

<b>AVI Child Protection Policy &amp; Code of Conduct</b>	Effective date	March 2018
	Next review date	October 2020
	Sponsor	Executive Manager Programs
	Board committee	
<b>Level / Class</b>  <b>Corporate</b>	Approval/authorisation	Board

## 1. PURPOSE

AVI has a strong commitment to the safety, wellbeing and protection of children<sup>1</sup>. We aim to safeguard children in the course of our work by promoting circumstances that are consistent with safe and effective care. This enables children to develop with optimum chances in life.

AVI encourages a culture of open discussion of issues regarding safeguarding and protecting children and the AVI Child Protection Policy guides our discussions and our decision making. We promote a rights based approach to child protection and have expected standards of behaviour for all AVI board members, staff, and program participants. These measures empower our people to be alert to risks, abuse and exploitation of children and to seek guidance and support to respond appropriately. AVI assesses and manages risk to children in all areas of our business.

AVI will do everything in our power to prevent child abuse and exploitation.

## 2. GUIDING PRINCIPLES

AVI's commitment to child protection is informed by the following principles:

- **Recognising Children's Rights:** The United Nations Convention on the Rights of the Child (UNCRC) underpins AVI approach to decisions about safeguarding and protecting children. AVI will promote children's rights to life, survival and development; participation; non-discrimination and to have their best interests considered in any decision making
- **The Best Interests of the Child are Paramount:** Consideration of what is in the best interests of the child is key in any decision related to our work with children. We will be guided by appropriate laws but our policy may go beyond these (i.e. AVI will not necessarily be limited in our response to complying with relevant laws).
- **Safeguarding and Protecting Children is a Shared Responsibility:** It is everyone's responsibility to maintain vigilance, practice risk management, and to promote optimum life chances for children.
- **Taking a Risk Management Approach:** AVI acknowledges that the work we do is associated with child protection risks. We are committed to identifying and minimizing preventable risk, and mitigating the impacts of unavoidable risks as they arise.
- **Zero Tolerance of Child abuse and exploitation.**

<sup>1</sup> Children are defined as all people under the age of 18 years.

The principles and values in this policy are also guided by those contained in Department of Foreign Affairs and Trade (DFAT) Child Protection Policy.

### 3. SCOPE / PERSONS AFFECTED

All personnel, program participants and associates must comply with this policy in the course of their work and when representing AVI:

- AVI workers
- All AVI program participants
- Australian Volunteers program approved adult dependents
- As a condition of partnership, AVI also expects compliance with certain child protection requirements from: overseas partner organisations (where program participants are placed)
- Australian partner organisations (engaged in overseas activities with AVI programs)
- Contractors and service providers (who are not directly supervised by AVI staff)

*AVI workers* (defined for the purposes of this policy as: employees, consultants, contractors, office volunteers, interns, the AVI Board, or anyone engaged to undertake work for the organisation). All of the aforementioned must comply with the standards of behaviour set out in this AVI Child Protection Policy and Code of Conduct.

This policy covers incidents and risks to children by AVI board members, staff, program participants or representatives of partner organisations/contractors. Incidents and risks that are the result of actions by members of the community are beyond the scope of this policy. However, AVI will endeavour to respond to these by providing support, advice, and arranging referrals and reporting to relevant authorities or support services when appropriate.

### 4. DEFINITIONS

**ABUSE** Includes:

**Physical abuse** — the use of physical force against a child that results in harm to the child. Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning.

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

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

**Sexual abuse** — the use of a child for sexual gratification by an adult or significantly older child or adolescent. Sexually abusive behaviours can include fondling genitals; masturbation; oral sex; vaginal or anal penetration by a penis, finger or any other object; fondling breasts; voyeurism; exhibitionism; and exposing the child to, or involving the child in, pornography

**ill-treatment** — disciplining or correcting 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.

**Grooming** — grooming concerns predatory conduct undertaken to prepare a child for sexual activity at a later time. Grooming behaviour is where an adult communicates, by words or conduct, with a child or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult.

## 5. RESPONSIBILITIES AND PROCEDURES

### 5.1 CHILD SAFE RECRUITMENT AND SCREENING

AVI will take all reasonable steps to ensure all personnel, volunteers and associates have passed screening procedures and do not pose a risk to children. Where AVI is directly responsible for recruitment we will consistently apply robust recruitment procedures for all personnel, program participants and associates:

- **Criminal history checks:**

Criminal history checks will be undertaken prior to engagement (for all personnel, program participants and associates, irrespective of position or length of engagement).

Criminal history checks will be conducted for each country in which an individual has lived for 12 months or longer over the previous 10 years and for an individual's country of residence. In countries where it is impossible to obtain a reliable criminal record check, a signed 'statutory declaration' will be provided that: outlines efforts made to obtain a foreign police check; discloses any charges and spent convictions related to child abuse/exploitation. Note: a character reference from a senior community member can be provided, however character references will not be accepted as an alternative to a Statutory Declaration.

Actions following disclosure:

Where a criminal history check has been conducted and adverse findings have been outlined, the content of the disclosure will be reviewed on a case-by-case basis by the Child Protection and Safeguards Advisor, AVI Executive, Australian Volunteers Program (AVP) Program Director, Human Resources, and the appropriate line manager in terms of further action.

AVI will take all fair and reasonable steps as part of any investigation following a criminal history check disclosure and whether the nature of the disclosure is in conflict or affects the AVI worker's position, or other persons also covered by the scope of this policy- being able to carry out their duties and responsibilities. AVI will abide by relevant Australian laws and legislation, and the AVI Enterprise Agreement in regards to ensuring any investigations following disclosure are in line with privacy, confidentiality, and anti-discriminatory legislation.

- **Working with Children Checks (WWCC):** for roles working directly with children, including roles that access child-sensitive data, or any contact with children by letter, email, phone or social media. Eligible volunteer roles include: child protection coordination/mentoring, assignments working in schools or other child focused organizations (including youth development roles), and assignments working with children's residential care facilities. Child Protection/Safeguarding and Security/Risk roles will also require a WWCC. Note: WWCC's will be conducted for Australian, UK and New Zealand Citizens

- **Verbal Referee Checks:** At least two verbal referee checks conducted and documented,
- **Behavioural based interview questions:** to determine attitudes, motivations, and values in regards to children,
- **Sign and comply with this policy and the enclosed 'Child Protection Code of Conduct for Working and Contact with Children' (annex 1),** as a condition of engagement with AVI.  
A written record of agreement will be retained on file, which includes an agreement to inform AVI about incidents and risks related to children,
- **All employment contracts must contain provisions for potential disciplinary action:** including termination of employment following breach of the Child Protection Policy and Code of Conduct,
- As a condition of partnership, we will expect similar conditions from our partners,

## 5.2 EDUCATION, TRAINING AND COMMUNICATION

AVI personnel will attend child protection policy training as part of orientation and ongoing engagement. All program participants will receive on-line child protection training and attend a dedicated pre-departure briefing from the Child Protection and Safeguards Advisor. Parents (as program participants and children (as child dependents) will also be provided with targeted support and assistance in managing challenges through the volunteer program. Education and training on child protection tailored to different programs will be provided by in-country staff through dedicated sessions during in-country orientation soon after program participants arrive. Training is delivered through a range of medium i.e. Face to face, through E Training modules on line.

- This training aims to contextualize child protection and provide practical country specific information. Country Office Staff are the first point of call for child protection issues in country. They along with the AVI Child Protection Adviser continue to monitor and respond to child protection issues, and identify ongoing training and support needs.
- The AVI Child Protection Policy and Code of Conduct will be available on the AVI website and also referenced in the applicable Australian Volunteers program website.
- The AVI Child Protection Policy and Code of Conduct will be translated into local language/dialect to ensure accessibility for all personnel, volunteers and associates.
- Children will be included in volunteer on-boarding and in-country support process, including: access to child friendly on-line learning modules, access to child centred incident reporting processes and invitations to attend pre-departure briefings.

## 5.3 CHILD PROTECTION IN PROGRAM PLANNING AND IMPLEMENTATION

AVI will work in partnership with partner organisations providing support to assist them to develop and fulfill their responsibilities for the Safeguarding of children. A range of factors must be carefully considered in order to develop a collaborate partnership which enables a child Safeguarding system to be developed and implemented. AVI will implement the following:

- Child protection risk assessment will be included in organisational appraisals prior to beginning a partnership. This will include risk assessments of programs which involve residential care of children, acknowledging our recognition of family based alternative care and permanency models which view residential care as a last resort in line with the UN Guidelines for the Alternative Care of Children (2010)<sup>2</sup>.

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<sup>2</sup> UN Guidelines for the Alternative Care of Children, UNICEF,2010  
[http://www.unicef.org/ptotection/alternative\\_care\\_Guidelines-English.pdf](http://www.unicef.org/ptotection/alternative_care_Guidelines-English.pdf)

- The AVI Child Protection and Safeguards Adviser will provide ongoing support to program participants in assignments with high contact with children (such as child protection and child welfare related roles).
- AVI will continue to work collaboratively with Partner organisations to monitor, support and report regarding all child safeguarding matters.

AVI will provide support through the Child Protection and Safeguards Adviser to:

- Develop and review partner organisation child protection policy and procedures
- Coordinate training and resource provision for partner organisation personnel
- Assess and manage child protection risks
- Meet compliance and reporting requirements, including Australian Volunteer program compliance standards.
- Manage child protection concerns and coordinate responses
- AVI personnel will undertake a child protection risk assessment for all programs and activities that may have contact with children. The assessment will identify risks, classify high risk activities, and document steps being taken to reduce or remove these risks. Child Protection Risk Assessments should be undertaken at program design and proposal stage and at all reporting intervals.

#### **5.4 USE OF IMAGES AND MESSAGES**

AVI bases all image gathering and publishing processes on ethical standards, which includes assessment of risk to children; child safety; respect for children's rights, and integrity and dignity. This includes obtaining and documenting informed consent from the child's parent/guardian and, if possible, the child themselves. Children's best interests and protection will be prioritized over opportunities for promotion and advocacy.

AVI will educate and increase awareness of ethical approaches to working with parents, guardians and children for image gathering and publishing processes during program participant pre-departure learning/briefings, staff inductions and during ongoing child protection training briefings.

AVI also has a set of expected behaviours when photographing or filming a child or using children's images for work-related purposes (see annex 1 – Child Protection Code of Conduct).

- Photographic images should be consistent with our approach to safeguarding and protecting children and should avoid damaging stereotypes.
- We will respect the rights of children and their parents/guardians (right to privacy, participation, and right to consent).
- Photography briefing notes for program participants include appropriate information about our safeguarding and protecting children strategy and will reflect best practice standards for external publishing.

#### **5.5 CHILD PROTECTION RISK ASSESSMENTS**

AVI personnel will undertake child protection risk assessments for all programs and activities that may have contact with children. The assessment should identify risks, classify high risk activities, and document steps being taken to reduce or remove these risks. Child Protection Risk Assessments should be undertaken at program design, proposal stage, and at all reporting intervals.

The AVI Executive is responsible for managing and responding to any child protection incidents and risks.

The Child Protection and Safeguards and Safeguards Advisor will provide support to the Executive through the processes of managing and responding to any such incidents and risks.

## 6. INCIDENT/RISK REPORTING AND RESPONSE

While working in Australia or overseas AVI staff, program participants or associates may observe incidents where children are at risk, are harmed, or have suspicions or disclosures child abuse and/or exploitation.

Incidents or risks include:

- An observation or disclosure (by an adult or child) of abuse or exploitation
- An observation or disclosure of potential risk of harm or child abuse
- A breach of the AVI Child Protection Policy or 'Child Protection Code of Conduct'
- A situation or environment which is working in opposition to, or poses a threat to children's rights
- An observation or disclosure of behaviour which could be considered grooming
- Child exploitation materials that are received on AVI electronic equipment (this can include, but is not limited to, SPAM, popups, text messages, emails, or social media communications)

Board members, staff or program participants and associates must inform AVI Management if they have formed a *reasonable belief that a child or young person has been harmed or is at potential risk of harm*.

A report must be made to management of AVI when:

- Harm is due to the actions or inactions of an AVI board member, staff member or program participant, or other associate. Harm is due to the actions of a person representing a AVI partner organisation or contractor.
- A criminal offence has been committed against a child the matter will be reported to the relevant authorities both in the Country where the crime was committed and to the Australian authorities.
- Overseas partner organisations where AVI program participants are placed are also encouraged to inform AVI in the above circumstances.

The report must be made within 24 hours of becoming aware of the incident or risk, AVI staff or program participants and associates must inform one of the following people:

- The relevant AVP Regional Director or Program Manager
- The Child Protection and Safeguards Advisor
- AVI Global Security Staff
- AVP Program Operations Manager
- A member of AVI/AVP Child Protection response group this can be done using the [childprotection@australianvolunteers.com](mailto:childprotection@australianvolunteers.com)

Incidents reports will be documented investigated and responded to. All child protection reports are given a Level 4 rating in the Risk Matrix tool 'Risk Wizard'.

## Strategies for responding to children if they disclose:

The following strategies will help support children if they disclose that they have been harmed or abused:

- *Try to keep calm and give the child your attention*
- *Listen to the child, do not ask leading questions*
- *Let the child take his or her time to tell what happened*
- *Reassure the child that it is the right thing to tell*
- *Let the child use his or her own words to tell*
- *Don't make promises you can't keep*
- *Let the child know what you will do next*
- *If the child is injured seek medical attention*
- *Do not examine the children unless you are a parent or a medical practitioner*
- *Don't confront the person who has allegedly abused the child (this can endanger the person who reports or the child themselves).*

**Response Planning:** An Incident response case plan will be developed and will include:

- (a) An assessment of the incident report information,
- (b) The specific actions to be taken, a time frame, and those persons responsible for taking the action required. Actions required may include:
  - Consulting/reporting to local and/or National authorities in accordance with National Law,
  - Action to be taken by Country office,
  - Action to be taken by Regional Director

Action to be taken by AVI head office:

AVI is committed to preventing a person from working with children if they pose an unacceptable risk. Following a formal investigation, a confirmed breach of the Child Protection Policy and 'Child Protection Code of Conduct' may lead to the instigation of performance and disciplinary procedures, which may involve termination of employment for staff, or an assignment for program participants.

No action will be taken against any person who informs AVI in good faith of incidents and risks. However, those who willfully inform AVI using false information will be subject to investigation and possible consequences as per disciplinary procedures.

## 7. CONFIDENTIALITY

AVI will ensure that any incidents or risks will be handled according to the principles of confidentiality, safety, impartiality, procedural fairness, timeliness and accuracy.

All incidents or risks, and the names of people involved, will be handled in the strictest of confidence. Details will only be disclosed on a "need to know" basis, when required by relevant local or Australian law, or when a notification to police or appropriate authorities must be made.

## 8. RELATED POLICIES AND DOCUMENTS

- AVI Code of Conduct
- AVI Relevant HR Policies
- AVI Privacy Policy
- Work Health and Safety Policy

- DFAT Child Protection Policy
- AVI Position on Residential Care for Children
- AVP OPERATIONS MANUAL (Child Protection Volume)
- AVI Enterprise Agreement

## 9. REFERENCES

- United Nations Convention on the Rights of the Child (UNCRC)
- ACFID Code of Conduct
- United Nations Convention on the Rights of people with disabilities.  
<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>
- Resolution adopted by the General Assembly; Guidelines for the Alternative Care of Children [on the report of the Third Committee (A/64/434)] 64/142.  
<https://bettercarenetwork.org/library/social-welfare-systems/standards-of-care/guidelines-for-the-alternative-care-of-children-english>

## REVISION HISTORY

Date	Revision Number	Change(s)	Reference Section(s)
February 2007	1.0	AusAID compliance – policy rollout March 2008	
November 2008	1.3	Combining AVI draft with AusAID CP Policy March 2008; Incorporating AVI CPWG & Childwise comments	
January 2009	1.5	ACFID Child Rights Working Group & AVI TL additions	Associates Children with disabilities Guardian / parent permission
June 2009	1.6	Overall edit	
June 2010	2.0	Removal of procedural elements and risk management clause. Procedures edited slightly also	Section 6 & 7 edited. Original section 8 removed
October 2013	3.0	Overall edit	
October 2015	3.1	Minor edits Addition of social media elements to 'Expected Behaviours document'	2, 4, 5, 6 combine 5 and 6
January 2016	3.2.	Final edit	
March 2016	3.3	Further formatting edits	
August 2016	3.4	Brand update – no content changes	
February 2018	3.5	Full review and update for compliance with DFAT CP Policy	All sections.

**ANNEX 1 – AVI Child Protection Code of Conduct for Working and Contact with Children**

**AVI Child Protection Code of Conduct for  
Working or Contact with Children**

**This Child Protection Code of Conduct/list of expected professional behaviours applies to all personnel (Australia and overseas), Australian volunteers, contractors, AVI board members and associates of AVI.**

AVI expects that all people engaged with organisations, programs and activities will abide by the following Code of Conduct in their interactions with children<sup>3</sup>.

**I agree:**

1. to treat children with respect, regardless of race, colour, gender, language, religion, political or other opinion, national, ethnic or social origin, status, disability, or other status or identity
2. not to use language or behaviour towards children that is abusive, including language or behaviour that is harassing, sexually provocative, shaming, demeaning or culturally inappropriate
3. not to engage a child in any form of sexual intercourse or sexual activity, including paying for sexual services or acts
4. wherever possible, to ensure that another adult is present when working with children or in contact with children.
5. not to invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger
6. not to rest or sleep close to unsupervised children, 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)
7. to use all computers, mobile phones, video cameras, cameras or other technology appropriately, and never exploit or harass children, or access or disseminate child exploitative material through any medium, including social media
8. not to use physical punishment or humiliating punishment on children
9. not to 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
10. not to offer private transportation to children, unless a child is at risk of injury or in physical danger
11. to comply with all relevant Australian and local legislation, including labour laws in relation to child labour
12. to immediately report to AVI any concerns or allegations of child exploitation, abuse or breach of the Child Protection Policy and Code of Conduct

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<sup>3</sup> Children are defined as being less than 18 years of age.

13. to seek the support of AVI in any matter where mandatory reporting is required by Australian or international legislation
14. to immediately disclose all charges, convictions and other outcomes of an offence that relates to child exploitation and abuse, including those under traditional law, which occurred before or occurs during my association with AVI
15. to be aware of behaviour and avoid actions or behaviours that could be perceived by others as child exploitation and abuse.

Note: these behaviours are not intended to interfere with normal family interactions.

**When photographing or filming a child or using children’s images for work-related purposes, I must:**

- take care to ensure local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child
- obtain informed consent from the child and/or parent or guardian of the child before photographing, recording or filming a child
- provide an explanation of how the photograph or film will be used to the child and their parent or guardian
- not offer or give remuneration or in-kind gifts for taking a photograph or film
- ensure photographs, films, videos, DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Ensure that children are adequately clothed and not in poses that could be seen as sexually suggestive.
- ensure images are honest representations of the context and the facts
- ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

I, \_\_\_\_\_, acknowledge that I have read and understood the AVI Child Protection Policy and Code of Conduct for Working and Contact with Children. I understand that any breach of the Code of Conduct may result in the termination of my employment or assignment according to AVI’s disciplinary procedures or dismissal/removal from the (\_\_\_\_\_) program and prosecution by the relevant authorities.

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

Name in full: \_\_\_\_\_

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