

<b>Child Protection Policy</b>	<b>Effective Date</b>	1 <sup>st</sup> January 2009
	<b>Next Review Date</b>	1 <sup>st</sup> January 2010
	<b>Sponsor:</b> International Contracts	
<b>Level / Class:</b> Corporate/Organisation		<b>Approval / Authorisation:</b> Board/Executive

## 1. Revision History

Date	Revision Number	Change(s)	Reference Section(s)
February 2007			
June 2008		AusAID compliance – policy rollout March 2008	
November 2008	3	Combining AVI draft with AusAID CP Policy March 2008; incorporating AVI CPWG & ChildWise comments	
January 2009	5	ACFID Child Rights Working Group & AVI TL additions	<ul style="list-style-type: none"> <li>• Associates</li> <li>• Children with disabilities</li> <li>• Guardian/parent permission.</li> </ul>
June 2009	6	Overall edit	

## 2. Purpose

The purpose of this policy is to provide a framework for managing and reducing risks of child abuse by persons engaged in delivering aid program activities affiliated with Australian Volunteers International (AVI).

AVI aims to create an open and aware environment where concerns for the safety or wellbeing of a child or young person can be raised in a compassionate and just manner.

Under this policy, AVI is further enhancing its approach to child protection through risk assessment and risk management procedures for development activities, clear procedures for raising concerns about child abuse, and training AVI personnel on child protection matters.

## 3. Scope and persons affected

This policy applies to all AVI personnel, defined as including AVI program participants (i.e. volunteers and deployees), AVI staff, AVI board members, AVI service providers and contractors. This policy also applies to other individuals and third parties who through their

association with AVI may visit our development partners overseas (i.e. donors, Australian Partner Organisations).

## 4. Principles

- a) AVI is committed to the protection of all children from all forms of harm. The safety and wellbeing of the children involved in AVI supported programs and the promotion of the safety and wellbeing of all children is of paramount concern.
- b) The Policy is based on the principle of empowering children and young people through meaningful participation, having children and young people involved in decision making, listening to children and young people and giving them a voice. Through empowerment, children and young people are more likely to speak up when they have a concern for their safety or wellbeing.
- c) AVI supports the rights and welfare of all AVI personnel and encourages their active participation in creating safe and respectful workplaces whilst on assignment or during travel overseas. AVI owes a moral and legal duty of care to do everything reasonably possible to ensure AVI personnel placed to work with children and young people are safe and suitable, have an appropriate depth of awareness of child protection issues, and that child safe practices are implemented through adequate and appropriate Policy and Procedures.
- d) AVI personnel are expected to operate in accordance with Australian Commonwealth Laws (including extra-territorial laws) and relevant local laws.
- e) Further principles underpinning this policy with which AVI concurs include:
  - Australian Agency for International Development (AusAID) Child Protection Policy – March 2008
  - United Nations Convention on the Rights of the Child (CROC)
  - Australian Council for International Development (ACFID) Code of Conduct.

## 5. Definitions

### a. AVI personnel

AVI program participants, AVI staff, AVI board and council members, AVI service providers and contractors, office volunteers, and interns.

### b. AVI Codes of Conduct

- AVI Staff Code of Conduct
- Volunteer Code of Conduct

### c. Bullying

Bullying is the inappropriate use of power by an individual or group, with an intent to injure either physically or emotionally. It is usually deliberate and repetitive. The bullying may be physical or psychological (verbal and non-verbal).

- Physically, bullying includes pushing, hitting, punching, kicking or any other action causing hurt or injury.
- Verbal bullying includes insults, taunts, threats and ridicule.

- Non-verbal, psychological bullying includes physical intimidation and ostracism.

#### d. Child and young person

In accordance with the United Nations Convention on the Rights of the Child, AVI defines a child or young person as any person below the age of 18 years, regardless of local laws or other definitions.

#### e. Child Abuse

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

Both boys and girls can be the victims of abuse, and abuse can be inflicted on a child by men, women and children.

- **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.
- **Emotional abuse** occurs when a child is repeatedly rejected or frightened by threats. This may involve name calling, being put down or continual coldness from parent or caregiver to the extent that it affects the child's physical and emotional growth.
- **Neglect** is the persistent failure or the deliberate denial to provide the child with clean water, food, shelter, sanitation or supervision or care to the extent that the child's health and development are placed at risk.
- **Child sexual abuse** occurs when an adult, more powerful child or adolescent uses his or her power to involve a child in sexual activity. That coercive power can be physical, verbal or emotional.

#### f. Child Protection

An activity or initiative designed to protect children from any form of harm, particularly arising from child abuse or neglect.

#### g. Child-Sex Tourism

ECPAT International defines child-sex tourism as:

*'...the commercial sexual exploitation of children by men or women who travel from one place to another, usually from a richer country to one that is less developed, and there engage in sexual acts with children, defined as anyone aged under 18 years of age.'*  
(ECPAT International, 2006)

#### h. Particularly vulnerable children

Child abuse takes place not only within the family environment but also outside the family such as in institutions, at work, on the streets, in war zones and emergencies. Children in emergencies are especially vulnerable to abuse and exploitation. In an emergency or crisis situation children are extremely vulnerable when they become part of a displaced or traumatised population.

AVI also acknowledges the increased vulnerability of children with disabilities and the limitations that sometimes exist in terms of being able to indicate or disclose abuse.

Unless otherwise stated, all definitions are from Child Wise, Choose With Care®, 2006.

## 6. Roles and Responsibilities

AVI views child protection as a shared responsibility. To effectively manage risks to children, AVI requires the active support and cooperation of all AVI personnel. AVI also encourages awareness of child protection issues among our partner organisations.

AVI endeavours wherever possible to reduce the risk of inappropriate behaviour by AVI personnel. This Child Protection Policy outlines the main measures adopted in pursuit of this end, including those in relation to recruitment and selection, monitoring, training and reporting.

In the event of breaches of this policy, AVI will exercise the right to dismiss or withdraw AVI personnel when it considers that the person poses an unacceptable risk to the safety or well-being of children, or, if deemed appropriate, transfer AVI personnel to other duties as a temporary measure while an investigation is conducted.

### AVI personnel will:

- conduct themselves in a manner consistent with their position as a positive role model to children and as a representative of AVI
- listen to children, take their concerns seriously, and allow them to have a say in the decisions that affect them
- be visible when working with children, e.g. avoid being alone with children and, wherever possible, ensure that another adult is present when working in the proximity of children
- treat children with dignity and respect (i.e. how they want to be treated; as appropriate to personal development needs) regardless of ethnicity, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status
- use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any medium
- refrain from disciplining children (excluding their own children), or the physical punishment of children
- 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
- comply with all relevant Australian and local legislation, including labour laws in relation to child labour
- ensure that touching will only be:
  - in response to the need of the child
  - with the child's permission or, where appropriate, the permission of the parent or guardian (except in an emergency situation)
  - in an open and non-secretive manner and environment that avoids the breasts, buttocks and groin
- immediately report concerns or allegations of child abuse in accordance with the AVI Complaints Management Procedures

### AVI personnel will not:

- use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- engage children in any form of sexual activity or acts, including paying for sexual services or acts, where the child is below the age of consent or the act(s) are an offence under relevant laws
- behave physically in a manner that is inappropriate or sexually provocative towards a child
- invite unaccompanied children into the home, unless they are at immediate risk of injury or in physical danger
- take children into the home or sleep close to unsupervised children unless absolutely necessary, in which case a supervisor's permission is obtained and another adult is present
- do things of a personal nature that a child can do for him/herself, such as assistance with toileting or changing clothes
- hit or physically assault children
- develop sexual relationships with children or relationships with children that can in any way be deemed exploitative or abusive
- act in ways that may be abusive or place a child at risk of abuse
- condone or participate in behaviour of children which is illegal, unsafe or abusive
- act in a way that favours particular children to the exclusion of others
- photograph or video a child without the consent of the child and his/her parents or guardians
- hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way

### AVI child protection advocates

The AVI Executive Team is responsible for providing support and guidance to other AVI personnel regarding child protection or child abuse issues, and as a point of contact in relation to the Child Protection Policy and Child Protection Procedures Manual.

The Executive role involves:

*i. AVI Child Protection Policy and Procedures Manual:*

- answering questions concerning anything to do with this Policy or the Procedures Manual
- responsibility for the implementation and review of the Policy
- receiving feedback on the Policy
- ensuring training is provided for AVI personnel on the application of the Policy and the Procedures Manual

*ii. Support for AVI personnel:*

- providing guidance to AVI personnel on local laws and services in relation to child protection issues
- providing support and guidance to AVI personnel impacted by child abuse, for example if a Volunteer is distressed having witnessed abuse or the use of corporal punishment
- providing support and guidance to Staff and Volunteers on working with partner agencies to build capacity in relation to providing a safe and respectful environment for children and young people
- ensuring the ongoing implementation of child protection training for AVI personnel
- providing debriefing to AVI personnel in relation to a child abuse matter
- ensuring relevant AVI personnel are provided with the most up to date information regarding child safe recruitment, selection and screening practices

## 7. Complaints management procedure

AVI personnel should contact their AVI line manager in the first instance to discuss the situation.

Once a complaint or report is made, the line manager will immediately acknowledge receipt of the report, initiate an internal review process and set a timeline for action and response as appropriate to the complaint or report.

If the complainant feels the AVI line manager has not adequately responded to the complaint, or is not the appropriate person with whom to raise the complaint, the complainant should contact the AVI Executive at [childprotection@australianvolunteers.com](mailto:childprotection@australianvolunteers.com). Third party complaints should also be directed to the AVI Executive at this email address.

AVI management will provide support and guidance to AVI personnel in relation to any concern for the safety or wellbeing of a child or young person.

Concerns that must be reported include:

- a reasonable belief or observation of a practice or behaviour of an AVI staff member or program participant that may be harmful to a child
- disclosure by a child that he or she is being harmed, or fears being harmed, by an AVI associate or personnel
- breaches of AVI Codes of Conduct or inappropriate behaviour by AVI personnel
- concerns expressed by an agency, NGO, INGO or government partner about the behaviour of AVI personnel
- suspicious behaviour of a person in regard to the sexual exploitation or trafficking of children
- images, SPAM, pop ups or emails received on a computer which involve child pornography or the exploitation of children

### Confidentiality

AVI will ensure that any concern raised is handled according to the principles of confidentiality, safety, impartiality, thoroughness, timeliness and accuracy.

All complaints and reports, and the names of people involved, will be handled in the strictest of confidence. Details will only be released on a “need to know” basis, or when required by relevant local or Australian law, or when a notification to police or child protection authorities has been made. Please also refer to the AVI Privacy Policy.

## Observations of child abuse

Whilst working overseas, AVI personnel may observe incidents where children or young people are abused or harmed by their parents, carers or in an institutional setting such as a school, orphanage or hospital. Immediately reporting instances of abuse or maltreatment to local authorities may not always be in the best interests of the children involved. Many countries do not have the resources, agencies or support services available to effectively handle these types of situations. Incidents should be discussed with the appropriate AVI line manager before any action is taken.

AVI personnel should be reassured that there will be no action taken against those who report in good faith information indicating a breach of the AVI Child Protection Policy or Codes of Conduct or any behaviour or action of AVI personnel that may be harmful to a child. However, if AVI personnel knowingly and wilfully report false or malicious information regarding other AVI personnel, such false reports will lead to disciplinary action.

## **8. Risk assessment and mitigation**

AVI has developed a general AVI Child Protection Risk Assessment Framework, as well as risk assessments at country program and individual assignment level.

### Risk mitigation

All overseas-based and travelling AVI personnel and associates will undergo appropriate level criminal record checks.

### Recruitment, selection and screening of program participants

AVI will be vigilant in its recruitment and selection of program participants (ie volunteers and employees) who work directly with children and young people.

Verbal reference checks will be conducted for AVI program participants whose assignments require them to work with children, or whose assignments are deemed to be in a high risk category in relation to issues of child protection, with particular rigour in relation to AVI personnel working with children with disabilities.

All AVI program participants will be asked to consent to a criminal record check being carried out by the Australian Federal Police (AFP), which will include a 'working with children check', and/or checks by the relevant authority in countries where an individual has resided or worked for a period of 12 months or more in the past five years. AVI will make every reasonable effort to conduct these checks.

### Training Schedule

AVI will provide an appropriate level of child protection training and information, according to the AVI Child Protection Risk Assessment Framework, to all personnel in its programs at the following stages:

- pre-departure briefing
- in-country orientation
- in-country meeting.

AVI will also provide an appropriate level of child protection training to program staff, renewed annually.

### Monitoring

AVI will conduct regular monitoring of activities in relation to child protection, through set monitoring and evaluation and performance review frameworks, for each of its programs. Monitoring involves reviewing AVI's Codes of Conduct and their application, as well as soliciting feedback from personnel and stakeholders on AVI's child protection activities, training requirements, policies, codes of conduct and procedures.

AVI will provide opportunities for AVI personnel, associates and host employers to increase their capacity and knowledge in this area to ensure child protection is integrated across AVI's programs.

## **9. References**

The United Nations Convention on the Rights of the Child  
[www.unicef.org/crc](http://www.unicef.org/crc)

AusAID Child Protection Policy, March 2008  
[http://www.ausaid.gov.au/publications/pdf/child\\_protection.pdf](http://www.ausaid.gov.au/publications/pdf/child_protection.pdf)

ACFID Code of Conduct  
<http://www.acfid.asn.au/code-of-conduct>