



**CARE Australia**

## **CHILD PROTECTION POLICY**

### **Preamble**

This policy statement affirms CARE's commitment to the welfare of children and their protection from abuse and exploitation.

Consistent with CARE'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 CARE'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.

CARE 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

Child abuse can be physical abuse, emotional abuse, neglect or sexual abuse.

#### **1.1 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.

## **1.2 Emotional abuse**

Emotional abuse is a chronic attack on a child or young person's self esteem. It can take the form of name calling, threatening, ridiculing, intimidating or isolating the child or young person.

## **1.3 Neglect**

Neglect is the failure to provide the child with the basic necessities of life (where such necessities are available), such as food, clothing, shelter and supervision to the extent that the child's health and development are at risk.

## **1.4 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.

## **2. Awareness**

CARE will ensure that all staff and others 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 CARE Australia's Child Protection Policy during the induction process. Further training will be provided at a departmental or Country Office level, tailored to the needs of the department or Country Office, of specific areas of responsibility as appropriate.

## **3. Prevention**

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

### **3.1 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 CARE's commitment to child protection in all advertising
- Adopting 'best practice' recruitment and selection techniques
- Conducting reference checks
- Conducting police checks where required and feasible

### **3.2 Police Checks**

All personnel who work with children will be asked to sign an authority for a police check. In addition, police checks will be conducted for all full-time, part-time and long-term contract 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 will be used in its place.

### **3.3 Code of Conduct**

All staff, consultants and volunteers will be expected to sign and adhere to a Code of Conduct for the Protection of the Child (see Attachment 3).

### **3.4 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. Moreover, 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.

## **4. Reporting**

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

### **4.1 Incident reporting**

It is mandatory for any allegation, belief or suspicion of sexual or physical abuse (past or present) by a CARE employee, sponsor, donor, board member or other partner to be reported immediately to the Country Director or the Principal Executive – Corporate Services.

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 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.

### **4.2 Document the incident**

As soon as possible (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

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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. Eg., will the child be victimised, criminalised or ostracised.

CARE Australia 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 an 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. Responding**

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

### **5.1 Distance the alleged perpetrator**

The best interests of the child/young person may warrant the standing down of a staff member or volunteer 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.

### **5.2 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.

### **5.3 Reprisal**

CARE 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.

### **5.4 Counselling support**

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

### **5.5 Investigation of complaints**

Physical and/or sexual abuse of a child is a crime. Organisations may 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 (eg., torture, death penalty, corrupt justice systems) as well as the child (eg., 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 CARE policy would have the opportunity to present his or her view of the events in question. CARE will hold its determination until the investigation is completed.

**6. Review of this Policy**

CARE 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 CARE Australia's 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) 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 promptly 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) 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 promptly 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.

**Attachment 3**

**CODE OF CONDUCT FOR THE PROTECTION OF  
THE CHILD - CARE AUSTRALIA**

I have received and read the CARE Australia's Code of Conduct for the Protection of the Child

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(PRINT NAME)

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(SIGNATURE)

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(DATE)

**CARE Australia**  
**Code of Conduct for the Protection of the Child**

**INTRODUCTION**

CARE'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 maintaining these standards. 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 CARE'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.

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 may result in disciplinary action or dismissal, in accordance with CARE's disciplinary procedures. Consultants, 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.

- 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 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 any child abuse by a CARE staff member, consultant, volunteer, intern or partner.

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 punishment or discipline of children (excluding my own children).

**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 CARE's policies and procedures.