- Providing child protection training
- Reviewing the policy

**Contact with Children:** Working on an activity or in a position that involves or may involve contact with children, either under the position description or due to the nature of the work environment.

**Criminal Record Check:** A check of an individual's criminal history record. In Australia, national criminal record checks are available through state and territory police departments. They take around 20 working days. The type of employment should be specified as 'overseas employment.' Overseas, different checking procedures apply in each country and may take six weeks or longer. Individuals need to consent to a criminal record check and should be informed of the purpose for which the resulting police clearance certificate will be used, including sighting by DFAT.

**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).



**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. For further details, refer to the Criminal Code Act 1995, Division 474 (telecommunications offences, subdivision C).

**Physical Injury:** May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child including fabricating the symptoms of, or deliberately causing, ill health to a child.

**Neglect:** The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development, such as failing to provide adequate food, shelter and clothing, or neglect of, or unresponsiveness to, a child's basic emotional needs.

**Emotional Abuse:** Persistent or emotional ill treatment of a child that adversely affects their development. May involve conveying to a child that they are worthless, unloved, and inadequate, there only to meet the needs of another; or where inappropriate expectations are imposed upon them. In addition it includes children who are regularly frightened, exploited or corrupted.

**Sexual Abuse:** Involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. This may also include involving children in looking at, or in the production of, pornographic material, or encouraging children to behave in sexually inappropriate ways.<sup>5</sup>

**Supporter Trip:** A TAI initiated and organised visit to one or more TAI projects

**TAI Representatives:** TAI activities and TAI funded activities, including TAI subsidiaries, whether in Australia or overseas:

- TAI employees
- TAI volunteers
- TAI interns and work experience students
- TAI Board members
- Individual contractors and consultants
- Implementing partner organisations
- Project participants
- Supporters of TAI and TAI'S subsidiaries
- People participating in 'Supporter Trips'
- People visiting TAI projects

**Unacceptable Risk:** The portion of identified risk that cannot be tolerated, and that must be either eliminated or controlled. For people deemed an unacceptable risk, control mechanisms are not considered appropriate.

## Related Policies and Procedures

This Policy should be read in conjunction with:

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<sup>3</sup> When defining abuse physical, neglect, emotional and sexual abuses are the common categories used to explain the different forms of abuse. The definitions outlined above apply only as guide when considered for global application. TAI has adopted the NSPCC – Every Child Protection Policy, Procedure and Guidance definitions of abuse.



- SC Terms of Reference
- Code of Conduct
- Child Safe and SEAH Allegation Management Procedure
- Child Safe Statement
- Background Checking Policy
- Recruitment Policy
- Training Agenda
- TAI Consultant Agreement
- Policy Development Policy
- Policy Development Procedure
- Child Safe Policy – Supporter Trips and Visits to TAI Projects

## External References

This policy refers to

[Australian Government DFAT Child Protection Policy](#)

Australian Privacy Principles January 2014

[The Convention on the Rights of the Child: Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of November 1989.](#)

Setting the Standard: A common approach to child protection for International NGOs: [Setting the Standards: A Common Approach to Child Protection](#)

The Code of Conduct for International Red Cross and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief: [Code of Conduct for International Red Cross and Red Crescent Movement and Non Governmental Organisations \(NGOs\) in Disaster Relief](#)

External Conduct Standards: [Australian Charities and Not-for-profits Commission Amendment \(2018 Measures No. 2\) Regulations 2018](#)

## Document Control Information

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<b>Date</b>	<b>Version</b>	<b>Revision Description</b>	<b>Reviewed / Updated by</b>
2011	1	Created	
24/4/2015	2	Reordering of information, rewriting to make language more succinct, cross checking against DFAT and other industry leaders to ensure policy exceeds standards required.	Director of Business and Board of Directors
02/08/2016	3	Updated review date to 2017	HR Advisor
24/10/2017	4	Reviewed and updated to align with DFAT Child Protection Policy 2017	Policy QA Coordinator, International Program Coordinator (Child Safeguarding Officer) and HR Advisor
18/07/2019	5	Minor update by adding ACNC External Conduct Standards as an External Reference	Policy QA Coordinator
01/11/2019	6	Alignment with PSEAH Policy and Procedures	Policy QA Coordinator

**IMPORTANT INFORMATION:** If this Policy is revised, please ensure that the Supporter Trip Booklet titled “Travelling with TAI” is updated to align.