



# World Education Australia

# Child Protection Policy

## Update history

Version	Who updated	When updated	Details
V1.1	Guy Winship	March 2009	Separate from WEAL Operations Manual & re-draft
v2.0	Ted Harnett	30 Sept 2010	Revised policy, in line with new AusAID CPP
V3.0	Ted Harnett	6 June 2011	New policy, based on AusAID TA inputs
V3.1	Lesley Hume	June 2011	Include selected inputs from NSW Education Dept CPP
V3.2.	Guy Winship	8 August 2011	Update & revisions; ensure consistent with WEI & WHO policy
V3.3.	Shane Nichols & James Le Compte	14 September 2011	Review & edit to ensure operationally practical by Program team
V3.4	Lesley Hume	24 November 2011	Inclusion of AusAID officer suggestions re overseas recruitment & definition of AusAID Child Related Employment
V3.5	Shane Nichols, Tanya McCloy & Norm Sturrock	28 November 2011	Revised format, updated wording of principles
V3.6	Ian Jackson	5 July 2013	Amendments to bring in line with latest AusAID Child Protection Policy
V3.7	Ian Jackson	23 August 2013	Amendments following AusAID review of V3.6
V3.8	Ian Jackson	22 November 2013	Final approved by WEAL Board & AusAID

V3.8. draft effective date: **25 October 2013**

## 1. Introduction

World Education Australia (WEAL) considers the safety and well-being of children to be a priority concern. WEAL adopts a zero tolerance approach to child abuse and exploitation and child pornography, including trafficking and other forms of exploitation, wherever and however they may occur in the context of WEAL's activities.

All children<sup>1</sup> without exception will be treated with appropriate respect and with recognition of their fundamental right to grow up safely and to enjoy a childhood that is free from exploitation and abuse. In all of its work WEAL sustains a focus on the rights of children that is in line with the UNHCR's Convention of the Rights of the Child, which in addition to the Child Protection Policy set forth by AusAID (January 2013), serves to guide WEAL's policy on child protection.

With a programmatic approach of working with partner agencies and with adult focussed beneficiaries, staff<sup>2</sup> of WEAL are not usually directly involved in dealing with children. However many of the people WEAL's partners work with are poor women with children. It is therefore appropriate that all WEAL directors, staff and volunteers strictly adhere to this policy. Such adherence is monitored through various procedures and controls (see point 6.) and through formal acknowledgement via signature of the WEAL Child Protection Code of Conduct (see Attachment A).

## 2. Purpose

The purpose of this policy is to **protect children from abuse and exploitation** of any kind in the delivery of WEAL's programs and services.

## 3. Definitions

*Child/Children* means anyone under the age of 18 years.

*Guardian* means any adult person who is legally responsible for the care and protection of a child

*Child protection* is a broad term to describe philosophies, policies, standards, guidelines and procedures to protect children from both *intentional* and *unintentional* harm<sup>3</sup>.

According to the World Health Organization, "*Child Abuse*" or "*maltreatment*" constitutes "all types of physical and/or emotional ill-treatment, sexual abuse, neglect, negligence and commercial or other exploitation, which results in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power."<sup>4</sup>

*Contact with children* means 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.<sup>5</sup>

## 4. Guiding principles

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<sup>1</sup> For the purpose of this policy and related Code of Conduct, "children" means anyone under the age of 18 years.

<sup>2</sup> WEAL "staff" refers to all paid employees, unpaid volunteers and Directors, and includes contractors.

<sup>3</sup> Child Protection Policies and Procedures Toolkit: How to Create a Child-Safe Organization, ChildHope UK

<sup>4</sup> The WHO definition of Child Abuse as contained in Factsheet No 150 – Child Maltreatment August 2010

<sup>5</sup> AusAID definition, Child Protection Policy January 2013

WEAL supports and is committed to abiding by the following principles:

- **Zero tolerance to child abuse and exploitation:** Child abuse and exploitation is not tolerated by WEAL, nor is possession of or access to child pornography. WEAL will actively manage risks of child abuse and exploitation associated with delivering its activities and trains its staff on their obligations. WEAL will not knowingly engage, directly or indirectly, anyone who poses an unacceptable risk to children, nor fund any individual or organisation that does not meet the child protection standards outlined in this policy in their own operations and activities.
- **Recognition of children’s best interests:** Australia is a signatory to the United Nations Convention on the Rights of the Child. WEAL is committed to upholding the rights and obligations of this convention. WEAL recognizes that some children, such as children with disabilities and children living in areas impacted by disasters (natural or conflict based), are particularly vulnerable.
- **Sharing responsibility for child protection:** To effectively manage risks to children, WEAL requires the active support and cooperation of contractors and partner NGOs implementing activities funded or support by WEAL, directly and indirectly. WEAL expects contractors and partners to meet relevant terms of this child protection policy and holds them accountable for complying with it through our MoU and regular field visits.
- **Use of children’s images:** Use of photographs, videoing or other images of children will be done in a manner that is sensitive to local traditions, dignified and respectful, and that is an honest representation of the context and facts; advance permission will be obtained to use any image, and the possible use of such image explained (a Photo Release Form will be used whenever possible); no identifying information will be made available about any child in sending or posting images electronically. Training to the staff of partner organisations will stress that photographs should not be solely of children, and that any location information must only be at the regional/state level, rather than at the village level.
- **Risk management approach:** While it is not possible to eliminate all risk of child abuse and exploitation, we will adopt a risk management approach to reduce the incidence of child abuse and exploitation associated with the delivery of our services and activities through an approach which combines an initial risk assessment (when we commence dealings with a partner) followed by subsequent field visits.
- **Procedural fairness:** we will use fair and proper procedures<sup>6</sup> when dealing with breaches of this Policy, recognising that our decisions could affect a person’s rights and interests. We will contractually require our partner organisations to adhere to this principle when dealing with concerns or allegations of child exploitation and abuse.

## 5. Procedures & Controls

The following procedures were developed to ensure WEAL staff understand and comply with this Child Protection Policy (CPP), and to ensure appropriate risk management is undertaken. In line with our recognition of child protection as a priority concern issue, every procedure has an identified verifiable indicator and responsible person (“owner”) to ensure adequate monitoring and control.

Ref	Procedures	Control / Owner
<b>Policy &amp; Compliance</b>		

<sup>6</sup> As outlined in Australian Government Attorney-General’s Department 2010 and in Procedural fairness guidelines, and taking guidance, where relevant, from Handling misconduct: a human resources practitioner’s guide to the reporting and handling of suspected and determined breaches of the APS Code of Conduct <http://www.apsc.gov.au/publications-and-mediacurrent-publications/handling-misconduct>.

Ref	Procedures	Control / Owner
1	WEAL will review its child protection policy on a regular basis, in line with those of the Australian government (AusAID), at least every five years. The policy is incorporated into the WEAL Policy Manual and formally approved by the Board on recommendation of the CEO.	Board minuted date of CPP approval and version / CEO
2	Confirmation of internal compliance with this policy will be undertaken at least once annually.	Written internal compliance report and confirmed compliance with ACFID CoC / Compliance Officer (per compliance plan & calendar)
<b>Child-safe recruitment and screening</b>		
3	All prospective employees, volunteers, Directors, contractors and partner organisations will be informed of WEAL's Child Protection Policy during the recruitment/appointment process and our employment contracts and letters of engagement contain a clause enabling WEAL to take appropriate action (up to and including dismissal) in respect of any breach of the Policy.	<ul style="list-style-type: none"> <li>• All staff have signed CPP CoC (see Annex 1) confirming they understand and will comply / CEO / relevant clause contained in employment contract/ engagement letter</li> <li>• All partner agencies agree to adhere to relevant parts of this CPP (or equivalent) via MOU / Program Director</li> </ul>

Ref	Procedures	Control / Owner
4	<p>WEAL will ensure that criminal reference checks are obtained for all personnel engaging in work that is likely to bring them into contact involving children (i.e. for all program staff, not only those that will be working with children).</p> <p>Checks will be conducted for each country in which the individual lived for 12 months or longer over the last five years, and for each of the individual's countries of citizenship. For Australian residents/citizens, checks within Australia are conducted by an external agency contracted to WEAL.</p> <p>In cases where a police check cannot be obtained, which can be the case in developing countries, a personal character reference check is obtained from at least one person, preferably with appropriate official (governmental) status, targeted interview questions will be used during recruitment and a statutory declaration (or the equivalent legal statement) will be required in relation to child abuse and child pornography and exploitation. See Attachment C.</p> <p>Two verbal referee checks are conducted in relation to all recruits (staff/volunteers) and the results recorded in their file (in relation to program staff, the referees are asked a CP-related question).</p>	<p>For all staff working on programs or overseas a police check (Australian residents &amp; citizens) OR reference in file / all other staff two referee checks, with results kept in file / files checked annually to establish adherence / CEO</p>
5	<p>Targeted interview questioning on child protection will be carried out during any staff recruitment process. Template questions are provided to all recruiters/managers.</p>	<p>Recruitment process includes file note that relevant question has been asked &amp; answered appropriately / CEO</p>
<b>Child protection training</b>		
6	<p>Staff who have contact with children will be required to undergo relevant training on issues of child exploitation and abuse and child protection on a regular basis, generally annually.</p> <p>It should be noted that WEAL's activities do not generally involve contact with children, but wherever this might occur, this policy will apply.</p>	<p>Register of staff completing training / Program Director</p>

Ref	Procedures	Control / Owner
7	<p>All staff working on programs (overseas or in Australia) will be required to attend a training workshop, generally annually, to ensure understanding of this Child Protection Policy. The material used in the training is based on that of AusAID.</p> <p>WEAL has created the role of Child Protection Officer who will be the focal point within WEAL for matters related to child protection, with specific responsibility for CPP training, promoting our CP principles within partner organisations, receiving &amp; collating for the CEO any breach reports, and other CP matters as required.</p> <p>The WEAL Company Secretary/Compliance Officer will work with the CP Officer to ensure, as far as possible, that any legislative or other changes relevant to this Policy are reflected in the document, and in related training and signed undertakings at the earliest opportunity.</p>	Register of staff completing training / Program Director / CP Officer / Company Secretary
<b>Child protection code of conduct</b>		
8	<p>WEAL staff will not use language or behaviour towards children that is inappropriate, harassing, abusive, exploitative, sexually provocative, demeaning or culturally inappropriate, nor do we engage children in any form of sexual activity or acts, including paying for sexual services or acts. WEAL does not employ technology to exploit or harass children or to access child pornography and exploitation material. WEAL will comply with all relevant Australian and local legislation, including relating to child labour laws.</p>	All staff have signed CPP CoC (see Attachment A) confirming they understand and will comply / CEO
9	<p>All in-country personnel and contractors working directly with children will be required to understand and comply with this policy, and with the AusAID Child Protection Policy (available on the AusAID website at <a href="http://www.ausaid.gov.au/aidissues/childprotection/Pages/home.aspx">http://www.ausaid.gov.au/aidissues/childprotection/Pages/home.aspx</a></p>	All staff have signed CPP CoC (see Annex 1) confirming they understand and will comply / CEO
<b>Complaints procedure</b>		

Ref	Procedures	Control / Owner
10	<ul style="list-style-type: none"> <li>• Where there is a complaint against a member of WEAL staff involving a breach or alleged breach of this Policy, there may be three types of investigation:               <ul style="list-style-type: none"> <li>○ a criminal investigation</li> <li>○ a child protection investigation</li> <li>○ a disciplinary or misconduct investigation.</li> </ul> </li> <li>• Whichever of the above investigations are under way, WEAL CEO will make an immediate report to AusAID in the format required, and to the address shown, in their current Child Protection Policy. Supplementary reports will be provided as the investigation(s) progress, or as requested by AusAID.</li> <li>• Senior WEAL management will make an immediate decision about whether any individual accused of exploitation or abuse should be temporarily suspended or re-assigned pending further police and social services inquiries. Irrespective of the findings of the social services or police inquiries, the WEAL Board of Directors will assess all individual cases to decide whether a member of staff or volunteer can be reinstated and how this can be done sensitively.</li> <li>• Every effort will be made to ensure that confidentiality is maintained for all concerned and that generally accepted precepts of procedural fairness are followed. Information will be handled and disseminated on a need-to-know basis only.</li> </ul>	<i>On a case by case basis / Chair &amp; CEO</i>
11	<p>WEAL will not allow any person presenting an unacceptable risk to children's safety or well-being to work with children. Should any WEAL staffer be confronted (or have reported to them) with a situation of child abuse or exploitation they should report the incident to WEAL management and the partner organization's senior management. They should ensure that the partner agency reports the incident to the relevant social services and police agencies. Where the affected child is not associated with a partner organization, the employee should report the incident to police and social services themselves. In all instances, parents or guardian(s) of the child affected should be informed immediately.</p>	All staff have signed CPP CoC (see Annex 1) confirming they understand and will comply / CEO

<b>Sanctions and Penalties</b>		
12	Should any staff member (i.e. paid employee, volunteer, contractor, or Director) of WEAL breach this or the AusAID Child Protection Policy then that staff member may be dismissed or suspended from their duties or transferred to other duties, as appropriate.	<i>On a case by case basis / CEO &amp; Chair</i>
13	Should a staff member of a partner organization present a risk to the safety and well being of children, then WEAL will re-assess the agreement held between WEAL and the partner.	<i>On a case by case basis /Program Director</i>
<b>Program &amp; Partners</b>		

14	For all projects designed by WEAL, a project design appraisal (see <a href="#">Project Design Appraisal Tool</a> ) checklist is completed to ensure that all internal and external issues that may affect the delivery of a project are considered at the activity design stage. The Project Design Appraisal Tool is used to ensure that a risk analysis has been completed including specific risks facing children being identified where appropriate, and that a risk management strategy identifying risks, classifying any high risk activities, mitigation strategies and actions to be taken in the event of the risk occurring (including immediate reporting to AusAID). As part of its project monitoring activities WEAL will undertake to review such risks on a regular basis.	Completed and signed Project Design Appraisal Tool form for all projects / Program Director & Program Managers
15	All development partners are required to formally confirm the rejection of all forms of sexual and labour exploitation and abuse or exploitation of women and children, and to adhere to the WEAL Child Protection Code of Conduct. Ongoing partner awareness of this CPP will be done by reference in the partner progress report and/or through site visits undertaken at least once annually.	Relevant clause in MoU signed by partner, with follow-up monitored & reported upon in the partner progress report / Program Director & Program Managers
16	All microfinance institution partners to confirm that wherever loans are offered to children, that parents or guardians have formally approved such loans	Relevant clause in MoU signed by partner, with follow-up monitored & reported upon in the partner progress report / Program Director
<b>Communications &amp; Publicity</b>		
17	<ul style="list-style-type: none"> <li>• Any use of images or written or other materials of children will be undertaken with the informed consent of the child and parent or guardian, and will respect the right to privacy, dignity and culture of partners and participants. Where such consent is obtained verbally, a note will be placed on file.</li> <li>• In taking photographs and film footage of children, WEAL follows procedures to ensure that permission is requested prior to film or photos being taken by obtaining permission from the parents or guardians of all concerned children. Where such permission is obtained verbally, a note will be placed on file.</li> </ul>	Completed release form in place for all published photographs of children / Marketing Director

## CHILD PROTECTION POLICY - ATTACHMENT A

### Child Protection Code of Conduct

As a staff member, volunteer or contractor engaged by World Education Australia Limited (WEAL), I (*insert name*) acknowledge that I have read and understood WEAL's *Child Protection Policy* and agree that while implementing activities on behalf of, or in support of, WEAL, I will at all times:

- treat children with respect regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status
- not use language or behaviour towards children that is inappropriate, harassing, exploitative, abusive, sexually provocative, demeaning or culturally inappropriate
- not engage children under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services or acts
- wherever possible, ensure that another adult is present when working in the proximity of children
- not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger
- 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 and digital cameras or social media appropriately, and never exploit or harass children or access child pornography and exploitation material through any medium ( see also 'Use of children's images for work related purposes')
- refrain from physical punishment or discipline of children (excluding my own children)
- refrain from hiring children for domestic or other labour which is inappropriate given their age or development stage, which interferes with their time available for educational 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 or abuse or breaches of this policy to my supervisor and the CEO or Program Director
- immediately disclose all charges convictions and other outcomes of an offence, whether occurring before or during my association with WEAL, that relates to child exploitation or abuse

#### **Use of children's images for work related purposes**

When photographing or filming a child for work related purposes, I will:

- 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 and a parent or guardian of the child in conformity with Article 16 of the UNCRC – right to privacy. As part of this I must explain how the photograph or film will be used
- ensure photographs, films, videos and DVD's present a child 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 when sending images electronically or publishing images in any form.

I understand that the onus is on me, as a person engaged by WEAL, to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse when implementing activities on behalf of, or in support, of WEAL.

Name (print):

Country of citizenship:

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

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

**CHILD PROTECTION POLICY - ATTACHMENT B: STANDARD APPEARANCE RELEASE**

**World Education Australia & Good Return  
Appearance Release Form**

**Consent for World Education Australia & Good Return  
to use photos/images and personal details**

**I agree that World Education Australia may use photographic or video images of me, together with personal information that I have freely provided.**

**I understand that the photos/images and personal information may be placed on the World Education Australia or Good Return website, where they can be viewed by people in any country in the world.**

**I agree to this on the understanding that World Education Australia and Good Return will only use my photos and personal details in order to promote their charitable purposes.**

**It is my understanding that World Education Australia will take all reasonable steps to ensure that photos/images of me, and my personal details, are shown in an appropriate manner, with proper regard for my beliefs and culture.**

**My Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_ / \_\_\_\_\_ / 20 \_\_\_\_\_

**Location:** \_\_\_\_\_

**Staff Name:** \_\_\_\_\_

Note: this form is generally only suitable for use within Australia. In other cases, Section 5 – Procedures and Controls of the CPP (item 17 – Communications & Publicity) are to be followed.

## CHILD PROTECTION POLICY - ATTACHMENT C: STATUTORY DECLARATION WORDING

Statutory declaration forms are available at:

<http://www.ag.gov.au/Publications/Pages/Statutorydeclarations.aspx>

All countries that the individual has lived in for 12 months or longer over the last five years and each of the individual's countries of citizenship ~~during each of these 12 month periods~~ would need to be listed.

The following points must be included:

1. I resided in ..... from.....during which period I was employed by the..... in the role/position.....
2. At no time during my stay in ..... was I involved in or convicted any criminal offence, including an offence of or relating to child exploitation or abuse or child pornography in .....