
CARE Australia

Child Safeguarding Policy



Supporting women.
Defeating poverty.

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The PDF version of this document is the final, approved version.

1. Introduction

CARE Australia (CA) is committed to delivering child-safe programs around the world. CA upholds the rights of all children as set out in the United Nations Convention on the Rights of the Child and will promote children's right to life, survival, development, protection, participation and non-discrimination. We have zero tolerance for child abuse and exploitation.

CA acknowledges that contact with children is an inherent element of our work. We have aligned our Child Safeguarding Policy to reflect applicable standards and good-practice frameworks and are committed to continually improving and strengthening our approach to promoting the health, safety and wellbeing of children. This Policy complements the CARE International (CI) Safeguarding Policy.

CA recognises that children in the communities CA works with may be particularly vulnerable, and that these communities must be able to rely on CA's commitment to create a child safe organisation, and deliver child safe development and humanitarian programming. CA recognises that children's vulnerabilities related to age may intersect with other social and political identities, such as gender, ethnicity, culture, nationality, socio-economic status, or disability, to create cumulative and unique vulnerabilities. CA commits to the equal protection of all children and to tailoring child safeguarding practices to meet the needs of diverse children. CA also recognises that children living in areas affected by humanitarian crises have enhanced vulnerability. CA will undertake child safeguarding risk assessments for all emergency, disaster and planned humanitarian activities in accordance with our obligations and best practice standards.

The Board of CARE Australia approves this Child Safeguarding Policy and requires regular reports from leadership and management on policy implementation and risks, to inform their guidance for the organisation.

2. Principles

- **Child safe organisational culture** - CA will foster an organisational culture that promotes the safeguarding of children across all levels of the organisation
- **Shared Responsibility** - Everyone working at or with CA is responsible for safeguarding children. Knowledge and understanding will be shared and strengthened through training, internal communications and inclusion of child safeguarding activities in processes and workflows.
- **Best interest of the child** - In all actions concerning children, the best interests of the child shall be the primary consideration.
- **Risk based approach** - CA requires the support and cooperation of everyone we work with to effectively manage risks to children.
- **Child Safeguarding reporting** - CA will foster a safe reporting environment and take all reports concerning the safety or wellbeing of a child seriously. Where reports are made we act immediately, taking a child-centred approach.
- **Child Participation** - CA values, respects and listens to children and is committed to

actively promoting children's voices, and drawing on children's views and opinions to improve our programs and activities.

3. Purpose

The purpose of this policy is to:

- affirm CA's commitment to the safety and wellbeing of children and their protection from abuse and exploitation in the context of sexual harm, physical harm, emotional harm and neglect.
- facilitate the prevention and minimise the risk of child abuse and exploitation occurring in the delivery of CA's programs.
- establish CA's approach to safeguarding governance and the management of safeguarding related obligations and duties.
- provide guidance to Personnel, Partners, External Service Providers and Visitors on actions that must be taken where they suspect any form of child related harm, abuse or exploitation.
- support all Personnel, Partners and External Service Providers involved in CA funded or managed projects to be trained in child safeguarding and understand their obligation to protect children when carrying out their work, including implementing this policy and adhering to the Code of Conduct.
- address the risk that persons of concern may target and seek to infiltrate organisations like CA, our Partner organisations or External Service Providers we work with in order to access children or their families.

4. Scope

The policy applies to the following:

- **Personnel:** CA Personnel and Personnel of CARE International (CI) Country Offices for which CA is the lead member. Personnel includes all Staff, Managers, Board Directors, Board advisors/trustees and observers, Volunteers and Interns.
- **Partners:** Individuals or organisations who are directly involved in the delivery of programs or projects managed or funded in whole or in part by CA, who may have contact with children. This includes:
 - CARE International Candidates, Affiliates, and CI Country Offices where CA is not the lead member partner, and their implementing partners as relevant, and their related personnel; and
 - individuals and organisations directly engaged by CA or the Pacific Partnership Unit (PPU).
- **External Service Providers:** Individuals or organisations engaged by CA, PPU or a CI Country Office, not directly involved in the delivery of programs and projects, but who may have contact with children. This includes consultants and contractors, vendors, advisors, private sector, academic institutions and other partners as

relevant, and their related personnel, who may have contact with children.

- **Visitors:** Donors, government, journalists, or family members of CA or Partner personnel, and other parties or partners as relevant, who may have contact with children.

All Personnel, Partners, External Service Providers and Visitors are expected to comply with the requirements outlined in this policy, and understand the sanctions that may be applied for policy breaches.

4.1 Partnering with other organisations

CA is committed to supporting everyone involved in programs or projects managed or funded in whole or in part by CA to uphold the standards outlined in this Policy and the CI Safeguarding Policy. CA will support Personnel, Partners and External Service Providers who have contact with or work with children to:

- support related personnel and Visitors to understand their obligations to protect children when carrying out their work or visiting project locations
- have clear community-based feedback mechanisms that are appropriate to the local context, actively promoted and accessible to all program participants (especially children)
- have clear reporting mechanisms or procedures for all related personnel to report concerns of child exploitation or abuse; and
- immediately report any suspected or alleged instances of child exploitation or abuse to CA.

CA will provide further support to Personnel, Partners and External Service Providers to:

- operate in accordance with this Policy, and the CI Safeguarding Policy, or the Partner/External Service Provider's own organisational child safeguarding/protection policy (**Partner's Policy**), where it applies similar standards and requirements
- access training in child safeguarding and child protection
- regularly review and strengthen their own child safeguarding approach, policies and procedures tailored to the local context and environment
- support all related personnel to comply with this Policy (or the Partner's Policy where applicable), including the Code of Conduct for the Protection of the Child
- undertake regular risk assessment, monitoring and evaluation of all elements of operation as they relate to the safety of children.
- clearly set out the requirement that all related personnel must immediately report all disclosures, allegations and concerns to CA, and where relevant to local authorities
- undertake and/or cooperate fully and confidentially in any investigation of concerns or allegations of harm to children or young people
- expressly provide that failure of the related personnel to comply with this Policy (or the Partner's Policy where applicable), including a failure to report immediately any suspected or alleged cases of child abuse or exploitation or policy non-compliance, will be grounds for CA to pause or terminate the agreement.

5. Policy Implementation

5.1 Recruitment and engagement

CA is committed to a robust recruitment and screening process for Personnel to attract people who share our values and prevent the engagement of those who may seek to abuse or exploit children.

CA will not knowingly employ or engage anyone who poses a risk to the safety or wellbeing of children.

CA will apply strict recruitment and screening processes which will be reviewed and updated regularly to accurately reflect appropriate child-safe recruiting and screening standards. This is detailed in the HR Policy Manual.

The following practices apply to the recruitment and screening of all Personnel:

- A statement that confirms CA's commitment to child safeguarding in job advertisements and job descriptions.
- Candidates will be provided with access to the CA Child Safeguarding Policy and Code of Conduct for the Protection of the Child during the recruitment and onboarding process.
- All interviews will include targeted child safeguarding questions. For all positions which involve contact with children, interviews will include approved motivational and behavioural questions that are specific to the role and the nature of the engagement with children.
- Documented verbal reference checks must be conducted for all positions which involve contact with children. Referee interviews will include targeted behavioural and child safeguarding questions.
- Candidates must disclose whether they have been charged with child related harm, abuse or exploitation offences, and if employed must notify CA in the event of any allegation, charge and conviction.
- Suitability screening including but not limited to criminal history checks, the Misconduct Disclosure Scheme, and other suitability assessments.
- CA's employment contracts must contain provisions for suspension or transfer to other duties of any staff member who is under investigation and provisions to dismiss any staff member after an investigation. Wherever possible these provisions are to be embedded in CI Country Office and Partner staff employment contracts too.

Partners and External Service Providers must also comply with the above child safe recruitment and screening processes, where related personnel will have contact with children.

5.1.1 Criminal record checks

Criminal record checks are an important mechanism in the CA safeguarding approach. Criminal record checks will be conducted for all Personnel prior to engagement, as part of our suitability assessment, and for Partner personnel who may have contact or work directly

with children.

All Australian criminal history checks must be undertaken through the Australian Federal Police, or an approved provider. Checks must also be conducted for each country in which the individual has lived for 12 months or longer over the previous 5 years, and for the individual's countries of citizenship.

In limited circumstances, where it is very difficult or causes risk to the applicant to obtain a reliable criminal record check, a statutory declaration, or local legal equivalent, may be accepted instead. This document must include any charges and spent convictions, child exploitation or other serious misconduct. Rigorous referee checks will also be conducted in all circumstances.

Criminal record checks will also be undertaken for existing Personnel and Partner staff every 3 years as a means of ongoing suitability assessment. Personnel and Partners must immediately inform the CA Director of Strategy and Enabling Services in writing if:

- any member of personnel is alleged to have committed or been charged with, or convicted of, criminal offences relating to child abuse (including accessing, making or distributing child abuse material, including online) or exploitation, and/or
- is the subject of disciplinary procedures or legal proceedings relating to child exploitation and abuse (which they must also declare to CA or the Partner – and when they apply for positions internally).

5.1.2 Persons who pose a risk to children

CA, CI Lead Member Country Offices and Partners will not knowingly employ or engage a person who poses a risk to children and will not employ or engage a person if their criminal record check (or declaration/reference checks where criminal checks cannot be obtained) includes convictions or sentences for:

- sexual misconduct, assault or abuse offences against a child or an adult
- violent offences against a child or an adult
- slavery, human trafficking or exploitation, including on-line exploitation of a child or an adult
- any other offence against a child
- stalking of a child
- serious drug related offences (trafficking a drug or supply of a drug of dependence¹ to a child)
- fraud and identity theft related offences
- family and domestic violence offences.

If a candidate's criminal record check includes other disclosable outcomes, CA will undertake a risk assessment to decide whether the candidate poses a risk to children. The Director of Strategy and Enabling Services and Head of People and Culture are responsible for

¹ The term 'drug of dependence' is used to describe medicines that have a recognised therapeutic need but also a higher potential for misuse, abuse and dependence and therefore are subject to trafficking.

determining the suitability of candidates who have a disclosable outcome.

5.1.3 Working with Children Checks

A Working with Children Check (WWCC) must be provided by CA Personnel and consultants (Australia, NZ and UK) working directly with children, having access to child-sensitive data, or having ongoing contact with children through country visits, letter, email, phone or social media. Any CA Personnel who travels overseas, and who may have contact with children, will be required to obtain a WWCC.

5.2 Code of Conduct

All Personnel, Partners, External Service Providers and Visitors who may have contact with children in the course of their work with CARE will be required to sign and adhere to the Code of Conduct for the Protection of the Child (see **Annex**).

CA has zero tolerance for breaches of this Code and it is expected that known or suspected breaches will be reported as a priority. This includes breaches occurring in the online environment.

Breaches of the CA Child Safeguarding Policy and procedures, and breaches of the Code of Conduct for the Protection of the Child, will be regarded as a serious matter and may attract sanctions up to and including termination as set out in partnership agreements, employment and consultancy contracts.

This is further set out in the CA HR Policy Manual, which stipulates employment contracts will contain provisions for immediate suspension of any member of Personnel who is under investigation for breaches of this policy or the Code of Conduct for the Protection of the Child.

Where a breach pertains to a DFAT (Department of Foreign Affairs and Trade) funded initiative, it will be immediately reported to DFAT.

5.3 Induction, Training and Development

All Personnel, Partners and External Service Providers will receive information relating to CA's Child Safeguarding Policy and Code of Conduct for the Protection of the Child, or the relevant Partner's Policy, as part of the orientation/induction process.

All Personnel, Partners and External Service Providers must participate in mandatory safeguarding orientation/induction training which covers the following topics:

- CA's child safeguarding approach and policies
- understanding the impacts of child related harm, exploitation and abuse and the factors that can increase vulnerability and therefore risks to children and young people.
- identifying and responding to indicators of harm
- responding to concerns and disclosures
- reporting concerns and disclosures (including privacy, confidentiality and record

keeping obligations)

- community/project accountability and feedback mechanisms and how these link to internal reporting processes
- building a culturally safe environment for children and young people, and delivering child safe programming.

All Personnel and Partner personnel must regularly participate in refresher training (every 2 years or earlier as required).

Where a role has been assessed as either being high risk, or involving contact with children, CA may direct that additional training, increased supervision and mentoring be provided as part of developing competency and capability and reducing risk.

5.4 Partner Capacity Assessments and Capability Strengthening

All CARE Country Offices with whom CA works both as a lead and non-lead member partner, and partnerships supported through the Pacific Partnership Unit (PPU), participate in annual reviews of their child safeguarding systems and compliance with this policy.

CA will support Personnel and Partners to strengthen their safeguarding systems, including reviewing their own child safeguarding policies and practices through a Partnership Engagement Safeguarding Due Diligence assessment.

There will be a regular in-depth assessment, at a minimum every three years or more frequently as determined by a risk assessment, to review the consistent and effective implementation of policies and procedures. This will be done:

- By CA for CI Country Offices in scope, PPU, External Service Providers directly engaged by CA, and Visitors to PPU programs;
- By CI Country Offices in scope for implementing partners, External Service Providers and Visitors.

Where there is a change in activities or operations in country, Personnel and Partners must notify the relevant CA International Program Senior Manager or Director of International Programs and Operations and an out-of-cycle review will be completed.

5.5 Risk Identification, Assessment & Management

CA recognises that there are a number of potential risks to children in the delivery of our programs. CA's risk approach includes the systematic assessment and management of risks of child exploitation and abuse at the organisation level, through the Enterprise Risk Register, and at the operational level through linked safeguarding Partner Due Diligence and Project-level Risk Assessments.

CA has a stated Risk Appetite of zero-tolerance regarding harm to children and will conduct project-level safeguarding risk assessments for all programs and projects.

Awareness and Identification of Risk

CA will support everyone in scope of this policy to understand the impacts of child related

harm, exploitation and abuse and the factors that can increase vulnerability and therefore risks to children.

CA will proactively identify and raise awareness of risks to children across our programs and projects. The CA Safeguarding Toolkit provides guidance on conducting a safeguarding risk assessment using the CA CP-PSHEA Risk Assessment template.

CA will support Personnel and Partners to strengthen their safeguarding practices, including reviewing safeguarding risk management plans, and providing information and training on the risk assessment and mitigation process.

Assessment and Management of Risk

Documented project risk assessments inform the design, planning, implementation and monitoring of project activities. Risk assessments will be conducted during the Project Design stage, prior to the commencement of the project. CA will support Personnel and Partners to actively monitor and review mitigation measures every 6-12 months, supporting them to track and report on when controls are in place and assess if they are effective.

Risk assessments of projects are undertaken by CA's International Program Team, in collaboration with CI Country Offices where relevant, and reviewed by the Safeguarding Coordinator for quality assurance. CA is responsible for providing Personnel and Partners with access to training and resources to effectively respond to child safeguarding risks.

Where needed, child safeguarding risks may be periodically escalated to the CA Finance and Risk Committee in accordance with the CA Risk Management Framework.

5.6 Empowerment and Engagement

CA is committed to accountable development and humanitarian programming that advances and upholds the rights of children. Personnel and Partners must inform children, families and communities about their right to safety, information, inclusion and participation as well as their right to provide feedback and raise a concern.

CA's Reporting Processes (Section 5.8) and community-based Feedback and Accountability Mechanisms (FAM) play an instrumental role in ensuring that the voice of children is amplified, heard and informs the development and improvement of CA initiatives, programs, activities and events. Personnel will provide necessary support to Partners to strengthen accountability mechanisms, enabling children and communities to provide feedback and raise concerns. Using collective, individual, static and active channels, CA's FAM strategy aims to:

- actively solicit and listen to, collate and analyse feedback from children of the communities in which Personnel and Partners operate
- promote safety and confidentiality, and utilise a child/survivor-centred approach
- trigger action and decision-making at the appropriate level in the organisation and/or prompts a referral to other relevant stakeholders if necessary and appropriate
- provide a response back to the person who raised the feedback (when not anonymous) and also respond to the wider community where appropriate.

Pathways for the provision of feedback that are developmentally and culturally appropriate, as well as trauma-informed, support Personnel and Partners in encouraging children, families and communities to feel safe and confident about speaking up. Wherever possible, Personnel and Partners will provide clear and accessible information in appropriate formats to families and communities about this policy and what they can expect of Personnel, Partners, External Service Providers and Visitors.

5.7 Use of child photos, images, videos and information

Personnel, Partners, External Service Providers and Visitors must not take photos, videos or voice recordings of children for personal use, and must only use CARE owned devices.

Photos, images, videos or other likenesses of children and/or personal information related to children that could compromise their care and protection or be considered exploitative will not be made available through any form of media, including social media and any encrypted messaging platform. Images of children are not to be accompanied by any identifying information relating to their location or place of residence. Images with corresponding text which may identify a child should be removed.

When photographing or filming a child or using children's images for work-related purposes, all Personnel, Partners, External Service Providers and Visitors must apply the following standards:

- Before photographing or filming a child, obtain informed consent from the child and parent or guardian of the child (i.e., utilising a form in the relevant language and child-friendly approaches, including pictures).
- Obtain prior documented consent from your manager to take photos, videos, voice recordings or document stories about children and program participants.
- Informed consent includes explicit risk information relevant to the context, particularly where people are highly stressed or on the move.
- Explain to the child and parent or guardian how the photograph or film will be used, in age-appropriate language and with an interpreter if necessary.
- Take care that local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child.
- Photographs, images and videos present children in a dignified and respectful manner and not in a vulnerable, disempowering or submissive manner.
- Children are adequately clothed and not in poses that could be seen as sexualised or submissive.
- Images are honest representations of the context and the facts.
- 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.
- Explain that consent to use an image may be revoked if they change their mind, and how consent can be revoked.
- Not identify children engaged in activities that may be culturally marginalised or challenge cultural norms for their own protection.

5.8 Reporting Concerns, Allegations and Incidents

CA provides a safe environment for anyone to make a report concerning the safety or wellbeing of a child.

Any allegation, belief, suspicion or disclosure of child harm, abuse, exploitation or any non-compliance with this policy or the Code of Conduct for the Protection of the Child must be reported immediately to CA.

Personnel, Partners and External Service Providers will all play a role in providing information so that all community members (including children) for which CA manages or funds programs, are clear about the steps to take when concerns arise regarding the safety and wellbeing of children.

- **Internal response:** When misconduct is alleged to have been committed by any person connected to CA (Personnel, Partner, External Service Provider, or Visitor), CA's mandatory internal reporting and investigation procedure is triggered. Failure to report such matters may result in disciplinary action up to and including, where appropriate, termination of employment.
- **External response:** Where child abuse, exploitation or harm is committed by individuals outside the organisation (i.e. community members or tourists), Personnel, Partners, External Service Providers and Visitors must notify CA, and where appropriate, make referrals to local authorities and service providers, prioritising the safety and wellbeing of the child.

5.8.1 Feedback & Concerns

CA recognises the importance of responding to all feedback and concerns about the delivery of services and conduct of Personnel, Partners, External Service Providers and Visitors. We support Personnel and Partners to establish accessible feedback pathways in order to provide children, families and community a range of options to share feedback about their experiences. All feedback related to services for and the experience of children and young people should be directed to the CA Safeguarding Coordinator, Safeguarding Focal Point, and/or Director or Senior Manager of the relevant Partner, in accordance with the CI Guidance for Creating and Managing Effective Feedback and Accountability Mechanisms.

CA publicly promotes how the community can provide feedback on the CA Website, and via CARE's confidential reporting platform, CARELine: <http://www.care.ethicspoint.com>.

Feedback and concerns in relation to misconduct must be managed in accordance with the CA HR Policy Manual.

5.8.2 Allegations, Disclosures and Incidents

Who reports

It is mandatory for Personnel, Partners, External Service Providers and Visitors to immediately report any allegation, belief, suspicion or disclosure of child harm, abuse, exploitation (past or present) or any non-compliance with this policy or the Code of Conduct

for the Protection of the Child.

Children, young people, parents/guardians, and members of the community can also make a report concerning the conduct or behaviour of Personnel, Partners, External Service Providers or Visitors.

Any person making a report does not have to wait until an allegation is substantiated, and is actively discouraged from seeking evidence to support their report – the fact that an allegation or suspicion has been raised is sufficient to make a report.

What should be reported

Reports can be made in relation to the actions or inactions of Personnel, Partners, External Service Providers or Visitors, or a person outside of or not representing CA, such as a community member.

We encourage reports on any allegation, belief, suspicion or disclosure of:

- Risk of potential or actual child harm, abuse or exploitation due to the actions or behaviour of Personnel, Partners, External Service Providers or Visitors, or anyone associated with or representing CA, or DFAT Stakeholders as defined by DFAT's Child Protection Policy and associated reporting requirements;
- Breaches of the CI Safeguarding policy, the CA Child Safeguarding Policy or Code of Conduct for the Protection of the Child, including misconduct which relates to or has impact on child safety;
- A criminal offence being committed against a child;
- Arrests and/or convictions for offences relating to child abuse or exploitation.

Allegations, beliefs, suspicions or disclosures of child abuse, exploitation or harm committed by individuals outside the organisation, even when there is no affiliation to CA, must also be reported. This will support CA to meet its legal and ethical duties to respond to any concerns for the safety and wellbeing of a child.

It is important to acknowledge Personnel and Partners are required to report matters under a range of state, federal and contractual obligations. As a result, the list of reportable matters is extensive. This includes but is not limited to the following:

- Death of a child
- Abduction of a child
- Sexual misconduct against, with or in the presence of a child
- Sexual abuse and/or exploitation against, with or in the presence of a child
- An observation or disclosure of behaviour which could be considered grooming
- Possessing, sharing or creating child exploitation material
- Physical abuse against, with, or in the presence of a child
- Emotional abuse against, with, or in the presence of a child
- Serious neglect of a child
- Occupational Health and Safety incidents resulting in injury or hospitalisation of a

child

- Any other breach of this policy, the Code of Conduct or other key guidance material relating to the safety of children
- Any other offence as applicable under local laws impacting a child or young person
- Personnel or Partners having committed, or been arrested for, or convicted of, a criminal offence(s) relating to child exploitation or abuse.

Who to report to

A report can be made to the:

- CARELine Website (anonymous): <http://www.care.ethicspoint.com>
- CARELine hotline (anonymous): 1800 572 052
- CA Safeguarding Coordinator - safeguarding@care.org.au
- Any Safeguarding Focal Point
- CA Director of Strategy and Enabling Services (DSES)
- CA Head of People and Culture
- CA Director of International Programs and Operations (DIPO)
- Country Director of a CI Country Office (or their delegates)
- Director and/or member of Senior Management Team of one of CA's Partners
- via the community-based accountability or feedback mechanism (FAM/CBFM), including awareness-raising workshops, 'safe spaces', hotlines, comments boxes, etc.

Where a report is made in relation to any CA funded and managed projects via a Partner's or External Service Provider's own reporting process, they must then immediately notify CA of the report.

Where a suspected or alleged case of child exploitation, abuse or policy non-compliance pertains to a DFAT funded program or initiative, CA will immediately report this to DFAT. This includes both reports involving Personnel or Partners and reports where the subject of concern is a person external to CA. The CA Safeguarding Coordinator, under the direction of the CA Director of Strategy and Enabling Services will make a report via childwelfare@dfat.gov.au.

5.8.3 Management & Investigation of Reports

Management of Allegations

In managing an allegation, disclosure or incident, the following applies:

- All incidents/concerns will be reviewed, and a determination made as to whether the matter is required to be dealt with in accordance with the CA Whistleblower Policy or CA Child Safeguarding Policy.
- In the event of an imminent threat to the safety of a child, where possible emergency services must be immediately engaged and assistance rendered as required.
- Once an allegation or disclosure is made there should be an immediate response,

engaging the child and safe adult/s, to protect the child from further potential abuse, exploitation, or victimisation.

- The family of the child victim should be informed of the allegation and action proposed unless there is a serious risk of harm to the child. Parents/guardians should be consulted, where appropriate, as to the process to be followed. In the event that family members are not present, the child should be supported to nominate a trusted adult to support them.²
- If Personnel, Partners or External Service Providers receive a disclosure, they will fully document the allegation, including the time, place and witnesses, and use the complainant's own words. The report should be immediately escalated (within a period of 24 hours of the disclosure) to the CA Director of Strategy and Enabling Services and relevant others, in accordance with the reporting procedures, as it may be relevant in disciplinary and/or legal proceedings if charges result from the incident. Only a limited number of key Personnel are involved in managing a report and conducting an investigation, ensuring confidentiality outside of this group.
- The CA Director of Strategy and Enabling Services will consult with the CA Safeguarding Coordinator and the relevant Partner/Country Director (or their delegates) to triage the matter and determine the appropriate actions that need to be taken in relation to the feedback, allegation or incident.
- Where it is determined that the matter is required to be reported to any external body, CA's Director of Strategy and Enabling Services and the relevant Partner/Country Director and/or Safeguarding Focal Point, will comply with relevant mandatory reporting requirements. This includes but is not limited to DFAT, Australian Federal Police, relevant Commonwealth and State or Territory government departments as well as local authorities or bodies as required by law.
- The CA Director of Strategy and Enabling Services is responsible for escalating reports to the CA CEO and Board for oversight and assurance purposes.
- The CA Director of Strategy and Enabling Services and/or the relevant Partner/Country Director (or their delegates) is responsible for ensuring the person of concern is stood down without prejudice while an investigation takes place. CA Personnel stood down are to receive full pay and CA will apply procedural fairness when making decisions that affect a person's rights or interests as set out in the HR Policy Manual.
- All Personnel involved in or witness to an allegation, disclosure or incident will be offered professional counselling support in accordance with CA's Whistleblower Policy.

Conducting Investigations

- Internal investigations are to be conducted in relation to all allegations, disclosures

² There needs to be consideration about what support the child will receive from his or her family or from local authorities e.g., will the child be victimised, criminalised, or ostracised.

and incidents. Internal investigations are undertaken in consultation with local law enforcement, and in accordance with the CA Safeguarding Investigation Protocol, CARE International Protocol for Reporting Between Entities, and relevant industrial requirements.

- At times, CA may determine that it is appropriate to engage a qualified, experienced and independent investigator, who is skilled in dealing with child related incidents, to uphold procedural fairness, natural justice, manage real or perceived conflicts of interest as per the CA Conflict of Interest Policy, or due to the severity or complexity of the reported incident.
- Privacy and confidentiality of all parties is paramount during the investigation process, and information will only be disclosed as permitted by law in accordance with the CA Privacy Policy. Breaches of confidentiality can adversely impact the investigation process and ability of law enforcement to prosecute potential matters, and may result in disciplinary action up to and including termination as per the CA HR Policy Manual.
- Investigation outcomes are reviewed and decisions relating to discipline are determined by the CA CEO, or relevant Partner or Country Director. In some cases, CA will report the outcomes of investigations to police or local authorities where a case is related to a criminal offense or required laws.
- CA will not tolerate any form of coercion, intimidation, reprisal or retaliation against any person who reports any form of abuse or exploitation, provides any information or other assistance in an investigation, as outlined in the CA Whistleblower Policy.
- Outcomes from investigations and incidents, along with feedback from participants, will be de-identified and analysed for quality improvement purposes to enable learnings to be effectively applied.

5.9 Child-Centred Approach

CA is committed to a survivor-centred approach in our engagement with those who have experienced harm, abuse or exploitation of any kind. This means that where the survivor is a child, we take a child-centred approach, while recognising and supporting the family context of the child.

Children who have experienced harm, abuse or exploitation have a right to:

- privacy and confidentiality
- be treated with dignity and respect and victim-blaming attitudes will not be tolerated
- have comprehensive information provided to them and their family in age-appropriate language and through an interpreter if necessary
- participate in decision making about the course of action in dealing with the abuse or exploitation, appropriate to their age and developmental stage and together with their family or trusted support person (as defined in consultation with the child)
- not be subject to discrimination based on any characteristic, for example gender, age, race/ethnicity, religious beliefs, family or social background, employment status, ability, sexual orientation, HIV status or any other characteristic

- be asked about what makes them feel safe and unsafe, and have an environment of trust created for and with them, to encourage them to feel powerful enough to express if they are worried about the process or feeling unsafe.

Personnel and Partners may refer child survivors and family members to local support agencies and emergency care/counselling providers in accordance with their needs, wants and wishes as per the survivor-centred approach.

Personnel and Partners will work with established government structures to support the response to children where safe to do so. All support based actions will be appropriate to the developmental stage of the individual child and their circumstances and decided in consultation with the CA Safeguarding Coordinator and/or Country Office/Partner Safeguarding Focal Point.

5.10 Continual Quality Improvement

CA is committed to a culture of continual quality improvement and ensuring that our policies, procedures and practice is regularly reviewed and analysed to identify opportunities to strengthen our approach to safeguarding. This includes assessing feedback, performance against child safeguarding minimum standards as well as program outcomes, outputs and indicators which provide a baseline for further improvement.

6. Related Policies and Procedures

- CA Code of Conduct for the Protection of the Child (Annex)
- CARE International Safeguarding Policy
- CI Safeguarding Policy Code of Conduct
- CA Safeguarding Toolkit and Guidance
- CA HR Policy Manual
- CA Work Health and Safety Policy
- CA Prevention of Harassment, Discrimination and Bullying Policy
- CA Whistleblower Policy
- CA Feedback and Complaints Policy
- CA Risk Management Framework
- CA Values and Code of Conduct
- CA Safeguarding Investigation Protocol
- CARE International Protocol for Reporting Between Entities
- CARE International Policy on Fraud and Corruption
- CARE International Guidance for Creating and Managing Effective Feedback and Accountability Mechanisms

7. Supporting documents and references

Legislation

- Commonwealth anti-discrimination laws
- Fair Work Act (Cth)
- Human Rights Charter (Vic and ACT)

- Work Health and Safety Act (ACT)
- Occupational Health and Safety Act (Vic)
- Commonwealth Criminal Code Act
- Crimes Act (Vic) [including: bullying, grooming, stalking, rape, sexual offences, family violence, child abuse material]
- Personal Violence Act (ACT) [stalking, family violence]
- Crimes Act (ACT) [including: grooming, stalking, sexual offences, abuse material]
- Crimes (Child Abuse Material) Regulations (Vic)
- Crimes (Child Pornography) Regulations (Vic)
- Crimes (Extra-Territorial Offences) Regulations (Vic)
- Criminal Code Act (Cth)
- Crimes Act (Cth)

Conventions, Standards and Frameworks

- United Nations Convention on the Rights of the Child
- National Principles for Child Safe Organisations (Cth)
- Optional Protocol to the United Nations Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
- Optional Protocol to the United Nations Convention on the Rights of the Child on the involvement of children in armed conflict
- International Labour Organization Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour
- DFAT Child Protection Policy
- DFAT Child Protection Policy Guidance Notes
- Inter-Agency Standing Committee (IASC)
- Organisation for Economic Co-operation and Development - Development Assistance Committee (OECD-DAC)

8. Policy owner

CARE Australia CEO, on behalf of the CA Board.

9. Policy communication

This policy will be communicated on CA's organisational platform. It will also be communicated externally through CA and Partners' websites.

All Personnel, Partners, and External Service Providers and Visitors will be provided a copy of this policy (or access to it) and will be required to agree and sign the Code of Conduct.

10. Policy details

Date	Ver.	Description of Update/Revision
31/07/2009	1	Policy created

February 2015	2	Policy reformatted, strengthened
February 2017	3	Section 2.1 – training timeframes; Section 4.1 – verbal referee checks; Section 5.1 – requirement to immediately report; Code of Conduct – additional clauses following DFAT Policy update
Late 2020	4	Review by Corrs Westgarth Chambers against requirements in the DFAT Accreditation Guidance Manual (section 4.1), the DFAT Child Protection Policy, DFAT Accreditation Assessment Checklist, ANCP Manual (section 5.6), the ACFID Code of Conduct and Quality Assurance Framework.
March 2021	5	New template/format to align with other policy templates
July 2022	6	Revision of previous Child Protection Policy 2021-2022
April 2023	7	Title change to “Child Safeguarding Policy”. Revisions to align with CA Safeguarding Toolkit and Guidance.

Date of next Review: April 2026.

CA commits to reviewing this policy every three years or earlier, as warranted. This policy must be approved by the Board.

11. Definitions

A **Child** is defined as any person under the age of 18 years.

Child abuse is abuse that results in actual or potential harm to the child’s health, development, or dignity in the context of a relationship of responsibility, trust or power. This may include physical abuse, neglect, emotional abuse, sexual abuse or ill-treatment. Abuse may be perpetrated by an adult, a young person or another child.

Child exploitation (involves one or more of the following):

- committing an act or acts of abuse against a child, or grooming of a child
- coercing another person to commit an act or acts of abuse against a child, or grooming of a child
- possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material.

Child Exploitation Material (also referred to as Child Abuse Material or Child Pornography) is ‘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.

Child Labour is work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. It refers to work that:

- is mentally, physically, socially or morally dangerous and harmful to children; and/or
- interferes with their schooling by: depriving them of the opportunity to attend school;

obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.

Child Sexual Abuse is any form of sexual activity with a child. It is evidenced by an activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person.

It may include, but is not limited to, fondling genitals; masturbation; oral sex; vaginal or anal penetration by a penis, finger or any other object; fondling breasts; voyeurism; exhibitionism; and exposing the child to, or involving the child in, pornography, the inducement or coercion of a child to engage in any sexual activity, the use of a child in prostitution or other sexual practices, or exposing a child to online sexual exploitation material, the use of children in pornographic performances and materials, or taking sexual exploitative images of children.

Child sexual exploitation is any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes. Acts may involve possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material, including child pornography, or recruitment, transportation or receipt of children for the purpose of exploitation, by means of threat, force or other forms of coercion. People engaged in child sexual exploitation may seek to profit monetarily, socially or politically from the sexual exploitation.

Child Protection refers to either strengthening existing child protection systems to create safer environments for children, or to address specific issues directly causing harm to children. Child protection is externally focused and related to the communities, for example: setting up and operating child-friendly spaces, community-based system strengthening initiatives, educating children and caregivers about child protection, and projects specifically addressing child rights violations (child labour, child trafficking etc.)

Child Safeguarding refers to the internal systems, policies and procedures that exist within CARE Australia to safeguard children who come into contact with the organisation. Child safeguarding exists to prevent harm to children and includes mechanisms and tools to support prevention, for example: the CARE Australia Child Safeguarding Policy, CARE International Safeguarding Policy, CARE Australia Code of Conduct for the Protection of the Child, reporting and complaints procedures, training and capacity building and human resource practices.

Contact with children refers to roles or activities that involve or may involve direct contact with children, either under the position description or due to the nature of the work environment, or the access to and handling of children's information. Hiring managers, with the support of Safeguarding Focal Points where required, are responsible for determining if positions have contact with children. Contact with children includes face to face contact, written contact, oral contact and electronic communication (including access to the personally identifying information of children and young people). CA considers contact with children to be an inherent feature of our work domestically, and in country.

DFAT Stakeholders includes DFAT staff members, including locally engaged staff, personnel

of a DFAT funded contractor or civil society organisation, including subcontractors, personnel of a DFAT funded multilateral organisation, a DFAT funded volunteer, employees of another Commonwealth Government Agency, Australian Volunteers Program participant or host organisation, DFAT Scholarship or Fellowship awardee including Australia Awards program recipients, DFAT grant recipient, including under the Direct Aid Program (DAP) and Public Diplomacy programs, any Australian citizen, Australian permanent resident or Australian company.

Emotional abuse is a parent or caregiver's inappropriate verbal or symbolic acts toward a child or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts have a high probability of damaging a child's self-esteem, mental health or social competence.

Grooming refers to behaviour that makes it easier for a person to engage in sexual harassment, exploitation or abuse of another. It involves the use of a variety of manipulative and controlling techniques with a vulnerable subject, those around them and the environment, in order to establish trust or normalise sexually harmful behaviour, with the overall aim of facilitating exploitation and/or prohibiting exposure or providing means of justifying or denying their actions. Various forms of information and communications technology may also be used in grooming behaviours.

Harm refers to ill-treatment, injury or damage, including sexual abuse, neglect, emotional abuse and psychological abuse. Harm also includes the impairment of physical or mental health (including that suffered from seeing or hearing another person suffer ill treatment) and the impairment of physical, intellectual, emotional, social or behavioural development (including that suffered from seeing or hearing another person suffer ill treatment).

Online Grooming includes the act of sending an electronic message to a child, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender; or of sending an electronic message with indecent content to a recipient who the sender believes to be a child.

Ill-treatment refers to the disciplining or correcting of a child in an unreasonable and seriously inappropriate or improper manner; making excessive and/or degrading demands of a child; hostile use of force towards a child; and/or a pattern of hostile or unreasonable and seriously inappropriate degrading comments or behaviour towards a child.

Neglect is the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and well-being.

Physical abuse refers to non-accidental physical harm, threats or risk of physical harm, to a child by an adult. Physical abuse may be intentional or may be the unintended result of physical punishment or excessive discipline. It can be a single act or repeated acts, and does not always leave visible marks or injuries.

Related Personnel refers to Staff, Managers, Board Directors, Board advisors/trustees and observers, Volunteers and Interns and any other individuals or groups that may have contact with children (including their personal information and images) while engaged by CA, our

Partners or External Service Providers.

Substantiated means that following an investigation, an allegation is likely to have happened, supported by the evidence.

Unsubstantiated means that following an investigation, an allegation not supported or proven by the evidence.

Working with children means being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. Working includes volunteering and other unpaid work.

Annex: Code of Conduct for the Protection of the Child

Child abuse and exploitation is unacceptable and Personnel and Partners, External Service Providers and Visitors³ are committed to abiding, upholding and promoting appropriate risk-based child protection standards at all times. CARE Australia (CA) will provide guidance for Personnel, Partners, External Service Providers and Visitors to meet these standards. Any instances of alleged abuse or exploitation will be immediately reported, investigated and the appropriate action taken.

CA's capacity to ensure the protection of and assistance to the children that we work with, depends on the ability of Personnel, Partners and External Service Providers to uphold and promote the highest standards of ethical and professional conduct. Personnel, Partners and External Service Providers are personally and collectively responsible for and committed to abiding, upholding and promoting appropriate child protection standards at all times. Managers have a particular responsibility to uphold these standards, to set a good example, and to create a working environment that supports and empowers related personnel.

It is recognised that CA's work (and the work of its partners) often puts its people in positions of trust or power in relation to children that we work with. Personnel, Partners, External Service Providers and Visitors have an obligation not to abuse this trust or power.

This Code of Conduct is intended to serve as a set of clear rules, so that Personnel, Partners and External Service Providers can make the ethical decisions they must make 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 for the Protection of the Child is based on international legal standards.

The Code of Conduct for the Protection of the Child applies to all Personnel, Partners, External Service Providers and Visitors, who will be required to sign it to acknowledge their understanding of it. Any breach of the Code of Conduct will be treated as a serious concern and may result in disciplinary action or dismissal, in accordance with CA's disciplinary procedures.

All Personnel, Partners and External Service Providers are responsible for encouraging, advocating and promoting the dissemination of the Code of Conduct for the Protection of the Child. They also have a role in implementing, monitoring and enforcing its standards and should encourage everyone to adhere to these standards and to join CA in upholding them.

As a member of Personnel, Partner, External Service Provider or Visitor to CA's programs, I commit myself to:

1. Treat all children fairly, with respect and dignity

- 1.1. I will treat all children with respect regardless of race, colour, sex, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth status or other status.

³ Personnel, Partners, External Service Providers and Visitors are defined in the CARE Australia Child Safeguarding Policy under Section 4.

- 1.2. 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 CA, by ensuring that my personal and professional conduct is, and is seen to be, of the highest standard.**
 - 2.1. 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.
 - 2.2. I recognise that my personal conduct will reflect on CA's reputation and may impact on community perceptions, therefore I will refrain from inappropriate behaviour that may be compromising or detrimental to CA.
 - 2.3. I understand that the onus is on me, as a person associated with CA, to avoid actions or behaviours that could be construed as child exploitation and abuse.
 - 2.4. I will be aware of behaviour and avoid actions or behaviours that could be perceived by others as child exploitation and abuse.
- 3. Safeguard and make responsible use of the information and resources to which I have access by reason of my employment or engagement with CA.**
 - 3.1. I will protect, manage and utilise CA human, financial and material resources appropriately. I will never use CA resources to exploit or harass children or access child pornography.
 - 3.2. When photographing or filming a child or using children's images for work-related purposes and on a CARE owned device, I must:
 - Take care to ensure local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child.
 - Before photographing or filming a child, obtain consent from the child and parent or guardian of the child. When obtaining consent, I must explain how the photograph or film will be used.
 - Ensure photographs, images and films present children in a dignified and respectful manner and not in a vulnerable, disempowering or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexualised or submissive.
 - 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.
 - 3.3. 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 regulations and rules and current guidelines.
- 4. Prevent, oppose and combat all exploitation and abuse of the child.**
 - 4.1. I will not abuse children, including physical and sexual abuse and exploitation.
 - 4.2. 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.

- 4.3. I will report suspicions, concerns or allegations of child exploitation and abuse by Personnel, Partners, External Service Providers or Visitors.
 - 4.4. I will not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
 - 4.5. 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.
 - 4.6. I will not hire 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.
 - 4.7. Wherever possible, I will ensure that another adult is present when working in the proximity of children.
 - 4.8. I will not invite unaccompanied children into private residence, unless they are at immediate risk of injury or in physical danger.
 - 4.9. 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 (noting that this does not apply to an individual's own children).
 - 4.10. I will not be under the influence of alcohol or drugs while supervising children (noting that this does not apply to an individual's own children).
 - 4.11. I will not use physical punishment on children. I will not engage in behaviour to shame, humiliate, belittle or degrade a child or young person or otherwise emotionally or psychologically abuse a child or young person including exposing them to family violence.
 - 4.12. I will not use any computers, mobile phones, video cameras, cameras or social media inappropriately, and will never use them to exploit or harass children or access child exploitation material through any medium.
 - 4.13. I will not inappropriately use social media to contact, access, solicit or befriend a child involved in a project or activity funded or managed by CA and misuse images of those children on personal social media sites (e.g. publishing them online).
- 5. Refrain from any involvement in criminal or unethical activities, activities that contravene human rights, or activities that compromise the image and interests of CA.**
- 5.1. I will neither support nor take part in any form of illegal, exploitative or abusive activities, including, for example, child labour, child marriage, child pornography, and trafficking of human beings as commodities.
 - 5.2. I will not engage children under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services. This is regardless of the local age of consent, i.e. the local or national laws of the country in which I work. Ignorance or mistaken belief of the child's age is not a defence. Failure to report

such a relationship may lead to disciplinary action pursuant to CA's policies and procedures. I will comply with all relevant Australian and local legislation, including labour laws in relation to child labour.

6. Disclosure and transparency

- 6.1. I will immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with CA, that relate to child exploitation and abuse, including under traditional law.
- 6.2. I will report the following changes in circumstances to management:
- involvement in criminal activity;
 - disciplinary procedures;
 - charges, criminal or civil court proceedings relating to child exploitation and abuse.

7. Reporting all concerns, suspicions or allegations

- 7.1. I will immediately report concerns, suspicions or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures.

Acknowledgement

I acknowledge that I have received, read and understand CARE Australia's Child Safeguarding Policy and Code of Conduct for the Protection of the Child and agree to abide, uphold and promote appropriate risk based Child Protection standards at all times.

I also understand that any breach of the Code of Conduct for the Protection of the Child may result in disciplinary action or dismissal, in accordance with CARE Australia's disciplinary procedures and could also result in criminal prosecution.

(PRINT NAME)

(SIGNATURE)

(DATE)